



SHIRE OF WILLIAMS MINUTES

ORDINARY COUNCIL MEETING
WEDNESDAY 20 SEPTEMBER 2023



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SHIRE OF WILLIAMS STRATEGIC COMMUNITY PLAN 2022-2032

ECONOMIC

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

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

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

SOCIAL AND CULTURAL

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

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

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

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

LAND USE & ENVIRONMENT

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

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

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

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

LUE4. Recognising and implementing sustainability measures.

INNOVATION, LEADERSHIP & GOVERNANCE

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

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

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

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

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

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AGENDA

1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member, President Jarrad Logie, declared the Meeting open at 3.53pm.

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 John Macnamara

Staff

- Geoff McKeown - Chief Executive Officer
- Manuela Lenehan - Minute Taker

- Visitors – Marie Lloyd (to 4.56pm)
- Apologies – Cr Christine Cowcher
- Leave of Absence – Nil

3.0 Public Question Time

Nil

4.0 Petitions / Deputations / Presentations

Nil

5.0 Declarations of Interest

DECLARATION OF INTEREST	
Name / Position	Cr Carne / Councillor
Item No. / Subject	8.2.5 Proposed Rural Industry – Lot 17 (149) Playle Road, Williams
Type of Interest	Financial & Proximity

DECLARATION OF INTEREST	
Name / Position	Cr Logie / President
Item No. / Subject	8.2.5 Proposed Rural Industry – Lot 17 (149) Playle Road, Williams
Type of Interest	Financial

DECLARATION OF INTEREST	
Name / Position	Cr Panizza / Councillor
Item No. / Subject	8.2.5 Proposed Rural Industry – Lot 17 (149) Playle Road, Williams
Type of Interest	Financial

DECLARATION OF INTEREST	
Name / Position	Cr Harding / Councillor
Item No. / Subject	8.2.5 Proposed Rural Industry – Lot 17 (149) Playle Road, Williams
Type of Interest	Proximity

DECLARATION OF INTEREST	
Name / Position	Cr Macnamara / Councillor
Item No. / Subject	8.2.5 Proposed Rural Industry – Lot 17 (149) Playle Road, Williams
Type of Interest	Financial

6.0 Confirmation of Minutes of Previous Meetings

6.1 Ordinary Council Meeting Held 16 August 2023

Officer’s Recommendation

That the Minutes of the Ordinary Council Meeting held 16 August 2023, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Moved: Cr Major/ **Seconded:** Cr Harding

That the Minutes of the Ordinary Council Meeting held 16 August 2023, as previously circulated, be confirmed as a true and accurate record.

Carried 8/0
Against: Nil
Resolution 25/24

For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

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

File Reference	N/A
Statutory Ref.	N/A
Author & Date	Britt Logie 15 th September 2023
Attachments	Nil

Background

The Community Development Officer manages and supports the management of a variety of projects that are either currently being implemented, in the final stages of delivery/ reporting or awaiting outcome advice on potential funding.

Logo Rebranding Project

The first round of voting was extremely successful with 269 votes received. Due to the close results of Logo 2 & 3 (2 votes in it), it was decided to allow the community a second chance of voting with Logo 1 and 4 removed. The results from the first round are below:



37 votes



106 votes



104 votes



12 votes

The second round of voting closed at 5pm Friday 15th September. The results of the second round of voting were:

LOGO 1 – 137 votes



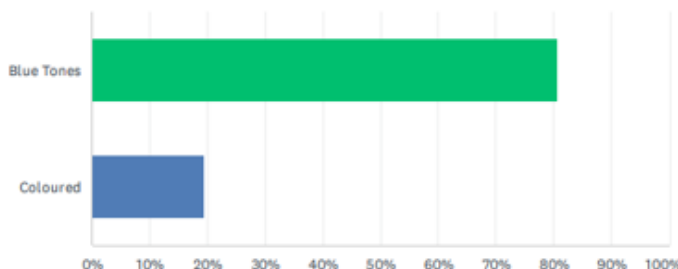
LOGO 2 – 97 votes



The second round also had the option to select a colour logo or the blue tones, below are the results:

Q3 Should the LOGO appear in Blue tones or Coloured

Answered: 231 Skipped: 3



ANSWER CHOICES	RESPONSES
Blue Tones	80.52% 186
Coloured	19.48% 45
TOTAL	231

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):

- E 1.5 Encourage community groups' initiatives to promote the Shire as a place to live, work, play and invest
- ILG 1.2 Ensure the community remains well informed, well connected and engaged and has the opportunity to actively participate
- ILG 1.4 Continue to use community satisfaction surveys to seek community feedback on a range of issues

Financial Implications

The Financial implications of the logo rebranding project have been included in the Budget.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council agree with the community votes and endorse Logo 1 in the second round of voting to represent the Shire of Williams.

Council Resolution

Moved: Cr Baker / **Seconded:** Cr Harding

That Council agree with the community votes and endorse Logo 1 in the second round of voting to represent the Shire of Williams, with the slogan below the Logo to be decided at a later stage.

For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 26/24

The Resolution differed from the Recommendation as Council wished to clarify that its decision was pertaining to the graphics of the Logo only, with the choice of slogan being the subject of a future determination.

8.1.2 Payment Listing

File Reference	4.23.15
Statutory Ref.	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cassie Barker 14 September 2023
Attachments	Payment listing for month ending 31 August 2023

Background

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

Statutory Implications

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

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

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

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

Comment

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

Strategic Implications

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

CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

As listed in the recommendation below.

Voting Requirements

Simple Majority

Officer's Recommendation
That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104984 – 104987 totalling approved by the Chief Executive Officer during the month of August 2023 be endorsed.

Council Resolution
Moved: *Cr Carne* / **Seconded:** *Cr Price*
That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104984 – 104987 totalling approved by the Chief Executive Officer during the month of August 2023 be endorsed.
Carried 8/0
For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price
Against: Nil
Resolution 27/24

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

DATE	NAME	DESCRIPTION	AMOUNT
MUNICIPAL - EFT, BPAY, DIRECT DEBIT & CHEQUES			
03/08/2023	WA SUPER	Superannuation July 2023	\$24,502.09
04/08/2023	APRA LTD	Annual Music Licence 2023/2024	\$364.00
04/08/2023	BELVEDERE NURSERY	11305 - Trees & Landscaping Plants (Various)	\$4,969.20
04/08/2023	BODDINGTON CARPET CARE	13196 - Carpet Cleaning (4 Jamtree Ln)	\$200.00
04/08/2023	CORNER'S AUTOMOTIVE ELECTRICS	13144 - Blower Resistor (Isuzu D-Max)	\$77.00
04/08/2023	CUMMINS SOUTH PACIFIC PTY LTD	13132 - Parts/Rocker Cover Gaskets (MT Roller)	\$165.88
04/08/2023	DUFF ELECTRICAL CONTRACTING	13203, 13192 - Electrical Works (Ram Shed, Hockey Ground)	\$418.55
04/08/2023	EXPRESS PRINT	13302 - Rates Notices	\$657.80
04/08/2023	GOODYEAR AUTOCARE NARROGIN	13147 - Repair Tyre (CASE Loader)	\$145.00
04/08/2023	GREAT SOUTHERN FUELS	13219 - Bulk Fuel	\$12,493.47
04/08/2023	HERSEY'S SAFETY PTY LTD	13138 - Pressure Cleaner (Depot)	\$5,720.00
04/08/2023	IN2BALANCE	13297 - Annual Software Licences (Rates, Assets)	\$34,430.00
04/08/2023	ITR PACIFIC PTY LTD	13139 - Mower Blades & Parts	\$9,010.93
04/08/2023	JACK'S HANDYMAN & GARDENING SERVICES	Service Heater, Clean Flue (8 Fry St.)	\$245.30
04/08/2023	JAMIESON ENGINE ENGINEERING	13143 - Flywheel Repair (Isuzu Ute)	\$114.40
04/08/2023	JLT	Regional Risk Coordinator Fees (2nd Instalment 22/23)	\$3,776.65
04/08/2023	JUNCTION BROOK PTY LTD	13149 - Filters (Various)	\$2,224.20
04/08/2023	LOCAL GOVERNMENT WORKS ASSOCIATION OF WA	13216, 13223 - 10x LGWA Works & Parks Conference Registrations	\$5,115.00
04/08/2023	MAKIT NARROGIN HARDWARE	Solid External Door (Shire Office)	\$185.00
04/08/2023	MELCHIORRE PLUMBING & GAS	13303, 13312 - Plumbing Works (Public Buildings)	\$1,186.79
04/08/2023	METRO COUNT	13213 - Battery Packs for Traffic Counter	\$99.00
04/08/2023	NARROGIN BEARING SERVICE	13140, 13148, 13140 - Parts & Tools (Various)	\$590.01
04/08/2023	NARROGIN TOYOTA	13215 - Blades (Edger)	\$321.86
04/08/2023	RJ SMITH ENGINEERING	13141 - 20L Brake & Parts Cleaner	\$100.00
04/08/2023	STAR TRACK EXPRESS	Freight ex MetroCount (Battery Pack)	\$38.28
04/08/2023	TEAM GLOBAL EXPRESS	Freight (ex The Goods, Corsign)	\$32.00
04/08/2023	THE WILLIAMS COMMUNITY NEWSPAPER.	12814 - Printing Costs	\$15.60
04/08/2023	THINKPROJECT AUSTRALIA PTY LTD	13289 - Annual Service Fee (2023-2023)	\$8,240.33
04/08/2023	WILLIAMS BOWLING CLUB.	Contribution to Greens, 2022/23 and 50% 2023/24	\$15,000.00
04/08/2023	WREN OIL	Oil Waste Disposal - Administration Fee Only	\$16.50
09/08/2023	FDC Educators	FDC Educators PE 06/08/2023	\$23,238.05
09/08/2023	BUILDING AND ENERGY	BSL collection - July 2023	\$298.25
09/08/2023	JP UPHOLSTERY & CANVAS	13189 - Cafe Blinds (Sandalwood Ct) - Reimbursed by The Williams	\$797.00
10/08/2023	SHIRE OF WILLIAMS	Salaries & Wages PE 09/08/2023	\$54,954.97
15/08/2023	HICKS HANDYMAN	13329 - Interior Painting (CRC)	\$4,730.00
18/08/2023	MAIN ROADS WESTERN AUSTRALIA.	Class 1 RAV O/size Permit 2023-24 (Volvo Prime Mover)	\$50.00
18/08/2023	OXTER SERVICES.	13256 - 13 Plinths & Plaques (Marling Cemetery)	\$643.50
23/08/2023	FDC EDUCATORS	FDC Educators PE 20/08/2023	\$26,698.97
24/08/2023	SHIRE OF WILLIAMS	Salaries & Wages PE 23/08/2023	\$53,454.55
31/08/2023	AIR RESPONSE	13321 - Clean & Service Air Conditioner (6 Richardson St)	\$197.50
31/08/2023	AUSTRALIAN INSTITUTE OF MANAGEMENT	13228 - Staff Training (Supervisor Course - A Wood)	\$1,382.00
31/08/2023	AVON WASTE	TBA - Monthly Refuse Charges July 2023	\$10,494.59
31/08/2023	BELVEDERE NURSERY	13327 - Trees & Shrubs (Lions Park, Wandoo Ct)	\$644.00
31/08/2023	BEST OFFICE SYSTEMS	13353 - Toner Cartridge, Photocopy/Print Charges	\$1,251.08
31/08/2023	BOC Ltd	13299 - July 2023 Container Service Fee	\$44.71
31/08/2023	CANNON HYGIENE	13368 - Hygiene Service (29/3/23-28/9/24)	\$1,156.13
31/08/2023	CHATTERBOX CAFE & GALLERY	13292 - Refreshments (July Council Meeting)	\$122.00
31/08/2023	CORNER'S AUTOMOTIVE ELECTRICS	13404 - Batteries (Vibe- & MT Roller)	\$660.00
31/08/2023	CORSIGN WA PTY LTD	13315 - Signage (New St Single Units)	\$41.80
31/08/2023	COUNTRY PAINT SUPPLIES	13319 - Timber Stain (Lions Park)	\$259.90
31/08/2023	CUMMINS SOUTH PACIFIC PTY LTD	13132 - Flywheel Housing (MT Roller)	\$1,040.60
31/08/2023	DEPARTMENT OF THE PREMIER AND CABINET	13354 - Advertising Scheme Amendment (Government Gazette)	\$649.20
31/08/2023	DFES.	ESLB 1st Qtr Contribution 2023/24	\$20,230.50
31/08/2023	DORMAKABA AUSTRALIA PTY LTD	Automatic Doors Serviced (x2)	\$253.00
31/08/2023	DUFF ELECTRICAL CONTRACTING	13310 - Fix Air Conditioner (Tripping Fuse)	\$264.00
31/08/2023	DX PRINT GROUP	13311 - DL Window Envelopes	\$352.00
31/08/2023	FUEL DISTRIBUTORS OF WA PTY LTD	13229 - Bulk Fuel	\$13,811.00
31/08/2023	FULTON HOGAN (EFT)	13218 - 3 Bulka Bags Coldmix (Rural Roads)	\$2,112.00
31/08/2023	GROUND UP BUILDING AND CONSTRUCTION	13304 - Interior Painting (Art & Craft Centre)	\$11,849.00
31/08/2023	H+ H ARCHITECTS	13288 - Architectural Services (New Dwelling - Growse St)	\$8,386.40
31/08/2023	HARMONY SOFTWARE	Educators' Software Fees, Month of July 2023	\$429.80
31/08/2023	HICKS HANDYMAN	13369 - Interior Painting (Doors etc.) CRC	\$2,250.00

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

DATE	NAME	DESCRIPTION	AMOUNT
31/08/2023	INDUSTRIAL AUTOMATION GROUP	13296 - Glenfield Standpipe Remote Access 2023-24	\$1,437.70
31/08/2023	ITR PACIFIC PTY LTD	13403 - Parts (CAT Graders)	\$891.79
31/08/2023	JACK'S HANDYMAN & GARDENING SERVICES	Maintenance to Wood Heaters (var. Residential)	\$848.10
31/08/2023	JOONDALUP GOLF MANAGEMENT	13220 - LGWA Conference Accommodation x2 (Works)	\$1,178.00
31/08/2023	JP UPHOLSTERY & CANVAS	13225 - Repairs to Vacuum Bag (Industrial Sweeper)	\$120.00
31/08/2023	LANDGATE.	Land Valuations - Rating	\$125.24
31/08/2023	LGIS	2023/24 Insurances - First Instalment (Various)	\$129,668.16
31/08/2023	MELCHIORRE PLUMBING & GAS	13309, 13317, 13318, 13322, 13320 - Plumbing Works (Various)	\$3,328.60
31/08/2023	MODERN TEACHING AIDS PTY LTD	13295 - Childcare Equipment & Supplies	\$3,997.20
31/08/2023	NARROGIN PACKAGING	13316 - Hire of Trench Digger (Lions Park)	\$145.00
31/08/2023	NARROGIN TOYOTA	13221 - Chain for Pole Saw	\$41.75
31/08/2023	OMNICOM MEDIA GROUP AUST. PTY LTD	13359 - Advertising (CEO Position)	\$975.27
31/08/2023	RD & CA BAKER	Repair/Refurbish Voting Box (Williams Road Board)	\$55.00
31/08/2023	REPCO	13142 - Parts (Isuzu Ute)	\$698.94
31/08/2023	SHIRE OF CUBALLING (EFT)	13226 - LGIS Golf Registrations	\$820.00
31/08/2023	SHIRE OF NARROGIN.	EHO Wages July 2023	\$32.00
31/08/2023	SOUTH WEST ISUZU	13146 - Parts (Isuzu Ute)	\$343.35
31/08/2023	STAR TRACK EXPRESS	Freight ex DX Print Group - Envelopes	\$61.06
31/08/2023	STATE LIBRARY OF WA.	Better Beginnings Program 2023/24	\$71.50
31/08/2023	SYSTEM MAINTENANCE	13230 - Inspect & Fix Sewage System	\$1,226.61
31/08/2023	T-QUIP.	13402 - Air Cleaner Cover (Toro Mower)	\$227.10
31/08/2023	TEAM GLOBAL EXPRESS	Freight - Various	\$390.53
31/08/2023	THE WILLIAMS COMMUNITY NEWSPAPER.	13351 - Printing Costs	\$62.40
31/08/2023	THE WILLIAMS WOOL SHED.	13227 - Protective Clothing (Works Crew)	\$4,517.85
31/08/2023	TOWN PLANNING INNOVATIONS	13352 - General Planning Advice for June 2023	\$577.50
31/08/2023	TUTT BRYANT EQUIPMENT (BT EQUIPMENT P/L)	13145 - Replacement Window (Hire Roller)	\$347.51
31/08/2023	TUTT BRYANT HIRE PTY LTD	13214 - Roller Hire (Rural Roads)	\$3,332.34
31/08/2023	WA CONTRACT RANGER SERVICES	13300 - Ranger Services 3/7/23 - 16/8/23	\$1,201.75
31/08/2023	WA LOCAL GOVERNMENT ASSOCIATION	13298 - WALGA Subscriptions	\$22,059.42
31/08/2023	WALLIS COMPUTER SOLUTIONS	13355 - Supply & Install 2 Laptops (Office)	\$8,214.27
31/08/2023	WESFARMERS KLEENHEAT GAS PTY LTD	13308 - Bulk Gas (Pavilion & Town Hall)	\$825.96
31/08/2023	WESTRAC	13404 - Parts & Oil (CAT Roller)	\$424.86
31/08/2023	WILD HARVEST CAFE	13326 - Catering (August Council Meeting)	\$90.00
31/08/2023	WILLIAMS NEWSAGENCY	Monthly Account July 2023	\$137.35
31/08/2023	WILLIAMS RURAL SUPPLIES	Monthly Hardware Account - July 2023	\$2,175.97
03/08/2023	TELSTRA	Monthly Phone Usage to 19/7/2023	\$422.78
03/08/2023	SYNERGY	Electricity Charges - Street Lights & Emergency Services Tower	\$3,204.32
18/08/2023	TELSTRA	Telephone, Mobiles & Internet Charges (Various)	\$370.89
18/08/2023	SYNERGY	Electricity to Swimming Pool 18/7/2023 to 14/8/2023	\$358.06
30/08/2023	TELSTRA	Pool Telephone to 19/8/2023	\$34.54
1-31 Aug 23	DEPARTMENT OF PLANNING & INFRASTRUCTURE	Licensing Payments Forwarded to Department of Transport	\$32,899.15
01/08/2023	WESTNET	Monthly CEO Internet Charges, August 2023	\$54.99
03/08/2023	CBA	CBA - Merchant Fees July 2023	\$117.44
17/08/2023	ANZ CARDS	Monthly Credit Card Expenses x 2 (see details below)	\$5,000.34
10/08/2023	WILLIAMS LICENSED POST OFFICE	Petty Cash Recoup	\$148.10
17/08/2023	WATER CORPORATION.	Water Use, Service & Sewerage (Various)	\$8,590.61
22/08/2023	WILLIAMS LICENSED POST OFFICE	Stationery, Postage (Office & Library)	\$571.71
22/08/2023	WATER CORPORATION.	Water - Standpipes a.o.	\$1,803.97
			\$617,428.32

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

DATE	NAME	DESCRIPTION	AMOUNT
17/08/2023	ANZ CARDS	Monthly Credit Card Expenses x 2	-5,000.34
<u>Geoff McKeown, CEO</u>			
01/08/2023		Reckon Training - Payroll & Single Touch Processing	90.00
		Wild Harvest Cafe - Catering June Council Meeting	53.73
		Wild Harvest Cafe - Catering June Council Meeting	14.50
		Williams Hotel - Refreshments June Council Meeting	80.95
		Google - Marradong Trails Promotion	16.80
		Adobe - Annual Licence Fee 2023-24	1,139.97
<u>Sharon Palumbo, Manager of Childcare Services</u>			
		Survey Monkey - Annual Subscription 15/7/23 - 14/7/24	326.87
		2 Mop Buckets, 1 Mop	86.28
		Bin Liners	29.09
		Cooking Supplies	18.50
		Cornflour	4.05
		Baby Wipes, Sudocream, Wrap/Foil	84.73
PLANT:P084 CX-5 2022 WL036 (FDC)		35.69L ULP	57.06
		Books & Resources	85.00
		Pebbles for Craft Activity	4.09
		FDCA Membership	271.82
PLANT:P084 CX-5 2022 WL036 (FDC)		50.58L ULP	80.89
		Rubbish Bins, Plastic Storage Boxes	27.27
		Flights - Perth/Broome/Perth 17-19th July 2023	1,105.16
		Accommodation	632.79
		Baby Wipes	20.91
		Baby Wipes, Straws	12.73
		Cooking Supplies	20.00
		Rug	90.00
		Meal Items - Woolworths Broome	51.88
		Meal Items - Woolworths Broome	10.00
		Meals - Asian Noodle	18.29
		Fabric for New Cushion Covers	113.20
		5L ULP for Hire Car	10.00
AUSTRALIAN TAXATION OFFICE		Non-Cap. Acq. - Inc GST	443.78
			5,000.34

8.1.3 Financial Statements

File Reference	4.23.15
Statutory Ref.	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cassie Barker 14 September 2023
Attachments	Financial Statements ending 31 August 2023

Background

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

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

Statutory Implications

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

Comment

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

Strategic Implications

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

CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

As disclosed in the financial statements.

Voting Requirements

Simple Majority

Officer's Recommendation

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

Council Resolution

Moved: Cr Panizza/ **Seconded:** Cr Price

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

Carried 8/0
For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil
Resolution 28/24

SHIRE OF WILLIAMS



MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)
For the period ended 31 August 2023

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

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

	Supplementary Information	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b)	Variance* % ((c) - (b))/(b)	Var.
OPERATING ACTIVITIES							
Revenue from operating activities							
Rates	10	2,245,399	2,243,398	2,241,429	(1,969)	(0.09%)	▼
Grants, subsidies and contributions	13	469,870	348,323	222,588	(125,735)	(36.10%)	▼
Fees and charges		1,093,829	178,434	172,031	(6,403)	(3.59%)	▼
Interest revenue		80,500	13,417	18,634	5,217	38.88%	▲
Other revenue		39,775	5,183	7,858	2,675	51.61%	▲
Profit on asset disposals	6	6,814	0	1,196	1,196	0.00%	
		3,936,187	2,788,755	2,663,736	(125,019)	(4.48%)	
Expenditure from operating activities							
Employee costs		(1,914,703)	(308,114)	(355,579)	(47,465)	(15.41%)	▼
Materials and contracts		(1,387,703)	(335,285)	(216,399)	118,886	35.46%	▲
Utility charges		(251,190)	(32,007)	(23,008)	8,999	28.12%	▲
Depreciation		(1,953,425)	(322,392)	(327,207)	(4,815)	(1.49%)	
Finance costs		(19,189)	0	0	0	0.00%	
Insurance		(165,012)	(82,506)	(84,817)	(2,311)	(2.80%)	
Other expenditure		(25,100)	(17)	(16,885)	(16,868)	(99223.53%)	▼
Loss on asset disposals	6	(9,782)	0	(1,809)	(1,809)	0.00%	
		(5,726,104)	(1,080,321)	(1,025,704)	54,617	5.06%	
Non-cash amounts excluded from operating activities	Note 2(b)	1,956,393	322,392	327,820	5,428	1.68%	▲
Amount attributable to operating activities		166,476	2,030,826	1,965,852	(64,974)	(3.20%)	
INVESTING ACTIVITIES							
Inflows from investing activities							
Proceeds from capital grants, subsidies and contributions	14	723,437	0	0	0	0.00%	
Proceeds from disposal of assets	6	60,500	0	4,332	4,332	0.00%	
Proceeds from financial assets at amortised cost - self supporting loans		17,693	0	0	0	0.00%	
		801,630	0	4,332	4,332	0.00%	
Outflows from investing activities							
Payments for property, plant and equipment	5	(1,488,500)	(120,000)	(116,685)	3,315	2.76%	
Payments for construction of infrastructure	5	(1,391,293)	(3,000)	(2,554)	446	14.87%	▲
		(2,879,793)	(123,000)	(119,239)	3,761	3.06%	
Amount attributable to investing activities		(2,078,163)	(123,000)	(114,907)	8,093	6.58%	
FINANCING ACTIVITIES							
Inflows from financing activities							
Transfer from reserves	4	931,500	0	0	0	0.00%	
		931,500	0	0	0	0.00%	
Outflows from financing activities							
Repayment of borrowings	11	(75,989)	0	0	0	0.00%	
Transfer to reserves	4	(372,500)	0	(11,451)	(11,451)	0.00%	▼
		(448,489)	0	(11,451)	(11,451)	0.00%	
Amount attributable to financing activities		483,011	0	(11,451)	(11,451)	0.00%	
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year		1,428,676	1,428,676	1,198,283	(230,393)	(16.13%)	▼
Amount attributable to operating activities		166,476	2,030,826	1,965,852	(64,974)	(3.20%)	▼
Amount attributable to investing activities		(2,078,163)	(123,000)	(114,907)	8,093	6.58%	▲
Amount attributable to financing activities		483,011	0	(11,451)	(11,451)	0.00%	▼
Surplus or deficit after imposition of general rates		0	3,336,502	3,037,777	(298,725)	(8.95%)	▼

KEY INFORMATION

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

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

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

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

	Supplementary Information	30 June 2022	31 August 2023
		\$	\$
CURRENT ASSETS			
Cash and cash equivalents	3	3,390,001	3,097,952
Trade and other receivables		139,127	2,270,075
Other financial assets		22,693	22,693
Inventories	8	21,068	25,346
TOTAL CURRENT ASSETS		3,572,889	5,416,066
NON-CURRENT ASSETS			
Other financial assets		207,701	207,701
Property, plant and equipment		17,295,266	17,337,648
Infrastructure		66,457,278	66,201,981
Investment property		61,117	61,117
TOTAL NON-CURRENT ASSETS		84,021,362	83,808,447
TOTAL ASSETS		87,594,251	89,224,513
CURRENT LIABILITIES			
Trade and other payables	9	291,300	118,581
Other liabilities	12	5,000	169,953
Borrowings	11	75,989	75,989
Employee related provisions	12	354,566	354,566
TOTAL CURRENT LIABILITIES		726,855	719,089
NON-CURRENT LIABILITIES			
Borrowings	11	439,890	439,890
Employee related provisions		14,757	14,757
TOTAL NON-CURRENT LIABILITIES		454,647	454,647
TOTAL LIABILITIES		1,181,502	1,173,736
NET ASSETS		86,412,749	88,050,777
EQUITY			
Retained surplus		23,612,432	25,250,463
Reserve accounts	4	1,719,674	1,719,674
Revaluation surplus		61,080,642	61,080,642
TOTAL EQUITY		86,412,748	88,050,779

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

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

1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

BASIS OF PREPARATION

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

Local Government Act 1995 requirements

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

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

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

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

THE LOCAL GOVERNMENT REPORTING ENTITY

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

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

Judgements and estimates

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

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

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

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

SIGNIFICANT ACCOUNTING POLICES

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

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 13 September 2023

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

2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION

(a) Net current assets used in the Statement of Financial Activity	Supplementary Information	Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 31 August 2023
		\$	\$	\$
Current assets				
Cash and cash equivalents	3	1,402,324	3,390,000	3,097,952
Trade and other receivables		139,128	139,127	2,270,074
Other financial assets		212,700	22,693	22,693
Inventories	8	21,068	21,068	25,346
		<u>1,775,220</u>	<u>3,572,888</u>	<u>5,416,065</u>
Less: current liabilities				
Trade and other payables	9	(291,301)	(291,301)	(118,581)
Other liabilities	12	(5,000)	(5,000)	(169,953)
Borrowings	11		(75,989)	(75,989)
Employee related provisions	12	(354,566)	(354,566)	(354,566)
		<u>(650,867)</u>	<u>(726,856)</u>	<u>(719,089)</u>
Net current assets		1,124,353	2,846,032	4,696,976
Less: Total adjustments to net current assets	Note 2(c)	<u>(1,683,353)</u>	<u>(1,647,749)</u>	<u>(1,659,199)</u>
Closing funding surplus / (deficit)		(559,000)	1,198,283	3,037,777

(b) Non-cash amounts excluded from operating activities

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

Non-cash amounts excluded from operating activities		Adopted Budget	YTD Budget (a)	YTD Actual (b)
		\$	\$	\$
Adjustments to operating activities				
Less: Profit on asset disposals	6	(6,814)	0	(1,196)
Add: Loss on asset disposals	6	9,782	0	1,809
Add: Depreciation		1,953,425	322,392	327,207
Total non-cash amounts excluded from operating activities		1,956,393	322,392	327,820

(c) Current assets and liabilities excluded from budgeted deficiency

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

Adjustments to net current assets		Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 31 August 2023
		\$	\$	\$
Less: Reserve accounts	4	(1,719,674)	(1,719,674)	(1,731,125)
Less: Financial assets at amortised cost - self supporting loans	8		(22,693)	(22,693)
- Current financial assets at amortised cost - self supporting loans			(17,693)	(17,693)
Add: Current liabilities not expected to be cleared at the end of the year:				
- Current portion of borrowings	11		75,989	75,989
- Current portion of employee benefit provisions held in reserve	4	36,322	36,322	36,322
Total adjustments to net current assets	Note 2(a)	(1,683,352)	(1,647,749)	(1,659,199)

CURRENT AND NON-CURRENT CLASSIFICATION

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

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

3 EXPLANATION OF MATERIAL VARIANCES

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

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

Description	Var. \$	Var. %	
	\$	%	
Revenue from operating activities			
Grants, subsidies and contributions	(125,735)	(36.10%)	▼
Timing Variance			
Fees and charges	(6,403)	(3.59%)	▼
Timing Variance			
Interest revenue	5,217	38.88%	▲
Timing Variance			
Other revenue	2,675	51.61%	▲
Timing Variance			
Expenditure from operating activities			
Employee costs	(47,465)	(15.41%)	▼
Timing Variance			
Materials and contracts	118,886	35.46%	▲
Timing Variance			
Utility charges	8,999	28.12%	▲
Timing Variance			
Other expenditure	(16,868)	(99223.53%)	▼
Timing Variance			
Non-cash amounts excluded from operating activities	5,428	1.68%	▲
Outflows from investing activities			
Payments for construction of infrastructure	446	14.87%	▲
Timing Variance			
Outflows from financing activities			
Transfer to reserves	(11,451)	0.00%	▼
Monthly OCDF Interest			
Surplus or deficit at the start of the financial year	(230,393)	(16.13%)	▼
Surplus or deficit after imposition of general rates	(298,725)	(8.95%)	▼
Due to variances described above			

8.2 Office of the Chief Executive Officer

8.2.1 Draft Local Planning Policy No.1 – Wind Farms

File Reference	14.25.26
Statutory Ref.	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Author & Date	Liz Bushby, Town Planning Innovations (TPI) 6 September 2023
Attachments	Attachment 1 draft Planning Policy No.1 – Wind Farms

Background

Shire Administration and TPI have received enquiries about potential future wind farms and an initial meteorological mast/turbine on land in the Rural zone within the Shire of Williams.

At the Ordinary Meeting held on the 16 August 2023, Council initiated Scheme Amendment No 21 to introduce a new land use definition for 'renewable energy facility' and update/replace the existing 'industry' definition.

A Draft Local Planning Policy on wind farms was prepared in August 2023. It was included as an attachment to Item 8.2.2 on Amendment 21 in the August Agenda and Minutes.

TPI has since revised the Draft Policy to include more references to aerial spraying, to clarify that an aviation assessment may be required, and to reference relevant sections of Guideline D' of the 'National Airports Safeguarding Framework'.

A table has also been included at the end of the Draft Policy to keep a statutory record of relevant Council adoption dates and for version control.

Changes to the August 2023 (Version 1) of the Draft Policy are highlighted in yellow – refer Attachment 1.

Comment

- **Description of Proposed Policy**

The Draft Local Planning Policy outlines the policy purpose, objectives, expectations for community consultation, and matters to be considered such as noise, visual impact, other potential impacts and traffic management.

Some of these issues are already outlined in the Western Australian Planning Commission '*Position Statement: Renewable Energy Facilities – March 2020*'.

The Local Planning Policy complements and expands on the guidelines that are already outlined in the WAPC Position Statement.

Key new considerations in the Draft Local Policy include:

- (a) Setting a high expectation that any proponent undertakes pre-lodgement consultation with nearby landowners, key stakeholders and government agencies; and
- (b) Introducing an 800 metre setback between any turbine and a lot boundary (unless otherwise agreed to by the affected neighbour).

- **Policy Process**

Council is to consider adopting the Draft Local Planning Policy on Wind Farms for the purpose of conducting public advertising.

Following advertising, a report will be referred to a future Council Meeting to consider submissions, and whether to adopt the Policy with, or without, modifications.

Policy Requirements

The Draft Local Planning Policy will set out new guidelines for the assessment of wind farms.

Relevant State planning documents are referenced below.

State Planning Strategy 2050 - The Strategy is a guide from which public and local authorities can express or frame their legislative responsibilities in land-use planning, land development, transport planning and related matters.

It provides a set of State planning principles, strategic goals and objectives.

A key Energy Objective is 'to enable secure, reliable, competitive and clean energy that meets the State's growing demand'.

Relevant to this application, the Strategy highlights parts of the state, including the Shire of Williams , for 'potential wind energy'.

State Planning Policy 2.5 - The Western Australian Planning Commission (WAPC) has developed State Planning Policy 2.5: Rural Planning' however it has no specific section on renewable energy facilities.

Wheatbelt Regional Planning and Infrastructure Framework – recognises that 'the Wheatbelt offers an abundant source of renewable energy. The climatic and geographic conditions of the Wheatbelt are conducive to alternative energy generation such as wind, solar, geothermal and biomass generation. Renewable energy offers the capacity to reduce reliance on centrally distributed energy.'

WAPC Position Statement: Renewable Energy Facilities -

The WAPC has a Position Statement on Renewable Energy Facilities which:

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

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

Legislative Requirements

Planning and Development (Local Planning Schemes) Regulations 2015 -

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

Clause 3 and 4 under Part 2, Schedule 2 of the Deemed Provisions contained in the Regulations sets out the power for local governments to make a local planning policy and the procedure for making a local planning policy, including a requirement to advertise a Draft Policy for a period not less than 21 days.

The Deemed Provisions contained in the Regulations also outlines procedures for amending a Local Planning Policy, or revocation of any Local Planning Policy.

The Shire is required to refer the Local Planning policy to the Western Australian Planning Commission where there is a potential inconsistency with State Planning Policy.

Shire of Williams Town Planning Scheme No 2 –

Under the current Scheme, it is considered that a wind farm would fall under the 'Industry' definition which includes a business that '*generates electricity*'. This means Council doesn't have discretion to consider a wind farm as an industry in the Rural zone.

Amendment 21 will provide Council with discretion to consider applications for wind farms.

Sustainability Implications

Environment

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

Economic

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

Social

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

Strategic Implications

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

- CL 1.3 Maintain, review and ensure relevance of Council's policies, local laws and operational plans
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business

Financial Implications

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

Voting Requirements

Simple Majority

Officer's (Consultant Planner) Recommendation

That Council

1. Resolve to adopt the Draft Local Planning Policy No 1 on Wind Farms (Attachment 1) pursuant to Schedule 2, Part 2, Division 2, Clause 3(1) of the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the purpose of conducting public advertising.
2. Authorise the Chief Executive Officer to advertise the Draft Local Planning Policy No 1 on Wind Farms in accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015* for a minimum of 21 days.
3. Note that a second report on the Draft Local Planning Policy No 1, and any submissions received, will be referred to a future Council Meeting for further consideration.

Council Resolution

Moved: Cr Major / **Seconded:** Cr Carne

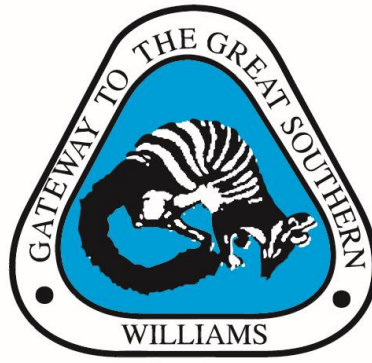
That Council defer making a decision on adoption of a Local Planning Policy on Wind Farms to investigate the inclusion of detail relating to the decommissioning of turbine structures and associated infrastructure at the conclusion of their useful life.

For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 29/24

The Resolution differed from the Recommendation as Council agreed to obtain information on the potential inclusion of detail relating to the decommissioning of turbine structures and associated infrastructure at the conclusion of their useful life.



SHIRE OF WILLIAMS

LOCAL PLANNING POLICY NO 1 – WIND FARMS

1.0 PURPOSE

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

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

2.0 OBJECTIVES

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

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

3.0 COMMUNITY CONSULTATION

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

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

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

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

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

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

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

4.0 ENVIRONMENTAL IMPACT

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

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

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

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

5.0 VISUAL AND LANDSCAPE IMPACT

A Visual and Landscape Impact Assessment is required and shall;

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

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

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

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

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

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

6.0 NOISE IMPACT

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

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

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

Any application shall address the following;

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

7.0 OTHER POTENTIAL IMPACTS

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

Wind farm proposals should not have negatively impact through:

- (a) shadowing, flickering, reflection, or blade glint impacts;
- (b) interference with normal agricultural or farming activities of nearby rural properties, such as aerial spraying. An aviation assessment by a suitable qualified aviation consultant may be required to demonstrate turbines will not impact on aerial spraying activities of surrounding farms or unlicensed airstrips;
- (c) interference with existing lawful continued use of neighbouring land including intensive rural activities, and tourism uses; or
- (d) proximity to established residential areas, whether the land is zoned residential, rural residential or is residential by nature (smaller lots of a typical residential size containing dwellings). The amenity of urban areas and the rural character surrounding urban areas needs to be afforded a high level of protection.

The Shire will also consider any wind farm application in accordance with:

- (a) Clause 5.3.5 (Public Aviation and Safety), (5.3.6 (Heritage) and 5.3.7 (Construction Impact) contained in the Western Australian Planning Commission published a *Position Statement: Renewable Energy Facilities – March 2020*.

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

- (b) Relevant sections of 'Guideline D' of the 'National Airports Safeguarding Framework'. Council will have particular regard to Clause 25 on consultation, Clauses 26-29 on risk assessment, Clauses 33-34 on lighting, Clause 39 on wind monitoring towers, Clause 41-42 on obstacle lighting and Clause 43 on turbulence.

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

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

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

Any wind farm proponent will be responsible for:

- (a) Preparation of a pre-development 'Road and Shire infrastructure Condition' report that identifies and records the condition of any local roads and Shire infrastructure that will be affected by any route for vehicles needed for the construction phase;
- (b) The costs associated with any damage caused to the roads or Shire infrastructure attributable to the construction phase of the development. Any

damage shall be rectified by the operator/proponent to the standard identified in the Pre-Construction Road and Shire Infrastructure Condition Report;

- (c) All costs of any road upgrading required for construction transport routes and / or the development.

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

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

9.0 RECORD OF COUNCIL POLICY APPROVAL AND STATUTORY BASIS

Legislation	Description
Statutory Legislation	This Local Planning Policy has been prepared in accordance with Clause 3(1) Schedule 2, Part 2 of the 'Deemed Provisions' of the Planning and Development (Local Planning Schemes) Regulations 2015.
Adoption (initial)	This Local Planning Policy was adopted by Council on the _____ for the purpose of conducting advertising to comply with Clause 4(1) Schedule 2, Part 2 of the 'Deemed Provisions' of the Planning and Development (Local Planning Schemes) Regulations 2015.
Adoption (final)	This Local Planning Policy was adopted by Council on the _____ for final approval in accordance with Clause 4(3)(b) Schedule 3, Part 2 of the 'Deemed Provisions' of the Planning and Development (Local Planning Schemes) Regulations 2015.
Version Control	Version 1.1 Draft September 2023
Scheduled Internal Review Date	12 months after operation.

8.2.2 Employment Contract – Works Supervisor

File Reference	4.20.15
Statutory Ref.	Section 5.37 <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 11 September 2023
Attachments	Nil

Background

Mr Tony Kett is currently employed as the Works Supervisor on a 3-year contract that commenced in January 2021. His contract will expire on the 31 December 2023.

In accordance with Section 5.37(2) of the *Local Government Act 1995*, the CEO is to inform the Council of each proposal to employ a senior employee. The Council may accept or reject the CEO's recommendation but if the Council rejects a recommendation, it is to inform the CEO of the reasons for it doing so.

Comment

Discussion has recently been held between Mr Kett and the CEO, during his performance review, on the terms of a new contract. Mr Kett would like a new three-year contract. The Performance Criteria which is an annexure to the current contract has been reviewed and updated to meet revised expectations.

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

The Works Supervisor's remuneration package is included in the Annual Budget.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council accepts the Chief Executive Officer's recommendation to enter into a new three-year contract of employment with Mr Tony Kett for the position of Works Supervisor commencing on 1 January 2024.

Council Resolution

Moved: Cr Harding / **Seconded:** Cr Panizza

That Council accepts the Chief Executive Officer's recommendation to enter into a new three-year contract of employment with Mr Tony Kett for the position of Works Supervisor commencing on 1 January 2024.

Carried 8/0
Against: Nil
Resolution 30/24

For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

8.2.3 South West Native Title Settlement – Land Parcels

File Reference	11.30.35
Statutory Ref.	Native Title Act 1993
Author & Date	Geoff McKeown 12 September 2023
Attachments	Nil

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/departments-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 17 October 2023. 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.

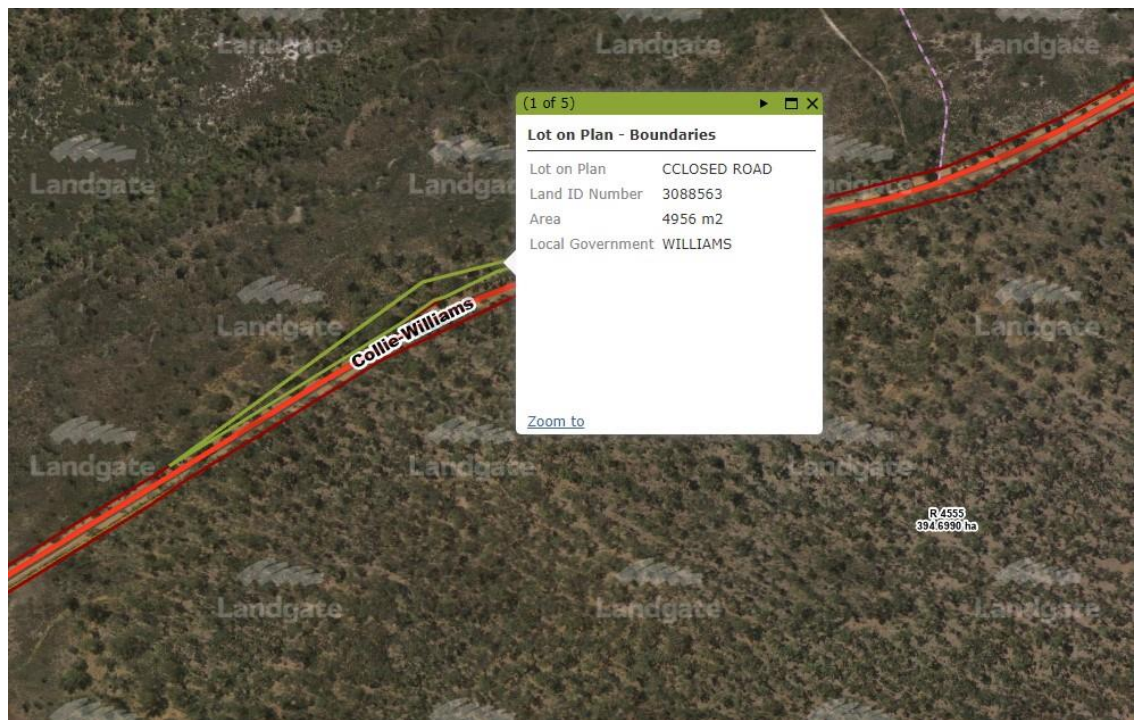
If you have any queries, please do not hesitate to contact me."

The Department has identified two land parcels in the Shire of Williams in this stage of the assessment process. One is a reserve on the Collie-Williams Road with the purpose of Resting Place for Travellers and Stock with an area of just over 395ha in size. The other is a small section of closed road adjacent to the reserve with an area of 4,956m².

Plans showing the land parcels appear on the following page. The larger of the two, Reserve 4555, is currently vested in the Department of Planning, Lands and Heritage.



Reserve 4555



Closed Road – Adjacent to Reserve 4555

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 advising that the Shire of Williams has no interest in the land parcels identified as Reserve 4555, and Closed Road adjacent to Reserve 4555, Collie-Williams Road and has no existing or planned infrastructure within the land parcels that require protection.

Council Resolution

Moved: Cr Major / **Seconded:** Cr Harding

That Council respond to the Department of Planning, Lands and Heritage advising that the Shire of Williams has no interest in the land parcels identified as Reserve 4555, and Closed Road adjacent to Reserve 4555, Collie-Williams Road and has no existing or planned infrastructure within the land parcels that require protection.

Carried 7/1

For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Major, Cr Panizza, Cr Price

Against: Cr Macnamara

Resolution 31/24

8.2.4 RoadWise Council Invitation

File Reference	4.12.10	
Statutory Ref.	Nil	
Author & Date	Geoff McKeown	15 September 2023
Attachments	Nil	

Background

Correspondence has been received from WALGA advising of a new initiative for the RoadWise programme. The Shire of Williams has received an invitation from WALGA to register as a RoadWise Council, which will demonstrate leadership towards initiatives and actions to improve road safety outcomes for the community.

This new initiative has been developed to encourage, motivate and support Local Governments to incorporate best practice road safety principles and policy across their business services to reduce the number of people killed and seriously injured on local roads.

Comment

The Shire of Williams has previously engaged with the RoadWise programme to support the Driver Reviver initiative, and various road safety initiatives and events.

By becoming a RoadWise Council, the Shire of Williams will:

- Demonstrate a commitment to improve road safety outcomes within the community using the resources available from RoadWise.
- Have access to the RoadWise Council logo for use on Shire of Williams promotional communications or infrastructure.
- Gain priority access to WALGA's road safety services and products.
- Be eligible for formal recognition for road safety management and actions, including support in benchmarking and monitoring progress of road safety outcomes through the RoadWise Recognised initiative.

To register as a RoadWise Council the following steps are required:

1. Obtain a Council resolution in support of becoming a RoadWise Council OR provide a declaration signed by the Shire President and Chief Executive Officer.
2. Nominate at least two personnel (Officers and/or Elected Members) to be the primary point of contact for road safety matters.

In addition to agreeing to accept the invitation, Council is encouraged to have a written declaration of commitment to road safety.

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 1.3	Maintain a safe and secure environment for the community
SCD 2.4	Continue to promote community events, initiatives and programs
SCD 2.8	Advocate and Support an awareness campaign to promote safety on our roadways.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council accepts the invitation from WALGA to register as a RoadWise Council and commits to work towards embedding road safety action across its operations to improve road safety outcomes. Further, Council confirms the following Statement of Intent:

Statement of Intent

1. The Shire of Williams recognises that it has the opportunity to influence road safety outcomes on the local road network through its role in building, maintaining and managing roads.
2. The Shire of Williams will demonstrate action in road safety by identifying opportunities and implementing measures, within its capacity and resourcing, to improve road safety outcomes on the local road network.

Council Resolution

Moved: Cr Carne / **Seconded:** Cr Baker

That Council accepts the invitation from WALGA to register as a RoadWise Council and commits to work towards embedding road safety action across its operations to improve road safety outcomes. Further, Council confirms the following Statement of Intent:

Statement of Intent

1. The Shire of Williams recognises that it has the opportunity to influence road safety outcomes on the local road network through its role in building, maintaining and managing roads.
2. The Shire of Williams will demonstrate action in road safety by identifying opportunities and implementing measures, within its capacity and resourcing, to improve road safety outcomes on the local road network.

Carried 8/0

For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 32/24

Councillors declaring an interest in the following item 8.2.5 Proposed Rural Industry – Lot 17 (149) Playle Road, Williams: Cr Carne (Proximity & Financial), Cr Logie (Financial), Cr Panizza (Financial), Cr Harding (Proximity) and Cr Macnamara (Financial).

Due to the number of Declarations of Interest made, a quorum could not be formed.

The matter will be deferred to the October 2023 Ordinary Council Meeting.

To determine if a quorum can be formed, for the matter to be considered at the October 2023 Ordinary Council Meeting, the Chief Executive Officer is to seek confirmation from all Councillors on their intention to declare an interest, and if necessary, seek participation approval from the Minister for Local Government.

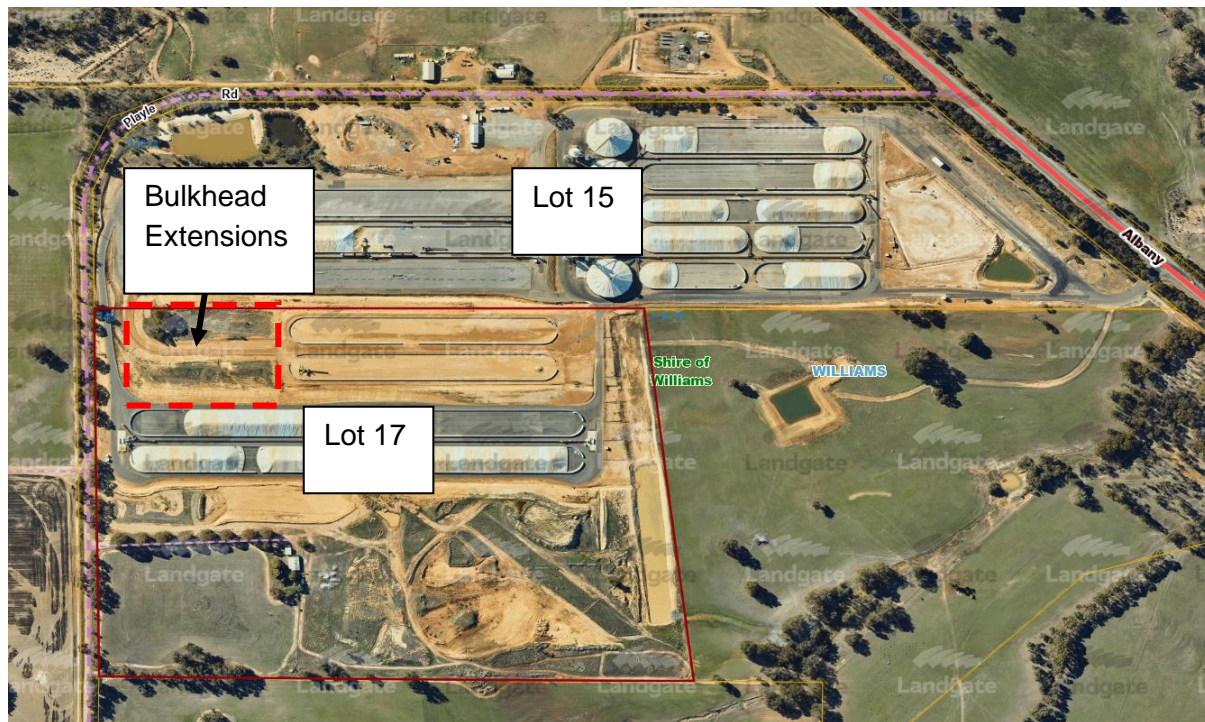
8.2.5 Proposed Rural Industry – Lot 17 (149) Playle Road, Williams

File Reference	10.60.15
Statutory Ref.	Shire of Williams Town Planning Scheme No.2
Author & Date	Liz Bushby, Town Planning Innovations 15 September 2023
Attachments	Nil

Background

There is an established Cooperative Bulk Handling Ltd (CBH) ‘Rural Industry’ on Lot 15 (No 12674) Albany Highway and adjacent Lot 17 (No 149) Playle Road in Williams. CBH refers to the lots as the ‘Narrakine Receiving Site’.

The CBH sites are approximately 4.3 kilometres to the north west of Williams townsite, with access from Albany Highway through Lot 15.



Location Plan

On 22 July 2022, the Chief Executive Officer approved a request by CBH for a temporary works exemption for an extension to two open storage bulkheads, associated vehicular access and drainage works. The temporary works exemption was granted under delegated authority and expires on 21 October 2023.

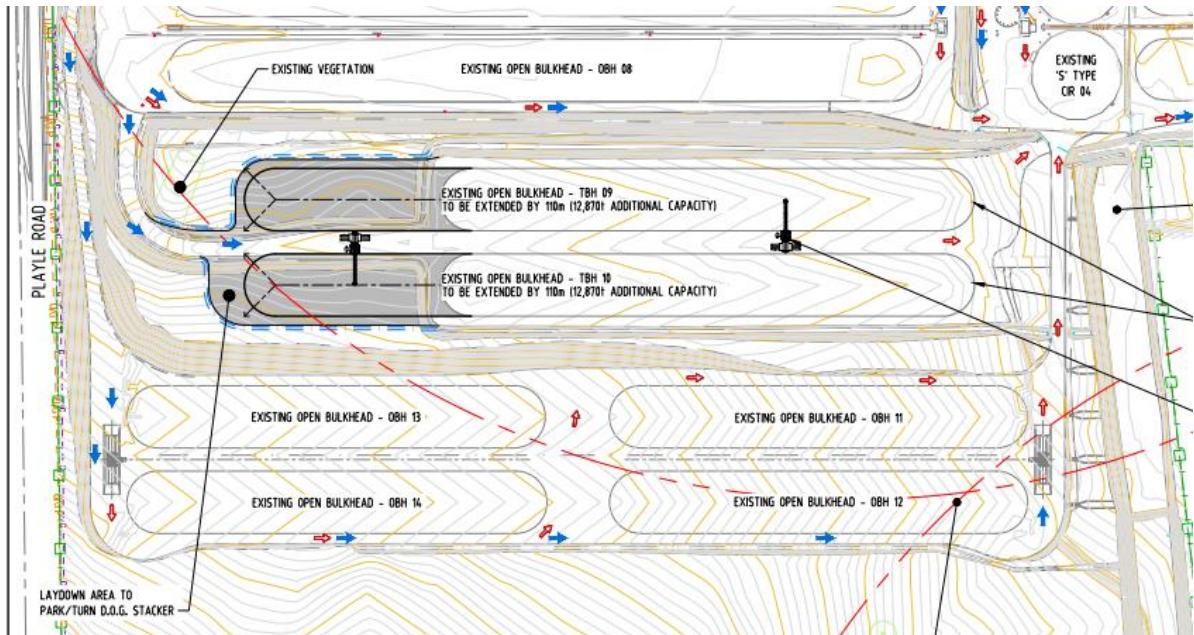
Comment

• **Proposed Development**

CBH now seeks a permanent approval for the extensions to the two open bulkheads as they are integral to their operations and long term strategic plan.

CBH has advised that that they have a large amount of carry over grain left across the network, which they continue to hold whilst they plan to store this year’s above forecast harvest.

An extract of the site plan showing the bulkhead extensions is included below for ease of reference.



• **Stormwater Management**

CBH has lodged information on drainage and a drainage plan in support of the application and advised that:

- (a) The proposal will retain the impervious surfaces and associated stormwater runoff created by the construction of the new development.
- (b) In order to manage the post development runoff, open drains have been constructed along the perimeter of the OBH (open bulk head) expansion to the north and south of each bulkhead.
- (c) Both of these drains discharge to the existing open drain network from a high point at the OBH extension which will then discharge to an existing attenuation basin located at eastern portion of the site.
- (d) This basin has been extended by 180m³ to cater for the additional surface runoff and is greater than the minimum storage required.
- (e) The spillway and sump arrangement in the basin, which limit outflows to predevelopment flow rates, will require regular dewatering to ensure correct operation.

• **Traffic Management**

CBH has also lodged a Traffic Impact Assessment (TIA) prepared by a traffic consultant to support retention of the bulkhead extensions.

A summary of the TIA is as follows:

- (a) CBH are proposing to retain the 25.74kt gravel based (emergency) OBH storage built to retain the sites current nameplate capacity of 560,550t.
- (b) If local production exceeds the capacity of the existing Narrakine receival site, CBH must out-turn grain simultaneously (Harvest Essential Moves) to continue to offer a service to growers, and by doing so, increase the traffic on surrounding roads during the peak harvest period.
- (c) The proposal to retain the bulkhead extensions will enable CBH to reduce the volume of Harvest Essential Moves (HEMs) with the intention of reducing trucks on road during the harvest, and instead holding the grain on site to out-turn over the remaining 9 months of the year when the road network is less busy.
- (d) If the bulkhead extensions are decommissioned, then an additional 10 truck movements per day would be required during the harvest period – refer Table 5 below.
- (e) According to the WAPC *Transport Impact Assessment Guidelines*, an increase below 10 peak hour vehicles is considered to have a low impact and is generally deemed acceptable without requiring detailed capacity analysis.

	Unit of Measurement	Decommission OBH	Retain OBH
Record Site Task ¹	Tonnes	674,274	674,274
Available Site Capacity	Tonnes	534,810	560,550
Harvest Essential Moves (HEMs)	Tonnes	139,464	113,724
HEMs Per Harvest	Trucks	2,324	1,895
HEMs Per Day	Trucks	52	42

Traffic is not considered an impediment to the proposal. The retention of the bulkhead extensions will result in approximately 10 fewer truck movements on the surrounding road network during the harvest period (compared with a situation where the emergency bulkhead is not retained).

• Noise and Dust

CBH has advised that they will ensure that noise from the specification and installation of any mechanical equipment as well as traffic and construction noise does not exceed assigned levels prescribed in the *Environmental Protection (Noise) Regulations 1997*.

CBH has advised they frequently undertake noise and dust monitoring across its sites when required.

The Shire has not received any complaints about dust and noise associated with these bulkhead extensions. It is aware of a complaint relating to dust and noise several years ago in relation to CBH's operations at the northern end of its facility. The complaint came from a resident living opposite the CBH amenities buildings and related to dust, noise, and privacy issues.

Policy Requirements

Not applicable.

Legislative Requirements

Planning and Development (Local Planning Schemes) Regulations 2015 -

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.

Shire of Williams Town Planning Scheme No 2 – Lots 15 and 17 are zoned Rural.

A Rural Industry has already been established on Lots 15 and 17. Under 'Table 1: Zoning Table', a Rural Industry is an 'AA' use in the Rural zone.

The 'AA' symbol means that 'Council may, at its discretion, permit the use' in the Rural zone.

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 1.5 Advocate, promote and champion industrial development that will offer employment opportunities for our community
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business

Financial Implications

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for advice. A Planning Fee is applicable to this application.

Voting Requirements

Simple Majority

Officer's (Consultant Planner) Recommendation

That Council approve the application for a Rural Industry (two bulkhead extensions) on Lot 17 (149) Playle Road, Williams subject to the following conditions:

1. The plans lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.
2. The 'Narrakine OBH Drainage Design Memo' prepared by BG&E Resources dated the 21 July 2022, together with any requirements and recommendations detailed thereon (inclusive of the 'General Arrangement Plan' (DWG NO 551-ENG-CI-DGA-0002, Rev A), are approved as part of this application and shall form part of the development approval issued. The operator, Cooperative Bulk Handling Ltd, shall implement the approved plans.

8.2.6 Use of Common Seal and Actions Performed Under Delegated Authority

File Reference	4.50.60
Statutory Ref.	Sections 5.42 and 9.49A <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 15 September 2023
Attachments	Nil

Background

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

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

Comment

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

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

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

Action – There were four (4) Building Permits issued for the Month of August 2023:

Permit Number	Owner	Address	Description
505	Mark Hill	Lot 4104 Quindanning-Darkan Road	Dwelling
506	Morgan & Belinda Ball	Lot 175 (57) Lavender Street	Shed
507	Ben Kealy & Courtney Kett	Lot 1 (251) Bates Road	Dwelling
502	Michael Italiano	Lot 297 (60) Channon Street	Shed

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

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

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

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

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

Action – The Chief Executive Officer waived the hire fee for use of the town oval for a one-hour football match between the Narrogin and Collie Clontarf Academies held on Wednesday, 30 August 2023.

Strategic Implications

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

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

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

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

Council Resolution

Moved: Cr Price / **Seconded:** Cr Harding

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

Carried 8/0

For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 33/24

9.0 Elected Members' Motions of which Notice has been given

Nil

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

10.1 Elected Members

Nil

10.2 Officers

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

Council Resolution

Moved: Cr Carne / **Seconded:** Cr Price

That the following late items, relating to the Annual Meeting of Fire Control Officers, and to Recruitment of Chief Executive Officer, be accepted for discussion.

Carried 8/0

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

Against: Nil

Resolution 34/24

10.2.1 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 19 September 2023
Attachments	Nil

Background

At the Annual Meeting of Fire Control Officers held on the 18 September 2023 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.

Another recommendation follows regarding the appointment of a Fire weather Officer.

Strategic Implications

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

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

Financial Implications

Nil

Voting Requirements

Simple Majority

Bush 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	Matthew Carne
Deputy Chief Bush Fire Control Officers	Nicholas Panizza, Rodney Petchell and Ashley Chadwick

Bush Fire Control Officers

Boraning	Rodney Petchell
Congelin	Philip Martin & Andrew Rintoul
Glenfield	Nicholas Panizza
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
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	Clayton Hardie & Murray Saunders & Russell Ashley
Shire of Boddington	Brad Morgan & Brad Hardie

Council Resolution

Moved: Cr Panizza / **Seconded:** Cr Macnamara

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	Matthew Carne
Deputy Chief Bush Fire Control Officers	Nicholas Panizza, Rodney Petchell and Ashley Chadwick

Bush Fire Control Officers

Boraning	Rodney Petchell
Congelin	Philip Martin & Andrew Rintoul
Glenfield	Nicholas Panizza
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
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	Clayton Hardie & Murray Saunders & Russell Ashley
Shire of Boddington	Brad Morgan & Brad Hardie

Carried 8/0

For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 35/24

Fire Weather Officer

Changes to the Australian Fire Danger Rating System (AFDRS) affects the way that bushfire risks are managed, including the issuing and cancelling of permits to burn. A Fire Weather Officer needs 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.

Under the previous system 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 will be used, where contact is made with available Fire Control Officers and based on their advice the Chief Bush Fire Control Officer makes the call.

Bush Fire Control Officers' Recommendation

That Council appoint the Chief Bush Fire Control Officer, Matthew Carne, 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.

Council Resolution

Moved: Cr Major / **Seconded:** Cr Harding

That Council appoint the Chief Bush Fire Control Officer, Matthew Carne, 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. In their absence a Deputy Chief Bush Fire Control Officer is delegated to act, using the following order of officers: Nicholas Panizza, Rodney Petchell and Ashley Chadwick.

Carried 8/0

For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 36/24

The Resolution differed from the Recommendation as Council wished to ensure that, in any emergency, a clear line of command is established.

Restricted Burning Period – Change of Date

Dates for the commencement and conclusion of Restricted Burning Period and the Prohibited Burning Period were permanently established under the *Bush Fires Act 1954* many years ago. They received legal authority when published in the *Government Gazette*.

A local government has the power to vary the dates each year to suit the prevailing conditions but must give notice to the community when doing so.

The current gazetted dates that apply annually in the Williams Shire are:

- *Restricted Burning Period – 23 September – 29 March*
- *Prohibited Burning Period – 1 November – 14 February*

The commencement of the Restricted Burning Period is regularly extended past the 23 September and this year will commence on the 7 October.

The Bush Fire Control Officers agreed to request Council to support a permanent change to the commencement date of the Restricted Burning period to be the 29 September each year. Such a change needs to be endorsed by Council and a request submitted to the Department of Fire & Emergency Services. It will have effect as a permanent change once gazetted.

Bush Fire Control Officers' Recommendation

That Council supports a permanent change to the commencement date of the Restricted Burning Period in the Shire of Williams by amending the date from the 23 September to be the 29 September. Further, that the Shire requests approval from the Department of Fire & Emergency Services for the change of date and it be published in the *Government Gazette*.

Council Resolution

Moved: Cr Macnamara / **Seconded:** Cr Price

That Council supports a permanent change to the commencement date of the Restricted Burning Period in the Shire of Williams by amending the date from the 23 September to be the 29 September. Further, that the Shire requests approval from the Department of Fire & Emergency Services for the change of date and it be published in the *Government Gazette*.

Carried 8/0
Against: Nil
Resolution 37/24

The President, Cr Jarrad Logie, advised that the following item 10.2.2 Recruitment of Chief Executive Officer, may be closed to the Public.

Council Resolution

Moved: Cr Major / **Seconded:** Cr Macnamara

In accordance with Section 5.23(2) of the *Local Government Act 1995* the Meeting be closed to the Public as the following item 10.2.2 Recruitment of Chief Executive Officer deals with:

- (a) a matter affecting an employee or employees.
- (b) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Carried 8/0

For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 38/24

Marie Lloyd left the Meeting at 4.56pm

10.2.2 Recruitment of Chief Executive Officer

File Reference	4.20.15
Statutory Ref.	Local Government Act 1995 sections 5.23(2) and 5.36
Author & Date	Geoff McKeown 19 September 2023
Attachments	Confidential CEO Recruitment Report Presented to CEO Recruitment Panel

Background

The purpose of this report is to consider Council approval of the employment of a person for the position of Chief Executive Officer and authorise the execution of an Employment Contract.

In accordance with Section 5.23(2) of the *Local Government Act 1995* the meeting may be closed to members of the public with the following aspects of the Act being applicable to this matter:

- (a) a matter affecting an employee or employees.
- (b) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Comment

A selection of the appointed Councillors formed the CEO Recruitment Panel with Mr Ryan Duff being appointed the Independent Observer/Interviewer. This panel members have been involved in and received all communication regarding the recruitment process and applicants who have been part of this process.

A Confidential CEO Recruitment Report has been presented to the CEO Recruitment Panel by the Independent Recruitment Consultant.

The Report and recommendations contained therein are now provided to Council for consideration.

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's has engaged an Independent Recruitment Consultant to assist with the CEO Recruitment process. Detail of the CEO remuneration and total benefit package are included in the 2023/24 Budget.

Voting Requirements

Absolute Majority

CEO Recruitment Panel Recommendation

That Council:

1. Receives the CEO Recruitment Panel's assessment summary and recommendation as to which applicant or applicants are suitable to be employed as the Chief Executive Officer (CEO) for the Shire of Williams.
2. Makes an offer of employment for the position of CEO to Mr Peter Stubbs as the preferred candidate, with Council being satisfied that the candidate is suitably qualified and that the person's character, work history, competencies, performance, and any other claims made by the applicant have been verified.
3. Authorises the Shire President to execute the CEO Employment Contract, as presented under separate confidential cover, based on a 5-year term with a six-month initial probation period and total remuneration package of \$211,526, commensurate with the Salaries and Allowances Tribunal's Local Government Chief Executive Officers and Elected Members Determination No 1 of 2023 (SAT Determination) for a Band 4 local government.
4. Endorses provision for accommodation, utilities, private use of a motor vehicle as additional remuneration benefits as outlined in Schedule 2 of the Contract, exclusive from the Total Reward Package as per Part 5.1 (2) of the SAT Determination, with an estimated value of:
 - a) \$12,400 per annum for accommodation and utilities
 - b) \$26,801 per annum for private use of motor vehicle (large SUV);
5. Endorses the reimbursement of relocation expenses up to the value of \$5,000, upon receipt of supporting documentary evidence.
6. Certifies that Council has complied with the requirements of the Shire of Williams' adopted CEO Recruitment, Performance and Termination Standards and, within 14 days of this resolution, provides a copy of the resolution as confirmation to the Department of Local Government, Sport and Cultural Industries [as per s.5.39B(7) of the *Local Government Act 1995* and r.18FB of the *Local Government (Administration) Regulations 1996*].

Council Resolution

Moved: Cr Major / **Seconded:** Cr Macnamara

That Council:

1. Receives the CEO Recruitment Panel's assessment summary and recommendation as to which applicant or applicants are suitable to be employed as the Chief Executive Officer (CEO) for the Shire of Williams.
2. Makes an offer of employment for the position of CEO to Mr Peter Stubbs as the preferred candidate, with Council being satisfied that the candidate is suitably qualified and that the person's character, work history, competencies, performance, and any other claims made by the applicant have been verified.

3. Authorises the Shire President to execute the CEO Employment Contract, as presented under separate confidential cover, based on a 5-year term with a six-month initial probation period and total remuneration package of \$211,526, commensurate with the Salaries and Allowances Tribunal's Local Government Chief Executive Officers and Elected Members Determination No 1 of 2023 (SAT Determination) for a Band 4 local government.
4. Endorses provision for accommodation, utilities, private use of a motor vehicle as additional remuneration benefits as outlined in Schedule 2 of the Contract, exclusive from the Total Reward Package as per Part 5.1 (2) of the SAT Determination, with an estimated value of:
 - a) \$12,400 per annum for accommodation and utilities
 - b) \$26,801 per annum for private use of motor vehicle (large SUV);
5. Endorses the reimbursement of relocation expenses up to the value of \$5,000, upon receipt of supporting documentary evidence.
6. Certifies that Council has complied with the requirements of the Shire of Williams' adopted CEO Recruitment, Performance and Termination Standards and, within 14 days of this resolution, provides a copy of the resolution as confirmation to the Department of Local Government, Sport and Cultural Industries [as per s.5.39B(7) of the *Local Government Act 1995* and r.18FB of the *Local Government (Administration) Regulations 1996*].

Carried by Absolute Majority 8/0

For: Cr Baker, Cr Carne, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 39/24

11.0 Application for Leave of Absence

Nil

12.0 Closure of Meeting

There being no further business for discussion the President, Cr Logie, declared the Meeting closed at 5.13pm.