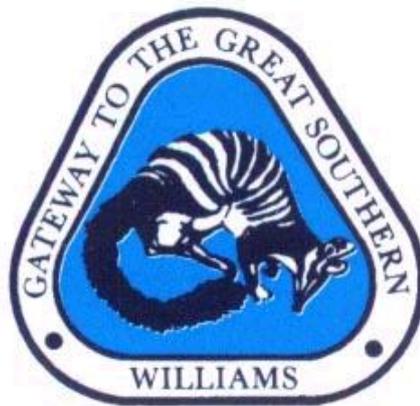


SHIRE OF WILLIAMS

***MINUTES OF THE ORDINARY MEETING TO BE HELD ON
WEDNESDAY 18TH FEBRUARY 2015***



COUNCIL DIARY

WEDNESDAY 18TH FEBRUARY 2015

1.00pm

Ordinary Meeting

3.30pm

CRC 10 Year Anniversary

WEDNESDAY 18TH MARCH 2015

1.00pm

Ordinary Meeting



MINUTES – ORDINARY MEETING OF COUNCIL HELD 18TH FEBRUARY 2015

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1. Minutes
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3. Payment Listing
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SHIRE OF WILLIAMS

BROOKING STREET, WILLIAMS, WESTERN AUSTRALIA.

OFFICE HOURS: MONDAY TO FRIDAY: 8.30 a.m. to 5.00 p.m.

TELEPHONE (08) 9885 1005 FACSIMILE (08) 9885 1020 EMAIL shire@williams.wa.gov.au

All communications to be addressed to the Chief Executive Officer, P.O. Box 96, Williams, W.A. 6391.

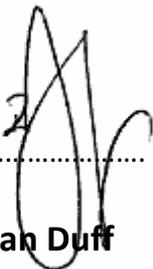
Your Ref:

Our Ref:

NOTICE OF MEETING

You are respectfully advised that the next ordinary meeting of Council will be held in the Council Chambers at 1.00pm on Wednesday 18th February 2015.

Yours faithfully



.....

Ryan Duff
Chief Executive Officer



DISCLAIMER

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

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



AGENDA

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President declared the meeting open at 1.00pm.

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

(PREVIOUSLY APPROVED)

Cr John Cowcher President

Cr David Earnshaw Deputy President

Cr Greg Cavanagh

Cr Richard Johnstone

Cr Gilbert Medlen

Cr Natalie Major

Cr Jarrad Logie

Cr Peter Paterson

Cr Moya Carne

Ryan Duff Chief Executive Officer

Cara Ryan Manager of Finance

Heidi Cowcher Economic Development Officer (1.24pm to 1.46pm)

Tony Kett Works Supervisor (1.47pm to 2.07pm)

Steve Friend Environ. Health Officer/Building Surveyor (2.08pm to 2.32pm)

Visitors

Jeremy Genders (1.00pm to 1.14pm)

3.0 PUBLIC QUESTION TIME

The President welcomed Jeremy Genders to pose a question to Council.

Mr Genders asked whether Council would reconsider the current condition, placed on the subdivision approval of 5 lots on Lot 55 Munthoola Rd, for Munthoola Rd to be upgraded to a bitumen standard. Mr Genders said that bitumising the road at his own cost would make the subdivision not viable. Although he can't afford to bitumise the whole lot he would be prepared to contribute on a per lot basis. Would Council consider a contribution from him or setting up a trust account for future bitumising?

A general discussion took place with Mr Genders and the Councillors revolving around the reasons why the conditions were placed on road upgrades for any future subdivisions.

The President declared that, there being no further comment or discussion, Public Question Time closed at 1.14pm.



Mr Genders left the meeting at 1.14pm.

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	Ryan Duff/Chief Executive Officer
Item No. / Subject	8.4.7/Proposed Road Closure and Amalgamation of Reserve 17240 Pinjarra Williams Rd
Type of Interest	Impartiality

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 17TH DECEMBER 2014

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held on 17th December 2014, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Johnstone/Cavanagh

That the Minutes of the Ordinary Meeting held on 17th December 2014, as previously circulated, be confirmed as a true and accurate record.

**Carried 9/0
Resolution 149/15**

6.2 4WDL MEETING HELD 10TH FEBRUARY 2015

Officer's Recommendation

That the Minutes of the 4WDL Meeting held on 10th February 2015, as previously circulated, be received.

Council Resolution

Major/Earnshaw

That the Minutes of the 4WDL Meeting held on 10th February 2015, as previously circulated, be received.

**Carried 9/0
Resolution 150/15**



7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.0 REPORTS



8.1 ECONOMIC DEVELOPMENT OFFICER'S REPORT

The Economic Development Officer Heidi Cowcher entered the meeting at 1.24pm to present a verbal report to Council.

The following General Projects Update report was tabled:

8.1.1 GENERAL PROJECTS UPDATE

Funding updates

Project	Amount	Outcome to be advised
Tobacco Control Grants Scheme (submitted July 2014)	\$4650	No funding available, program has been withdrawn
Williams Gateway Expo (submitted October 2014)	\$15,000	Mid-Feb 2015
4WDL Well Aged Housing Project – NSRF (submitted November 2014)	\$5,023,648	May 2015
RBN Local Government Grants (Bike Path) (submitted October 2014)	\$32,250	May 2015
HWEDA Strategic Plan – WDC CCF (submitted December 2014)	\$10,000	May 2015
HWEDA Strategic Plan – PDC CCF (submitted December 2014)	\$10,000	May 2015
Williams Lions Park Project Planning – WDC CCF (submitted December 2014)	\$20,000	May 2015
4WDL Well Aged Housing Project – SII (submitted February 2015)	\$5,023,648	May 2015

4WDL Well Aged Housing Project Update

- Completed NSRF application – pending outcome
- 2011/12 CLGFR funds are fully expended. Final report and acquittal of expenditure due 30th April 2015. Currently preparing report for auditor. Quarterly report was completed and submitted 30th Jan 2015.
- 2012/13 CLGFR funding (\$1,972,409) due to be expended by 11th Feb 2016. Quarterly report was completed and submitted 30th Jan 2015.
 - Total remaining funds \$693,054 (including interest)
- RCSF funding (\$5,023,646) due to be expended by 10th May 2015. Final instalment of \$1,507,094 pending (project needs to be at 70% expended, currently at 63%). Quarterly report was completed and submitted 30th Jan 2015.
 - Total remaining funds \$1,879,435 (including interest)

Creating Age Friendly Communities in Small Towns Project – Small Value Grants

- Project application due 18th March 2015
- Have to complete an Audit of all community and public facilities (template has been provided, needs to be tweaked to suit our community and then used to develop an Audit Report to support application for funding)



MINUTES – ORDINARY MEETING OF COUNCIL HELD 18TH FEBRUARY 2015

- Will need quotes to support funding request
- Can apply for \$40,000 (notional amount allocated to each Wheatbelt local government) – or for up to \$60,000
- Suggested projects – development of public open space at new aged units (gazebo, bbq, seating); development of public open space (gazebo) at Sandalwood Court; solar heating Williams swimming pool
- Project must be completed by March 2016

2012/13 CLGF Individual – Williams Light Industrial Shed Project

- Funding of \$260,104 was received May 2013, with the project due to be completed May 2015.
- All funding has now been expended
- Final report and acquittal report needs to be completed and submitted to the Auditor

Williams BFB Support

- Continue to enter people on registered list
- PPE ordered and distributed (distribution recorded against registered fire fighters)
- Fire Control Officers Course in Darkan on 27/28 March – waiting on information then will distribute to all brigades. Course is free.
- Working with DFES staff to organise an Intro to Fire Fighting course for basic fire-fighting skills – date TBC
- Work pending – new shire farm map for office; update harvest ban procedure for office; preparation of an updated Bush Fire Protection Plan (last one dated 1989)

Williams Bowling Club

- Considering replacing grass greens with synthetic greens
- Meeting with DSR, Shire and Bowling Club on 11th March to discuss possible CSRFF application to be submitted in September 2015.
- Current quote - \$204,807-\$220,772 (incl GST)

Williams Aged Units

- Units are complete – minor maintenance currently being completed by contractor of WA Country Builders
- Roadway complete
- Fencing complete
- Landscaping commenced
- Registration with Questus for NRAS funding – commenced (paperwork!!)

Economic Development Officer, Council Update Feb 2015

Council Resolution

Carne/Earnshaw

That the EDO's report as presented be received.

**Carried 9/0
Resolution 151/15**

Mrs Cowcher left the meeting 1.46pm.



Brooking St ROW	Seal and Kerb	Not Started
Bowling Club Car Park	Seal and Kerb	Completed
Aged Homes	Drainage, seal and kerb	Completed
New Hockey Oval	Install lights and reticulation and plant grass	Grass planted. Footings in for retainer wall.

8.2.4 MECHANICAL REPORT

Plant Description		Driver	Date Purchased	Hours/Kms Dec. 2014	Works Completed this month
Ford FG G6E Sedan WL 16	Light Vehicles	Cara Ryan	July 2011	106,567 km	
Toyota Kluger 16 WL		Ryan Duff	10 Sep 14	9,746 km	
Holden Rodeo Dual Cab Utility WL5499		Maintenance	5-Nov-04	215,838 km	
Isuzu D-Max WL 19		Tony Kett	9-Sep 14	8,076 km	
Kia 2 Tonne Truck WL 5414		Jeff Cowan	9-Oct-07	110,275 km	
Holden Rodeo Crew Cab Utility WL842		Andrew Wood	15-Nov-06	270,182 km	
Holden Rodeo Single Cab Utility WL 826		James Lenehan	20-Nov-06	97,135 km	
Mitsubishi Triton Single Cab Utility WL 430		Stewart Cowcher	22-Sep-99	222,272 km	
Multipac Multi-Tyre Road Roller WL49		Construction Equipment	Ray Scobie	21-Oct-04	5,610 hr
Vibromax Roller WL 126			29-Sep-04	3,588 hr	
Caterpillar 12M Grader WL61	Richard Hewitt		Dec 2011	2,720 hr	Serviced
Caterpillar 12m Grader WL361	Andrew Wood		20-Oct-06	128 hr	Serviced
721E Case Loader WL 5639	Roger Gillett		May 2012	3,760 hr	
Volvo EC210BLC Excavator WL 499	Phil Reed		18-Jul-07	5,418 hr	Replaced bearings in mulching head. Serviced excavator.
John Deere 315SE4 Backhoe WL 745	Trevor Palframan		17-Sep-01	2,181 hr	
John Deere MFWD Tractor WL 767	Works		21-Oct-97	9,400 hr	
Toro Reelmaster SP mower WL5502	Works		Aug-09	680 hr	



Kabota Generator	Parks & Gardens	Refuse Site		2,143 hr	
Toro Z597 Ride on Mower WL 731		Jeff Cowan	1-Oct-06	1,542 hr	
Toro Z400 Kholer Ride on Mower WL5302		Jeff Cowan	8-Aug-05	533 hr	
Honda TRX Four Wheel M/Cycle WL 429		Jeff Cowan	20-Mar-00	1,311 hr	
Toyota DA115 Tip Truck (Water Truck) WL 595		James Lenehan	24-Aug-94	233,600 km	
Isuzu FVZ1400 Tip Truck WL 093	Trucks & Trailers		31-Dec-03	250,462 km	
Mercedes Benz Actross Prime Mover WL91		Phil Reed	21-Dec-05	256,706 km	Serviced
Isuzu Giga CXZ Tip Truck WL 128		Justin Murdock	10-Dec-08	164,256 km	
Isuzu NPR 300 Truck WL 016		Ray Scobie	21-Jan-13	39,219 km	
SFM Side Tipping Trailer WL 3730		Works	21-Dec-05	107,475 km	
Howard Porter Low Loader WL ITIF 238		Works	31-Aug-07	106,049 km	
Howard Porter Pig Trailer WL3792		Justin Murdock	10-Dec-08	106,456 km	

8.2.5 STAFF

- Nil to report

8.2.6 TOWN AND FACILITIES REPORT

- Footings for war memorial started.

8.2.7 PRIVATE WORKS

- Nil to report

8.2.8 WORKS SUPERVISOR REPORT ACCEPTANCE

Voting Requirements

Simple Majority Required

Officers Recommendation

That the Works Supervisor's Report as tabled be received.

Council Resolution

Logie /Earnshaw

That the Works Supervisor's Report as tabled be received.

**Carried 9/0
Resolution 152/15**



Mr Kett left the meeting at 2.07pm.

8.3 ENVIRONMENTAL HEALTH / BUILDING SURVEYOR'S REPORT

The Environmental Health/Building Surveyors Steve Friend entered the meeting at 2.08pm.

8.3.1 BUILDING PERMITS

File Reference	13.34.10
Statutory Reference	N/A
Author & Date	Steve Friend 30 th January 2015

Comment

The following building licenses have been issued under delegation by the EHO/BS:

#351 D Smith (J & S Wilkie)	Lot 11 Piesse Street	Patio
-----------------------------	----------------------	-------

Financial Implication

Fees: Shire \$92.50; BSL \$0; BCF \$40.50

Voting Requirements

Simple Majority Required

Officers Recommendation

That Building Permits issued by the EHO/BS as listed above be endorsed by Council.

Council Resolution

Major/Earnshaw

That Building Permits issued by the EHO/BS as listed above be endorsed by Council.

Carried 9/0
Resolution 153/15

8.3.2 FOOD PREMISES INSPECTION

File Reference	7.40.41
Statutory Reference	N/A
Author & Date	Steve Friend 11 th February 2015

Comment

Plum Tree and Ivy – Cleanly maintained. An ongoing issue with rising damp in the premises has been brought to the lessees attention.

Williams General Store – Cleanly maintained.

Williams Hotel – Under new management. Very cleanly maintained.



Officers Recommendation

That the Food Premises Inspection report be endorsed by Council.

Council Resolution

Major/Johnstone

That the Food Premises Inspection report be endorsed by Council.

**Carried 9/0
Resolution 154/15**

8.3.3 SWIMMING POOL SAMPLES

File Reference

11.20.20

Statutory Reference

Health Act 1911; Health (Aquatic Facilities) Regulations

Author & Date

Steve Friend 30th January 2015

Background

It is a requirement that the public swimming pool is sampled on a monthly basis (main pool and toddler's pool) for bacteriological water quality.

Comment

The pool has been sampled during January and a good water quality has been demonstrated.

Financial Implications

N/A

Voting Requirements

Simple Majority

Officers Recommendation

That Council endorses the actions of the EHO/BS with respect to pool sampling.

Council Resolution

Major/Earnshaw

That Council endorses the actions of the EHO/BS with respect to pool sampling.

**Carried 9/0
Resolution 155/15**



8.3.4 RECYCLED WATER

File Reference	19.1.40
Statutory Reference	Health Act 1911
Author & Date	Steve Friend 30 th January 2015

Background

The Shire has commenced reticulating the football oval and hockey oval with recycled effluent full time following notification by the Department of Health for the hockey ground to be included in the approval.

Comment

The Shire is watering every day currently which amounts to 300,000 litres of recycled water (effluent).

This is obviously a big saving on scheme water.

The Water Corporation try to set chlorination levels at their plant so that when the effluent arrives at the Shire storage tank located in the Shire depot, it can be irrigated at the proscribed levels of no less than 0.2ppm free chlorine.

In order to get the dosage right, I have been testing the effluent every day that I am in Williams.

The Water Corporation seem to have the dosage rates right as all testing has been acceptable.

I have also sampled the water and the test results are well within the Department of Health's parameters.

The week ending 23 January the Water Corporation contacted me to advise that the ponds had been affected by Microcystis Cyanobacteria which is a form of blue/green algae.

The toxins of this can be fatal if ingested in large enough doses but usually presents as a skin irritation.

The Water Corporation needed the Shire's approval to be able to supply the effluent considering this was present.

As everything we do is aimed at preventing contact with the effluent (irrigation late at night, 4 hour drying period, signage etc) I considered that the effluent would not cause any greater problem by having this bacteria in it.

My approval was contingent on the Department of Health having no qualms about the effluent being irrigated. I have not heard from them so I have to assume they are ok with the decision.



The Water Corporation is treating the ponds to attempt to remove the algae. I believe the treatment is by applying copper.

Voting Requirements

Simple Majority Required

Officers Recommendation

That Council endorses the actions of the EHO/BS with respect to the sampling and decision to accept the effluent that contains the cyanobacteria.

Council Resolution

Medlen/Cavanagh

That Council endorses the actions of the EHO/BS with respect to the sampling and decision to accept the effluent that contains the cyanobacteria.

**Carried 9/0
Resolution 156/15**

8.3.5 DEVELOPMENT APPLICATION

File Reference	10.60.15
Statutory Reference	Shire of Williams Town Planning Scheme
Author & Date	Steve Friend 30 th January 2015
Attachments	Appendix 1

Background

The builder acting for the owners of Lot 11 Pinjarra Williams Road, Williams has applied to the Shire for a Building Permit and Development Approval for a brick and colorbond dwelling.

The Lot is zoned Rural residential in the Town Planning Scheme (TPS) and as such, requires planning approval as well as building approval.

Comment

The property in question, Lot 11 is currently vacant and is 3.4 hectares in size.

The house on the property to the right is a brick and colorbond dwelling whereas the property to the left is a fibro clad transportable dwelling.

I have mentioned this as it indicates that Council has not set a dwelling type or size for this subdivision.

The proposed house will be 20m from the right hand boundary giving adequate clearance from the dwelling next door.



This proposal is for a 5 bedroom, three bathroom house which will be a total of 370m² floor area.

Council needs to approve the dwelling from a planning perspective, which takes into account the size, shape, bulk, finished materials and position on the property.

In this instance, the proposed dwelling will not look out of place at all and could be approved as submitted.

Officers Recommendation

That Council grants development approval to the owners of Lot 11 Pinjarra Williams Road Williams to build a 5 bedroom, 3 bathroom brick and colorbond dwelling as per the plans submitted, subject to the issue of a building permit.

Council Resolution

Johnstone/Earnshaw

That Council grants development approval to the owners of Lot 11 Pinjarra Williams Road Williams to build a 5 bedroom, 3 bathroom brick and colorbond dwelling as per the plans submitted, subject to the issue of a building permit.

**Carried 9/0
Resolution 157/15**

8.3.6 FRESH FISH VAN

File Reference	7.44.10
Statutory Reference	
Author & Date	Steve Friend 30 th January 2015
Attachments	Appendix 2 – Photo of Fish van Appendix 3 – Request Email

Background

The Shire has recently received an emailed request to be able to sell fresh fish from a van one day per week in Williams.

The proposed site is Lot 21 (28) Albany Highway, between the hotel and Rustic Rainbow.

Comment

The matter of selling anything from a van, including food, can be determined under the Health Act, Food Act, Local Government Act, Town Planning Scheme and planning policies.

Obviously when it involves food, the *Food Act* comes into play. The van will have to meet certain requirements to be able to sell food.



This request cannot be considered under the Health Act (Itinerant Food vendor) as the proposal is to park the van on private property, not drive around and stop when hailed or flagged down.

As the proposal is to park the van on Lot 21 Albany Highway, the matter can be considered under the Town Planning Scheme (TPS) as to whether the proposed land use is appropriate on that particular site.

The Lot in Question is owned by Dolly Ford, who has been into the Shire office and explained that she has no opposition to the proposal, and in fact supports the opportunity for William's residents to be able to purchase fresh fish.

The Lot is zoned Commercial in the TPS and is variously used as a parking lot for either the Rustic Rainbow or the Hotel.

It is considered that the presence of the van won't cause any more traffic problems than what already exists.

The Shire does not have a fee for this type of thing, although the applicant has indicated she is willing to pay the appropriate fee.

Possibly more difficult to decide whether this application should be approved is the question of an appropriate fee to charge for being allowed to trade from this location.

As mentioned, the proposal is not an itinerant food vendor so no fee could be charged there (the Shire of Williams doesn't have a fee listed in its fees and charges for this anyway).

Recently, the Shire permitted a lady to sell donuts from the bridge parking area and charges her \$25 for every day she trades. She is permitted to trade every time the Driver Reviver caravan is there so her annual fee could possibly be \$100 - \$200 dollars.

It is not thought that the proposed fish van will be in direct competition with the businesses in this area, although the shops in the main street do have some frozen fish for sale (supermarket and newsagent).

It is therefore not appropriate for the proposed fish van to pay nothing as it is unfair to the businesses that do sell fish or pay Council rates.

An itinerant food vendors' fee, although as mentioned is not listed in the Shire fees and charges, can be \$300 - \$400 in other Shires. This usually allows them to trade 5 days a week.

This is not the case here – the applicant wants to trade for 2 hours a week.

As a comparison, rates levied on those in the vicinity are as follows:



- D Ford already pays \$570 annually for a vacant block.
- The Rustic Rainbow (R Martin) pays \$562 for the block the shop is on and \$485 for the corner, vacant block.
- The hotel pays \$3934 for the hotel site and \$1621 for the rear carpark.
- Shell Roadhouse pays \$3,231 and
- D Schaper (previously hairdressers) pays \$761.

With all those mentioned above, except Dolly Ford's, all are able to trade 8 or more hours a day, seven days a week.

To charge the fish van \$300-\$400 for two hours a week seems a little unfair.

Admittedly the others also pay for water and electricity.

Even if the Shire charged \$10/day, if the applicant came one day a week for 50 weeks of the year she would pay \$500 which is almost as much as some of those mentioned above.

It will be recommended she pays \$300 per year which equates to \$5.76/day if she came every week of the year.

Officers Recommendation

That the proposal by Tracy McGowan to be able to trade from Lot 21 (28) Albany Highway and sell fish and seafood products from a food van be permitted subject to:

1. The payment of \$300 per year fee
2. The trading hours being restricted to one afternoon a week for three hours
3. The food van being approved by the Local Authority where the van is housed
4. No rubbish being deposited on the property

Council Resolution

Carne/Major

That the proposal by Tracy McGowan to be able to trade from Lot 21 (28) Albany Highway and sell fish and seafood products from a food van be permitted subject to:

1. The payment of \$300 per year fee
2. The trading hours being restricted to one afternoon a week for three hours
3. The food van being approved by the Local Authority where the van is housed
4. No rubbish being deposited on the property
5. The permission and fee to be reviewed annually.

Carried 9/0
Resolution 158/15



8.3.7 REQUEST FOR DEVELOPMENT APPROVAL – LOT 195 LAVENDER ST

File Reference	13.34.20
Statutory Reference	Shire of Williams Town Planning Scheme
Author & Date	Steve Friend 13 th February 2015
Attachments	Appendix 4 – Site Diagram Appendix 5 – Plan View Appendix 6- Letter

Background

The owner of Lot 195 (56) Lavender Street has applied to the Shire to be able to build a 1 bedroom dwelling on the property.

Comment

The owner of Lot 195 (56) Lavender Street has applied to be able to build a one bedroom dwelling on the property, to be constructed out of colorbond (walls and roof) (appendix 6).

The proposal is to attach the dwelling to the existing shed on the property as per the site diagram (appendix 4).

The property in question is zoned Rural Residential in the Shire of Williams Town Planning Scheme (TPS) as such, requires Planning approval as well as building approval.

The proposed dwelling could only be described as “modest” as it only contains one bedroom, and as the drawing shows (appendix 5), does not contain laundry or kitchen facilities.

Having said that, I have emailed the applicant for further information to see whether these facilities are to be provided.

The proposed dwelling will be 1.87m from the western boundary, which might be considered rather close, however the Shire has approved the original building (shed) to be built 1.5m from the rear boundary.

It could also be said that dwellings in a Residential zone can be 1.5m from a side boundary (or 1m if no habitable rooms have a window facing that boundary).

The Residential Design Codes (R Codes) say a dwelling should be separated from an outbuilding, however this property, as mentioned, is zoned Rural Residential so the R Codes do not apply, although it could be used for consideration.

The TPS states things the Council should take into consideration when considering a Development Application in Rural Residential area are –

- The colour and texture of external building materials
- Building size, bulk, height and roof pitch



- Setback and location of the building on the lot
- Architectural style and design of the buildings
- Relationship to surrounding development
- Other characteristics considered relevant to Council

The shed currently on the property is colorbond wall and roof and if the dwelling was to match this it would look quite nice.

The building size and bulk would not cause a problem if oversized was the criteria: rather Council might consider it to be not large enough.

However in the letter accompanying the application, the applicant has stated she only wants a modest home to come for short periods of time to rehabilitate the grape vines.

Council however is required to take a longer term view and decide whether the building will look out of place, either because it is too large or too small.

The setback also is a consideration – should the dwelling be closer to the road, should it be further from the side or rear boundary, is it appropriate?

Lastly, relationship to the surrounding development probably is not a consideration at this point in time. The property to the rear is somewhat an eyesore although this might not always be the case. The property to the west does not have a dwelling on it but will presumably have in time. Other things to consider in those applications that might come before Council are properties that face Lavender Street will most likely not have a reticulated water supply. The Water Corporation does not currently have water running down this street and I am not sure it intends to do so.

This application says she will erect a second 20,000 litre tank to make a total of 40,000 litres. As the property proposed is only one bedroom it will probably be sufficient, but Council should determine whether rainwater tanks are acceptable, whether the owner/s should have water reticulated, and if tanks are sufficient, is there a minimum volume?

Lastly, unless I hear otherwise, as the plans do not show a kitchen or laundry, I believe the building will not meet the Building Code of Australia (BCA) so couldn't be approved for a Building Permit.

As I am awaiting further advice, my recommendation at the time of writing, is to defer the decision until the March meeting to see whether a kitchen and laundry will be installed.

Officers Recommendation

That Council defers the decision on this Development Application until the March 2015 meeting unless the additional information is available for Council on or before the meeting of 18th February, in which case the matter be discussed and decided.



An updated plan showing a kitchen and laundry was tabled at the meeting.

Council Resolution

Johnstone/Medlen

That Council grants development approval to the owner of Lot 195 (56) Lavender Street to build a one bedroom dwelling as per the plans tabled, subject to the issue of a building permit.

**Carried 9/0
Resolution 159/15**

8.3.8 EHO REPORT ACCEPTANCE

Voting Requirements

Simple Majority

Officers Recommendation

That the EHO's report as tabled be received.

Council Resolution

Logie/Paterson

That the EHO's report as tabled be received.

**Carried 9/0
Resolution 160/15**

Mr Friend left the meeting at 2.32pm.



8.4 CHIEF EXECUTIVE OFFICER'S REPORT

8.4.1 CHIEF EXECUTIVE OFFICER'S GENERAL REPORT

File Reference	4.1.20
Statutory Reference	N/A
Author & Date	Ryan Duff 12 th February 2015

Background

The Chief Executive Officer General Report provides Council with an update on the activities of the CEO and other matters that do not necessarily require a decision of Council.

Comment

The CEO General Report is provided to Council as a separate document.

Financial implications

Nil.

Voting Requirements

Simple Majority

Officer's Recommendation

That the Chief Executive Officer's General Report for February 2015 be received by Council.

Council Resolution

Medlen/Paterson

That the Chief Executive Officer's General Report for February 2015 be received by Council.

Carried 9/0
Resolution 161/15



8.4.2 WAPC APPLICATION 151241 – LOT 16, 17, 18, 200 ALBANY HIGHWAY

File Reference 10.64.20
Statutory Reference Planning and Development Act 2005
Author & Date R.N. Duff 12th February 2015

Background

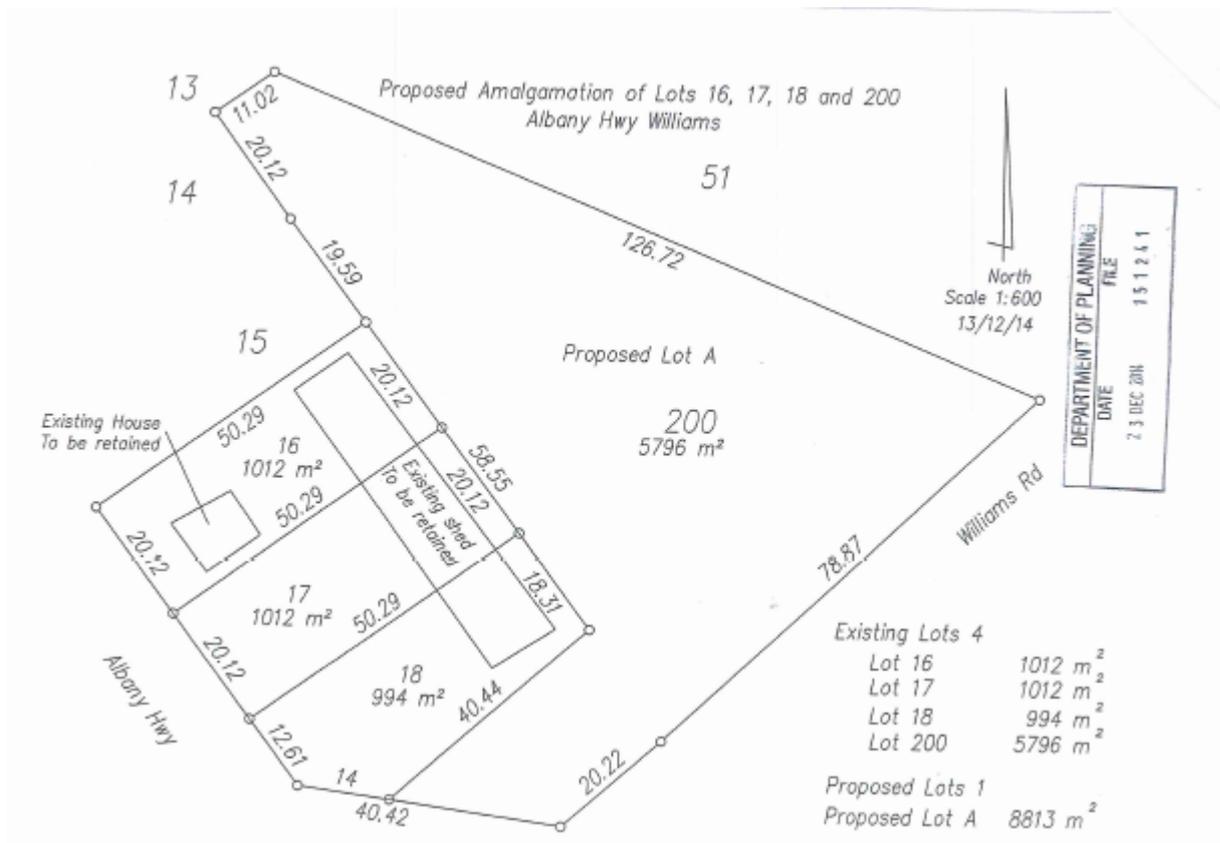
The Western Australian Planning Commission has written to Council seeking input on the proposed amalgamation of the above lots.

The application seeks to amalgamate 4 lots into one single lot on the corner of the Albany Highway and the Williams-Kondinin Rd.

The land concerned has recently been rezoned to Light Industrial and the applicants have had extensive dialogue with Council on the proposed development of the lot.

Comment

The WAPC is seeking comment from the Shire of Williams by the 18th February 2015 on the proposal; as shown below:



Financial Implications

Nil.



Voting Requirements

Simple Majority

Officer's Recommendation

That the Shire of Williams advise the Western Australian Planning Commission that they support application 151241 for the amalgamation of Lot 16,17,18,200 Albany Highway.

Council Resolution

Medlen/Major

That the Shire of Williams advise the Western Australian Planning Commission that they support application 151241 for the amalgamation of Lot 16,17,18,200 Albany Highway.

**Carried 9/0
Resolution 162/15**



8.4.3 WAPC APPLICATION 151295 – LOT NO 169,3 & 333 CHANNON ST

File Reference 10.64.20
Statutory Reference Planning and Development Act 2005
Author & Date R.N. Duff 12th February 2015

Background

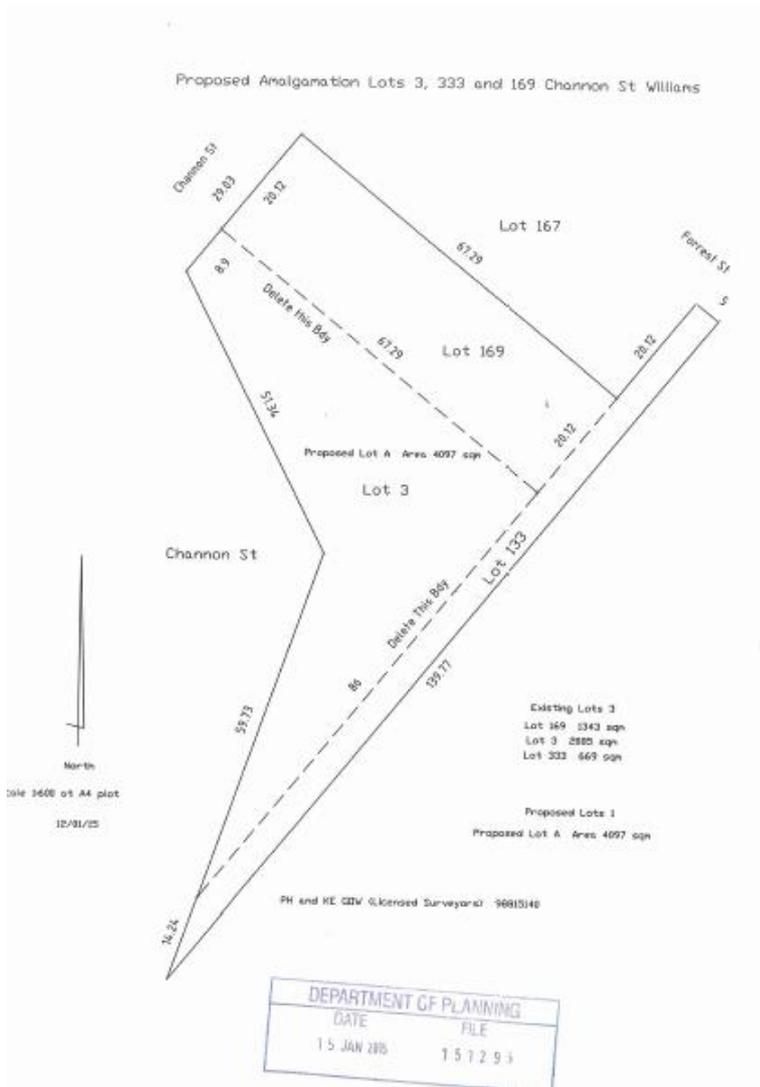
The Western Australian Planning Commission has written to Council seeking input on the proposed amalgamation of the above lots.

The application seeks to amalgamate 3 lots into one single lot.

The lots concerned are of an awkward shape and the amalgamation should be supported.

Comment

The WAPC is seeking comment from the Shire of Williams by the 3rd March 2015 on the proposal as shown below:





Financial implications

Nil.

Voting Requirements

Simple Majority

Officer's Recommendation

That the Shire of Williams advise the Western Australian Planning Commission that it supports application 151295 for the amalgamation of Lot 169,3 & 333 Channon St.

Council Resolution

Paterson/Medlen

That the Shire of Williams advise the Western Australian Planning Commission that it supports application 151295 for the amalgamation of Lot 169,3 & 333 Channon St.

**Carried 9/0
Resolution 163/15**



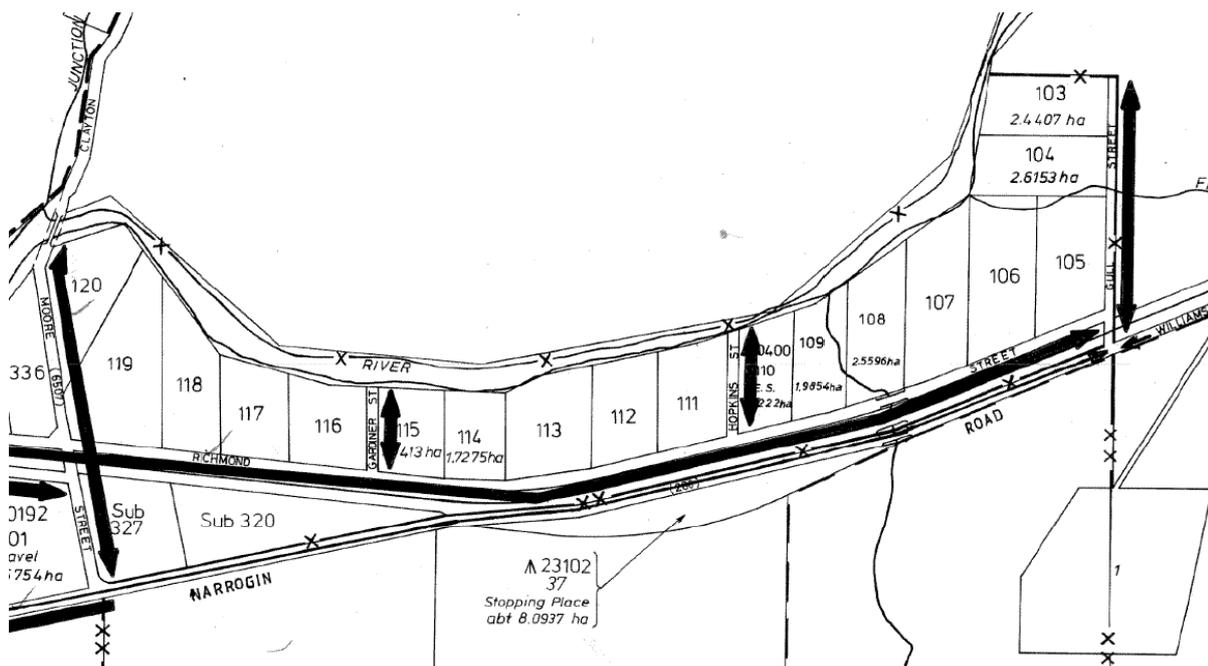
8.4.4 RICHMOND ST – ROAD NAME CHANGE TO GULL & HOPKINS ST

File Reference 12.15.37
Statutory Reference N/A
Author & Date Ryan Duff 12th February 2015

Background

A request has been submitted for Council to formally change the east sections of Richmond St which have been known to some community members as Gull St and Hopkins St as shown below





Comment

Residents in the area have been consulted and their responses have been mixed in that the residents in Hopkins St (proposed) have rejected the proposal due to the effort involved to change all their records and the potential confusion that this could cause. A Gull St (proposed) resident has supported the change.

It has been suggested that improved signage on the Narrogin Rd which included the street number range for each section would be a solution if the renaming was rejected.

Financial implications

Nil.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council not proceed with the proposed renaming of the eastern sections of Richmond St and as a solution install new street signage with street number ranges included on the road sign.

Council Resolution

Earnshaw/Major

That Council:

- not proceed with the proposed name change from Richmond Street to Hopkins Street and install new street signage with street number ranges included on the road sign.
- proceed with the proposed name change from Richmond Street to Gull Street.

**Carried 9/0
Resolution 164/15**



8.4.5 WAPC APPLICATION 151340 – LOT 1045 & OTHERS BATES RD, WILLIAMS

File Reference	10.64.20
Statutory Reference	Town Planning and Development Act 2005
Author & Date	Ryan Duff 12 th February 2015
Attachments	Appendix 1 – Subdivision Application

Background

The Western Australian Planning Commission has written to Council seeking input on the proposed subdivision of the above lots.

The proposed plan shows 11 existing lots having the boundaries adjusted to create 11 new lots with the majority of the lots being over 50ha.

Comment

The original subdivision concept was submitted to the October 2014 were Council supported the application as below.

Council Resolution

Cavanagh/Johnstone

Council support the application in principle providing there is a fire management plan put in place on the proposed lots. Council also wish to include on the notification placed on the Certificate of titles a reference to “agriculture chemicals”. The notification to read as follows:

- *Notification in the form of a section 70A notification, pursuant to the Transfer of Lands Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed lot(s) advising that the lot is located in an existing agricultural area. Use of land may be affected by 24 hour operation of machinery, aerial spraying, use of agricultural chemicals and generation of other noise, dust and odours arising from normal agricultural operations being carried out on surrounding land holdings.*

Carried 7/0
Resolution 95/15

The application is attached at **APPENDIX 1** and includes a comprehensive Draft Bushfire Management Plan

Financial Implications

Potential impact of Rate Base.

Current property rates as a single assessment are approximately \$4,400. Based on 11 separately valuated lots of the same parcel of land would yield \$9,600 in rates thus increasing Council’s rate base.

Voting Requirements

Simple Majority



Officers Recommendation

That Council support application 151340 subject to the following conditions:

1. Notification in the form of a section 70A notification, pursuant to the Transfer of Lands Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed lot(s) advising that the lot is located in an existing agricultural area. Use of land may be affected by 24 hour operation of machinery, aerial spraying, use of agricultural chemicals and generation of other noise, dust and odours arising from normal agricultural operations being carried out on surrounding land holdings.
2. A notification, pursuant to section 165 of the Planning and Development Act is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification to be included on the deposited plan. The notification to state as follows: “A Fire Management Plan has been prepared for the lots subject of this subdivision and recommends that all new dwellings be constructed to a minimum BAL of 19 and a minimum of 10,000 litres storage of water be available for fire fighting purposes. Purchasers will be required to undertake individual detailed BAL assessment prior to the building design and construction phase for any future dwellings on each of the proposed Lots. New dwellings will need to be constructed in accordance with AS 3959-2009”.
3. The owner to provide a written undertaking to advise prospective purchasers of the requirements of the Fire Management Plan and provide them with a copy of the Fire Management Plan.
4. The subdivider to implement the Fire Management Plan to the satisfaction of the local government, including construction of a 6 metre emergency access way to a trafficable standard.
5. The battleaxe legs being constructed and drained to the satisfaction of the local government.
6. The applicant/owner entering into an agreement with the local government to ensure reciprocal rights of access over adjoining battle-axe access ways.

Council Resolution

Cavanagh/Johnstone

That Council support application 151340 subject to the following conditions:

1. Notification in the form of a section 70A notification, pursuant to the Transfer of Lands Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed lot(s) advising that the lot is located in an existing agricultural area. Use of land may be affected by 24 hour operation of machinery, aerial spraying, use of agricultural chemicals and



generation of other noise, dust and odours arising from normal agricultural operations being carried out on surrounding land holdings.

2. A notification, pursuant to section 165 of the Planning and Development Act is to be placed on the certificate(s) of title of the proposed lot(s) advising of the existence of a hazard or other factor. Notice of this notification to be included on the deposited plan. The notification to state as follows: “A Fire Management Plan has been prepared for the lots subject of this subdivision and recommends that all new dwellings be constructed to a minimum BAL of 19 and a minimum of 10,000 litres storage of water be available for fire fighting purposes. Purchasers will be required to undertake individual detailed BAL assessment prior to the building design and construction phase for any future dwellings on each of the proposed Lots. New dwellings will need to be constructed in accordance with AS 3959-2009”.
3. The owner to provide a written undertaking to advise prospective purchasers of the requirements of the Fire Management Plan and provide them with a copy of the Fire Management Plan.
4. The subdivider to implement the Fire Management Plan to the satisfaction of the local government, including construction of a 6 metre emergency access way to a trafficable standard.
5. The battleaxe legs being constructed and drained to the satisfaction of the local government.
6. The applicant/owner entering into an agreement with the local government to ensure reciprocal rights of access over adjoining battle-axe access ways.

Carried 9/0
Resolution 165/15



8.4.6 QUINDANNING PICNIC RACE DAY CLUB (INC) – REQUEST FOR SPONSORSHIP

File Reference	11.70.95
Statutory Reference	N/A
Author & Date	R.N. Duff 12 th February 2015

Background:

Letter received from the Quindanning Picnic Race Day Club requesting donations and in-kind assistance for their Annual Picnic Race Day on the 4th April 2015.

Comment:

The Quindanning Picnic Race Ground is located in the Shire of Boddington however a significant number of Williams Ratepayers reside in the Quindanning locality and many Williams Ratepayers attend the one day event.

The Club was formed in 1978 by the Quindanning Community.

In previous years Council has supported this event with offers of plant hire and more recently the use of the Shire generator at no cost.

Financial Implications

Nil.

Voting Requirements

Simple Majority

Officer's Recommendation

That the Shire of Williams provides our generator and offer to carryout minor earthworks to prepare the race track for the 2015 event.

Council Resolution

Paterson/Logie

That the Shire of Williams provides our generator and offer to carryout minor earthworks to prepare the race track for the 2015 event.

**Carried 9/0
Resolution 166/15**

The Chief Executive Officer has declared an impartiality interest in the following item 8.4.7.



8.4.7 PROPOSED ROAD CLOSURE AND AMALGAMATION OF RESERVE 17240 PINJARRA-WILLIAMS RD

File Reference	11.60.20
Statutory Reference	Land Administration Act 1997.
Author & Date	R.N. Duff 12 th February 2015

Background

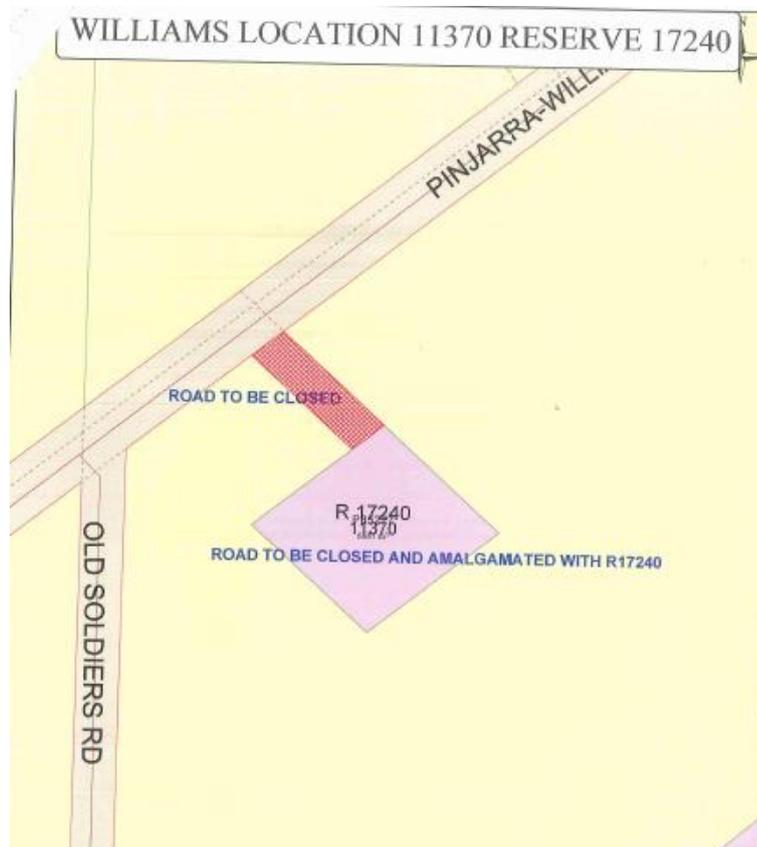
In August 2014 Council supported request from Robert & Charmaine Duff to close an unmade road adjoining Reserve 17240

The simplified process is as follows:

1. Council resolves to seek comment on the closure of the unmade road
2. Write to neighbouring property owners and utility providers
3. Council formally resolves to close the unmade road
4. S.58 Taking of Land
5. Request submitted to the Department of Regional Development and Lands – State Land Services

The Department of Lands have now written to Council requesting that a formal road closure process be undertaken.

Comment





Financial Implications

Nil.

Voting Requirements

Simple Majority

Officer's Recommendation

1. That Council resolve its intention to close the unmade road reserve adjoining Reserve 17240 Williams, as shown at above and advertise, in accordance with Section 58 of the Land Administration Act 1997.
2. That in the event no objections are received at the end of the notice period, the closure of the portion of road reserve is recommended to the Minister for Planning.

Council Resolution

Major/Cavanagh

1. That Council resolve its intention to close the unmade road reserve adjoining Reserve 17240 Williams, as shown at above and advertise, in accordance with Section 58 of the Land Administration Act 1997.
2. That in the event no objections are received at the end of the notice period, the closure of the portion of road reserve is recommended to the Minister for Planning.

**Carried 9/0
Resolution 167/15**



8.4.8 FITZGERALD STRATEGIES – WESTERN AUSTRALIAN LOCAL GOVERNMENT INSURANCE POOL

File Reference	11.60.20
Statutory Reference	N/A
Author & Date	R.N. Duff 12 th February 2015
Attachments	Appendix 2 – Fitzgerald Strategies e-mail

Background

Correspondence has been received from Fitzgerald Strategies:

You will recall our broadcast email of 8 October 2014 in the above matter, we are pleased to announce that Andrew Armistead, Executive Officer of the Westpool, Metro Pool and UIP Local Government Insurance Pools in NSW and several of their elected members of the Boards of Management and representatives of their Insurance Broking Support teams are coming to WA to meet with Western Australian Local Governments and explain how we can set up and operate our own Western Australian Local Government Insurance Pool and enjoy the benefits of serious competition in insurance premiums for Local Government in WA.

The intent of this process is to gather all willing Local Governments together here in WA to form an insurance pool which will bring about cooperative rates of premiums and provide you with the opportunity to determine your own insurance premium levels based on an ever increasing balance of funds that will accumulate in the Pool and will not be filched off as profits by some outside entity. Accordingly, it is important to be there at the outset, because once a Pool is established there is no room to break into the Pool after the event.

We have set out a copy of our email on this matter at the end of this invitation to remind you all the issues we are referring to here.

BY INVITATION ONLY

Please accept this letter as our cordial invitation for your CEO, Mayor, Deputy Mayor, Shire President, Deputy Shire President and Councillors to attend this inaugural meeting of WA Local Governments who may be interested in forming a Local Government Insurance Pool here in WA based on three existing Pools established by Local Governments some 20 years ago in NSW.

EVENT DETAILS

- Venue:** Karri Room, Hilton Parmelia Hotel, Perth WA
- Date:** Friday March 27th 2015 (**RSVP: Monday 16th March 2015**)
- Time:** 9.00am to 1.00pm (Registrations 9.00am to 9.30am)
- Registration:** \$100 per Local Government (Registration Form Attached)

A copy of the email form Fitzgerald Strategies is attached at **APPENDIX 2**.



MINUTES – ORDINARY MEETING OF COUNCIL HELD 18TH FEBRUARY 2015

Comment

The Shire of Williams is currently insured across all areas through Local Government Insurance Services (LGIS) and has done so for many years. Through LGIS, Local Governments across WA are working together to achieve the best insurance and risk management solutions. The partnership brings the benefits of an industry-based self-insurance scheme, specialist risk management programs.

Financial Implications

The cost of our insurance is extensive and represents a large percentage of our budget. A breakdown of the insurance costs is included below;

Summary of Costs

Shire of Williams

2014 - 2015 Insurance Premiums/Contributions

Insurance Class	Expiring Year's Premium	Base Premium/ Contribution	GST	Total Premium/ Contribution	Recommended Insurer	Renew
Corporate Practices Liability	\$2,854.27	\$2,338.87	\$233.89	\$2,572.76	Axis Specialty Europe SE through Specialist UW Agencies P/L - Axis	YES / NO
Councillors and Officers Liability	\$3,820.12	\$3,868.12	\$386.81	\$4,254.93	ACE Insurance Limited	YES / NO
Marine Cargo	\$297.00	\$300.00	\$30.00	\$330.00	Zurich Australian Insurance Limited	YES / NO
Motor Vehicle	\$30,987.77	\$14,362.05	\$1,435.20	\$15,787.25	Zurich Australian Insurance Limited	YES / NO
Personal Accident and Travel	\$1,815.00	\$1,850.00	\$165.00	\$1,815.00	ACE Insurance Limited	YES / NO
Casual Hirers Liability	\$1,963.50	\$1,785.00	\$178.50	\$1,963.50	LGIS Liability Scheme	YES / NO
Fidelity Guarantee	\$612.26	\$556.60	\$55.66	\$612.26	LGIS Liability Scheme	YES / NO
LGIS Bushfire	\$4,441.25	\$4,750.00	\$475.00	\$5,225.00	LGIS Bushfire	YES / NO
LGIS Property	\$58,285.06	\$53,034.27	\$5,303.43	\$58,337.70	LGIS Property	YES / NO
LGIS Liability	\$13,042.50	\$12,060.00	\$1,206.00	\$13,266.00	LGIS Liability	YES / NO
LGIS WorkCare	\$39,578.00	\$44,520.00	\$4,452.00	\$48,972.00	LGIS Workcare	YES / NO
Total Cost	\$157,696.73	\$139,214.91	\$13,921.49	\$153,136.40		

Bridges

18,848.63
\$158,063.54

\$6,000 rebate

Voting Requirements

Simple Majority



Officer's Recommendation

That the Shire of Williams attend the insurance meeting in order to gather information regarding the proposal and not necessarily looking to change our insurance arrangements.

Council Resolution

Major/Paterson

That the Shire of Williams attend the insurance meeting in order to gather information regarding the proposal and not necessarily looking to change our insurance arrangements.

**Carried 9/0
Resolution 168/15**

Afternoon Tea

The Community Resource Centre invited all Councillors and Staff to the Centre to celebrate the 10th Anniversary of the building. Council adjourned for afternoon tea at 3.20pm and resumed the meeting at 4.22pm.



8.5 MANAGER OF FINANCE'S REPORT

8.5.1 ACCOUNTS FOR PAYMENT

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	10 th February 2015

Background

That the Chief Executive Officer be authorised to make payments from Councils Municipal Fund, Trust and Reserve Accounts to a maximum of \$100,000 for payment of:

- Refunds of overpayment, deposits and bonds
- Postage
- Salaries & Wages
- Petty cash recoup
- Payment of creditors where a discount or penalty applies
- Council vehicle licenses
- Special emergency payments as authorised
- Loan repayments
- Department of Transport licensing, receipts
- Credit card purchases up to \$5,000 for items contained in the budget
- Progress payments for tender contracts

Comment

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

Financial Implications

As listed in the recommendation below.

Voting Requirements

Simple Majority

Officers Recommendation

That Municipal Fund Cheques 104298 - 104316, EFT, BPay and Direct Debits totalling \$400,047.29, Trust Fund EFT transfers totalling \$8,673.00, CLGF Regional Funding EFT transfers totalling \$238,308.50 approved by the Chief Executive Officer be endorsed and Municipal EFT transfers totalling \$166,341.19 and Municipal Fund Cheques totalling \$2740.91 be approved for payment.



Council Resolution

Earnshaw/Johnstone

That Municipal Fund Cheques 104298 - 104316, EFT, BPay and Direct Debits totalling \$400,047.29, Trust Fund EFT transfers totalling \$8,673.00, CLGF Regional Funding EFT transfers totalling \$238,308.50 approved by the Chief Executive Officer be endorsed and Municipal EFT transfers totalling \$166,341.19 and Municipal Fund Cheques totalling \$2740.91 be approved for payment.

**Carried 9/0
Resolution 169/15**

8.5.2 FINANCIAL STATEMENTS

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	10 th February 2015

Background

A statement of financial activity must be produced monthly and presented to Council. In accordance with the Local Government Act 1995, a statement of financial activity must be presented to each Council meeting, including a comparison to the budget and variance from it. It must also include explanations of any variances.

Statutory Implications

Local Government (Financial Management) Regulations 1996, reg 34.

Comment

The financial statements are a separate attachment to this agenda.

Financial Implications

As disclosed in the financial statements.

Voting Requirements

Simple Majority

Officers Recommendation

That the financial statements presented for the period ending 31st December 2014 be received.
That the financial statements presented for the period ending 31st January 2015 be received.

Council Resolution

Cavanagh/Earnshaw

That the financial statements presented for the period ending 31st December 2014 be received.

**Carried 9/0
Resolution 170/15**



Council Resolution

Johnstone/Earnshaw

That the financial statements presented for the period ending 31st January 2015 be received.

**Carried 9/0
Resolution 171/15**

8.6 COUNCILLORS' REPORTS

Cr Cavanagh attended and discussed the HWEDA meeting held in Williams on the 10th February 2014. This was the first meeting for the newly appointed Executive Officer, David Duncanson.

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.

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

Council Resolution

Medlen/Logie

That Council discuss the item raised in Public Question Time by Jeremy Genders requesting Council to reconsider the condition placed on Lot 55 Munthoola Rd to bitumise Munthoola Rd prior to any subdivision works.

**Carried 8/1
Resolution 172/15**

The Chief Executive Officer declares a proximity interest.

Council Resolution

Major/Earnshaw

That Council requests that the CEO prepare a report for the Ordinary Meeting of Council held in March 2015, to include exact costs for the Shire to upgrade Munthoola Road to Bitumen.

**Carried 9/1
Resolution 173/15**

10.1 ELECTED MEMBERS.

10.2 OFFICERS.



11.0 APPLICATION FOR LEAVE OF ABSENCE

12.0 INFORMATION SESSION

13.0 CLOSURE OF MEETING

The President declared the meeting closed at 5.14pm.