

SHIRE OF WILLIAMS

MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 20TH JULY 2011

1.0 OPENING

1.1 DECLARATION OF OPENING

The President declared the meeting open at 1.03pm

1.2 ANNOUNCEMENT OF VISITORS

1.00pm – Bernie Miller – Regional Manager Main Roads Wheatbelt South

1.45pm – Alex Bashtannyk – Grant Consultant

2.30pm – Bauxite Resources – Update Presentation

2.0 RECORD OF ATTENDANCE

2.1 PRESENT

Cr John Cowcher	President
Cr David Earnshaw	Deputy President
Cr Greg Cavanagh	
Cr Richard Johnstone	
Cr Moya Carne	
Cr Natalie Major	
Cr Peter Paterson	
Cr Jarrad Logie	

Ryan Duff	Chief Executive Officer
Ian Ball	Deputy Chief Executive Officer
Tony Kett	Works Supervisor (2.10pm – 2.25pm)
Steve Friend	Environmental Health Officer/Building Surveyor (3.35pm – 4.11pm)
Heidi Cowcher	Community Development Officer (4.12pm – 4.40pm)

2.2 APOLOGIES

Cr Gilbert Medlen – Leave of Absence

3.0 PUBLIC QUESTION TIME

Nil

4.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Bernie Miller, Main Roads WA Divisional Engineer attended the meeting at 1.05pm to provide Council with an update on the Williams Bridge Project and Albany Highway realignment.

Williams Bridge Project

Following the Community Engagement evening in March 2008, Main Roads finalised the project report, requested and received further community feedback and also sought expressions of interest from people interested in being part of the Project Reference Group. In all MRWA received six EOIs and from that group the following people were chosen to represent the community:

- Cr Richard Johnstone (representing Williams Council)
- Hedley Brooke Fowler (representing Williams general community)

- Greg Atwell (representing Williams's business community).

These community members joined myself, CEO Jim Epiro, Planning & Asset Manager Joanne Jurica and Acting Customer Services Manager Megan Holding as part of the Project Reference Group. The inaugural meeting of the Reference Group was held on 10.00am on Monday 22 September 2008.

At the inaugural meeting Option B was reviewed and endorsed by the group. A submission to Council was made in early October 2008 and their endorsement was provided on 23 October 2008. The Project Reference Group met again on 3 February 2009 and arranged display of the endorsed design in Williams and an advertised period of public comment. The two Community Representatives on the group Hedley Fowler and Greg Atwell were used to collate comments. Very little comment received from the community.

Since then the actions of note have been:

- The purchase of Mr Domenic Santostefano's property on the western side of Albany Highway by Main Roads, following a hardship based request. This was settled in April 2011
- Design of a low level floodway type crossing on the southern service road entry if the old bridge (No 25) is not retained

Issues

1. The endorsed concept plans include a direct access onto Richardson St. There is no direct access to the new highway from Brooking St. The main reasons for this are:
 - Proposed accesses allow an "in and out" flow for both northbound and southbound traffic which provides connectivity loop.
 - Brooking St access was considered, but would have required one of the other accesses to be cancelled.
 - The reference group preferred this arrangement.
 - In addition, the Brooking St / Albany Hwy intersection would end up in a fill area with a creek under the intersection increasing costs
 - Richardson St option also provides good access to proposed car park.
2. Whether the southern Bridge No 25 is retained for light vehicular or pedestrian / cyclist traffic needs to be determined. Issues are:
 - Heritage survey of bridges has not yet been completed – outcome may determine forced retention.
 - If bridge is retained, Council will assume ownership of the asset including any ongoing maintenance costs estimated to be \$12,500/year.
 - Bridge would not be able to carry any truck traffic and may have as little as a 2T load limit applied.
 - Alternative option is to construct new lower level multiple barrel culvert / floodway for vehicles and use bridge as pedestrian / cyclist access only.
 - Pedestrian movements will be accommodated under the new bridge and under the highway via an underpass.
3. Jamie Fowler has raised some concerns regarding the proposed location of the parking area opposite Caltex and the impact this may have on a proposed development application he is planning. The bay is designed to cater for travellers wishing to stop at Williams (as many currently do) and is intended to be a joint Main Roads / Council facility, with construction by Main Roads as part of the project, but ongoing management by Council. Mr Fowler's access will be maintained on the western side of the relocated highway.
4. In 2011/12 Main Roads has a budget of \$360,000 to progress development of the Williams Bridge Project. The key activities to be undertaken are:

- Undertake geotechnical investigations at proposed new bridge sites
 - Prepare concept plans for proposed new bridges
 - Carry out Heritage Survey of existing bridges
 - Prepare initial cost estimate for road realignment and bridge construction.
5. Bridge No 24 over Coalling Brook and Bridge No 25 over Williams River were during April and February 2011 respectively. The draft report has been received and shows the following:
- Bridge 24 was assessed as being in good condition with only minor routine maintenance activities required to keep it in good condition.
 - Bridge 25 was assessed as being in only fair condition with a number of the bridge elements (stringers, halfcaps, deck overlay) requiring specific maintenance to keep it in a condition necessary to maintain existing loads.
 - These emergency works are estimated to cost around \$50,000 and will be completed by Main Roads in 2011/12.
 - This is the third round of emergency works required to avoid a reduced load limit on the bridge.
 - Even with these works it is expected the replacement strategy will need to be implemented within the next five years.

Mr Miller advised that the parking bay planned for construction opposite the Caltex Roadhouse would revert to Council management responsibility once constructed.

Council agreed that the southern bridge should be removed rather than transfer to Council responsibility on completion of the realignment.

Mr Miller agreed to consider making the entrance to the town site off the highway realignment that currently is aligned with Richardson Street a tee junction further south on the existing highway.

Relocation of the Lions Park needs to be considered in the overall design.

Mr Miller left the meeting at 1.35pm

Alex Bashtannyk, Grant Consultant, attended the meeting at 1.45pm to provide Council with an update on the outcomes of his submission to the WA Local Government Grants Commission.

Mr Bashtannyk left the meeting at 2.05pm

Chantelle O'Sullivan and Peter Senini from Bauxite Alumina Joint Ventures Pty Ltd attended the meeting at 2.30pm to advise Council on recent activities with their exploration program and progress with refinery site selection and feasibility studies for the development of an alumina refinery in the south west. Exploration is ongoing on several tenements granted in the Shire of Williams. Mining would be a minimum of five years away.

Ms O'Sullivan and Mr Senini left the meeting at 3.10pm

5.0 DECLARATIONS OF INTEREST

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

6.0 CONFIRMATION OF PREVIOUS MINUTES

6.1 ORDINARY MEETING MINUTES

Earnshaw/Paterson

That the minutes of the Ordinary Meeting held in the Council Chambers on Wednesday 15th June 2011, as circulated, be confirmed as a true and correct record of proceedings.

**Carried 8/0
Resolution 1/12**

6.2 SPECIAL MEETING MINUTES

Johnstone/Cavanagh

That the minutes of the Special Meeting held in the Council Chambers on Wednesday 15th June 2011, as circulated, be confirmed as a true and correct record of proceedings.

**Carried 8/0
Resolution 2/12**

6.3 4WD VROC MEETING MINUTES

Cavanagh/Earnshaw

That the minutes of the 4WD VROC Meeting held in the Shire of Katanning Council Chambers on Tuesday 28th June 2011, as circulated, be received.

**Carried 8/0
Resolution 3/12**

6.4 SHIRE OF WILLIAMS LOCAL EMERGENCY MANAGEMENT MEETING MINUTES

Johnstone/Major

That the minutes of the Shire of Williams Local Emergency Management Meeting held in the Council Chambers on Monday 4th July 2011, as circulated, be received.

**Carried 8/0
Resolution 4/12**

Afternoon Tea

Council adjourned for afternoon tea at 3.10pm and resumed the meeting at 3.35pm

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8.0 REPORTS OF COMMITTEES/OFFICERS AND COUNCILLORS

Community Development Officer Heidi Cowcher attended the meeting at 4.12pm to discuss her report.

8.1 COMMUNITY DEVELOPMENT OFFICER'S REPORT

8.1.1 Dry Seasons Assistance Scheme

Council received \$20,000 in November 2010 to run community events or activities to help maintain community spirit and welfare following the unprecedented dry season experienced in 2010. The Shire has until 30th November 2011 to expend the funding.

The following summarises the expenditure to date:

Williams Gateway Expo	\$2500.00	Fireworks
FabFour	\$6600.00	Band & stage – Free Family Concert
Rosie-O	\$2163.64	Children’s entertainment – Free Family Concert
Glow in the dark sticks	\$20.00	Children’s entertainment – Free Family Concert
<i>The Williams</i>	\$75.00	Advertising
Alex Watt	\$450.00	Sundowner entertainment – Free Family Concert
Refreshments	\$181.90	FabFour performers & crew
Co-Opera	\$2500.00	Marriage of Figaro – 29 th October 2011
Security	\$1120.00	Quindanning Picnic Races
SUB-TOTAL	\$15,610.54	(\$4389.46 remaining unspent)

The Shire still therefore has funds it can allocate to community events. The funding guidelines do allow for up to 10% to be allocated to reasonable administrative expenses if needed (up to \$2000).

Suggestions for other community events:

- Outdoor movie night (hiring the Shire of Wandering big screen – \$500 plus cost of purchasing movies – suggest one family movie and one other)
- Co-Opera ‘Marriage of Figaro’ is going to cost the shire \$5800 (+ GST). Dry Seasons funding of \$2500 has already been committed to the event. It is anticipated that ticket sales will cover the balance (\$3300 – ticket price yet to be determined). A suggestion has been made that Dry Seasons funding be allocated to cover the entire cost of the event to expend the funding, and then the ticket sales ‘profit’ be directed towards another community event at a time not restricted by a funding deadline eg: a free community concert in March 2012 following the very successful one in March 2011.
- Any other ideas?

For consideration

Carne/Paterson

That Dry Season funding be allocated to cover the entire cost of the Co-Opera ‘Marriage of Figaro’ event to be held in the Town Hall on 29th October 2011.

**Carried 8/0
Resolution 5/12**

8.1.2 Hall Upgrade – funding update

The Shire has received advice that we have been successful in being funded \$193,577 from Lotterywest for the hall upgrade project. The Shire has been successfully funded all items initially planned for in the project. Since the funding applications were completed, the CEO has obtained quotes on additional items that would finish the project off.

The Shire will receive the formal letter by Monday 18th July.

As all funding has now been confirmed, Council can progress the project and work on implementation. The following details the cost breakdown and funding allocated on the project:

Funding Program	Amount funded/sought	Activity
<i>RLCIP (\$30,000 approved)</i>	<i>\$30,000</i>	<i>Part contribution - replacement of roof COMPLETE</i>
<i>CLGF (\$128,300 approved)</i>	<i>\$54,300</i>	<i>Part contribution – replacement of roof COMPLETE</i>
	<i>\$14,000</i>	<i>Lights upgrade COMPLETE</i>
	<i>\$5000</i>	<i>Securing bar</i>
	<i>\$10,000</i>	<i>Bio Box refurbishment</i>
	<i>\$5000</i>	<i>Blinds</i>
	<i>\$20,000</i>	<i>Interior/Exterior painting</i>
	<i>\$20,000</i>	<i>Part contribution – solar panels</i>
<i>Lotterywest (\$193,577 approved)</i>	<i>\$19,150</i>	<i>Part contribution – solar panels</i>
	<i>\$158,163</i>	<i>Ablutions upgrade</i>
	<i>\$6100</i>	<i>RSL hall reverse cycle air conditioner</i>
	<i>\$10,164</i>	<i>RSL refurbishment (data projector, screen, chairs, tables)</i>
TOTAL FUNDING RECEIVED	\$351,877	ALL FUNDED
Additional items (unbudgeted/unfunded)	\$20,000	Interior painting
	\$15,000	Sanding Main Hall floor
	\$35,000	Shire Building Reserve?
TOTAL PROJECT COST	\$386,877	

For information.

Major/Earnshaw

That Stage 2 of the Town Hall upgrade be authorised by Council with the works consisting of:

- Securing bar
- Bio Box refurbishment
- Blinds
- Interior/Exterior painting
- Installation of solar panels
- Ablutions upgrade
- RSL hall reverse cycle air conditioner
- RSL refurbishment (data projector, screen, chairs, tables)
- Sanding Main Hall floor

**Carried 8/0
Resolution 6/12**

8.1.3 Childcare Funding

The Shire has received advice that we have been successful in being funded \$100,000 towards the refurbishment of the old Ambulance Hall from Lotterywest. The Shire will receive the formal letter by Monday 18th July 2011.

The Shire submitted three applications for consideration to support the refurbishment of the old Ambulance Hall (Growse Street, Williams) to establish a long day care centre for Williams.

Funding Body	Amount	Status
Lotterywest	\$100,000	Funded
Wheatbelt Development Commission R4R Regional Grant Scheme	\$100,000	Pending advice
FRRR Rural Early Childhood Program 2011	\$20,000	Pending advice
TOTAL FUNDING SOUGHT	\$220,000	

Lotterywest funding is conditional on the Shire signing a Building Grant Agreement (to ensure that the building is not sold for a period of 10 years to protect Lotterywest's investment in the project) and the project (refurbishment) being proved to be financially viable (either all funding secured or the Shire agreeing to fund the balance of project costs for the refurbishment).

The outcome of the Regional Grant Scheme funding and the FRRR REACH funding should be known by the end of July at the latest.

Once funding has been determined, Council will then need to consider the project implementation timeline and the formal consideration/application for licensing requirements for the centre.

For discussion/information.

8.1.4 Rural Community Support Service's Initiative 'A Day in the Shed'

Council has previously considered a request from the Rural Community Support Service to run 'A Day in the Shed' in Williams (April 2011) when Council resolved to wait to see what transpires season-wise in 2011.

An email has been received once again from Jo Drayton (Project Coordinator – Rural Community Support Service) as follows:

*I wanted to advise that I have been able to secure additional sponsorship for Rural Community Support Service's initiative 'A Day in the Shed....' and am pleased to inform the Shire of Williams that if you were interested in hosting this event in 2011, it would be completely **cost neutral** for your community and Shire.*

As I have had other communities that have submitted EOI's to host this event, I wanted to get an indication from yourself as to whether you wanted to take up this opportunity.

If you were able to advise at your earliest convenience, it would be greatly appreciated.

I am not aware of your knowledge of the services that Rural Community Support Service provide, but I will endeavour to provide you with a brief overview to assist in providing a better understanding of how my agency has effectively provided the support that is greatly needed for our drought affected communities.

Over the last 12 months I have had comprehensive discussions with numerous agencies about strategies and initiatives that provide the most effective and efficient support (not only financial, but the support that is required to address the emotional and social well being of individual, families and whole of communities that are currently facing drought), whether that be through the continuation of their farm enterprise, effective ways to obtain off-farm income, or farm exit strategies.

Rural Community Support Service is a rural primary mental health service which is funded by the Commonwealth Department of Health and Ageing. Our focus is building resilience; reducing the stigma associated with mental health issues and to provide effective primary mental health services to communities that do not have access to private Counsellors, limited access to GPs and difficulty accessing mainstream

health services due to geographic location. Our focus through the last 12 months has been specifically on our drought initiatives, namely 'A Day in the Shed....'

Around 12 months ago, our service was contacted by concerned professionals and agencies requesting assistance be provided to communities that they were servicing; we had also begun to see a significant increase in the occasions of service for Counselling around this time. From statistical data we were able to derive that this had a direct correlation to our drought affected communities that had experienced continual drought for a number of seasons. As you would be well aware, drought not only affects our farmers and their families, but we have also witnessed the effects of drought throughout whole communities, affecting agri-businesses, small business, education, employment and most noticeably the social and emotional wellbeing of individuals, families and the community as a whole.

RCSS undertook extensive research as to the most effective way to address the issues. In the past I have seen numerous agencies adopt a "sole agency approach to addressing identified needs or gaps at a community or regional level". I believe that this is not the most effective or efficient use of resources and rural communities often become sceptical about just another government agency being reactive during a time of crisis. My objective is for Rural Community Support Service to work closely and efficiently with other agencies to provide valuable and sustainable support to rural and remote communities. We are able to provide financial, farm operational planning, information and assistance with Government initiatives, whilst addressing the emotional wellbeing and resiliency of individuals living in these communities. I also believe more emphasis needs to be placed on the link between financial security, regional sustainability, the strengthening of community capacity, and the maintenance of good physical and mental health. They are inter-twined and we need to acknowledge this at a state and commonwealth level to better manage support into these communities.

My biggest concern is that Australian farmers commit suicide at a higher rate than the national average. Suicide is the leading cause of death for young men in rural Australia. One of our key objectives is to break down the stigma associated with men seeking and accessing 'help' or support, whilst enabling them to be suitably equipped to modify their behaviour to improve their emotional wellbeing. We have been able to ensure (through our initiatives and extensive inter-agency collaborations) that our rural and remote communities become resilient, remain connected (to self and community) and are well equipped to prosper and grow.

Rural Community Support Services 'A Day in the Shed...' initiative was borne, (please see attached fliers) specifically to cultivate resiliency for communities, families and self... specifically addressing the social and emotional needs currently faced by our drought affected rural communities. Communities were identified through consultation with the WA Drought Pilot Scheme as communities that had a high number of claims for farm family support and financial assistance through this scheme.

To date we have had over 300 individuals attend these events. In addition we have events planned for the communities of Hyden, Lake Grace and Williams for the remainder of 2011. The Minister of Mental Health & Disability Services – the Hon Helen Morton has also given her endorsement for 'A Day in the Shed....'. Post evaluation of these Events has been completed, with participants indicating that they had been provided with useful strategies to cope with their current situation whilst also increasing their awareness of risk factors and mental health issues.

Rural Community Support Service has been able to source a wide and extensive resource library. We often act as the conduit for the transference of information and supportive materials. Our service works collaboratively with the pilot programs provided by the WA Drought Pilot Scheme to avoid duplication of services, partaking in inter-agency promotion and to also building greater sustainability of the programs that are delivered.

Having looked at the long range forecast, along with predictions from the Department of Agriculture and Food, I hold high concerns (with the predicted rainfall for this up-coming season) for our drought affected communities. The cessation of any support (financial or emotional) during this harsh climatic and economic period could hold dire consequences for individuals living in these communities. Rural Community Support Service receive phone calls on a daily basis requesting support and assistance, we are able to respond to these request through our expertise and our robust and extensive inter-agency collaborations. On occasions

this has assisted my staff (if one of our clients needs falls outside of our core business) with the referral of these clients onto the most appropriate service.

I have included the promotional material from 'A Day in the Shed....' held in Corrigin earlier this year, to give you an idea of what the Event eventually culminates into.

Please note that in addition to the facilitators/speakers mentioned, we also have access to Maggie Dent (Resiliency Specialist & Author).

Ultimately through community consultation, your community will decide the format of the event and the topics and facilitators that will be accessed.

Please take this proposal to your Shire Councillors for discussions, and if you believe that this initiative is something that individuals, families and businesses would benefit from, please contact myself.

I look forward to working collaboratively together to improve the social and emotional wellbeing of individuals living in rural and remote Western Australia.

For consideration

Major/Cavanagh

That Council support Rural Community Support Service's initiative to hold 'A Day In The Shed' in Williams.

**Carried 7/1
Resolution 7/12**

8.1.5 Shire Recreation Master Plan / DSR CSRFF Small Grants

DSR has recently announced the opening of the 2012/13 Small Grants CSRFF round. Through the funding that State Government provides financial assistance to community groups and local governments to develop basic, sustainable infrastructure for sport and recreation. The program aims to increase physical activity and participation in sport and recreation and is an incentive for the rational development of good quality, well designed and well utilised facilities.

Councils previous two applications to the funding program were in October 2009 on behalf of the Bowling Club who were seeking financial assistance with the proposed replacement of one green with synthetic as well as the replacement of the clubhouse roof (on advice at the time, by the DSR Regional Officer). This application was not successful; AND in March 2010 on behalf of Tarwonga Tennis Club who were seeking financial assistance with the upgrade of six courts. This too, was unsuccessful.

DSR advised the Shire that they should undertake a comprehensive review of the shire's sport and recreation facilities and develop a Master Plan which would identify all future proposed work and ensure that the Shire's sporting facilities were collocated and shared use was identified and undertaken were possible.

In June 2010 the Shire endorsed the engagement of A Balanced View (ABV) Leisure Consultancy to prepare a Master Plan for the Shire's recreation facilities to support any future funding applications. Darren Monument has been working on this plan since this time, and following Council's recent advice (May 2011), Darren is working on implementing the suggestions and finalising a draft for consideration by Council when completed. At this stage we are unsure when this will be as the consultant has experienced a period of ill-health and has not been able to work.

CSRFF Small grants have recently opened and are to be considered by local governments at their August 2011 Council meetings and then are to be submitted to the Department on the last working day of August 2011. I have advertised this to all sporting clubs and received expressions of interest from three clubs, plus a Shire application:

1. Shire of Williams – upgrade of reticulation and fencing to support use of treated waste water on the oval
2. Williams Bowling Club – replacement of club house roof
3. Williams Tennis Club – installation of lighting for four courts
4. Williams Football Club – replacement of goalposts

All four applications were forwarded to DSR for their eligibility consideration prior to an application form being released. Chelsea Gellard from DSR has advised that until such time as the Shire's Recreation Master Plan is completed, she strongly recommends that no applications are submitted as the final plan may suggest the relocation of the club facilities and therefore the a poor investment of CSRFF funds.

Further to this, she has also advised that the Bowling club application would not be supported as this is seen as maintenance and therefore not eligible; the Football Club application would not be supported as this is seen as an expense of the sport and the Tennis Club's application, whilst eligible, should be delayed until such time as the Master Plan is completed as she noted that the Master Plan may suggest that the facilities be relocated (note: this is not a proposal that the Shire has supported or endorsed at this stage, merely speculation on DSR's part).

Therefore, the only project that DSR will consider is the Shire's application for the reticulation and fencing.

Currently we are seeking quotes for reticulation and fencing to support the application, which will be presented for Council's consideration at the August 2011 meeting. The outcome should be known in October 2011 and is to be completed by June 2012.

For information.

8.1.6 4WD/Lakes Regional Housing Alliance Project

The 4WD/Lakes Regional Alliance have recently finalised their Business Case for the Regional Housing project across the 7 Shires. The project proposes to construct 42 dedicated aged persons units across the region over 5 years. The Shires collectively have committed their CLGF Regional component for the next 4 years to the regional housing project (CDO Attachment 1). CLGF funding will fund the construction of 28 dedicated aged persons units across the region.

The Business Case for the construction of 28 units utilising CLGF funding was initially completed by Di Hull and Marg Hemsley and was presented to the 4WD/Lakes Regional Alliance in December 2010 and was forwarded to RDL (the department responsible for signing off CLGF allocations and Financial Assistance Agreements) at the same time.

The advice received from RDL in April 2011 was that the Plan needed some additional reviewing to meet the 2010/11 CLGF guidelines. I assisted the 4WD/Lakes Alliance by completing that work, and the revised plan was re-submitted in June 2011 and was subsequently accepted by RDL. The Financial Assistance Agreement was forwarded to the Alliance and was signed by all project partners on 28th June 2011.

The signing of the 2010/11 FAA for the Regional Alliance will release the first year of the CLGF funding which totals \$1,102,196. The Shire of Williams has been endorsed as the Project Manager of the project and therefore will be responsible for all funding relating to the project, including financial acquittals and funding progress reports.

It is anticipated that the 2011/12 CLGF guidelines will be released shortly, after which the 4WD/Lakes Regional Alliance will submit the Business Case for support for Year 2 of the project (totalling \$1,972,409).

The Royalties for Regions program recently announced a new funding program *for regionally significant strategic projects against the Action Agenda that would have a transformational influence on the long-term sustainability of regional communities through a change in direction, planning or implementation.*

The Action Agenda has six priority areas:

- Housing and services
- Employment infrastructure and skills
- Health
- Education
- Social and environmental amenity
- Leadership and decision making

Royalties for Regions focuses on building communities in regional areas through six policy objectives:

- Building capacity in regional communities
- Retaining benefits in regional communities
- Improving services to regional communities
- Attaining sustainability
- Expanding opportunity and
- Growing prosperity

The projects are to be regionally significant with a significant strategic impact. The Development Commissions have been tasked with the responsibility of working with prospective project proponents to develop projects that fit these criteria. The 4WD/Lakes Regional Housing Alliance has been identified as a project that is regionally significant and will result in a strategic allocation of funding that will benefit a broader target population, and has such has been encouraged to submit an application to the program.

The 4WD/Lakes Regional Alliance met on the 28th June to consider this funding opportunity and subsequently endorsed an application for 14 units (across 7 shires and 4 years) totalling \$5,053,646 due for submission on 22nd July 2011.

The Shire of Williams has been nominated as the Project Coordinator, and therefore has been identified as the proponent for this funding submission. Council endorsement of this submission is requested.

Recommendation:

That Council endorse the Shire of Williams application on behalf of the 4WD/Regional Alliance to the Royalties for Regions Regional Development Council's Action Agenda Funding Round for Regional and State-wide Strategic Projects for 14 units totalling \$5,023,646.

Cavanagh/Major

That Council endorse the Shire of Williams application on behalf of the 4WD/Regional Alliance to the Royalties for Regions Regional Development Council's Action Agenda Funding Round for Regional and State-wide Strategic Projects for 14 units totalling \$5,023,646.

**Carried 8/0
Resolution 8/12**

8.1.7 Banners in the Terrace competition – Local Government Week 2011

The Shire of Williams had previously nominated to enter the Williams Primary School P-Year 4 in the 2011 Banner competition, however due to unforeseen circumstances; the school advised that they had to withdraw from the competition.

They have indicated their strong desire to enter in 2012.

I have advised the City of Perth accordingly.

For information

8.1.8 DSR Club Development Officer funding – Annual Report 2010

The Shire received three years of funding from DSR to employ a part-time Club Development Officer. \$33,000 has been funded for the 3 years. Year 1 (2010/11) has been completed, and the acquittal is attached at CDO Attachment 2 for information.

For information

8.1.9 Williams Local Emergency Management Committee (LEMC) – Annual Report 2010/11 and Business Plan 2011/12

CDO Attachment 3 (Annual Report & Business Plan) – for information.

The Shire is required to submit Annual reports and Business planning for the forthcoming year for LEMC.

For information

8.1.10 AWARE funding

The Shire applied to the AWARE (All West Australian's Reducing Emergencies) funding program in March 2011 for \$7575 to complete the emergency risk assessment for the Shire of Williams' Williams Emergency Management Plan. The review will be undertaken by the Williams LEMC, with the funding to offset salary costs associated with the Shire staff involved in the process. It is expected that the review will take 12 months, with the Williams LEMC to meet at least 3-4 times over the duration. The review will be assisted by Adam Smith from FESA Albany (see CDO Attachment 4 – letter from FESA).

For information

8.1.11 Department for Communities – Age Friendly Project Implementation funding

CDO Attachment 5 (Department for Communities letter)

The Shire of Williams submitted an application to the Department for Communities on Friday 13th May 2011 for \$10,000 to support seniors advocacy initiatives. The project will:

Project aims to employ a part-time Seniors Advocacy officer in the Shire of Williams 1 day per week

(6 hours) for 40 weeks (August to May) to undertake the following:

Provide advocacy between seniors, community and local government on challenges identified in the Age-Friendly Communities Report (December 2010)

- *Work closely with Community Resource Centres / Schools / Senior Advocacy Groups/Libraries/HACC and Meals on Wheels – groups that are already working with aged to further develop senior related projects, events etc*
- *Providing links between government agencies, service providers, community groups and businesses*
- *Develop communication strategies – finding better ways to engage with seniors – especially those out of town but still valuable members of our communities*
- *Enable improved information dissemination – eg: newsletters, flyers, direct mail outs (email and paper based), seniors activity books, senior-specific contact information, fridge magnets with important phone numbers*
- *Intergenerational activities – community gardens, bingo nights, storytelling*
- *Liaise with WA Police in regards to home security for seniors and other related issues (eg: management of properties when owners away/incapacitated for an extended period of time)*

It is anticipated that the Shire will work in collaboration with the Williams Community Resource Centre to implement this project, given their substantial work that they already do with the seniors of our community (to be confirmed with the CRC).

The Shire has received advice that the funding has been successful with \$8125 offered. The Hon Brian Ellis MLC, Member for the Agricultural Region, has been asked to present the 'cheque' to the Shire. This is to be done on Thursday 28th July 2011.

For information

Major/Logie

That the Community Development Officer's Report be received.

**Carried 8/0
Resolution 9/12**

Ms Cowcher left the meeting at 4.40pm

Works Supervisor Tony Kett attended the meeting at 2.10pm to discuss his report

8.2 WORKS SUPERVISOR'S REPORT

8.2.1 Maintenance Grading

Road Name	Length Graded (kms)
Chapman Rd	2.1
Tinshed Rd	2.5
Top End Rd	1.1
English Rd	6.5
Taylor Rd	9.1
Pig Gully Rd	11.0
Marling Rd	7.1
Mundays Rd	8.7
Curteis Rd	4.2
Darkan-Quindanning Rd	21.5
York-Williams Rd	19.5
Congelin-Narrogin Rd	6.1
Zilko Rd	19.3
Westmere-Yarrabin Rd	9.6
Glenfield Rd	13.6
Kelly Rd	8.4
Total Length Graded	150.3

8.2.2 Road Maintenance Works

- Winter grading
- Signage put up on Taylor Road
- Culvert cleaning carried out

8.2.3 Construction Program

Road Name	Funded By	Works Commenced	Work completed this month
Wangelling Gully Rd		17/03/2011	Gravel sheeting 4.5 km completed
Culbin-Boraning Rd		9/05/2011	Gravel sheeting 2.8 completed

8.2.4 Upcoming Works & Items on Road Construction Program

Road Name (Road Length)	Description of Work	Start SLK	End SLK	Total	Status	Comment
Marradong (12.39km)	Reconstruct, widen and seal to 7m	8.9	11.2	2.3	Complete	Date completed 9/11/2010
Darkan Quindanning (30.3km)	Reconstruct, widen and seal to 7m	7.80	9.80	2	Complete	Date completed 21/10/2010
Wangelling Gully (8.86km)	Clear, widen & gravel sheet to 9m	4.50	9.00	4.50	Outstanding	Completed 4.5km
Hurley Rd (13.82km)	Clear, widen & gravel sheet to 9m	9.32	11.32	2.00	Outstanding	
Culbin Boraning (19.31km)	Clear, widen & gravel sheet to 9m	2.00	4.50	2.50	Outstanding	Completed 3.8km
Richardson St (0.72km)	Repair & reseal 720m	0.00	0.72	0.72	Complete	Date completed 14/12/2010
York-Williams Rd (19.50km)	Shoulder grading				Complete	Changed works to tree clearing. Date completed 14/12/2010
Bates Rd	900mm culvert				Complete	Date completed 20/07/2010
Taylor Rd	Remove crest and step ascent				Complete	Attempt made to rip hill but not successful
Richmond St	Seal 400m				Complete	Date completed 6/12/2010

8.2.5 Mechanical Report

Plant Description		Driver	Date Purchased	Hours/Kms June 2010	Works Completed this month
Ford FG G6E Sedan	Light Vehicles	Ryan Duff	2011	4,500	
Ford FG G6E Sedan		Ian Ball	3-Aug-07	45,000	
Holden Rodeo Dual Cab Utility			5-Nov-04	161,758	
Ford Ranger Dual Cab Utility		Tony Kett	1-Jul-09	76,000	

Kia 2 Tonne Truck		Jeff Cowan	9-Oct-07	54,346	
Holden Rodeo Crew Cab Utility		Andrew Wood	15-Nov-06	166,400	
Holden Rodeo Single Cab Utility		James Lenehan	20-Nov-06	62,354	
Mitsubishi Triton Single Cab Utility		Aaron Goulden	22-Sep-99	190,051	
Multipac Multi-Tyre Road Roller	Construction Equipment	New motor	21-Oct-04	200	served
Case Vibromax Roller			29-Sep-04	2,573hr	
Caterpillar 12H Road Grader		Kevin Burman	17-Nov-03	8,628hr	
Volvo G930 Road Grader		Andrew Wood	20-Oct-06	4,569hr	
JCB 416HT Front End Loader			6-Feb-06	5,568hr	Repaired water pump 14/06/2011
Volvo EC210BLC Excavator		Phil Reed	18-Jul-07	3,031hr	
John Deere 315SE4 Backhoe			17-Sep-01	754hr	
Road Broom		Works	New		
John Deere MFWD Tractor			21-Oct-97	1,849hr	
Toro Reelmaster SP mower	Parks & Gardens	Aaron Goulden	Aug-09	229hr	
Toro Z597 Ride on Mower		Jeff Cowan	1-Oct-06	710hr	
Toro Z400 Kholer Ride on Mower		Jeff Cowan	8-Aug-05	459hr	
Honda TRX Four Wheel M/Cycle		Jeff Cowan	20-Mar-00	6,288hr	
Toyota DA115 Tip Truck (Water Truck)	Trucks & Trailers		24-Aug-94	232,556	
Isuzu FVZ1400 Tip Truck			31-Dec-03	206,365	
Mercedes Benz Actross Prime Mover		Ray Scobie	21-Dec-05	145,799	
Isuzu Giga CXZ Tip Truck		Justin Murdock	10-Dec-08	73,719	
Mitsubishi Canter Dual Cab Truck			17-Oct-02	172,854	
SFM Side Tipping Trailer		Ray Scobie	21-Dec-05		
Howard Porter Low Loader			31-Aug-07		
Howard Porter Pig Trailer		Justin Murdock	10-Dec-08		

8.2.6 Staff

Nil to report

8.2.7 Town and Facilities Report

- Oval sprayed against clover
- Lights at oval have been cleaned and globes replaced
- Trees taken out on Brooking Street

8.2.8 Private Works

Still cleaning up storm damage in Wandering, using excavator, loader and stop & go signs.

Earnshaw/Paterson

That the Works Supervisor's Report be received.

**Carried 8/0
Resolution 10/12**

Mr Kett left the meeting at 2.25pm

Environmental Health Officer/Building Surveyor Steve Friend attended the meeting at 3.35pm to discuss his report.

8.3 ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR'S REPORT

8.3.1 Building Permits

#286	Greg Rowe & Associates	Albany Highway, Williams	Steel Advertising Sign
#287	Prices Erections	Lot 14, Growse St, Williams	Zinc Carport
#288	Prices Erections	Lot 14, Growse St, Williams	Zinc Shed
#289	Prices Erections	Lot 13311 Pinjarra/Williams Road	Zinc Shed

Building inspections ongoing.

8.3.2 Food Premises Inspection

Caltex Roadhouse –Very cleanly maintained. All of the outstanding issues that have been a concern for some time have been satisfactorily dealt with. There was a time when it was thought that an “improvement notice” would have to be served to get compliance, however as stated all of the works have been completed.

B P Roadhouse – An alleged food poisoning incidence has been investigated. The roadhouse has a few issues that I am trying to work through. Overall the standard of health has been below par.

8.3.3 Other Business – Setting Minimum “Finished Floor Levels” of Houses

Due to doubts about the finished floor level (FFL) at the house under construction at Lot 101 Brooking Street, Council is trying to develop a policy on setting a height of the FFL to try to prevent inundation during very wet periods and to try to obtain some symmetry of FFL's to prevent an uneven landscape along streetscapes.

The house in question has been identified by the builder as being not built to the approved plan in relation to FFL. The house is lower than was approved however the details of how much lower and any remedial action is still to be received.

Regardless, some effort to formulate a policy has been undertaken.

Cr Richard Johnston referred to the Shire of Cottesloe having a policy of every house being built taking the height datum at the centre of a lot and then adding 400mm to determine the “starting point” or FFL.

However I have spoken to the Shire planners and it is obvious that the policy is there to determine a maximum height of the building which is a problem in Cottesloe, not flooding etc.

It was also mentioned that to enforce the policy, each applicant had to undertake a site survey at a cost of approximately \$600 - \$1000. This amount may be even greater in the country.

I also spoke to the Building Surveyor at the Shire of Moora which also has a policy in place due to the floods of several years ago.

However their policy relies on complex mapping that shows areas that are prone to flooding and that have been identified by the Department of Waters and Rivers (W & R) as flood prone. In this instance W & R have come up with a datum point for a 1:100 year flood and then applied a FFL 500mm above that point.

The policy relies on the information being available of the rivers expected highest point. In the Williams case, this information is not available and if we refer to the house in question, there is no suggestion that it is the river that will cause flooding, more the fact that it is a low lying lot and the street drainage might not cope.

The trouble with setting an arbitrary height above natural ground level is if the lot is in no danger of flooding, and the policy says, for instance, FFL shall be 400mm above the centre datum point, it might result in 400mm more fill than is otherwise required which could be quite expensive.

It might also cause a problem if the figure of say 400mm is hard and fast as can be seen in the Growse Street home being constructed. That particular builder has opted to place the 1200mm sand pad above natural ground level which could not happen if the policy was in place.

Whereas this might have benefit for a “continuous” streetscape, it might compromise the builder and his building system.

Some builders choose to dig in a recommended sand pad whereas others choose to build it above natural ground level. From a building point of view either is usually acceptable however from a planning perspective the end result can be markedly different.

With both people I spoke to (Cottesloe and Moora) it was felt that it might be better to endorse every plan with some notation that the builder should refer to the Shire concerning a FFL rather than applying an across the board height through a policy and perhaps incurring another cost such as a site survey that otherwise might be unnecessary.

However if Council is of the opinion that a policy would be better, then it probably cannot go past requiring a site survey to determine the height at the centre of the lot and applying a figure (to be determined) above the datum point.

Council should also determine whether this is just a minimum level or a maximum level as well.

Recommendation

For Council's consideration.

8.3.4 New Building Legislation

The State Government is shortly to implement new building legislation into Western Australia that is touted to “modernise the regulation of building work in the Western Australian building industry”.

The Building Services Acts which are effective from July 1 consists of the *Building Services (Registration) Act 2011*, *The Building Services (Complaint Resolution and Administration) Act 2011* and the *Building Services Levy Act 2011*.

These Acts will abolish the Builders and Painters Registration Boards and the Building Surveyors Qualifications Committee.

The Building Disputes Tribunal will also be abolished and a new complaints process will be established through the Building Commission and funded by a Building Services Levy.

Registration of Building Surveyors (BS) is needed to support the New Building Act. The Building Commission has been accrediting Building Surveyors to national standards under a transitional scheme since 2008 and scheduled to end on 30th June 2013.

Building Surveyors must be registered under the *Building Services (Registration) Act 2011* to be able to provide certification work under the Building Act and from 1 July 2013 only Building Surveyors with Level 1 or 2 accreditation will be able to provide such certification.

The Building Services Levy (Levy) will fund the operation of the Building Commission and the SAT when dealing with building matters.

The levy will be 0.09% of the cost of the building work for building permits, with a fixed rate of \$40.50 for occupancy permits and demolition permits. These fees will go to the Government.

Building Act

The Building Act (BA) reforms the building approval process and will introduce significant changes for Local Governments.

The major change is to separate the process of certifying compliance with building standards from the administrative process of issuing permits.

The fundamental role of Local Government under the BA is that of a permit authority. The State of Western Australia will also be a permit authority able to issue building permits anywhere in the state.

The Building Act will also allow for special permit authorities to cover specified areas or types of building work. This is designed to allow local governments to share or amalgamate building approval functions.

The new model for applications for building, occupancy and demolition permits is that of a “certified application”. This separates the process of certifying compliance with building standards from the process of issuing building permits.

Local government can continue to provide the same service of certifying and issuing building permits as happens now, however the process of certification will be more flexible and can be offered by private certifiers.

It will be open to Local Government and private practitioners to determine what fees will be charged for this process. Previously fees were set by the Government.

Opening up the process of certification will have some challenges to Local Government because owners and builders will seek out the best service (cheapest) for their needs.

Local Governments might choose to compete freely with the private sector or restrict their activities to issuing the permits only.

For certain classes of buildings (domestic buildings) the Building Act will require Local Government permit authorities to offer an “uncertified application” process so that ratepayers can still use the local Shire.

The impact of the new legislation is unknown as Local Government Building Surveyors might move to private certifiers or private certifiers might “capture” the market which might mean a Local Government does not issue as many permits (and therefore lose revenue).

Whilst certification (and fees) could go to private certifiers, the enforcement role will still be a Local Government role. Local Government will be responsible for ensuring relevant buildings have the necessary permits before building, occupying or demolishing the buildings.

Local Governments will retain full inspection powers and can prosecute certain breaches of the Building Act.

The Building Act makes it clear that the builder is responsible for complying with the building standards and the building permit. The BS certifying compliance with the building standards can require certain inspections and testing during construction to be carried out by appropriately qualified people and the Regulations may require mandatory inspections for all buildings.

The Local Government will not be required to carry out the mandatory inspections – it will be the duty of the builder to ensure they are carried out and certificates are submitted to the permit authority. Local governments may offer to carry out the inspections and set a fee for doing so.

Comment

The new Building Act has been “happening” for some considerable time now and it is thought that it will finally happen this year.

However there are no Regulations in place to support the Act and I believe that confusion still reigns about its implementation.

There are no fees set for certification etc and it will be up to the industry to try to work out what is a competitive fee for the services offered.

In a lot of cases it won't affect this Local Government as the majority of work will be class 1 and 10 buildings (houses and sheds etc) however it will still be possible for a project builder to have their plans certified privately so that the Shire only has to issue the building permit. The certification fee therefore will not go to the Shire but to the person or firm certifying.

This could apply to builders such as Plunkett Homes and WA Country Builders etc.

Another problem I see is that the certifier will only be looking at the plans from a building point of view and will not have any idea of individual Local Government planning policies.

So while a Council might set a height limit of a building due to flooding, the certifying Building Surveyor may not have any idea there is a policy affecting minimum finished floor levels (FFL's). I am not sure how the Building Commission expects to get around this.

The legislation also has the ability to limit the numbers of Building Surveyors that can practice in Local Government as they will have to have a level 1 or 2 to practice.

There are a lot in the industry (Local Government) that will not either have the qualifications or the existing prior knowledge to be given a level 1 or 2.

There will be even less that have a Health qualification and a level 1 or 2 and in not too many years time there will be no one that will be able to fulfil both functions.

Recommendation

For Council's consideration.

Logie/Paterson

That the Environmental Health Officer/Building Surveyor's Report be received.

**Carried 8/0
Resolution 11/12**

Mr Friend left the meeting at 4.11pm

8.4 CHIEF EXECUTIVE OFFICER'S REPORT

Report Reference:	8.4.1
Subject:	Max Bell – Hall Hire
File Reference:	11.10.30
Statutory Reference:	Nil.
Author & Date:	R.N Duff 13 th July 2011

Background:

Letter received from Mr. Max Bell below;

"I am writing to enquire if your town hall would be available once a month for charity film screenings to support your local community. I do a lot of charity work screening a lot of the old films in 16mm. Please could you advise me of the cost of using the hall and if the hall is fitted with a projection room preferably so that my equipment could be permanently installed, I can supply a screen (portable) of moderate size.

Any money raised by the screenings goes to your community: local churches, youth centre, upkeep of the town etc. I do not seek any remuneration and provide services free; the gold coin charge would be the norm. I already do charity work for the Shire of Dumbleyung and will be commencing the same at Wagin soon. Both Shires have offered me free use of their halls as long as they are acknowledged for the use of the venue free. I have an extensive 16mm film library with some 42 feature films plus documentaries which would be of interest to all.

I would really like to help the Williams community some way especially the school, health centre and any other section needing funds.

Looking forward to hearing from you in due course and assure you of my utmost cooperation at all times".

Comment:

Council are to decide if Mr Bell is to be charged a hire fee for the hall, should Council waive this fee it could be stipulated that any money raised go into the Council Community Chest Fund. The request to install permanent equipment should be denied as this would possibly conflict with the Repertory Club's lighting equipment.

Financial Implications:

Hall Hire Fees are set as follows:

<u>Main Hall</u>	Current
Function	\$161.00
Meeting	\$50.00
Passing Shows	\$161.00
Rehearsals	\$21.00
Indoor Sports / Instructional Classes	season (6 month period) \$240.00
Indoor Sports / Instructional Classes	monthly \$78.00
Indoor Sports / Instructional Classes	single hire \$27.00

Voting Requirements:

Simple Majority

Officers Recommendation:

1. That Council allow Mr Max Bell to utilise the Shire Hall for the screening of films to the public free of charge subject to funds raised being placed in Council's Community Chest Fund.

2. That Council do not allow permanent set up of projection equipment as this could possibly conflict with the Repertory Clubs lighting equipment

Earnshaw/Johnstone

1. That Council allow Mr Max Bell to utilise the Shire Hall for the screening of films to the public free of charge subject to funds raised being placed in Council's Community Chest Fund.
2. That Council do not allow permanent set up of projection equipment as this could possibly conflict with the Repertory Clubs lighting equipment.

**Carried 8/0
Resolution 12/12**

Report Reference:	8.4.2
Subject:	Munthoola Subdivision Lot 2
File Reference:	10.64.20
Statutory Reference:	<i>Planning and Development Act 2005</i>
Author & Date:	R.N Duff 13 th July 2011

Background:

The Munthoola Subdivision (Lot 51 and 52 Eddington Road) has been before Council on many occasions in recent years. The Subdivision Guide Plan approved by Council gave potential for 125 residential lots. In March 2011 Council gave consideration and approved for the subdivision to be staged and in doing so approved a 4 lot subdivision with the possibility of future subdivision in line with the approved Subdivision Guide Plan.

The full March 2011 Agenda Item is attached at **APPENDIX 1**.

Comment:

The purpose of this item is to seek clarification from Council in regards to "infill subdivision" and the requirement to seal the road. It is likely that Council will receive a future application to subdivide Lot 2 which under the Subdivision Guide Plan made allowance for a future 5 lots.

The Chief Executive Officer will be required to give advice on this matter and therefore Council should advise what the trigger point will be for the requirement for prospective developers to seal the road. Currently there is no requirement for the road to be sealed in the 4 lot subdivision (March approval) as Council have requested memorials be placed on the titles of these lots stating that the road will not be sealed.

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That Council provide direction to the Chief Executive Officer when advising prospective developers any future subdivision of Lot 2 Munthoola Road and the requirement to seal the road.

Johnstone/Cavanagh

That Council advise prospective developers of the Munthoola Estate that any future subdivision of lots under the Subdivision Guide plan would be a trigger for the requirement to have the access road sealed.

**Carried 8/0
Resolution 13/12**

Report Reference:	8.4.3
Subject:	Mayor Troy Pickard, President of WALGA - Amendment to WALGA Constitution
File Reference:	4.12.00
Statutory Reference:	Nil.
Author & Date:	R.N Duff 13 th July 2011

Background:

I am writing to explain the proposed amendments to the WALGA Constitution. A notice of the proposed amendments was emailed to all Local Governments on the 3rd June and the proposed amendments will be considered at WALGA's Annual General Meeting, held as part of the Local Government Convention at the beginning of August.

Amendments to the Constitution have stemmed from the Review of the Structure and Effectiveness of State Council and Zones conducted during the first half of 2011. There are a number of outcomes from the reviews which are intended to strengthen and further resource the Association's Zones.

Most of the outcomes from the review have either been actioned or are in the process of being actioned. A number of these outcomes require the Association's Constitution to be amended and State Council endorsed the proposed amendments at our June meeting.

The proposed amendments to the Constitution can be grouped into four categories:

- i. Amendments necessary to change State Councils meeting schedule*
- ii. Amendments related to an ambiguity regarding the election of State Councillors*
- iii. Clarification regarding the expulsion of Associate Members from the Association, and*
- iv. The removal of redundant transitional provisions.*

The first set of amendments relates to a proposal to change State Council's meeting schedule beginning in 2012. The change to the meeting schedule will see State Council meet five times per year, at the beginning of March, May, July, September and December. This change is intended to assist Zones by removing the need for meetings to be held in late January and around Easter.

It is necessary to amend the Constitution to change State Council's meeting schedule because the commencement of State Councillor's terms are currently defined in the Constitution.

The second set of amendments is to clarify an ambiguity regarding the election of State Councillors. It was always the intention that State Councillors would be elected from amongst Zone delegates. These proposed amendments are an aspect of strengthening the Zones following the State Council and Zone review. One aspect of strengthening the Zones is ensuring State Councillor and Zone delegate accountability, in the same way that Elected Members are accountable to their community.

The Zones provide a key channel for the Association to communicate directly with Members. The Zone process is most effective if State Councillors are able to report to the Zone about the Association's policy development and advocacy undertakings. It is equally important that Zone delegates are accountable to their Council and are able to report back about Zone Association activities. The proposed amendments to the Constitution are intended to reinforce the communication and engagement channels between WALGA and Local Governments through democratically elected Zones. The Zone process provides all Elected Members the opportunity to remain engaged in the Local Government sector and sector-wide issues, and this ultimately benefits all of Local Government.

The third set of proposed amendments is regarding the possible expulsion of Associate Members. Currently, under the Constitution, to expel an Associate Member requires the written consent of 75 percent of Member Councils. This is considered excessive given the nature of Associate Members; some Associate Members are private businesses for example.

The fourth set of amendments is to remove transitional provisions which were required when the Association was first established and are no longer required; previous versions of the Association's Constitution have been archived for reference purposes.

The proposed amendments to the Constitution will be included as an item of business for discussion at the Association's AGM in August and a special majority is required for the amendments to be confirmed.

A "mark-up" version of the Constitution, outlining the proposed amendments in detail, has been distributed to all Local Governments and is also available from the Association's Governance and Strategy Unit. Contacts regarding the proposed amendments to the Constitution are:

- *Tony Brown, Executive Manager Governance and Strategy, (08) 9213 2051 or tbrown@walga.asn.au; and*
- *Time Lane, Governance and Strategy Facilitator, (08) 9213 2029 or tlane@walga.asn.au.*

I am committed to working with all Local Governments to strengthen the Association's Zone and representative structures and encourage you to contact me with any queries about the proposed amendments to the Constitution or the Review of State Council and Zones. I can be contacted on 0409 209 649 or troy.pickard@joondalup.wa.gov.au.

Comment:

WALGA has advised that it proposes to put forward amendments to its constitution at the Annual General Meeting, to be held on 6 August 2011. In accordance with its constitution it is necessary to give 90 days notice of any proposed amendments. Amendments also require a resolution by special majority (not less than 75%) of State Council.

The amendments have been explained in the letter from May Pickard above. A full copy of the WALGA Constitution is available should Councillors require the document.

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That the Shire of Williams supports all amendments to the WALGA Constitution as outlined in Agenda Item 3.1 of the 2011 WALGA Annual General Meeting.

Earnshaw/Logie

That the Shire of Williams supports all amendments to the WALGA Constitution as outlined in Agenda Item 3.1 of the 2011 WALGA Annual General Meeting.

**Carried 8/0
Resolution 14/12**

Report Reference:	8.4.4
Subject:	WALGA AGM Agenda
File Reference:	4.12.00
Statutory Reference:	Nil.
Author & Date:	R.N Duff 13 th July 2011

Background:

The purpose of this item is for Council to provide voting instructions for their delegates at the Western Australian Local Government Association (WALGA) Annual General Meeting (AGM) to be held 6 August 2011

The Annual General Meeting for the Western Australian Local Government Association will be held on Saturday 6 August 2011 as part of the Local Government Convention. This meeting will be held at the Perth Convention Exhibition Centre, 21 Mounts Bay Road, Perth.

Notice of the Annual General Meeting is attached to this agenda for Councillors information.

Comment:

Councillors Cowcher and Earnshaw have been elected as the Shire of Williams's voting delegates for the 2011 AGM. The Agenda Items listed for discussion at the Annual General Meeting are shown below and are attached at **APPENDIX 2**.

- 3.1 Proposed Amendments to the Western Australian Local Government Association Constitution – Proponent - WALGA
- 3.2 Container Deposit Legislation – Proponent – Shire of Boddington
- 3.3 Local Government Amendment (Regional Subsidiaries) Bill 2010 – Proponent – Shire of Kulin
- 3.4 Licensing of Scrap Metal Yards – Proponent – Shire of Dardanup
- 3.5 Review of Dog Registration Fees – Proponent – Shire of Dardanup
- 3.6 Rate Exemptions Charitable Bodies – Proponent – Shire of Dardanup
- 3.7 Local Government Award Coverage - Proponent – Shire of Perenjori

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That Council direct Voting Delegated to the 2011 WALGA AGM vote as follows:

- 3.1 Proposed Amendments to the Western Australian Local Government Association Constitution – Support / Oppose
- 3.2 Container Deposit Legislation – Support / Oppose
- 3.3 Local Government Amendment (Regional Subsidiaries) Bill 2010 – Support / Oppose
- 3.4 Licensing of Scrap Metal Yards – Support / Oppose
- 3.5 Review of Dog Registration Fees – Support / Oppose
- 3.6 Rate Exemptions Charitable Bodies – Support / Oppose
- 3.7 Local Government Award Coverage – Support / Oppose

Johnstone/Paterson

That Council Voting Delegates to the 2011 WALGA AGM be authorised to vote according to their conscience after listening to debate on the items listed:

- 3.1 Proposed Amendments to the Western Australian Local Government Association Constitution
- 3.2 Container Deposit Legislation
- 3.3 Local Government Amendment (Regional Subsidiaries) Bill 2010
- 3.4 Licensing of Scrap Metal Yards
- 3.5 Review of Dog Registration Fees

- 3.6 Rate Exemptions Charitable Bodies
- 3.7 Local Government Award Coverage

Carried 8/0
Resolution 15/12

Report Reference:	8.4.5
Subject:	LGMA Corporate Membership
File Reference:	4.11.60
Statutory Reference:	Nil.
Author & Date:	R.N Duff 13 th July 2011

Background:

Correspondence has been received from LGMA WA Division, noting the Shire of Williams's non participation in Council Corporate Membership (CCM) of the LGMA and is actively canvassing membership. The correspondence is attached at **APPENDIX 3**.

In the coming financial year the LGMA plans to continue to use CCM funds to address major concerns in the sector including skills shortage, branch support and administrative support. The shortage of skills and attracting and keeping suitably skilled staff is an increasing problem which affects our operations on a daily basis. Any opportunity to work collectively and with a group of professionals to address the problem for our area is a way forward.

Membership is in three divisions – large, medium and small local governments.

Comment:

This report recommends Council's participation in Council Corporate Membership of the Local Government Managers Australia WA Division Inc (LGMA).

Direct benefits to the Council include member rates for any elected member attending an LGMA event, access to model employee contracts which are valued at \$750, affiliate membership for 2011/12 to one employee who is currently not a member of LGMA and subscription to the LGMA Statewide Magazine.

Financial Implications:

\$740 per annum of which 15% or \$111 goes to the local LGMA Branch.

Voting Requirements:

Simple Majority

Recommendation:

That Council resolves to become a Council Corporate Member of the LGMA (WA Division) for 2011/12

Johnstone/Earnshaw

That Council resolves to become a Council Corporate Member of the LGMA (WA Division) for 2011/12

Carried 5/3
Resolution 16/12

Report Reference:	8.4.6
Subject:	Shire of West Arthur - Dual Fire Control Officer
File Reference:	5.10.1
Statutory Reference:	<i>Bushfires Act 1954, s.38</i>
Author & Date:	R.N Duff 13 th July 2011

Background:

The Shire of West Arthur has requested that Mr. Trevor Bunce be appointed as dual fire control officer for the Shire of Williams and Shire of West Arthur for 2011/12.

Comment:

BUSH FIRES ACT 1954 - SECT 38

38. Local government may appoint bush fire control officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

Financial Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

The Shire of Williams appoints Mr. Trevor Bunce as a dual fire control officer for the Shire of Williams and Shire of West Arthur for the 2011/12 financial year.

Carne/Major

The Shire of Williams appoints Mr. Trevor Bunce as a dual fire control officer for the Shire of Williams and Shire of West Arthur for the 2011/12 financial year.

**Carried 8/0
Resolution 17/12**

Report Reference:	8.4.7
Subject:	Department of Regional Development & Lands – Proposed Amalgamation of Reserve 14767 & 36575
File Reference:	11.30.31
Statutory Reference:	<i>Land Administration Act 1997</i>
Author & Date:	R.N Duff 13 th July 2011

Background:

A letter from the Lands Division of the Department of Regional Development and Lands dated 22 June 2011 was received requesting the Shire accept a management order over the above parcel of land.

The correspondence and map are attached at **APPENDIX 4**.

Comment:

MANAGEMENT ORDERS

The LAA now uses the term “management orders” to replace “vesting orders” provided in the Land Act 1933.

There is no significant distinction between a vesting order under the Land Act 1933 and a management order under the LAA. The change in terminology will not affect the management powers currently available to Local Governments, State authorities or other management bodies that hold reserved land under a Land Act 1933 vesting order.

Management Orders may be granted by the Minister for Lands under section 46 of the LAA. Policy 4.4.1 in the Government Land Policy Manual deals with Management orders.

WHAT IS A MANAGEMENT ORDER?

- A Management Order, like its predecessor, a vesting order, is not an interest in land. It is a statutory right to manage and control Crown land in accordance with the Management Order granted under the LAA.
- Management Orders place reserves in trust with management bodies on behalf of the public and do not constitute an interest in the land.
- Generally Management Orders should support the principle that reserves are in the public interest, are for the general benefit of the community and should preserve the communities right of access over the land (wherever possible).
- Management Orders can contain both positive and negative conditions on the use and development of the reserve, including the requirement to submit Management Plans and to manage the reserve in accordance with these plans.
- Except in relation to reserves placed under the management of State Government agencies, all powers to deal with land, for example, leases, sub-leases, licences, mortgages and other charges granted under a Management Order require the Minister for Land's consent. This is usually expressly stated in the Management Order.

The purpose of this item is for the consideration of whether “to accept” or “not accept” a Management Order for Reserve 14767 and 36575 Williams River, Josbury.

The reserves have an area of 1.01ha and 8.99ha respectively

The area in question is a long skinny shaped lot and appears to be the bank of the Williams River. In considering this matter Council should decide what benefit the Community would receive by the Shire taking on a Management Order over this land.

Considering the Shire's limited resources for managing river reserves, management of this reserve should not be accepted. The Shire of Williams already has Management Orders over similar sections of the Williams River but the Reserves are much closer to the Williams Townsite.

Financial Implications:

Management of any reserve will incur financial costs in terms of workforce resources and materials. The long term financial implications of managing a river side reserve in an appropriate manner can be significant.

Voting Requirements:

Simple Majority

Recommendation:

For Council's consideration

Cavanagh/Carne

That Council decline the offer to take over management of the Reserves 10767 and 36575 Williams River, Josbury.

**Carried 8/0
Resolution 18/12**

Report Reference:	8.4.8
Subject:	FESA – Emergency Services Levy Administration – Option B Agreement
File Reference:	5.10.55
Statutory Reference:	<i>Fire and Emergency Services Act 1998 s 36ZJ</i>
Author & Date:	R.N Duff 13 th July 2011

Background

The Emergency Services Levy (ESL) funds all career and volunteer fire brigades, volunteer State Emergency Service (SES) units and volunteer emergency service units throughout the whole State. The levy was introduced on 1 July 2003. This is the eighth year it has been included on Council rates notices.

FESA has written to Council seeking extension of the Option B Agreement for the payment of ESL levies collected through a new Agreement from 1st July 2011 until such time as either party terminates the Agreement

Comment

Council has previously agreed to commence reporting the FESA Emergency Services Levy via Option B” entered into an agreement which has now expired.

Previously under Option A, Council remitted collected ESL funds to FESA as they were received. Therefore a large portion is remitted in August and September of each year and smaller amounts for the remaining months. Under this option FESA were responsible for the collection of all outstanding ESL funds but encourage each Shire to include their unpaid portions when we recoup our outstanding shire rates.

Under Option B, Council is remitting the levied ESL funds in four instalments and has become responsible for any unpaid ESL funds which will be collected in conjunction with our own rates. This option has considerably reduced the administrative requirements in reporting each month to FESA. FESA is now aiming to further simplify administrative processes associated with the Option B arrangement by standardising the cessation date of future Agreements.

Voting Requirements:

Simple Majority

Recommendation:

That Council agree to the FESA Emergency Services Levy via Option B 4 Agreement, from 1st July 2011 to and authorise the Shire President and Chief Executive Officer to sign and seal the agreement with FESA.

Major/Carne

That Council agree to the FESA Emergency Services Levy via Option B 4 Agreement, from 1st July 2011 to and authorise the Shire President and Chief Executive Officer to sign and seal the agreement with FESA.

**Carried 8/0
Resolution 19/12**

Report Reference:	8.4.9
Subject:	Department of Regional Development & Lands – Financial Assistance Agreement (Regional Component)
File Reference:	3.5.1
Statutory Reference:	<i>Royalties for Regions Act 2009</i>
Author & Date:	R.N Duff 13 th July 2011

Background:

Funds for Royalties for Regions are invested through the Royalties for Regions Act 2009. The program is delivering extensive funding to Regional Local Governments. The Country Local Government Fund which delivers funding directly to Councils is split into the Local and Regional Programs. The Local Funding can be spent directly on Council owned assets, the Regional Funding is directed to groupings of Council to deliver projects that have a regional benefit.

The Shire of Williams is acting as lead Council for the 4WD/Lakes Alliance which has been formed as a regional grouping to expend the Regional Component of the Country Local Government Fund. The identified project for the alliance is Well-Aged Housing after it was identified that there was a shortage of this particular type of accommodation in the region.

Comment:Project Description and Objective

The regional group aims to provide seniors focused housing solutions that compliment current and future aged care and health services, while addressing the identified needs of the individual communities.

The project, to be funded, deals with the initial, short term well-aged housing needs and will be implemented over a four year period (2010-2014). It involves the planning and construction of ten aged persons housing units in the shire of West Arthur, Williams, Wagin, Dumbleyung and Lake Grace.

The project will include:

- Project planning in each respective local government – engaging surveyors, finalisation of architectural drawings, preparation of and allocation of tenders for construction, commencement of site works and headworks for those shires constructing in 2011/12 (West Arthur, Williams, Wagin, Dumbleyung & Lake Grace) and
- The construction of units – West Arthur (1), Williams (2), Wagin (3), Dumbleyung (2) & Lake Grace (2) (to be finished in 2011/12)

The objectives of the project are to:

- Address current and future aged care housing needs in the region
- Provide homes that address wheel chair access and other mobility issues
- Provide a home –like environment with room for hobbies and overnight stays of relatives
- Provide a diversity of housing stock that caters to the lifestyle needs of its tenants

Financial Implications:

CLGF Contribution 2010/11	
West Arthur	\$186,489
Williams	\$159,326
Wagin	\$106,497
Dumbleyung	\$215,720
Lake Grace	\$254,700
Woodanilling	\$179,464
Total	\$1,102,196

Project Expenditure		2010/11	
Surveyors	West Arthur	\$5,000	\$30,000
	Williams	\$5,000	
	Wagin	\$5,000	
	Dumbleyung	\$5,000	
	Lake Grace	\$5,000	
	Woodanilling	\$5,000	
Architecture/drawings	West Arthur	\$15,000	\$90,000
	Williams	\$15,000	
	Wagin	\$15,000	
	Dumbleyung	\$15,000	
	Lake Grace	\$15,000	
	Woodanilling	\$15,000	
Tender prep/alloc	West Arthur	\$10,000	\$60,000
	Williams	\$10,000	
	Wagin	\$10,000	
	Dumbleyung	\$10,000	
	Lake Grace	\$10,000	
	Woodanilling	\$10,000	
Site costs	West Arthur	\$50,000	\$300,000
	Williams	\$50,000	
	Wagin	\$50,000	
	Dumbleyung	\$50,000	
	Lake Grace	\$50,000	
	Woodanilling	\$50,000	
Services /Tel/gas/elec/water	West Arthur	\$25,000	\$176,497
	Williams	\$50,000	
	Wagin	\$26,497	
	Dumbleyung	\$50,000	
	Lake Grace	\$25,000	
	Woodanilling		
Building costs	West Arthur	\$81,489	\$445,699
	Williams	\$29,326	
	Wagin	\$99,464	
	Dumbleyung	\$85,720	
	Lake Grace	\$149,700	
	Woodanilling	\$0	
Total		\$	1,102,196

To receive the funding a Financial Assistance Agreement is required by the Department of Regional Development and Lands. The Shire President and Chief Executive Officer have signed and sealed the document and are now requesting endorsement by Council.

Voting Requirements:

Simple Majority

Recommendation:

That Council endorse the signing and sealing by the Shire President and Chief Executive Officer of the Financial Assistance Agreement (Regional Component) with the Department of Regional Development and Lands.

Major/Cavanagh

That Council endorse the signing and sealing by the Shire President and Chief Executive Officer of the Financial Assistance Agreement (Regional Component) with the Department of Regional Development and Lands.

**Carried 8/0
Resolution 20/12**

Report Reference:	8.4.10
Subject:	Eira Rosser – Subdivision of Rosselloty Street
File Reference:	10.64.20
Statutory Reference:	Shire of Williams Town Planning Scheme No. 2
Author & Date:	R.N Duff 13 th July 2011

Background:

Letter received from Eira Rosser:

“As previously discussed with you, please sound out the feelings of Council with regard to my dividing and selling my too large block, enabling me to reside in Williams for many years to come.

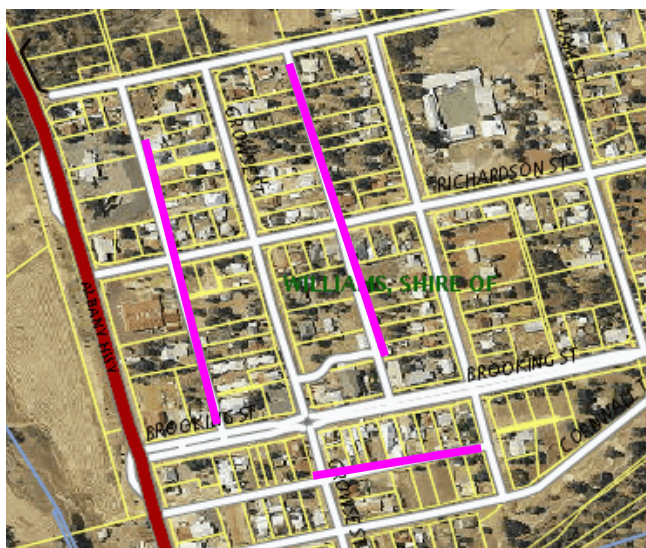
To leave my home and out buildings undisturbed and have a private drive for the new neighbours, the ideal solution being: the lane sealed and made a one way road.

There are several large blocks the length of the street. They are unused, some being a fire hazard every year.

The monetary benefit to each block owner hopefully an incentive to investigate the possibility with you.

Cost of sealing could be partly paid for by participating owners? Also surveying fees could be made cost effective if shared, a suggestion only for your opinion.”

Comment:



_____ Depicts Laneways with access to Residential Blocks. Within the Williams Townsite there is approximately 900m of unsealed Laneways.

Shire of Williams Townsite Strategy

- Area 2. Short term infill Residential within the existing Townsite

Opportunities for infill residential development within the built-up area of the town will be maximised in the short term to increase lot availability in an established area, to meet housing demand, to revitalise the existing townsite and to maximise service efficiency and use of existing urban infrastructure in a sustainable way.

In some cases this may require access from an existing right-of-way. The residential density code within much of the built-up area has been increased to R20 to facilitate infill development. Future opportunities to extend the R20 code to the whole townsite may be considered.

There is additional “greenfields” land available within the townsite close to established services and facilities therefore Council will encourage development of those areas. There may be opportunities to investigate higher densities close to the town centre if the need arises.

Providing new housing through infill development is consistent with the principles outlined in Network City (albeit not directly applicable to a small rural community).

Shire of Williams Town Planning Scheme No. 2

5.6 Development of Lots Abutting Unconstructed Roads

Notwithstanding anything elsewhere appearing in the Scheme where an application is made for approval of development including a single house in respect of land abutting an unconstructed road or a lot which does not have frontage to a constructed road the Council shall either:

1. Refuse the application until the road has been constructed or access by means of a constructed road is provided as the case may be; or
2. Grant the application subject to a condition requiring the applicant to pay a sum of money in or towards payment of the cost or estimated cost of construction of the road or part thereof and any other condition it thinks fit to impose.

Policy of Sealing Laneways or ROW's

The Shire of Williams Policy Manual does not address the upgrading of Right of Ways in particular; however Policies 8.1, 8.2, 8.3, 8.4 and 8.5 have a general theme of seeking a contribution from developers where the road is required to be upgraded.

Two sample policies have been included at **APPENDIX 5**.

Financial Implications:

When considering upgrading Council's laneways the following issues should be considered

Sealing

Kerbing

Stormwater Drainage

Street Lighting (solar v fixed power)

Traffic Calming Devices

Voting Requirements:

Simple Majority

Recommendation:

For Council's consideration

Johnstone/Logie

That Council support the subdivision of large lots on Rosselloty Street subject to the requirement of sealed access from the rear laneway being paid for by any person wishing to subdivide their lot.

**Carried 8/0
Resolution 21/12**

Note – The Chief Executive Officer is to write to land owners on Rosselloty Street to gauge interest in subdivision.

Report Reference:	8.4.11
Subject:	Swimming Pool Manager Redundancy
File Reference:	11.20.20
Statutory Reference:	Nil
Author & Date:	R.N Duff 13 th July 2011

Background:

On the 1st April 2011 a decision was made by the Chief Executive Officer to make the Swimming Pool Manager's position redundant. This decision was made on advice from the Council's HR Consultant, Mike FitzGerald and supported by the Shire President at the time.

The basis of the redundancy was that there was an increasing need for management of the Pool Manager by the Chief Executive Officer. Based on this increase in resources to run the pool it was decided to contract the Management of the Swimming Pool out to a private company which the Chief Executive Officer has had previous dealings with at the Narembreen Swimming Pool.

The redundancy was done under the auspices of the Local Government Officers Award and the relevant notice and redundancy was given to the employee, details of which have previously been provided to Council.

The employee although initially agreeing to the redundancy and taking payment in lieu of notice submitted an Unfair Dismissal Claim to the Western Australian Industrial Relations Commission claiming the redundancy was not a genuine redundancy and was a ploy to remove the employee.

The matter was heard on Monday 27th June 2011 before Commissioner JL Harrison.

Comment:

Whilst it was felt that the actions of the Chief Executive Officer were warranted and done in accordance with the Employment Award, under advice from the HR Consultant and again in consultation with the Shire President, the matter has been settled between the employee and the Shire of Williams.

Financial Implications:

The negotiated settlement cannot be disclosed to the public but Councillors will be given an update at the meeting.

Voting Requirements:

Simple Majority

Recommendation:

For Council's consideration

Johnstone/Cavanagh

That Council support's the action taken by the Chief Executive Officer in negotiating a settlement for the redundancy of the Pool Manager.

**Carried 8/0
Resolution 22/12**

Report Reference:	8.4.12
Subject:	Mr C.A.S Cowcher – Draft State Planning Policy
File Reference:	10.60.10
Statutory Reference:	Nil
Author & Date:	R.N Duff 13 th July 2011

Background:

Letter received from Mr C.A.S Cowcher

Thank you for Council's response regarding State Planning Policy 2.5 and Development Control Policy 3.4.

I welcome Council's decision to support the general changes to policy but disagree with the Shire policy of setting lot size at 200ha as a minimum for subdivision. At present, Council's fear of numerous lifestyle blocks robbing our agricultural region could be easily realised given the large number of farms in the Shire with lot sizes of 40ha and less. I would argue that changes outlaid in the policy draft DC 3.4 Section 4.3 "Prevailing Lot Sizes", would be more than reasonable to support for the Williams Shire given that 100ha is a minimum and in many cases the sizes of lots used for broadacre farming in this area are substantially less.

Current Lifestyle properties listed for sale within close proximity of Williams are as follows:

6.57ha 4km from Williams on Williams-Pinjarra Road
18.87ha 5km from Williams on Bates Road
Lot 1 52.1ha 10km from Williams on Fawcett Road
Lot 2 60.2ha 10km from Williams on Fawcett Road
Lot 4 133.6ha on Munthoola Road
Lot 19 3ha Millbrook Park
40ha (including kit home not built) Lot 12 143.55ha on Zilko Road
450.41ha on 6 titles (advertised as suitable to be split into 7 locations)

Given the above, why shouldn't property owners holding large titles be entitled to subdivide to receive the same benefits as the vendors of these listed For Sale Properties.

I would also like to know how many Councillors on the Williams Shire who own multiple titles of less than 200ha, would be prepared to amalgamate them into 200ha lots in accordance with Council's proviso regarding lot size in their response to the Western Australian Planning Commission Draft Policy.

I look forward to Council's reply.

Comment:

Letter forwarded to Mr Cowcher;

Thank you for your letter dated 11th May 2011 regarding the State Planning Policy 2.5 and Development Control Policy 3.4 which are currently out for public comment.

The Council reviewed these Draft Policies at the June Council meeting. Generally both policies were supported by Council. With regard to DC 3.4 section 4.3 "Prevailing lot sizes", the Council resolved to support this on the proviso that a minimum lot size be set at 200ha. The reason for the increased minimum size is to retain Broadacre farming land in the Shire of Williams and reduce potential land use conflicts with smaller landholders. Letters have been sent the Western Australian Planning Commission to this effect.

The Council is sympathetic to the issues you have raised in your letter and whilst Council's Town Planning Scheme does not support the subdivision of Rural Land, the Council are guided by State Planning Policy and take this into account when determining planning applications. It is likely that a review of the Council's Town Planning Scheme will have to take place to ensure conflicts with State Policy are reduced into the future.

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That Councillors provide comments to the Chief Executive Officer to respond to Mr Cowcher

Cavanagh/Earnshaw

That the Chief Executive Officer respond to Mr Cowcher regarding the Draft State Planning Policies on Subdivision of Rural Land.

**Carried 8/0
Resolution 23/12**

8.4 CHIEF EXECUTIVE OFFICER'S REPORT – LATE ITEMS

Logie/Johnstone

That the following late item be accepted as urgent for discussion.

**Carried 8/0
Resolution 24/12**

Report Reference:	8.4.11
Subject:	Williams Football Club – Pavilion Priority Usage
File Reference:	11.30.4
Statutory Reference:	N/A
Author & Date:	R.N. Duff 19 th July 2011

Background:

Letter Received from the Williams Football Club

“At our recent committee meeting our proposed agreement with the Expo and Shire at the May 31st meeting on the use of the recreation pavilion was not accepted.

A motion was passed to inform the Shire of our desire to hold our Annual Jumper Presentation night on the Friday before our first game each year. The most probable date next year will be the 13th of April.

As you are aware the November 1999 agreement between the Football Club and the Shire grants our club “priority usage during the football season”. This was given in recognition of the Football Club's considerable contribution to the establishment of the Pavilion Function Room.

Since the joint meeting the Football Club has looked at the Easter Calender and it appears that there is a possible clash of events between the Football Club and the Expo in four out of the next ten years. The Committee felt this was not acceptable for its members and therefore request Council to make a deliberation on this matter in line with the November 1999 agreement. The Football Club also wishes to have the Council refine the 1999 agreement as the current agreement is quite non-descript, particularly when defining the “football season”.

We look forward to your favourable response”.

Comment:

Four key documents are attached for Councils information; these documents will help explain the history of the Williams Football Club's "priority use".

1. Memorandum from Shire President George Warren to All Councillors – 14th October 1997
2. Letter and Report prepared by the Chief Executive Officer – 3rd May 1999
3. Management Agreement Prepared by Creating Communities – 8th July 1999
4. Final Letter of Agreement to the Football Club – 24th November 1999

The arrangement that was agreed to at the 31st May meeting is below;

The Williams Gateway Expo will move from the second weekend in April to the third weekend in April. When Easter falls on the third weekend in April the Williams Gateway Expo will be held on the second weekend in April. The Williams Football Club will have use of the Williams Recreation Pavilion on the second Friday of April each year.

On the occasions when Easter falls on the third weekend of April and the Williams Gateway Expo is held on the second weekend in April the Williams Football Club will forgo the use of the Recreation Pavilion on the Friday night so that the Williams Gateway Expo can hold their Art exhibition in the building.

The table below shows possible clashes between the two groups over the next 10 years:

EASTER SUNDAY DATES	Week	Possible Clash
24th April 2011	4th	
8th April 2012	1st	
31st March 2013	4th	
20th April 2014	3rd	Expo to 2nd weekend
5th April 2015	1st	
27th March 2016	4th	
16th April 2017	3rd	Expo to 2nd weekend
1st April 2018	1st	
21st April 2019	3rd	Expo to 2nd weekend
12th April 2020	2nd	Footy might go to 3rd weekend
4th April 2021	1st	
17th April 2022	3rd	Expo to 2nd weekend
9th April 2023	2nd	Footy might go to 3rd weekend
31st March 2024	4th	

1999 Agreement

The Football Club in its letter seeks clarity on the definition of the "football season". Councillors would be aware that the Club commences training in February each year and the season and the Clubs final formal function is the Annual Windup Dinner in the last week in September. For the purpose of the Agreement the priority usage period and what this means should be clarified by Council.

Williams Gateway Expo

The Williams Gateway Expo has been running for 12 years. As part of the Expo an Art Exhibition is organised. In previous years the event has been held at various locations in town, in 2011 the Exhibition was held at the Pavilion. The Expo Committee President has reported that the move was very successful with more artwork being entered and sold to which the Expo Committee receives a Commission. It is desirable to the Expo Committee to continue to hold the Art Exhibition at the Pavilion on the Friday night prior to the Expo.

The main point of conjecture in this matter is the use of the Pavilion on the Friday night where the two events clash, the Football Club wish to hold their Jumper Presentation and the Expo Committee to hold the Art Exhibition. The Football Club can still play a home game on the same weekend as the Expo after previously believing that this was not possible. Therefore Council should deliberate on this matter with the options being;

1. Confirm the status of the Agreement with the Football Club
Define the "Priority Use" period as per the Agreement with Football Club
Agree to the Football Club's request and call for the Expo Committee to find an alternative venue for their Art Show where two events clash.

Or:

2. Enforce the shared use agreement reached at the Joint meeting of the Football Club and Expo Committee held 31st May 2011.

Financial Implications:

The Football Club pays an annual rental for both the football oval (\$1,054 for 2011/12) and use of the Pavilion (\$991 for 2011/12).

The Expo Committee is charged \$416 (2011/12 fee) for usages of the Recreation Ground, this fee have been donated back to the Expo Committee in previous years.

Voting Requirements:

Simple Majority

Recommendation:

For Council's consideration.

Cavanagh/Logie

That Council convene another meeting between the Williams Football Club and Williams Gateway Expo.

**Carried 8/0
Resolution 25/12**

8.5 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT

8.5.1 ACCOUNTS FOR PAYMENT

Carne/Earnshaw

That Municipal Fund Cheques 103308 – 103321, EFT and Direct Debits totalling \$139,580.43 and Trust Fund EFT transfers totalling \$1,024.00 approved by the Chief Executive Officer be endorsed and that Municipal Fund Cheques 103322 – 103352 totalling \$62,376.51 and EFT transfers totalling \$73,287.70 be approved for payment.

**Carried 8/0
Resolution 26/12**

8.5.2 FINANCIAL STATEMENTS

Paterson/Earnshaw

That the Financial Statements presented for the period ending 30th June 2011 be received.

**Carried 8/0
Resolution 27/12**

8.5.3 MUNICIPAL FUND BUDGET

Earnshaw/Johnstone

That the 2011/2012 Municipal Fund Budget be adopted as presented.

SCHEDULE OF RATES AND CHARGES LEVIED

General Rates:

- a) i) Gross Rental Values – 5.044 cents in the dollar for land used for Commercial or Industrial purposes or vacant land zoned Commercial or Industrial.
- ii) Gross Rental Values – 4.056 cents in the dollar for all other rateable land within the Williams and Quindanning town site.
- b) Unimproved Values – 0.5152 cents in the dollar on all rateable land.

Minimum Rates:

\$450 per Assessment.

Payment of Rates by Instalments:

Payment of rates to be made by a single payment or by four (4) equal instalments at the election of the ratepayer on the following dates: 9th September 2011, 11th November 2011, 13th January 2012 and 10th March 2012.

Interest and Administration charge on instalment plans:

An interest rate charge of 5.5% per annum to apply to general rates on instalment plans plus administration charge of \$25 for each Assessment.

Late Payment Interest

An interest rate of 11% per annum on rates outstanding thirty five (35) days after the rate notice issue date.

**Carried by absolute majority 8/0
Resolution 28/12**

8.5.4 REFUSE CHARGES

Earnshaw/Carne

That the household refuse charge for 2010/2011 be levied as follows:

\$268.00 per service (240lt bin)

**Carried by absolute majority 8/0
Resolution 29/12**

8.5.5 TRUST FUND BUDGET

Earnshaw/Major

That the 2011/2012 Trust Fund Budget as presented be adopted.

**Carried by absolute majority 8/0
Resolution 30/12**

8.5.6 FEES AND CHARGES

Carne/Logie

That Council adopt the Schedule of Fees and Charges for inclusion in the 2011/2012 Annual Budget.

**Carried by absolute majority 8/0
Resolution 31/12**

8.6 COUNCILLORS

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

10.1 ELECTED MEMBERS

10.2 STAFF

Nil

11.0 LEAVE OF ABSENCE

12.0 INFORMATION SESSION

The President advised that together with the Chief Executive Officer he will be attending a SAT hearing on Monday 25th July 2011 to determine settlement of the Communications Tower compensation.

13.0 MEETING CLOSURE

There being no further business for discussion the President declared the meeting closed at 6.22pm