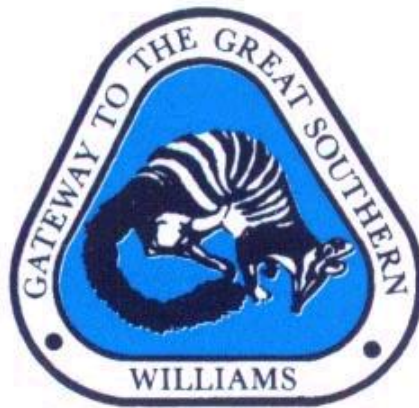


SHIRE OF WILLIAMS

***MINUTES ORDINARY MEETING HELD ON WEDNESDAY
17TH MAY 2017***



COUNCIL DIARY

WEDNESDAY 17TH MAY 2017

2:30pm

Auditor Presentation
Marius van der Merwe
Butler Settineri (Audit) Pty Ltd

WEDNESDAY 17TH MAY 2017

4.00pm

Citizenship Ceremony
Merana Jane Lewis

WEDNESDAY 21ST JUNE 2017

1.00pm

Ordinary Meeting



MINUTES – ORDINARY MEETING OF COUNCIL HELD 17TH MAY 2017

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Separate Documents

1. Minutes – Council; 4WDL, HWEDA, BRIDGE TO BRIDGE CRG
2. CEO General Report
3. CEO Appendices
4. EHO Appendices
5. Payment Listing
6. Monthly Financial Report
7. Municipal Bank Reconciliation
8. Status Report
9. Info Statement



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



AGENDA

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President, Cr John Cowcher declared the meeting open at 1.37pm.

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

(PREVIOUSLY APPROVED)

Cr John Cowcher President

Cr Greg Cavanagh Deputy President (from 1.52pm)

Cr David Earnshaw

Cr Natalie Major

Cr Jarrad Logie

Cr Peter Paterson

Cr Moya Carne

Geoff McKeown Chief Executive Officer

Cara Ryan Manager of Finance

Heidi Cowcher Economic Development Officer (1.56pm - 2.15pm)

Tony Kett Works Supervisor (2.17pm – 2.30pm)

Gordon Tester Environ. Health Officer/Building Surveyor (2.31pm – 2.34pm)

Apologies

Cr Richard Johnstone

Cr Gilbert Medlen

3.0 PUBLIC QUESTION TIME

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

Council wished to acknowledge that it conducted the Chief Executive Officer's Performance Review, prior to commencement of the May 2017 Ordinary Meeting of Council at 12.00pm.



5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	Cr Greg Cavanagh / Deputy President
Item No. / Subject	8.4.2 / Proposed Rural Industry (bulkheads and associated development) on Lot 15 and Lot 17 Playle Road Williams
Type of Interest	Impartiality

DECLARATION OF INTEREST	
Name / Position	Cr Peter Paterson / Councillor
Item No. / Subject	8.4.2 / Proposed Rural Industry (bulkheads and associated development) on Lot 15 and Lot 17 Playle Road Williams
Type of Interest	Impartiality

DECLARATION OF INTEREST	
Name / Position	Cr Moya Carne
Item No. / Subject	8.4.2 / Proposed Rural Industry (bulkheads and associated development) on Lot 15 and Lot 17 Playle Road Williams
Type of Interest	Proximity and Indirect Financial

DECLARATION OF INTEREST	
Name / Position	Cr David Earnshaw / Councillor
Item No. / Subject	8.4.2 / Proposed Rural Industry (bulkheads and associated development) on Lot 15 and Lot 17 Playle Road Williams
Type of Interest	Indirect Financial



DECLARATION OF INTEREST	
Name / Position	Cr Jarrad Logie / Councillor
Item No. / Subject	8.4.3 / Proposed Agricultural Knife Point Repair Business, Lot 441 Marjidin Way, Williams – Request for Change to Planning Conditions
Type of Interest	Proximity

DECLARATION OF INTEREST	
Name / Position	Cr Jarrad Logie / Councillor
Item No. / Subject	8.4.5 / Diversion of Stormwater From Railway Dam
Type of Interest	Proximity

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 19TH APRIL 2017

Officer's Recommendation

That the Minutes of the Ordinary Meeting held on 19th April 2017, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Carne/Paterson

That the Minutes of the Ordinary Meeting held on 19th April 2017, as previously circulated, be confirmed as a true and accurate record.

**Carried 6/0
Resolution 196/17**



6.2 HWEDA MEETING HELD 9TH MAY 2017

Officer's Recommendation

That the Minutes of the HWEDA Meeting held on 9th May 2017, as previously circulated, be received.

Council Resolution

Major/Earnshaw

That the Minutes of the HWEDA Meeting held on 9th May 2017, as previously circulated, be received.

**Carried 6/0
Resolution 197/17**

6.3 DRAFT 4WDL MEETING HELD 9TH MAY 2017

Officer's Recommendation

That the Minutes of the 4WDL Meeting held on 9th May 2017, as previously circulated, be received.

Council Resolution

Earnshaw/Paterson

That the Minutes of the 4WDL Meeting held on 9th May 2017, as previously circulated, be received.

**Carried 6/0
Resolution 198/17**

6.4 BRIDGE TO BRIDGE CRG MEETING HELD 5TH AND 19TH APRIL 2017

Officer's Recommendation

That the Minutes of the Bridge to Bridge CRC Meeting held on 5th and 19th April 2017, as previously circulated, be received.

Council Resolution

Major/Earnshaw

That the Minutes of the Bridge to Bridge CRC Meeting held on 5th and 19th April 2017, as previously circulated, be received.

**Carried 6/0
Resolution 199/17**



6.5 BRIDGE TO BRIDGE CRG MEETING HELD 16TH MAY 2017

Officer's Recommendation

That the Minutes of the Bridge to Bridge CRC Meeting held on 16th May 2017, as previously circulated, be received.

Council Resolution

Carne/Logie

That the Minutes of the Bridge to Bridge CRC Meeting held on 16th May 2017, as previously circulated, be received.

**Carried 6/0
Resolution 200/17**

Cr Cavanagh entered the meeting at 1.52pm.

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.0 REPORTS



8.1 ECONOMIC DEVELOPMENT OFFICER'S REPORT

The Economic Development Officer, Mrs Heidi Cowcher, attended the meeting at 1.56pm to discuss her report.

8.1.1 4WDL WELL AGED HOUSING PROJECT

File Reference	EDO Files	
Statutory Reference	N/A	
Author & Date	Heidi Cowcher	8 th May 2017

Background

The Shire of Williams, as lead agency on behalf of the 4WDL Regional Group, has secured funding to construct a total of up to 50 units across seven local governments from various sources since 2010. To date five separate funding streams have financed the construction, four of which are now complete. The final funding stream (SII) is underway and due for completion 2018.

Comment

Funding totalling \$5,023,648 has been secured to construct an additional 14 units across 6 shires. Confirmation has been received that additional units are being built, which will bring the total to 18. In each Shire the project is progressing reasonably well.

Summary of claims processed to date:

Shire	Total Funded	Total claimed to 08.05.17
West Arthur (3 units)	\$717,664 (+ interest) 2 units	\$655,028.05
Williams (2 units)	\$717,664 (+ interest) 2 units	\$716,792.13
Wagin (4 units)	\$1,076,496 (+ interest) 3 units	\$974,730.45
Dumbleyung (3 units)	\$717,664 (+ interest) 2 units	\$596,829.08
Lake Grace (3 units)	\$1,076,496 (+ interest) 3 units	\$559,343.97
Woodanilling (3 units)	\$717,664 (+ interest) 2 units	\$732,499.35
TOTAL (18 units)	\$5,023,648 (14 units)	\$4,235,223.03

Financial Implications

Project Management and Audit expenses attributed to this project are funded from the interest earned on the investment of the funding. The Shire of Williams does not incur any additional expenditure on this project that is not funded from the project interest. All funds have now been drawn down from the WA Treasury Account and this account has been closed, so all funds are now in the Shire accounts.

Project management costs for 2016/17 of \$22,000 have been approved for the Shire of Williams to claim from the project interest component. All audit expenses, bank fees and other related project management expenses are claimed from the interest.

Voting Requirements

Simple Majority



Officer's Recommendation

The report on progress of the 4WDL Well Aged Housing Project is received.

Council Resolution

Cavanagh/Earnshaw

The report on progress of the 4WDL Well Aged Housing Project is received.

**Carried 7/0
Resolution 201/17**

8.1.2 GENERAL PROJECTS UPDATE

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 8 th May 2017
Appendix:	Appendix 1 HWEDA Moo Marketing Presentation 2017

Background

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

Comment

HWEDA

A Project Plan for the Marradong Country Self-Drive Trail has been completed in support of funding applications that will enable this project to be implemented. Funding applications were submitted to the Wheatbelt and Peel Development Commission's Community Chest Fund for \$15,000 respectively and South32 for \$30,000.

The project has been successfully funded, with the WDC committing \$10,000; PDC committing \$15,000 and South32 committing \$30,000. The balance of the project is to be funded from HWEDA funds that have been sourced from the 3 local government partners. Funding agreements have been signed with the PDC and WDC and funding is anticipated to be released at the end of July 2017. The funding from South32 has been received.

For interest, a copy of the presentation provided to HWEDA on the Marradong Country Self Drive Trail is attached.

Williams Swimming Pool – Heat Pumps Installation

Funding was secured from DSR's Community Pool Revitalisation Scheme funding for the installation of two heat pumps at the Williams Swimming Pool.



The heat pumps were installed by Contract Aquatic Services in mid-April. The connection of the pumps is currently being undertaken by Country Sparky Services. As the mains power for the swimming pool (and therefore the complex) does not have a mains switch (was not a requirement when the new board was installed in 2001), together with the fact that there is a CT meter (solar power), an application is required to Western Power for disconnection and then reconnection of the power for the connection of the power to the heat pumps to be completed.

The funding is to be acquitted by 1st June 2017.

Williams Lions Park Redevelopment

Funding submissions have been made to the *Building Better Regions Fund* and *Lotterywest*, with both outcomes still pending. It is not anticipated that the outcome of these will be known before July 2017.

Discussions are currently being held with Newmont and South32 to determine the level of interest and applicability to investment by these two respective organisations in the Lions Park Redevelopment.

Financial Implications

Project based, budgeted for as appropriate.

Voting Requirements

Simple Majority

Officer's Recommendation

That the General Projects update be received.

Council Resolution

Paterson/Logie

That the General Projects update be received.

**Carried 7/0
Resolution 202/17**



8.1.3 SHIRE OF WILLIAMS STRATEGIC COMMUNITY PLAN 2017-2032

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 8 th May 2017
Appendix	Appendix 2 Shire of Williams Strategic Community Plan 2017-2032

Background

The comprehensive review of the Shire’s Community Strategic Plan commenced in early 2017. This is a legislative requirement to be completed every 4 years throughout the life of the Plan. The last review was a desk-top review and was completed by Council in 2014. Council is required to ensure that it engages with the community to make sure that the priority actions that are being implemented are the shared vision with the community and supported by the community as well as Council. At times, there will be actions that are a shared responsibility that will see a combination of community and local government investment and collaboration.

Comment

The Draft Plan was completed at the end of April and the Draft Plan released for community comment on Monday 1st May 2017. A copy of the Draft Plan was emailed to all participants who attended the community workshops; to all councillors and staff; was placed on the Shire website calling for community feedback and an ad placed in *The Williams* on the 1st May. Community comment closes on Friday 12th May. A collation of the feedback will be provided to Council following the closure of the comment period.

Financial Implications

Nil – Project Specific as required

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council endorse the Shire of Williams Strategic Community Plan 2017-2032, subject to any amendments required following community feedback on the Draft Plan.

Council Resolution

Major/Earnshaw

That Council endorse the Shire of Williams Strategic Community Plan 2017-2032, subject to any amendments required following community feedback on the Draft Plan.

**Carried 7/0
Resolution 203/17**

Mrs Cowcher left the meeting at 2.15pm.



8.2 WORKS SUPERVISOR'S REPORT

The Works Supervisor, Mr Tony Kett, attended the meeting at 2.17pm to discuss his report.

File Reference	12.15.36	
Statutory Reference	N/A	
Author & Date	Tony Kett	9 th May 2017

8.2.1 MAINTENANCE GRADING ACTIVITY

Road Name	Length Graded (km)
Darkan-Quindanning Rd	14.1
Waldock Rd	1.8
Total Length for the Month	15.9 km

8.2.2 ROAD MAINTENANCE WORKS

- Road side spraying by Allington Agri Services, Carne Rd, Narrakine Rd, Marradong Rd, York Rd, Williams Rd, 14 Mile Brook Rd, Clayton Rd and Darkan-Quindanning Rd.
- White Posts and signs back up on Marradong Rd.

8.2.3 2016/17 ROAD CONSTRUCTION PROGRAM

Road No	Road Name	Description of Work	Start SLK	End SLK	Total	Start Date	Finish Date	Comments
128	Williams-Darkan Rd	Reseal	20.52	25.52	5 km			Completed.
9	Dardadine Road	Seal	00	2.00	2 km			
10	Pingelly Road	Seal to 7m	0.05	3.50	3 km			Completed.
1	York- Williams	Reseal	0.0	3.00	3 km			Completed.
7	Clayton Road	Widen Shoulders	0.0	2.00	2 km			Completed.
11	Marradong Road	Clear vegetation, drainage and repair failures	Various slks					Gravel in and mixed. Sealing to be done after winter.
12	Zilko Road	Clear vegetation and gravel sheet	Various slks					Completed.
2	Darkan-Quindanning	Tree trimming south end	Cross roads to Boundary		15km			Completed.
54	Kennedy Road	Gravel sheet	0.00	2.74	2.74km			Completed.



MINUTES – ORDINARY MEETING OF COUNCIL HELD 17TH MAY 2017

88	Curteis Road	Clear sections and gravel sheet 1km.			1 km		Trees cleared.
99	Wilkie road	Reconstruct culvert floodway					Completed.
5	Fourteen Mile Brook Road	Reconstruct culvert floodway.					Completed.

8.2.4 MECHANICAL REPORT

Plant Description		Driver	Date Purchased	Hours/Km December 2016	Works Completed this month
Mazda CX5 WL 16	Light Vehicles	Cara Ryan	23 Sep 15	48,254 km	
Toyota Prado 16 WL		Geoff McKeown	10 Sep 16	1,800 km	
Holden Rodeo Dual Cab Utility WL 5499		Outside staff	5-Nov-04	241,197 km	
Isuzu D-Max WL 19		Tony Kett	9 –Sep 14	75,000 km	
Kia 2 Tonne Truck WL 5414		Jeff Cowan	9-Oct-07	143,300 km	
Holden Colorado Crew Cab Ute WL 742		Andrew Wood	5-Oct 15	204,566 km	
Isuzu 4x2 Single Cab Ute WL 916		Maintenance	25-Nov-2016	42 km	
Holden Rodeo Single Cab Utility WL 826		Outside works crew	20-Nov-06	116,987 km	
Isuzu 4x2 Single Cab Ute WL 915		James Lenehan	25 Nov 2016	154 Km	
Skid Steer Track Loader 1EVL725		Construction Equipment	Outside works crew	Sep 2015	340 hr
Multipack Multi-Tyre Road Roller WL 49	Outside works crew		21-Oct-04	6,377 hr	
Vibromax Roller WL 126	Outside crew		29-Sep-04	4,203 hr	
Caterpillar 12M Grader WL 61	Richard Hewitt		Dec 2011	4,735 hr	Serviced
Caterpillar 12M Grader WL 361	Andrew Wood		15-10-2014	1,875 hr	
721E Case Loader WL 5639	Roger Gillett		May 2012	5,879 hr	Fixed Hydraulic hose leak.
Volvo EC210BLC Excavator WL 499	Phil Reed		18-Jul-07	6,811 hr	Serviced
John Deere 315SE4 Backhoe WL 745	Trevor Palframan		17-Sep-01	2,697 hr	
Toro Reelmaster SP Mower WL 5502	Works		Aug-09	1,010 hr	
Kubota Generator	Refuse Site			3,477 hr	
Toro Z597 Ride on Mower WL 731	Parks & Gardens	Jeff Cowan	1-Oct-06	1,943 hr	
Toro Z400 Kholer Ride on Mower WL 5302		Jeff Cowan	8-Aug-05	594 hr	



Honda TRX Four Wheel M/cycle WL 429		Jeff Cowan	20-Mar-00	1,392 hr	
Toyota DA115 Tip Truck (Water Truck) WL 595		James Lenehan	24-Aug-94	235,800 km	
Isuzu FVZ1400 Tip Truck WL 093	Trucks & Trailers		31-Dec-03	293,382 km	Fixed water leak on pump.
Mercedes Benz Actross Prime Mover WL 91		Phil Reed	21-Dec-05	308,626 km	
Isuzu Giga CXZ Tip Truck WL 128		Justin Murdock	10-Dec-08	200,853 km	Serviced
Isuzu NPR 300 Truck WL 016		D.Munday	21-Jan-13	74,662 km	Serviced
SFM Side Tipping Trailer WL 3730		Works	21-Dec-05	140,500 km	
Howard Porter Low Loader WL ITIF 238		Works	31-Aug-07	132,500km	
Howard Porter Pig Trailer WL 3792		Justin Murdock	10-Dec-08	1405,300 km	
Nissan Patrol Fire Ute 1CXV788		BFB Fast attack	23- Feb 2016	167,500 km	

8.2.5 WORKS SUPERVISOR REPORT ACCEPTANCE

Voting Requirements

Simple Majority Required

Officer's Recommendation

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

Council Resolution

Earnshaw/Paterson

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

**Carried 7/0
Resolution 204/17**

Mr Kett left the meeting at 2.30pm.



8.3 ENVIRONMENTAL HEALTH / BUILDING SURVEYOR'S REPORT

The Environmental Health Officer/Building Surveyor, Mr Gordon Tester, attended the meeting at 2.31pm.

8.3.1 BUILDING PERMITS

File Reference	13.34.10
Statutory Reference	Building Act 2011, Building Regulations 2012
Author & Date	Gordon Tester 10 May 2017

Comment
Nil Return

8.3.2 FOOD PREMISES INSPECTIONS

File Reference	7.40.41
Statutory Reference	Food Act 2008
Author & Date	Gordon Tester 10 May 2017

Comment

Williams Wool Shed, BP Roadhouse and the Bridge Roadhouse were inspected. Maintenance issues were noted and discussed with the proprietors.

Councils "I'm Alert" food handling programme was discussed and in the case of the roadhouses applications for Food Act Registration were left with the proprietors.

Voting Requirements

Simple Majority Required

Officer's Recommendation

That the Food Premises Inspections report be endorsed by Council.

Council Resolution

Logie/Cavanagh

That the Food Premises Inspections report be endorsed by Council.

**Carried 7/0
Resolution 205/17**

Mr Tester left the meeting at 2.34pm.



Marius van der Merwe from Butler Settineri (Audit) Pty Ltd attended the meeting at 2.35pm.

The President welcomed Mr Marius van der Merwe to the meeting and invited him to make his presentation.

Mr van der Merwe noted that he is the Shire's appointed Auditor and was invited to this Ordinary Meeting of Council to address the entire Council on the topics that he raised with the Audit Committee at its Meeting on the 17th October 2016.

Mr van der Merwe commenced his presentation by explaining the Auditor's responsibilities and the proposed changes with the likely appointment of the Auditor General to oversee auditing for all WA Local Governments commencing 1st July 2018. He went on to discuss the two Corruption and Crime Commission (CCC) Reports surrounding the events at both Dowerin and Exmouth. These matters highlight necessity for local government to have robust and tight governance controls. It is important that Council ensure it has effective systems and good procedures to mitigate the risk of fraud and negligence.

Mr van der Merwe then answered and discussed various questions from elected members.

The presentation concluded at 3.27pm

Afternoon Tea

The President adjourned the meeting for afternoon tea at 3.27pm and invited Marius van der Merwe to join the Councillors during the break.

Mr van der Merwe left the meeting at 3.27pm.

The meeting resumed at 3.56pm.



8.4 CHIEF EXECUTIVE OFFICER'S REPORT

8.4.1 CHIEF EXECUTIVE OFFICER'S GENERAL REPORT

File Reference	4.1.20	
Statutory Reference	N/A	
Author & Date	Geoff McKeown	11 th May 2017
Attachment	Nil	

Background

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

Comment

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

Financial implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That the Chief Executive Officer's General Report for May 2017 be received by Council.

Council Resolution

Earnshaw/Major

That the Chief Executive Officer's General Report for May 2017 be received by Council.

Carried 7/0
Resolution 206/17

The subject of annual leave in the Chief Executive Officer's General Report prompted Council to consider the need to re-schedule the July Ordinary Meeting of Council set for the 19th July 2017.

Council Resolution

Earnshaw/Cavanagh

That Council:

1. Re-schedule the Ordinary Meeting of Council set for Wednesday, 19th July 2017 to 1.00pm Wednesday, 26th July 2017.
2. Advertise the re-scheduled meeting in accordance with Section 5.25 of the *Local Government Act 1995* and Regulation 12 of the *Local Government (Administration) Regulations 1996*.

Carried 7/0
Resolution 207/17



The President adjourned the meeting at 4.47pm to conduct a Citizenship Ceremony for Ms Merana Lewis.

Ms Merana Lewis attended the meeting at 4.48pm. Ms Merana Lewis was presented her Certificate of Australian Citizenship and made a pledge as the final step in becoming an Australian Citizen.

Ms Merana Lewis left the meeting at 4.52pm

The meeting resumed at 4.52pm.

The subject of new working arrangements with the Williams Community Resource Centre Inc. outlined in the Chief Executive Officer's General Report was debated and Council considered matters relating to the draft lease agreement for the Community Resource Centre Premises.

Council Resolution

Logie/Major

That Council agree to continue with the process of developing documents and information necessary to ratify the new arrangements with Community Resource Centre for presentation at the June Ordinary Council Meeting. Further, Council requested the new lease arrangement include rent to be set at \$250 per week, and to cap the Shire's contribution for electricity at \$7,000 per annum, excluding GST.

**Carried 5/2
Resolution 208/17**

Cr Greg Cavanagh, Cr Peter Paterson, Cr Moya Carne and Cr David Earnshaw declared interests in the following item 8.4.2– Proposed Rural Industry (bulkheads and associated access) on Lot 15 Albany Highway and Lot 17 Playle Road Williams.

Cr Greg Cavanagh and Cr Peter Paterson declared an impartiality interest as a share/debenture holder of Co-operative Bulk Handling Limited.

Cr Earnshaw declared indirect financial interest on the basis that, if approved, it may result in an indirect financial gain or benefit.

Cr Moya Carne declared an indirect financial interest on the basis that, if approved, it may result in an indirect financial gain or benefit and a proximity interest as a property owner adjacent to the proposed development.

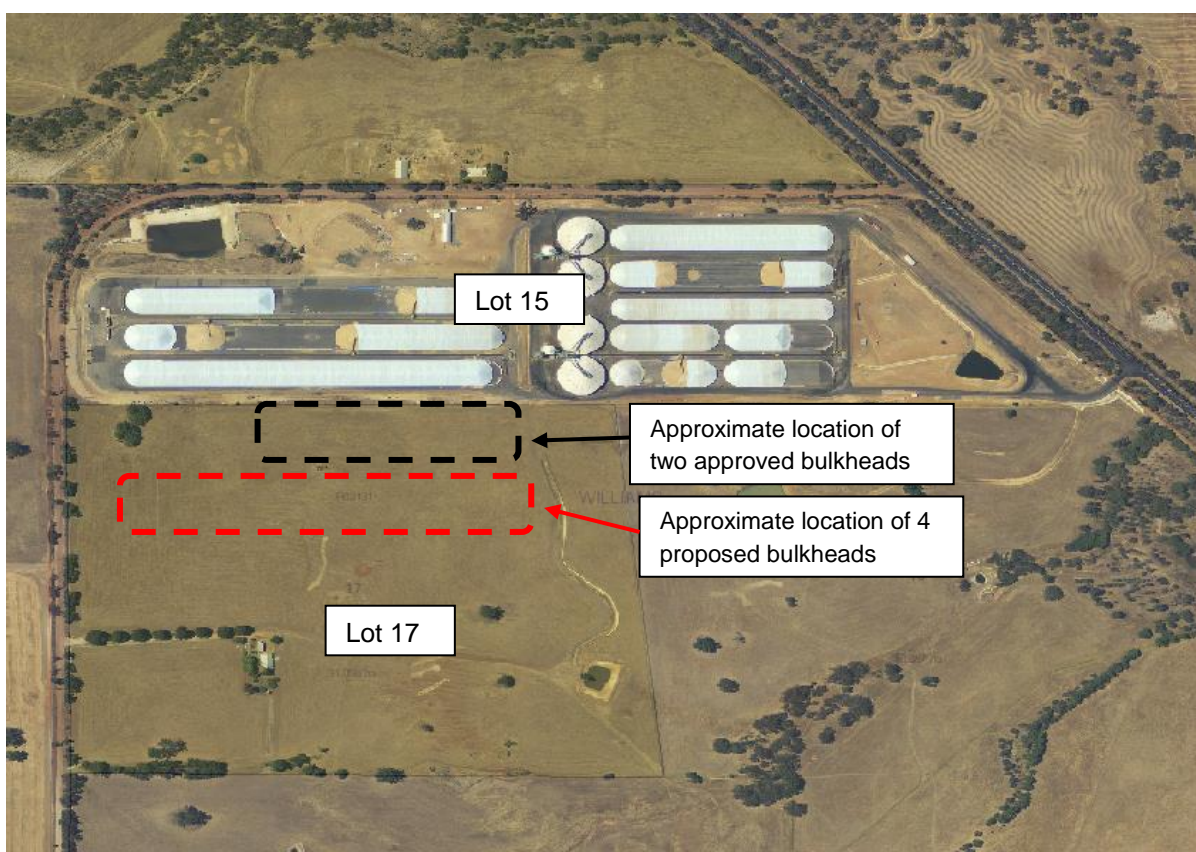
Cr Carne and Cr Earnshaw left the meeting at 5.21pm.

8.4.2 PROPOSED RURAL INDUSTRY (BULKHEADS AND ASSOCIATED DEVELOPMENT) ON LOT 15 AND LOT 17 PLAYLE ROAD WILLIAMS

File Reference	10.60.15
Statutory Reference	Shire of Williams Town Planning Scheme No.2
Author and Date	Liz Bushby, Gray & Lewis Landuse Planners 5 th May 2017
Attachment	Nil

Background

Co-Operative Bulk Handling (CBH) has an established operation on Lot 15 Albany Highway, Williams. Planning approval for two bulkheads on Lot 17 Playle Road was granted on the 24th August 2016.



Comment

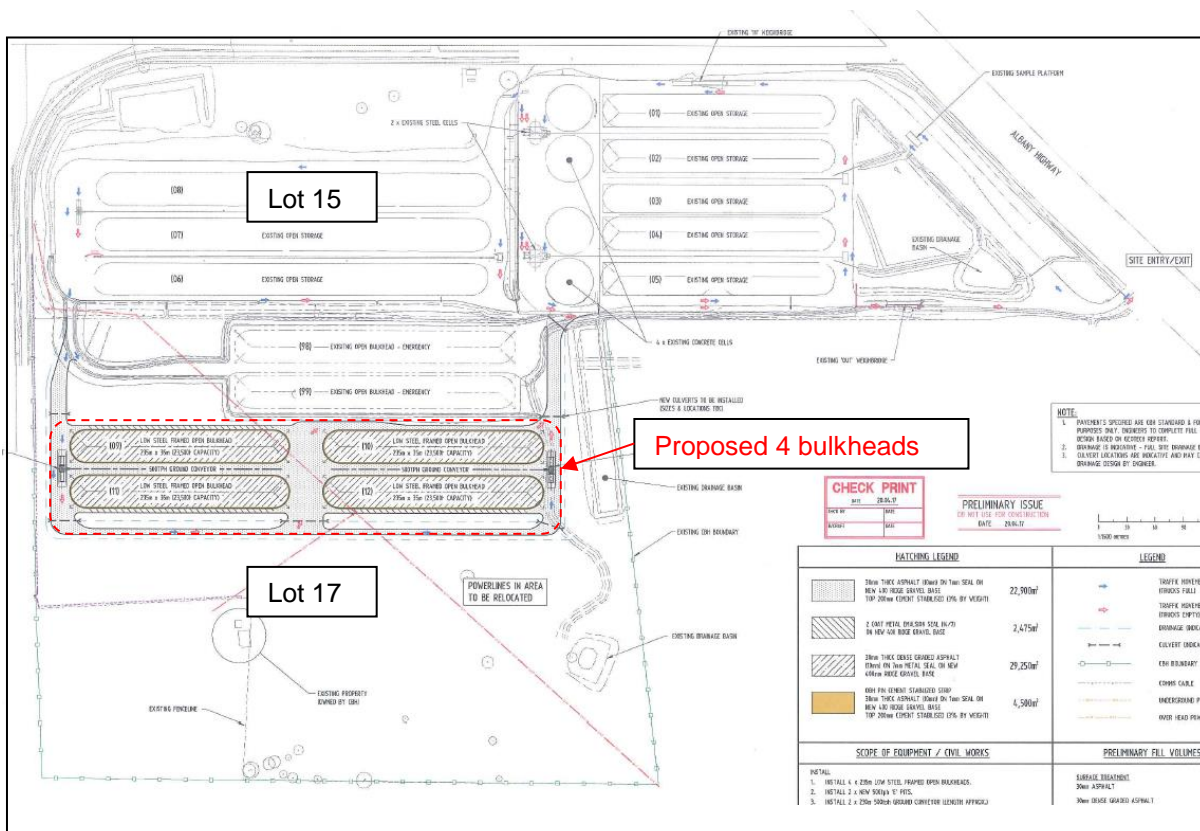
Description of Application

An application has been lodged by CBH to develop four open bulkheads on Lot 17 Playle Road in Williams. The bulkheads will have capacity to accommodate an additional 94,000 tonnes of grain storage.

Lot 17 is located to the immediate south of the existing CBH facility on adjacent Lot 15. All vehicular access will be from the existing crossovers to Lot 15 from Albany Highway.

The development will include:

- construction of internal roads around the bulkheads;
- 2 hopper pits
- 2 ground conveyors between the open bulkheads;
- Storm water drains around internal roads to connect to the existing drains;
- Storm water basins next to two of the open bulkheads.



Zoning

Lot 17 is zoned ‘Rural’ under the Shire of Williams Town Planning Scheme No 2 (‘the Scheme’). The Scheme does not list any specific objectives for the Rural zone.

Landuse definitions / Permissibility

The landuse is construed as a ‘rural industry’ defined in the Scheme as ‘means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant and equipment used for rural purposes in the locality.’

A ‘Rural Industry’ is listed as an ‘AA’ use in the Rural zone under ‘Table 1 – Zoning Table’ of the Scheme. The ‘AA’ symbol means that the Council may, at its discretion, permit the use.

The proposed development is simply an extension to the existing CBH rural industry.

Consultation

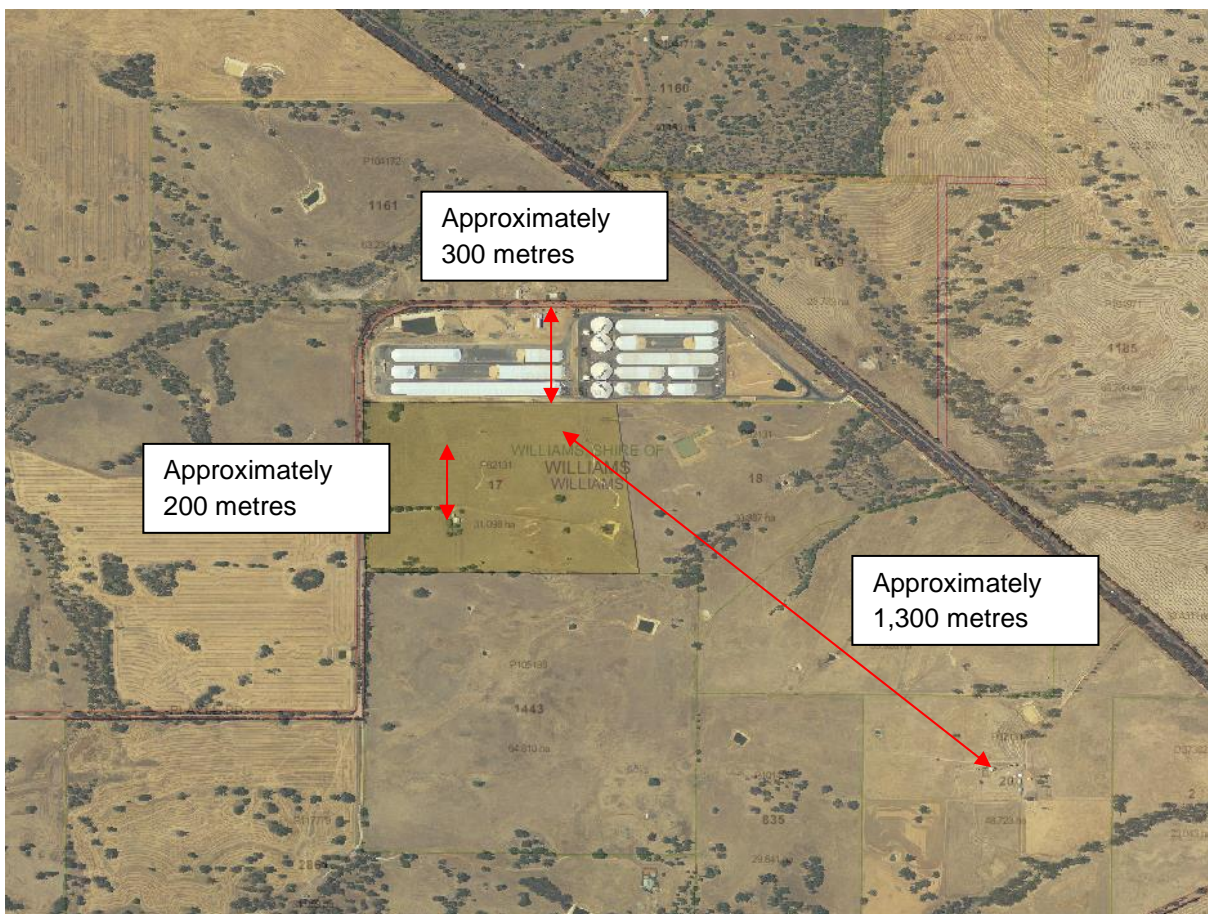
The application has not been advertised for public comment, however Council has discretion to defer the application to allow for consultation with Main Roads WA or nearby landowners. It is recommended that Main Roads be advised of the development out of courtesy.

Landuse compatibility and EPA 'Guidance for the assessment of environmental factors – separation distances between Industrial and Sensitive Landuses'.

Under EPA guidelines a 500 metre generic buffer is recommended to any grain elevator. The Guidelines do not define 'elevators'.

The 500 metre buffer does not strictly apply however Gray & Lewis would recommend that Council have regard for normal planning considerations such as dust, noise, and landuse compatibility.

A desktop assessment (based on aerial) has been undertaken however it is difficult to distinguish between outbuildings and dwellings.





Outside of Lots 15 and 17, it appears there is one dwelling to the north within 500 metres of the proposed development. However the dwelling is separated by the new development by the existing CBH facility.

The proposed development is simply an extension of the existing landuse, however it is recommended that a condition be imposed requiring lodgement of a Dust Management Plan.

Gray & Lewis has liaised with CBH as they prepared a Dust Management Plan (DMP) for the last bulkhead development in 2016. CBH has advised the DMP can be revised to reflect this latest project.

POLICY REQUIREMENTS

Not applicable.

LEGISLATIVE REQUIREMENTS

Planning and Development (Local Planning Schemes) Amendment Regulations 2015

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

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

Regulation 64 (3) outlines that the local government may advertise an application for 14 days.

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

STRATEGIC IMPLICATIONS

There are no known strategic implications associated with this proposal.

SUSTAINABILITY IMPLICATIONS

Environment

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

Economic

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

Social

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



FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Gray & Lewis Landuse Planners for advice.

VOTING REQUIREMENTS

Simple Majority

Consultant Planner's Recommendation

That Council:

1. Approve the application lodged by Co-Operative Bulk Handling (CBH) for a Rural Industry (4 bulkheads and ancillary development) on Lot 17 Playle Road, Williams subject to the following conditions:
 - (i) The operation is to be conducted in accordance with a Dust Management Plan to be lodged to the Shire for separate written approval by the Shire Chief Executive Officer.
 - (ii) All development shall generally be in accordance with the plans submitted unless otherwise approved in writing by the Chief Executive Officer.
 - (iii) All truck and heavy vehicular access (ingress and egress) associated with the Rural Industry shall be in accordance with the approved plans.
 - (iv) The internal access road within Lot 17 shall be constructed to a trafficable standard to accommodate truck movements in accordance with the approved plans.
 - (v) The development approved is to substantially commence within 2 years after the date of the planning consent issued in writing by the Shire. The approval lapses if the development is not substantially commenced before expiry of the nominated two year period.
2. The following footnotes to be included as advice to the applicant:
 - (a) The applicant be advised a planning consent is not an approval to commence any site works or construction. A building permit must be obtained for all works.
 - (b) In regards to Condition (i) the Shire acknowledges that CBH has an existing Dust Management Plan and minor revisions will ensure it is updated and reflects this project.
3. Authorise the Shire Chief Executive Officer to advise Main Roads of the proposed development.

Council Resolution

Cavanagh/Paterson

That Council:

1. Approve the application lodged by Co-Operative Bulk Handling (CBH) for a Rural Industry (4 bulkheads and ancillary development) on Lot 17 Playle Road, Williams subject to the following conditions:
 - (i) The operation is to be conducted in accordance with a Dust Management Plan to be lodged to the Shire for separate written approval by the Shire Chief Executive Officer.



- (ii) All development shall generally be in accordance with the plans submitted unless otherwise approved in writing by the Chief Executive Officer.
 - (iii) All truck and heavy vehicular access (ingress and egress) associated with the Rural Industry shall be in accordance with the approved plans.
 - (iv) The internal access road within Lot 17 shall be constructed to a trafficable standard to accommodate truck movements in accordance with the approved plans.
 - (v) The development approved is to substantially commence within 2 years after the date of the planning consent issued in writing by the Shire. The approval lapses if the development is not substantially commenced before expiry of the nominated two year period.
2. The following footnotes to be included as advice to the applicant:
- (a) The applicant be advised a planning consent is not an approval to commence any site works or construction. A building permit must be obtained for all works.
 - (b) In regards to Condition (i) the Shire acknowledges that CBH has an existing Dust Management Plan and minor revisions will ensure it is updated and reflects this project.
3. Authorise the Shire Chief Executive Officer to advise Main Roads of the proposed development.

Carried 5/0
Resolution 209/17

Cr Carne and Cr Earnshaw returned to the meeting at 5.26pm.



Cr Jarrad Logie declared a proximity interest as a property owner adjacent to the proposed development and left the meeting at 5.27pm.

8.4.3 PROPOSED AGRICULTURAL KNIFE POINT REPAIR BUSINESS, LOT 441 MARJIDIN WAY, WILLIAMS – REQUEST FOR CHANGE TO PLANNING CONDITIONS

File Reference	10.60.15
Statutory Reference	Shire of Williams Town Planning Scheme No.2
Author & Date	Geoff McKeown 10 th May 2017
Attachment	Nil

Background

In October 2016 Council considered a planning application for a proposed agricultural knife point repair business to be established on Lot 441 Marjidin Way, Williams.

The approval granted at the time resulted from the following Council resolution:

Cavanagh/Medlen

That Council:

1. *Determine that the proposed ‘motor vehicle repair’ use may be consistent with the objectives and purpose of the Industrial zone and thereafter follow the advertising procedures of Clause 2.6 in considering the application for planning consent.*
2. *Note that advertising has commenced and closes on the 25 October 2016.*
3. *Authorise the Chief Executive Officer to advise the applicant that the proposal to develop and operate a business from Lot 441 (No 3) Marjidin Way, Williams is generally supported however some aspects are required to be advertised under the Shire’s Town Planning Scheme. Advertising will close on the 25 October 2016.*
4. *In accordance with Regulation 82(1) and 82(2) of the Planning and Development (Local Planning Schemes) Regulations 2015 delegate authority to the Chief Executive Officer to:*
 - (a) *Determine if the ‘motor vehicle repair’ business meets the objectives of the Industrial zone after advertising.*
 - (b) *Determine the application lodged for a new building, general industry and motor vehicle repair business on Lot 441 (No 3) Marjidin Way, Williams (following the close of advertising).*
5. *Note that if any adverse valid submissions are received during advertising the application will not be determined under delegated authority and a further report will be referred to the November 2016 Ordinary Council Meeting.*

***Carried by Absolute Majority 8/0
Resolution 79/17***

As mentioned in the planning approval there was a period of public advertising that concluded after the date of the Council decision. It was confirmed by the Chief Executive Officer at the November 2016 Ordinary Meeting that no adverse valid submissions were received during the



advertising period and under delegated authority the planning approval was granted. In confirming the approval a number of conditions were placed on the development and communicated to the applicant. The conditions are listed below:

CONDITIONS - LOT 441 (NO 3) MARJIDIN WAY, WILLIAMS

1. Prior to the issue of a building permit, the applicant is lodge an amended site plan for separate written approval of the Chief Executive Officer that:
 - (i) Increases the width of the carpark area to the north of the proposed building from 10 metres to 11.5 metres to accommodate 90 degree 5.5 metre long carparking bays and a 6 metre reversing area; and
 - (ii) Includes a carparking layout for the area to the north of the proposed building with 7 x 90 degree carparking bays measuring a minimum of 2.5 metres wide and 5.5 metre length (for staff carparking).
 - (iii) Designates informal carparking areas to the rear or southern side of the building for the parking of any customer cars associated with any 'motor vehicle repairs'.
 - (iv) Includes a 5 metre wide landscaping area.
2. The amended site plan required by Condition 1 shall form part of this planning approval. All development shall be in accordance with the approved plans.
3. The floor and elevation plans lodged with this application shall form part of this planning approval. All development shall be in accordance with the approved plans and the building shall be constructed out of colourbond materials.
4. All external walls must be constructed and finished out of non reflective colours and materials to the satisfaction of the Chief Executive Officer.
5. The proposed parking bays to the north of the building shall be clearly marked as 'staff parking'.
6. All vehicle parking, loading, manoeuvring and vehicle circulation areas shall be designed, constructed (bitumen or concrete), sealed, and line marked in accordance with the amended site plan approved separately in accordance with Condition 1.

The areas must be constructed in bitumen or concrete within 2 years from the date of this approval. The areas shall be made trafficable with compacted gravel prior to occupation of the building until they are constructed/sealed within the stipulated two year period.

7. All vehicle parking, loading, manoeuvring and vehicle circulation areas shall be maintained to the satisfaction of the Chief Executive Officer. If not so maintained, the Chief Executive Officer may require by notice, in writing that the area be brought up to a satisfactory standard within a specified period of time and the notice shall be complied with within that period. Without limitation, the notice may require that car bays be relined, pot holes be repaired, damaged kerbs be replaced and degraded access or parking areas be resurfaced.
8. No loading or unloading of vehicles is to occur that interferes with the parking of vehicles in the car park to the north of the building for employees.
9. The loading area in front of the proposed building is to be kept free for use of customers dropping off and/or picking up goods (associated with the general industry).
10. All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All



drainage to be fully contained within the property boundaries with no water discharge into adjacent land or road reserve unless otherwise approved in writing by the Chief Executive Officer.

11. No storage shall be carried in the front setback area (between the front building line and the street frontage). All storage to occur within the building or to the rear of the building (including drums of scrap metal).
12. This approval is issued based on a proposed landuse of 'general industry' and 'motor vehicle repair'.
13. The owner / applicant to construct two crossovers within 6 months from the date of this planning consent or an alternative time period approved separately by the Shire Chief Executive Officer in writing.
14. The owner / applicant to lodge a landscaping proposal for separate written approval by the Chief Executive Officer. Landscaping is to be provided in the area adjacent to the loading bay (around the leach drain) and show the species, quantity and all plant types to be planted. The landscaping area shall have a minimum width of 5 metres.
15. Landscaping shall be installed in accordance with a plan approved by the Shire within 6 months from completion of the development or an alternative time period approved separately by the Shire in writing.
16. All landscaping is to be maintained to the satisfaction of the local government.
17. A non-trafficable area for effluent disposal shall be provided.

FOOTNOTES:

- (i) The applicant is advised that the Shires Town Planning Scheme requires a 5 metre wide landscaping area.
- (ii) In regards to Condition 4, no zincume or reflective colours should be used (such as white). Please be advised you can liaise with the Shire regarding colour selection prior to construction.
- (iii) The Shire supports the use of compacted gravel as an interim measure for access, carparking and loading areas. Ultimately the Shire requires those areas to be constructed out of bitumen or concrete however is willing to give you 2 years to undertake the works.
- (iv) Please be advised that Lot 441 is located in a designated bushfire prone area. There are higher constructions standards that can be applied to habitable buildings in designated bushfire prone areas under Australian Standard AS3959. Please be advised that whilst it is optional you can build to a higher construction standard if you choose to.

Comment

The applicants, Alex and Sheree Watt, have requested that the Shire agree to a relaxation of some of the conditions attached to their planning approval. In an email received on the 7th May 2016 they have made the following request:



“We are writing to you to take these proposals to council on our behalf.

Since starting the whole process in building a shed on the industrial land we purchased we have had an unforeseen obstacle get in the way. The bank has had the block and shed valued as if it was fully built at only \$180,000. It is going to cost us a lot more than that to build and finish everything off as it should be, about \$350,000. So as you can see with this problem we are thinking is it really worth building in Williams if it’s going to be valued at so little when it’s finished.

With some costs being a lot higher than we budgeted they would be, we are asking if the shire could relax a few of their conditions and help with the land fill so that we can bring the costs down.

The earth works is a major cost as these blocks are situated so low and they need a massive amount of fill to bring them up to the correct level. In some parts on our block we have to put in 1.2m of gravel to make it level. The shire would be aware of how much fill is required as they have recently filled and levelled their own block where Landmark is situated. We are asking if the shire would be willing to supply, cart and level the gravel on our block to make this a viable build. If we were to build in Wagin on the Land Corp industrial blocks it would be a far more attractive proposition as these blocks are situated right in town alongside other existing businesses and will require far less land fill, bringing down the cost. Their initial selling price per square meter is on par with the Williams blocks. This puts the Williams blocks at a major disadvantage due to the extra fill needed. It’s basically pushing the price of the Williams blocks up to \$100,000+ just to make them buildable. For us to complete the fill on our block we are estimating it to cost us more than we paid for the block at about \$60,000 plus.

Alex went to the shire when these blocks were in the planning stages and strongly argued that they should be put up closer to the highway for two reasons. One because it wasn’t low lying and two it would be better for business being able to be seen from the highway. This is William’s strongest drawcard, the Albany Highway. But the blocks are now some 700m off the highway barely recognisable as to what they are from the highway. Even now people are still asking in town where Landmark is situated. We would have built some years ago had we been able to get a block up on the highway. But we have now realised we have no other option if we are to build in Williams. We know that this is a major sticking point for people wanting to buy and build on these blocks in Williams.

We ask the shire if they could gain the permission required from Main Roads etc for an area along the highway both North and South of town and the Narrogin Road dedicated for signage. We are willing to put our own signage in but need a dedicated area for this. This would also be for the other businesses in the industrial area, and could also be used to promote the Williams Light Industrial area itself.

We would also like the conditions with car parks changed. We are not a business that needs a signed parking area as we don’t have people coming and going from our shed all day. We believe we should be able to park our vehicles wherever we wish. We are not in the city we are in the middle of nowhere out of the main town area, the rules shouldn’t have to be the same for all.



In regards to the bitumen areas we have been told need to be complete within 2 years, we would like this to be changed as we don't believe we will be in the position to do this so quickly. It shouldn't be a condition as it just makes it harder for anyone building on these blocks pushing the price up even more. Other Industrial/Commercial blocks in town are operating without a bitumen parking area, or dedicated visitor parking. As for the control of storm water this can be achieved with a gravel surface.

As for the BAL assessment, we don't understand why this needs to be done for every new building approval as the area surrounding each assessment has to be taken into account anyway as it also forms part of the overall fire risk. With the shire recently building their premises the assessment for that would or should have also covered ours and others as well. One BAL assessment should be all that is required to cover these 5 or 6 industrial blocks. Otherwise to us it just seems like another money making venture hitting each one individually.

Can you also please confirm with us the regulation regarding the size of the disabled toilet and what type of septic system is required? The septic system will only need to be minimal as majority of the time we will only have 2-3 people in the shed and maybe 5-6 in the busy season. We don't want or need this to be another cost escalation.

With our valuation coming in so low on our fully built shed, we ask that you consider our proposals as we already will have to outlay extra money for a disabled toilet (that we don't need as we can't employ someone in a wheel chair), also colour bond finish to the shed and the BAL assessment. If we can't get help or anything changed we are seriously going to have to re-look at everything and maybe relocate somewhere that is going to give us a more cost effective build and better value for our block once finished.

Thankyou

Kind Regards, Alex & Sheree Watt

A summary of the items included in their request follows, along with comment on their reference to the planning conditions imposed.

Summary of Request	Planning Condition	Comment
Seeking support from the Shire to supply and cart material, sufficient to level the block.	The areas shall be made trafficable with compacted gravel prior to occupation of the building.	The estimate for fill required to bring the minimum area required to level is 1,505m ³ . To fill the entire block to level is estimated at 3,189m ³ .
Seek permission from Main Roads for an area on the Albany Highway to advertise the businesses in the industrial area.	No part of the planning approval.	This is not an issue considered with the original planning approval and can be considered separately.
Remove the condition requiring dedicated and signed carparking.	Designate 7 x staff carparking bays and informal carparking areas for customers.	Development controls in the Town Planning Scheme state that Council can vary the number of carparking bays if the landowner can demonstrate there is not the demand.



Remove the condition requiring areas to be bitumen sealed.	Vehicle parking, loading, manoeuvring and vehicle circulation areas to be constructed in bitumen or concrete within 2 years from the date of this approval.	It is preferable that a uniform standard be applied to ensure the amenity of the area is maintained. An extension of time and matching the extent of seal on the neighbouring property can be considered.
Questioning why a BAL assessment was not completed for all the blocks in the industrial estate.	A BAL assessment will be required when a building permit is submitted if the lot is located in a designated bushfire prone area.	The requirement for a BAL assessment is not within the power of local government to vary. The latest review of bush fire prone areas does not include this lot.
Requirement for disabled accessible toilet	A disabled accessible toilet is a requirement of the Building Code of Australia.	The Building Code of Australia requires provision of a disabled accessible toilet. As a toilet needs to be installed, the additional cost to make it disabled accessible not significant.
Requirement for colorbond finish.	The building shall be constructed out of colorbond materials.	The Town Planning Scheme does not permit zincalume or reflective material. Council has discretion to vary the Scheme where it considers that requiring the materials to be non-reflective may result in 'undue hardship' or 'be contrary to the interests of the area'.

Financial implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Confirms that it will not require the whole of Lot 441 Marjidin Way to be filled to level and will support the filling only for the buildings, vehicle parking, loading, manoeuvring and vehicle circulation areas;
2. Removes the requirement for seven (7) designated parking bays for staff and will support informal carparking areas for staff and customers;
3. Grants an extension to five (5) years for vehicle parking, loading, manoeuvring and vehicle circulation areas to be constructed with a bitumen or concrete seal; and
4. The extent of the area to be constructed in bitumen or concrete referred to in Point 3 is to match the area sealed on the adjacent Lot 440 to ensure the amenity of the area is maintained.



Council Resolution

Cavanagh/Paterson

That Council:

1. Confirms that it will not require the whole of Lot 441 Marjidin Way to be filled to level and will support the filling only for the buildings, vehicle parking, loading, manoeuvring and vehicle circulation areas;
2. Removes the requirement for seven (7) designated parking bays for staff and will support informal carparking areas for staff and customers;
3. Grants an extension to five (5) years for vehicle parking, loading, manoeuvring and vehicle circulation areas to be constructed with a bitumen or concrete seal; and
4. The extent of the area to be constructed in bitumen or concrete referred to in Point 3 is to match the area sealed on the adjacent Lot 440 to ensure the amenity of the area is maintained.

Carried 6/0
Resolution 210/17

Cr Logie returned to the meeting to 5.41pm.



8.4.4 WILLIAMS GATEWAY EXPO

File Reference	11.60.95	
Statutory Reference	Nil	
Author & Date	Geoff McKeown	11 th May 2017
Attachment	Nil	

Background

The Williams Gateway Expo Committee has written to the Shire seeking a contribution equivalent to value of the ground hire fees it paid for the conduct of this year's event.

Comment

In recent years the Williams Gateway Expo has been charged a ground hire fee for the event. This year the amount was \$482.75. The Shire has regularly donated the same amount back to the Committee as a contribution.

Financial Implications

There is a budget allocation in Area Promotion that can accommodate a donation of this amount.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council make a donation of \$482.75 to the Williams Gateway Expo Committee to assist with the cost of running the 2017 Williams Gateway Expo Event.

Council Resolution

Cavanagh/Major

That Council make a donation of \$482.75 to the Williams Gateway Expo Committee to assist with the cost of running the 2017 Williams Gateway Expo Event.

Carried 7/0
Resolution 211/17



Cr Jarrad Logie declared a proximity interest as a property owner adjacent to the property, the subject of this application, and left the meeting at 5.42pm.

8.4.5 DIVERSION OF STORMWATER FROM RAILWAY DAM

File Reference	10.30.20
Statutory Reference	Nil
Author & Date	Geoff McKeown 11 th May 2017
Attachment	Nil

Background

The Water Corporation is seeking the Shire's support in preventing uncontrolled overflow of the Shire's Railway Dam off Cemetery Road to private property below.

The Chief Executive Officer and Works Supervisor met with Mick Irving, Water Corporation – Regional Stakeholder Manager on the 3rd May 2017, where the proposal was outlined.

The Water Corporation is faced with a problem in that the Railway Dam is usually empty at this time of the year as water is drawn from it to reticulate the Town Oval and Hockey Field over summer. It is then able to fill it with treated wastewater during winter.

As a result of the large rainfall event in February, the dam has been filled with stormwater runoff.

Comment

In a follow up email the Water Corporation provided a summary of its plan that includes:

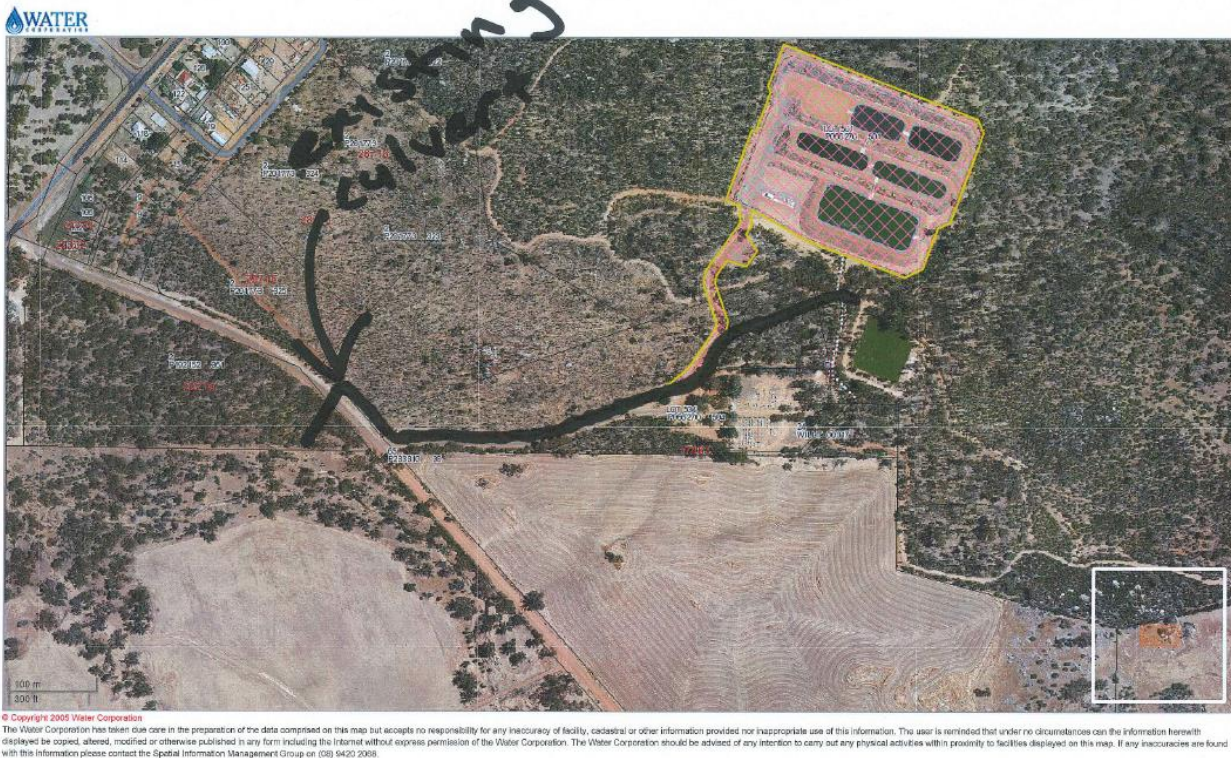
- Use bunding to prevent stormwater inflow to the dam, reducing the risk of uncontrolled overflow;
- Lay an above ground pipeline (approx. 750 metres X DN90mm Poly) adjacent to the existing track to the dam, and through the culvert on Glenfield Road, as indicated in the attached diagram; and
- Pump water from the dam into the drainage system within Reserve 192152, in order to provide storage capacity and prevent uncontrolled overflow.

It also provided supplementary information in support of its request, including:

- Water Corporation will liaise with Department Environment Regulation as a matter of diligence.
- The dam contains a significant volume of storm water from the catchment. Treated wastewater transferred to the dam has already undergone secondary treatment and disinfection prior to transfer. Sampling is undertaken to monitor water quality.
- If not pumped as planned, the water will eventuate in the creek system in the coming weeks via uncontrolled overflow, via private property.
- Water Corporation will contact the Shire's Works Supervisor directly to discuss specific details regarding bunding and pipe alignment (noting preference for alignment with fire break).
- Water Corporation will contact the three identified landowners of the planned works, prior to works commencement.



The following plan shows the proposed alignment of the above ground pipeline and crossing point on Glenfield Road.



— ONAPOPE pipeline

The Water Corporation is investigating options for an additional storage dam to replace or supplement the use of the Railway Dam. This project may be 3-5 years away and subject to the Water Corporation’s capital works priorities.

If the Railway Dam is returned to the Shire for its sole use in the future it is important that the drainage catchment is maintained. Therefore the installation of bunding to prevent stormwater inflow should be done in a way that can be reversed.

Financial Implications

The Water Corporation will undertake these works with no contribution from the Shire.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council support the initiative by the Water Corporation to install bunding to prevent stormwater inflow to the Railway Dam and proceed to drain the dam in the manner proposed, subject to ensuring the existing inflow drainage structures and channels are not impacted to a degree that prevent the reversal of the bunding. Further, the Water Corporation agree to meet the cost of the works including reversal of the bunding when required.



Council Resolution

Cavanagh/Major

That Council:

1. Supports the initiative by the Water Corporation to install bunding to prevent stormwater inflow to the Railway Dam, subject to ensuring the existing inflow drainage structures and channels are not impacted to a degree that prevent the reversal of the bunding.
2. Supports proceeding to drain the dam in the manner proposed.
3. The Water Corporation agreeing to meet the cost of the works including reversal of the bunding when required.
4. With the installation of the bunding, pipes be installed that can be opened as necessary to allow water to enter the dam.

**Carried 6/0
Resolution 212/17**

The resolution differed to the recommendation as Council wished to include that the installation of bunding be constructed with pipes so that they can be opened as necessary to allow water to enter the dam when required.

Council also wished to provide advice to the Water Corporation to consider investigating the option to cross Glenfield Road through a culvert east of the Cemetery Road entrance. This would provide a more defined entry to the creek system than where it is proposed to go. Council also requested that the Chief Executive Officer ask the Water Corporation to make test results available to the Shire in the event that a resident enquires about water quality.

Cr Logie returned to the meeting at 5.49pm.



8.4.6 USE OF THE COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY

File Reference	4.50.60
Statutory Reference	Sections 5.42 and 9.49A <i>Local Government 1995</i>
Author & Date	Geoff McKeown 11 th May 2017
Attachment	Nil

Background

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

Council approved the updated Delegations Register at the February 2017 Ordinary Council Meeting. The procedure associated with the register is to report to Council the activities or actions that have been performed under the delegated authority. A report will be completed for Council at each meeting that identifies: (1) use of the Common Seal, and (2) actions performed under the delegated authority requiring referral to Council as per the Shire of Williams Delegations Register.

Comment

Actions performed under delegation during the month of August 2016 are provided below:

- **Investment of Shire Monies – Delegation LGA4**

Delegation - The Chief Executive Officer has delegated authority, subject to Part 3 of the *Trustees Act 1962*, to invest money held in the municipal fund or the trust fund that is not, for the time being, required by the local government for any other purpose.

Action - The Chief Executive Officer approved a transfer of:

1. \$400,000 from the 4WDL Term Deposit to the 4WDL Cash at Bank Account to meet scheduled payments.
2. \$84,278.44 from the WA Treasury Corporation Overnight Cash Deposit Facility to the 4WDL Cash at Bank Account to close the account and receive the balance of funds from that account.

- **Common Seal – Delegation LGA7**

Delegation - The Chief Executive Officer has delegated authority to affix the common seal of the Shire of Williams to any document which requires the affixing of the common seal to be validly executed.

Action - The President and Chief Executive Officer affixed the common seal to a Transfer of Land document to facilitate the sale of 14 Adams Street, Williams in accordance with the *Transfer of Land Act 1893*.



- **Payment of Creditors – Delegation FMR1**

Delegation - Under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer is delegated to exercise the powers or discharge the duties of the Council under Regulation 12 of the *Local Government (Financial Management) Regulations 1996*, in regard to the making of payments from the municipal and trust funds.

Action - Payments from the Municipal Fund and Trust Fund as per financial report attached at 8.5.1 of this Agenda.

Financial Implications

Payments from the Municipal Fund and Trust Fund have been approved in the 2016/17 Annual Budget or by separate resolution of Council.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council accepts the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of April 2017.

Council Resolution

Earnshaw/Paterson

That Council accepts the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of April 2017.

**Carried 7/0
Resolution 213/17**



8.5 MANAGER OF FINANCE'S REPORT

8.5.1 ACCOUNTS FOR PAYMENT

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	10 th May 2017

Background

It is a requirement of the Local Government (Financial Management) Regulation 1996 to produce a list of payments made from Councils Municipal Fund and Trust Fund bank accounts to be presented to the Council in the following month.

Further, in accordance with the Delegation adopted by Council in December 2015 the Chief Executive Officer has the delegated authority to make payments from the Municipal Fund and Trust Fund. The Chief Executive Officer in exercising his authority is required to produce a list of accounts recorded in monthly Council meeting minutes.

Statutory Implications

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996 – REG 13

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

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

Comment

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

Financial Implications

As listed in the recommendation below.

Voting Requirements

Simple Majority

Officer's Recommendation

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104619 – 104625 totalling \$493,722.92 and SII Funding EFT payments totalling \$325,950.01 approved by the Chief Executive Officer to be endorsed.



Council Resolution

Paterson/Earnshaw

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104619 – 104625 totalling \$493,722.92 and SII Funding EFT payments totalling \$325,950.01 approved by the Chief Executive Officer to be endorsed.

**Carried 7/0
Resolution 214/17**

8.5.2 FINANCIAL STATEMENTS

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	10 th May 2017

Background

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

Statutory Implications

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

Comment

The monthly financial report and municipal bank reconciliation are separate attachments to this agenda.

Financial Implications

As disclosed in the financial statements.

Voting Requirements

Simple Majority

Officer's Recommendation

That the financial statements presented for the period ending 30 April 2017 be received.

Council Resolution

Earnshaw/Paterson

That the financial statements presented for the period ending 30 April 2017 be received.

**Carried 7/0
Resolution 215/17**



8.6 COUNCILLORS' REPORTS

Cr Cavanagh, as Chairperson of the Boddington Bauxite Community Liaison Committee, attended a meeting with the South32 Mine Manager in Boddington on the 26th April 2017.

Cr Cavanagh discussed and chaired the Boddington Bauxite Community Liaison Committee Meeting held on the 4th May 2017.

Cr Cavanagh discussed the Hotham Williams Economic Development Alliance (HWEDA) Meeting held at the Boddington Shire Council Chambers on the 9th May 2017.

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

10.1 ELECTED MEMBERS

10.2 OFFICERS

11.0 APPLICATION FOR LEAVE OF ABSENCE

12.0 INFORMATION SESSION

13.0 CLOSURE OF MEETING

There being no further business for discussion the President declared the meeting closed at 6.42pm.