

SHIRE OF WILLIAMS

MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 16TH NOVEMBER 2011

1.0 OPENING

1.1 DECLARATION OF OPENING

The President declared the meeting open at 1.00pm

1.2 ANNOUNCEMENT OF VISITORS

Nil

2.0 RECORD OF ATTENDANCE

2.1 PRESENT

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

Ryan Duff	Chief Executive Officer
Ian Ball	Deputy Chief Executive Officer
Heidi Cowcher	Community Development Officer (1.10pm – 1.23pm)
Tony Kett	Works Supervisor (1.54pm – 2.08pm)
Steve Friend	Environmental Health Officer/Building Surveyor (1.24pm – 1.53pm)

2.2 APOLOGIES

Cr Moya Carne, Cr Gilbert Medlen

3.0 PUBLIC QUESTION TIME

Nil

4.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

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

Major/Johnstone

That the minutes of the Ordinary Meeting held in the Council Chambers on Wednesday 19th October 2011 as circulated, be confirmed as a true and correct record of proceedings.

**Carried 7/0
Resolution 78/12**

6.2 BODDINGTON SUPER TOWN MEETING MINUTES

Earnshaw/Paterson

That the minutes of the Boddington Super Town Meeting held in Boddington on Tuesday 18th October 2011 as circulated, be received.

**Carried 7/0
Resolution 79/12**

6.2 4WD VROC MEETING MINUTES

Cavanagh/Earnshaw

That the minutes of the 4WD VROC Meeting held in Williams on Tuesday 8th November 2011 as circulated, be received.

**Carried 7/0
Resolution 80/12**

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 1.10pm to discuss her report.

8.1 COMMUNITY DEVELOPMENT OFFICER'S REPORT

8.1.1 Williams 'Day in a Shed' – Friday 17th February 2012

Jo Drayton is currently organising Williams' 'Day in a Shed' aimed at fostering and developing a sense of resiliency and strength for communities, families and self. She has run these seminars across the Wheatbelt successfully over the last 18 months. She has attracted significant funding for these events, which has enabled her to attract keynote speakers.

A planning meeting was held in August with a few key representatives from the community and council in attendance (an open invite was extended to some 50 people, as well as a generic public invitation, however only a handful of people attended).

Jo has finalised a speaker list and a draft program for consideration by Council.

An email was distributed to all Councillors and interested community members seeking input into the program and speakers. Some feedback was received and this was discussed with Jo, with the attached draft program (CDO Attachment 1) being submitted for consideration by Council.

Jo has funding that covers all costs involved with speakers, afternoon tea and light supper.

The bar for the sundowner can be organised through a local community group, sponsored by the Shire or sponsorship secured from other sources (to be identified)

For information

8.1.2 4WD/Lakes Regional Alliance Aged Housing Project – RDAF application

Round 2 of the Federal Government's Regional Development Australia Fund has recently been announced. The 4WD/Lakes Regional Alliance considered an application in Round 1 earlier this year, however decided to undertake further planning and development before considering a submission in the round proposed for late 2011.

At the 4WD/Lakes VROC meeting on 8th November, the group decided to submit an application to the next round. The committee will be applying for funding for 14 units over 4 years and 7 shires, totalling an investment request of \$5,023,646. The Shires involved include Williams, West Arthur, Wagin, Woodanilling, Dumbleyung, Lake Grace & Kent.

The process involves an initial Expression of Interest to be sent to the RDA Wheatbelt and RDA Great Southern (as this project involves shires in both regions). EOIs close 1st December 2011. Advice on success on EOI process will be advised 11th January 2012. Three projects from each region will be selected to progress to full application. Formal applications are to be submitted to the Department of Regional Australia, Regional Development and Local Government by 15th February 2012.

The Shire of Williams is the Lead Agency for all funding submissions related to the 4WD/Lakes Regional Alliance, and is therefore considered the applicant. The Shire manages all funding and reporting requirements on behalf of the regional alliance.

Recommendation:

That Council endorses an application from the Shire of Williams on behalf of the 4WD/Lakes Regional Alliance to the Regional Development Australia Fund (Round 2) to construct 14 dedicated aged persons units across 7 shires totaling \$5,023,646.

Johnstone/Cavanagh

That Council endorses an application from the Shire of Williams on behalf of the 4WD/Lakes Regional Alliance to the Regional Development Australia Fund (Round 2) to construct 14 dedicated aged persons units across 7 shires totaling \$5,023,646.

**Carried 7/0
Resolution 81/12**

8.1.3 Playgroup & Toy Library

Williams Playgroup & Williams Toy Library approached the Williams Arts & Crafts Committee seeking permission to utilise the Arts & Crafts buildings for playgroup and toy library.

Advice has been received that this proposal has been accepted, and details on the arrangement are currently being finalised.

For information

8.1.4 Co-Opera 'Marriage of Figaro'

The Shire hosted Co-Opera's Marriage of Figaro on Saturday 29th October 2011. Unfortunately the event fell on the long weekend due to CHOGM, so this affected the numbers of attendees. The event attracted 95 patrons.

Council has supported the event using Dry Seasons Assistance Scheme funding, so the event was subsidised. All funds raised through ticket sales can be put to a community event in 2012 (yet to be decided).

Patrons in attendance were very appreciative of the Shire's support for this event to be held in our community. Those who I spoke to who were unable to attend, but had attended last year, were particularly disappointed that they had other commitments, especially given the calibre of the performance and performers.

Appreciation is extended to the Williams Repertory Club for the loan of glasses, candle votives, carafes, table number holders and the donation of napkins and disposable table cloths.

For information

8.1.5 2010 Dry Season Assistance Scheme Community Services Grant Acquittal

Following the unprecedented dry season experienced in 2010, the Liberal-National government approved a Community Services grant of \$20,000 to 100 local government areas affected by one of the driest winters on record.

The funding was to be expended on one or more community events in the Shire that help maintain community spirit and welfare. Up to 10% of the funding was permitted to be allocated to reasonable administrative costs associated with organising these events.

Council has expended the funding on the following:

Item	Total cost (excl GST)	Date of event
Williams Gateway Expo – Fireworks	\$2500.00	9 th April 2011
Free Family Concert – FabFour	\$6600.00	26 th March 2011
Free Family Concert – Rosie-O	\$2163.64	26 th March 2011
Free Family Concert – Food/Drinks	\$181.90	26 th March 2011
Free Family Concert – Glowsticks	\$20.00 (no GST)	26 th March 2011
Free Family Concert – advertising	\$75.00 (no GST)	26 th March 2011
Free Family Concert – Alex Watt	\$450.00	26 th March 2011
Quindanning Picnic Races – Security	\$1120.00	23 rd April 2011
Co-Opera – Marriage of Figaro	\$580.00	29 th October 2011
Administration & incidentals	\$1089.46	
TOTAL EXPENDED	\$20,000.00	30 th November 2011

An acquittal report detailing the expenditure is due with the Department by 14th February 2012.

For information

8.1.6 Marketing update

The Williams map as distributed via the Williams Visitor Centre, was previously organised through Heather Rose at the Woolshed. As the stocks had run out, the Williams Community Resource Centre discussed with

the Shire about coordinating a new map, to be distributed via the Visitor centre network, as well as through the New Resident Information package.

The Williams CRC staff designed the map (as enclosed in the Shire agenda pack), and sought sponsors from around Williams and beyond. The final map has now been printed and distributed.

Credit to the staff at the Williams CRC for an excellent job on the design of the map, as well as seeking considerable sponsorship from local and surrounding businesses.

For information

Earnshaw/Paterson

That the Community Development Officer's report be received

**Carried 7/0
Resolution 82/12**

Ms Cowcher left the meeting at 1.23pm

Works Supervisor Tony Kett attended the meeting at 1.54pm to discuss his report.

8.2 WORKS SUPERVISOR'S REPORT

8.2.1 Maintenance Grading

Road Name	Length Graded (kms)
Darkan-Quindanning Road	7.5
Zilko Road	19.1
Pingelly Road	8.1
Congelin-Narrogin Road	6.1
Hammond Road	0.8
Martin Road	3.8
Folland Road	2.9
Bates Road	3.2
Westmere Road	5.1
Total Length Graded	56.6

A Summary of the Grading Program from December 2010 to November 2011 is attached at **APPENDIX 1**.

8.2.2 Road Maintenance Works

- Tree clearing Westmere Road, finished 4.9km
- Quindanning-Darkan Road, repaired storm damage
- Shoulders widened Pingelly / York-Williams Road intersection

8.2.3 Upcoming Works & Items on Road Construction Program

Road Name (Road Length)	Description of Work	Start SLK	End SLK	Total	Status	Comment
Darkan Quindanning (30.3km)	Reconstruct, widen and seal to 7m	4.80	7.80	3		

Hurley Rd (13.82km)	Clear, widen & gravel sheet to 9m	6.82	9.32	2.50		
Culbin Boraning (19.31km)	Clear, widen & gravel sheet to 9m	4.50	6.50	2.00		
Tarwonga- Dardadine Rd (21.50km)	Clear, widen & gravel sheet to 9m	0.00	4.50	4.50		
Growse/Richardson Streets	Footpath - \$28.5k grant / \$28.5k Council					
Glenfield Rd	Culvert extension					
Fry Street	Re-seal	0.00	1.00	1.00		

8.2.4 Mechanical Report

Plant Description		Driver	Date Purchased	Hours/Kms June 2011	Works Completed this month
Ford FG G6E Sedan	Light Vehicles	Ryan Duff	1-Jul-09	6,000	
Ford BF Mark II Falcon XR 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	Serviced
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		21-Oct-04	200	
Case Vibromax Roller			29-Sep-04	2,573hr	Re-gassed air conditioner, fitted new fire extinguisher and bracket
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	2 new batteries, new water pump
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	New alternator
Toro Reelmaster SP mower	Parks & Gardens	Aaron Goulden	Aug-09	229hr	
Toro Z597 Ride on Mower		Jeff Cowan	1-Oct-06	710hr	Fixed oil leak
Toro Z400 Kholer Ride on Mower		Jeff Cowan	8-Aug-05	459hr	
Honda TRX Four Wheel M/Cycle	Trucks & Trailers	Jeff Cowan	20-Mar-00	6,288hr	
Toyota DA115 Tip Truck (Water Truck)			24-Aug-94	232,556m	
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	Fixed oil leak, new battery terminal
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		

8.2.5 Staff

Steven Stewart started.

8.2.6 Town and Facilities Report

- Removed old cricket pitches
- Carted wood chips various places around town
- Spread sand on hockey oval

8.2.7 Private Works

- Grading for A Bulleid
- Slashed blocks around town

Paterson/Logie

That the Works Supervisor's report be received.

**Carried 7/0
Resolution 83/12**

Report Reference:	8.2.8
Subject:	Purchase of new Motor Grader
File Reference:	12.37.00
Statutory Reference:	<i>Local Government Act 1995 s3.57 and Division 2 of the Local Government (Functions & General) Regulations 1996</i>
Author & Date:	R.N Duff 11 th November 2011

Background:

Council provided funds in the 2011/12 Budget for the purchase of a new Motor Grader. The item had previously been identified in Council's long term plant replacement program. The new Grader will replace the CAT 12H purchased in 2003 which has currently done 8,500 hours.

During the months of September and October this year the Plant Committee and Grader Operators had demonstrations of Volvo, Komatsu, John Deere and CAT Graders. The Leading Hand's report of these Graders was presented at the last Council meeting.

Comment:

In accordance with the WALGA heavy Equipment Preferred Supplier agreement the following Companies were asked for a quotation on the specifications requested:

- WesTrac Pty Ltd – CAT Grader
- Hitachi Construction Machinery (Australia) Pty Ltd – John Deere Grader
- Komatsu Australia Pty Ltd – Komatsu Grader
- CJD Equipment – Volvo Grader
- BT Equipment – Mitsubishi Grader

Financial Implications:

The 2011/12 Budget allows for the Purchase of a new grader with a trade in allowance for the CAT 12H Grader.

Purchase of a New Grader	\$340,000
Less Trade – CAT 12H	\$100,000
Net (ex GST)	\$240,000

The following is a summary of the Quotations received:

Tenderer	Make	Model	Cost (Ex GST)	Trade	Net After Trade
Budget			\$ 340,000	\$100,000	\$ 240,000
Komatsu	Komatsu	GD555_5	\$ 318,400	\$106,000	\$ 212,400
Westrac	CAT	12MQ	\$ 320,000	\$115,000	\$ 205,000
Hitachi	John Deere	670GP	\$ 334,900	\$125,000	\$ 209,900
CJD Equipment	Volvo	G940	\$ 338,750	\$105,000	\$ 233,750

Further analysis will be undertaken by the Plant Committee prior to a recommendation being made.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council consider the Plant Committee recommendation and purchase a new Motor Grader

Earnshaw/Paterson

That Council accept the quotation from Westrac for the supply of a Caterpillar 12MQ Grader as follows:

Caterpillar 12MQ Grader	320,000.00
Less Trade Caterpillar 12h Grader	115,000.00
Net Changeover	\$205,000.00

**Carried 7/0
Resolution 84/12**

Mr Kett left the meeting at 2.08pm

Environmental Health Officer/Building Surveyor Steve Friend attended the meeting at 1.24pm to discuss his report.

8.3 ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR'S REPORT

8.3.1 Building Permits

291 Prices Erections Lot 42 New St, Williams Colorbond shed

Earnshaw/Paterson

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

**Carried 7/0
Resolution 85/12**

8.3.2 Development Application

BACKGROUND

The owners of Lot 13316 Pinjarra Williams Road have applied to erect a 20m x 12m x 5m high zincalume clad shed on the property.

The shed will be enclosed on three sides with the "open" side being able to be enclosed completely with three sliding doors.

I don't have an accurate site diagram of the shed's proposed location however it is intended to erect it to the rear right hand corner of the block and the existing house.

The lot in question is zoned Rural residential and is 1.69 hectares in area.

Due to the zoning, the approval of Council is required for all development, including this shed.

COMMENT

This is a largish shed (24m²) if used for "private" purposes. However the applicants do run a business that uses a grader, excavator and trucks and the shed will be used to house these vehicles and be used for the maintenance of them.

The same vehicles have on occasions been parked on the property, although obviously not within a shed.

Ordinarily the use of the land for an "earthmoving" business would be discouraged in a Rural Residential zone, however in this case maybe there could be a case why it could happen.

The property is bordered by Albany Highway and the Pinjarra Williams Road where they intersect so it is already a busy corner with traffic at all hours of the day and night. On the other side of Albany Highway is a service station and some Industrial zoned lots (with several Residential lots in between).

Across the road on the Pinjarra Williams road is zoned Public Purposes. This land contains the sporting fields, swimming pool and tennis courts. There are no residences here.

Therefore the interference to residential living will be minimal or non existent.

There has been a residential subdivision approved to the immediate west of the property in question with the zoning "R 10 which means there could, in time, be a number of houses on 1000m² lots.

However, as there has been no action on the development of the property (subdivision) yet, there maybe a case of buyer beware when this finally happens. Anyone buying a lot to the rear of the proposed shed will see the shed and make a decision on whether to purchase based on that.

One of the considerations with this matter is the "use" of the building. Could it be considered a private garage, in which case there is probably no more consideration.

Or does the use fall into the Zoning Table or is close to a use in the Zoning Table.

The Zoning Table in the Town Planning Scheme (TPS) (Table 1) has a list of 30 land uses and against that is a symbol indicating whether the use is permitted in a particular zone (Attachment 3).

The symbol "P" indicates the use is a permitted use, "AA" means that the Council may, at its discretion, permit the use and "X" means a use is not permitted.

TABLE 1
ZONING TABLE

		RESIDENTIAL	RURAL RESIDENTIAL	COMMERCIAL	INDUSTRIAL	RURAL
1	abattoir	X	X	X	X	X
2	aged or dependent persons dwelling	AA	X	X	X	X
3	caretaker's dwelling	X	AA	AA	AA	AA
4	civic building	X	X	P	X	X
5	club premises	X	X	AA	X	AA
6	consulting rooms	AA	X	P	X	X
7	education establishment	X	X	X	X	AA
8	fuel depot	X	X	X	AA	AA
9	grouped dwelling	P	X	X	X	AA
10	holiday cabins or chalets	X	X	X	X	AA
11	home occupation	AA	AA	X	X	AA
12	hotel	X	X	AA	X	X
13	industry - cottage	AA	AA	X	AA	AA
14	industry - extractive	X	X	X	AA	AA
15	industry - general	X	X	X	AA	X
16	industry - light	X	X	X	P	X
17	industry - noxious	X	X	X	X	AA
18	industry - rural	X	X	X	X	AA
19	motel	X	X	AA	X	X
20	office	X	X	P	AA	AA
21	public recreation	P	P	P	P	AA
22	public utility	AA	AA	AA	AA	AA
23	public worship - place of	AA	X	AA	X	AA
24	residential building	AA	X	X	X	X
25	restaurant	X	X	P	X	AA
26	rural pursuit	X	AA	X	X	P
27	service station	X	X	AA	AA	AA
28	shop	X	X	P	X	X
29	single house	P	P	AA	X	P
30	transport depot	X	X	X	P	AA

Clause 4.3.2 of the TPS states

If the use of the land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use categories the Council may:

- (1) determine the use is not consistent with the objectives and purposes of the particular zone and is therefore not permitted, or*
- (2) determine by absolute majority that the proposed use may be consistent with the objectives and purpose of the zone and therefore follow the advertising procedures of Clause 2.6 in considering an application for planning consent.*

Part 2.6 of the TPS gives the options for advertising, ie

- Require the applicant to place a sign of not less than 1m² advertising the proposed development on the site
- Advertise the development in a newspaper circulating locally, for two successive weeks or
- Notify in writing adjoining owners and all parties in the vicinity that are likely to be affected by the development.

The closest use that I could find in the Zoning Table is *Transport depot* “means land and buildings used for the garaging of motor vehicles used or intended to be used for carrying goods or persons for hire or reward or for any consideration, or for the transfer of goods or persons from one such motor vehicle to another of such motor vehicle and includes maintenance, management and repair of the vehicles used, but not of other vehicles”

If advertised, this would give the owner of the property to the rear (with the subdivision approval) a chance to comment.

Due to the location of the property and the amount of traffic and noise that could be experienced there already, it could be assumed that the additional use generated by the addition of the shed will make no difference.

It could also tidy up things by having the shed housing machinery and materials that have already been used on the property.

FOR COUNCIL CONSIDERATION

Cavanagh/Logie

That development approval be granted to erect a 20m X 12m X 5m shed on Lot 13316 Pinjarra-Williams Road subject to the following:

- The Proposal being advertised locally for the statutory period
- The shed being constructed of colorbond steel
- The shed being sited a minimum of 5m from the rear and western boundaries of the lot

**Carried 7/0
Resolution 86/12**

Paterson/Earnshaw

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

**Carried 7/0
Resolution 87/12**

8.4 CHIEF EXECUTIVE OFFICER'S REPORT

Report Reference:	8.4.1
Subject:	Council Christmas Party
File Reference:	4.11.00
Statutory Reference:	N/A
Author & Date:	R.N. Duff 8 th November 2011

Background:

The outside works crew will be breaking up for holidays on Thursday 22nd December 2011. With the Council meeting being held on Wednesday 21st December 2011, it is suggested that the annual Christmas break up party be held at the Williams District Club on Thursday evening, 22nd December 2011.

Comment:

Office hours – Christmas/New Year Period
Tuesday 27th December 201 – Christmas Day Public Holiday – Office Closed
Monday 26th December 2011 – Boxing Day Public Holiday – Office Closed
28th, 29th & 30th December 2011 – Office Open
Monday 2nd January 2012 – New Years Day Public Holiday – Office Closed

The Works Crew will be on leave from the 22nd December 2011 to the 9th January 2012.

Financial Implications:

Allowance made for the Christmas Party in the 2011/12 Budget.

Voting Requirements:

Simple Majority

Recommendation:

That Council holds the annual Councillors and Staff Christmas Party at the Williams District Club on Thursday 22nd December 2011.

Major/Logie

That Council hold the annual Councillors and Staff Christmas Party at the Williams District Club on Thursday 22nd December 2011.

**Carried 7/0
Resolution 88/12**

Report Reference:	8.4.2
Subject:	Country Local Government Fund - Forward Capital Works Plan
File Reference:	4.50.25
Statutory Reference:	N/A
Author & Date:	RN Duff 10 th November 2011

Background:

CLGF for Individual Country Local Governments (2011-12)

CLGF provides the country local government sector with additional money for the purpose of infrastructure provision and renewal.

The focus of funding in 2011-12 is to continue the delivery of projects identified in each eligible country local government's forward capital works plan (FCWP).

For 2011-12 each eligible individual country local government allocation is 50 percent of the total allocated CLGF budget, as shown on the Royalties for Regions website. However, all allocations are subject to meeting the requirements specified in these guidelines.

Application Deadline

Individual local governments should revise their FCWP. The required documentation must be submitted between 30 October and 30 December 2011 to RDL who will assess projects against the CLGF guidelines.

Failure to meet the 30 December 2011 deadline may result in a local government being excluded from 2011-12 funding and their 2011-12 notional allocation being re-distributed to other eligible recipients.

In 2011-12 The Shire of Williams is allocated \$260,104 from the Country Local Government Fund.

Comment:

In December 2010 Council adopted the Forward Capital Works Plan (FCWP) which identified planned project expenditure. The Schedule of expenditure is attached at **APPENDIX 2**.

Councillors will note item 8.4.3 in the Agenda which will discuss the proposed Industrial Subdivision. This item directly affects the FCWP because Landcorp will in all likelihood be undertaking the development on Council's behalf. It is also likely that any Council expenditure on the Industrial Development would be in 2012-2013.

Sport & Recreation Plan

The Shire of Williams recently adopted the Active Recreation Facilities Needs Analysis and & Feasibility Study. This document indicated certain upgrades to recreation facilities within the Shire. Recreation upgrades have been addressed in the FCWP with allocations in 2012-2013. It is now recommended, subject to certain details being finalised, that the Country Local Government Funds for 2012-2013 be allocated to Recreations Upgrades.

The Recreation Plan allowed for Short Term works as follows:

1. Refurbish Bowling Club Pavilion
2. Internal link road to Bowling Club
3. Refurbish 3 x tennis courts and multi-mark
4. Refurbish tennis building to Multi-use
5. New Multi-use rectangular field
6. Formalised parking area
7. Re-surface Ram Shed floor for Netball/Basketball
8. Oval fence and reticulation upgrade

If Council agree to amend the FCWP then the Sporting Groups involved in the above would have to be consulted and arrangements put in place to plan the project.

November 2011 – Submit amended FCWP

December 2011 – Received 2011/12 CLGF allocation

February 2012 – Sporting Group Consultation

March 2012 - Submit CRSFF application to the Department of Sport and Recreation

September 2012 – CRSFF applications advised

October 2012 – Sport and Recreation works project commenced

November 2013 – CLGF allocation for 2011/12 must be acquitted.

Financial Implications:

The Sport and Recreation Plan indicates the following expenditure;

- | | | |
|----|--|-------------|
| 1. | Refurbish Bowling Club Pavilion | \$60,000 |
| 2. | Internal link road to Bowling Club | Unknown |
| 3. | Refurbish 3 x tennis courts and multi-mark | \$56,000 |
| 4. | Refurbish tennis building to Multi-use | \$60,000 |
| 5. | New Multi-use rectangular field | \$158,000 |
| 6. | Formalised parking area | Complete |
| 7. | Re-surface Ram Shed floor for Netball/Basketball | \$35,000 |
| 8. | Oval fence and reticulation upgrade | In progress |

Council will be consulted further as to which projects will proceed after consultation with the Sporting Clubs has been done.

Voting Requirements:

Simple Majority

Officers Recommendation:

That Council amend the adopted Forward Capital Works Program by swapping the 2011-12 CLGF allocation with the 2012-13 CLGF allocation.

Johnstone/Paterson

That Council amend the adopted Forward Capital Works Program by swapping the 2011-12 CLGF allocation with the 2012-13 CLGF allocation.

**Carried 7/0
Resolution 89/12**

Report Reference:	8.4.3
Subject:	Shire of Williams - Industrial Development
File Reference:	14.25.30
Statutory Reference:	Nil.
Author & Date:	RN Duff 10 th November 2011

Background:

The Shire of Williams had identified a shortage of land zoned for light industrial purposes within the Williams Townsite. As a result the Shire has made a decision to locate and acquire a suitable parcel of land for the development of a light industrial subdivision. Below is a brief timeline of events:

- February 2009 - Mr Ian Bolto from the Professionals in Katanning was engaged to carry out an assessment and valuation of two potential vacant light industrial areas. One of the sites identified is Williams Location 12070 owned by Mr DE Carter. The area assessed is approximately 32.4ha and is currently zoned “Rural” under the Williams Town Planning Scheme No.2.
- March 2009 - Council agreed to conduct a feasibility study to determine what would be a reasonable purchase price given that there would be substantial development costs involved.
- August 2009 – Concept Plan presented to Council and then sent away to a Quantity Surveyor for costing.
- The proposal is to subdivide and develop a portion of Location 12070 for Industrial purposes. A Draft subdivision guide plan has been prepared which consists of 38 lots varying in size from 3,780m² to 1.60ha at an average of 5,731m².
- March 2010 – Cost Estimate received from DWA Consulting Engineers.
- March 2010 - Council resolved to make a final offer of \$9,000 per hectare for the purchase of portion of Part Location 12070 subject to WA Planning Commission approval.
- 31st March 2010- Landholder agreed to sell portion of Location 12070 to the Shire of Williams.
- April 2010 – Environmental Study Completed by Land Assessment Pty Ltd.
- September 2010 – Town Planning Scheme Amendment No. 16 and Townsite Expansion Strategy adopted by Council.
- October 2010 – Council resolved to approach Landcorp to carryout the Industrial Development through the Regional Development Assistance Program.

Comment:

Letter received from Landcorp

“Local Regional Development Assistance Funding – Expression of Interest – Williams Industrial Project

I refer to your application, lodged on the 15 December 2011, for assistance under the 2100 Local RDAP submission round in support of the project to develop lots in Williams. I am pleased to inform you that your application has been prioritized to proceed to a state where the project will be “shovel ready” at the earliest opportunity.

This project prioritization was made on the understanding that the land required for the development will be acquired by the Shire of Williams, and the portion required for the staged development will be transferred free of charge to LandCorp.

For your reference the assessment of your application covered a wide range of matters. These included:

- *State or regional priority for the land to be developed;*
- *Regional planning and the priority placed on this town/project;*
- *Alternative project or projects that could be delivered by local government or the private sector;*
- *Need/demand for the land;*
- *Appropriateness of the zoning for the proposed use;*
- *Available infrastructure capacity available (e.g. power, sewerage, water);*
- *Need for significant infrastructure upgrades and whether these are planned/programmed;*
- *Alternative to undertaking a green field development of new land (e.g. redevelopment, infill); and*
- *General project feasibility costs.*

Consultation was also undertaken with all the key stakeholders including:

- *Contacting power, water, sewerage servicing agencies to confirm capacity and network availability/costs;*
- *Advice from the Departments of Local Government and Regional Development and Lands and from the relevant Regional Development Commission.*

LandCorp has committed the necessary resources to progress the project to a stage where it is fully documented, construction tenders can be called and construction can commence shortly thereafter. However, given the level of interest from Local Governments which was well in excess of that expected, LandCorp has sought additional funding from the State Government to implement the expanded Local RDAP program.

The outcomes of the submission to receive additional funding should be made known prior to the end of the current calendar year, and LandCorp is confident that a seamless progression into construction will eventuate. Should that application be unsuccessful, a review of the construction program will be required and I will be in contact with you at the earliest opportunity on the status of your project.

We congratulate your Shire on gaining approval for its project and look forward to working with you on this important local and regional initiative in the coming year."

Financial Implications:

In the Business Plan presented to Council the proposal was to develop 38 lots at a present day cost of \$4,260,630. Given the risk to Council the Landcorp option was preferred and the costs to the Shire of Williams significantly reduced. As it stands the Council has purchased the land and will provide this to Landcorp free of charge for each stage of the Industrial Development. There will still be some further negotiations with Landcorp on the final agreement but the Shire of Williams will no doubt benefit from this development in to the future.

Voting Requirements:

Simple Majority

Recommendation:

That Council accept the Landcorp offer to develop the Williams Industrial Estate subject to

1. Final details being worked out and agreed to by Council
2. Naming of the estate being considered
3. Council discussing with Landgate the possibility securing 1 block in stage 1 of the development

Cavanagh/Major

That Council accept the Landcorp offer to develop the Williams Industrial Estate subject to

1. Final details being worked out and agreed to by Council
2. Naming of the estate being considered
3. Council discussing with Landgate the possibility securing 1 block in stage 1 of the development

**Carried 7/0
Resolution 90/12**

Report Reference:	8.4.4
Subject:	Councillors Study Tour
File Reference:	4.1.30
Statutory Reference:	N/A
Author & Date:	R.N Duff 10th November 2011

Background:

It is common practice for Councillors and Senior Staff to undertake fact finding tours of other towns and local governments to get ideas and concepts from projects previously undertaken by that particular Council.

In March 2010 Councillors set out and inspect facilities such as:

- Industrial Subdivisions
- Recycling Transfer Stations
- Townscape Projects
- Sustainability Initiatives
- Halls and Civic Centres
- Other items suggested by Council

The tour took Council to various towns in the Southwest and was a great success.

Comment:

The purpose of this item is to gauge Council's interest in conducting another tour in March 2012. Areas of interest could as follows:

- Industrial Subdivisions
- Recycling Transfer Stations
- Townscape Projects
- Sustainability Initiatives
- Sport and Recreation Facilities
- Aged Housing Developments
- Health/Medical Centres

Financial Implications:

Bus Hire

1 – 2 Nights accommodation and meals for Councillors and Staff.

Voting Requirements:

Simple Majority

Recommendation:

For Council's consideration

Report Reference:	8.4.5
Subject:	Communications Tower
File Reference:	5.10.60
Statutory Reference:	Nil.
Author & Date:	R.N Duff 10 th November 2011

Background:

- In 1997 Council negotiated a lease (copy attached) for portion of Williams location 12026 (4,330m²) as a site for a Council emergency services communication tower. This site was identified as the most suitable, locality-wise for Council's and the Williams Bush Fires Brigade's radio network.
- The Shire of Williams is party to a taking order under the Land Administration Act 1997 on Lot 500 on DP 59026 owned by Mr. RN Petchell for the purposes of a Communications Tower Site and Access.

- The Taking Order was registered at the Office of Titles on the 11th May 2009.
- 3rd July 2009 - claim for compensation was received from Mr. Petchell's representative Ferguson Fforde Miller (FFM).
- The original claim submitted under s211 of the Land Administration Act 1997 was for \$200,000.
- Ferguson Fforde Miller then compiled a compensation assessment and amended the claim. The new claim for compensation was \$455,000
- December 2009 meeting of Council received a further valuation from Preston Rowe Paterson WA Pty Ltd. Council resolved to reject the valuation of \$225,500.
- 28th January 2010 - Shire President and CEO meet with the Minister for Emergency Services and representatives from WA Police and FESA.
- Mr. Petchell's representatives referred this matter to the State Administrative Tribunal (SAT).
- SAT Directions Hearing on the 29th January 2010.
- Mediation session on the 24th March 2010.
- SAT Hearing – 24th March 2010. No agreement with the applicant, although some dialogue was helpful in working a way forward to a suitable compromise on the compensation settlement. Further mediation has been set for the 28th April 2010.
- April 2010 - Police Valuation- Valuation from Independent Valuers of Western Australia \$140,000
- SAT Hearing – 28th April 2010. Amount agreed to by all parties subject to Western Australian Police and FESA accepting the amount and agreeing to fund the compensation amount. The final settlement is currently being progressed through a 'without prejudice' SAT mediation process' and therefore cannot be made public at this stage, but Councillors will be informed.
- SAT Mediation 24th May 2010.
- 1st July 2010 – Meeting with FESA and Police and an agreement reached on what their contribution to the compensation payment would be.
- SAT Mediation 7th July – Agreement that the Shire of Williams will present a formal compensation offer to Mr. Petchell no later than 27th July 2010.
- Special Council meeting 9th August – Council resolution to make an open offer of \$140,000 plus interest.
- The final SAT hearing was held on the 29th November 2010. Due to time constraints, both lawyers were not able to give closing argument and were instructed to submit written arguments to SAT. It is not expected to know the outcome of the hearing until some time in February 2011.
- The State Administrative Tribunal handed down its decision regarding compensation to Mr RN Petchell after the taking of portion of location 12026. The decision was dated 12th April 2011.
- July 2011 – SAT Decision handed down on compensation to be paid. The Tribunal's decision was that the land value component was \$100,000. Other matters were still to be negotiated by the parties.
- August 2011 – Deed of Settlement Signed. The content of the settlement deed, ie. total settled at \$220,000 plus interest (inclusive of the \$100,000 component already determined by Tribunal). The matter of legal costs was still to be determined.
- 26th October 2011 – Mr Petchell's claim for costs was at \$96,000+ with a final settlement of the costs claim at \$37,500.

Comment:

The matter appears to be coming to a conclusion with only a few matters such as fencing and access to be worked out.

Contact with the St John Ambulance, Police and FESA will be made with the view of seeking the agreed contribution from them.

Financial Implications:

Council can report to the community on:

- (a) the amount of the claim (ultimately \$632,212 plus interest and costs);
- (b) the Tribunal's decision that the land value component was \$100,000;

- (c) the content of the settlement deed, ie. total settled at \$220,000 plus interest (inclusive of the \$100,000 component already determined by Tribunal) - also Mr Petchell's appeal against the \$100,000 was withdrawn;
- (d) Mr Petchell's claim for costs at \$96,000+;
- (e) settlement of the costs claim at \$37,500.

None of the above matters are now confidential.

Voting Requirements:

Simple Majority

Recommendation:

That the Chief Executive Officer actively seek contributions from St John Ambulance, WA Police and FESA as agreed by the agencies and that user agreements are put in place for the continued use of the site as an emergency services communications tower.

Cavanagh/Major

That the Chief Executive Officer actively seeks contributions from St John Ambulance, WA Police and FESA as agreed by the agencies and that user agreements are put in place for the continued use of the site as an emergency services communications tower.

**Carried 7/0
Resolution 91/12**

Report Reference:	8.4.6
Subject:	Williams Primary School – Presentation Night Excellence Award
File Reference:	6.20.70
Statutory Reference:	N/A
Author & Date:	RN Duff 10 th November 2011

Background:

Letter received from Williams Primary School:

“In previous years the Shire of Williams has kindly offered an Excellence Award for Year 7 students and I would like to invite the Shire Council to once again sponsor this award.

In the past, two awards were offered for 2 students who displayed excellence throughout the year but again this year due to the low numbers in Year 7 only one award will be presented. Previously this award has carried funding of \$150 to be used to support the recipient’s education in Year 8.

We look forward to hearing from you concerning this sponsorship.

I warmly extend an invitation to the Shire President, his fellow Councillors, yourself and families to join us for the Presentation Night on Tuesday 13th December, commencing at 6.30pm at the Williams Primary School.

I thank you in anticipation of a positive response to the award and look forward to seeing you and the councillors on the night.”

Comment:

Nil.

Financial Implications:

An allowance in made in the annual budget for this donation.

Voting Requirements:

Simple Majority

Recommendation:

That Council continues to offer the Excellence Award for Year 7 Students at the Williams Primary School.

Earnshaw/Major

That Council continues to offer the Excellence Award for Year 7 Students at the Williams Primary School.

**Carried 7/0
Resolution 92/12**

Report Reference:	8.4.7
Subject:	Williams Gateway Expo – 2012 Gateway Expo
File Reference:	11.60.95
Statutory Reference:	Nil.
Author & Date:	R.N Duff 4 th March 2009

Background:

Letter received from Williams Gateway Expo Committee:

Williams Gateway Expo would once again like to thank The Williams Shire for the wonderful donation of \$2,500 from the State Government Season Assistance Package.

Williams Gateway Expo is on Saturday 21st April 2012 and we are hoping that the Williams Shire would be able to donate towards the cost of the fireworks for this community event again.

Last year we held the Art Exhibition in the Pavilion for the first time and it was a great success, we would like to request if a picture rail could be put around the main room at the pavilion. This could be used for the Art and for The Williams Football Club to hang their photos and memorabilia on.

Comment:

There are 2 issues raised in the letter

1. A financial contribution to the fireworks, which occurred last year because of the Dry Season Funding that Council received. Any contribution made by Council to the 2012 Expo would be at Council's expense.
2. The request for the installation of a picture rail around the main room of the Pavilion. As Councillors would be aware the Football Club were given exclusive rights to display their Memorabilia on the walls of the Pavilion. The CEO is aware of moves by the Football Club to reconfigure and standardise the Football Club Photos and Memorabilia which may be an opportunity for the Expo request to gain momentum, but the CEO is also aware of the Football Club's concern over the handling of the photos as some damage has already occurred to photo frames, when being removed and rehung.

Council should decide first whether they would agree to fund the Expo Committee's request and then consult with the Football Club regarding the Expo Committee's proposal.

Financial Implications:

Both requests would be not have been included in the 2011/12 Budget but Council could still decide to proceed and allow for a budget variance when the budget is reviewed in February.

Voting Requirements:

Simple Majority

Recommendation:

For Council's consideration

Major/Cavanagh

That Council decline the request to fund the Williams Gateway Expo 2011 fireworks display on the basis that the previous year's display was funded through the Dry Season Grant and was considered a one off contribution.

**Carried 7/0
Resolution 93/12**

Major/Cavanagh

That the Williams Gateway Expo is requested to liaise with Williams Football Club regarding installation of picture railing around the Pavilion and if agreement is reached between the two organisations then Council would agree to contribute 1/3 towards the cost of the project.

**Carried 7/0
Resolution 94/12**

Report Reference:	8.4.8
Subject:	Urban and Rural Perspectives – Extractive Industry Annual Renewal, Lot 10126 Bates Rd
File Reference:	10.64.20
Statutory Reference:	Shire of Williams Town Planning Scheme No. 2
Author & Date:	R.N Duff 10 th November 2011

Background:

In August 2010 Urban and Rural Perspectives (URP), on behalf of landowners Mark and Agnes Iredell of Lot 10126 Bates Rd Williams made an application for retrospective approval for an Extractive Industry (gravel extraction).

Extractive Industry is an AA use in the Shire of Williams Town Planning Scheme, that is “a use not permitted without the approval of Council”.

The land is zoned Rural and as mentioned, the gravel pit has operated for quite some time.

Council granted the Extractive Industry License for 12 months and charges the schedule fee at the time.

Comment:

URP have written to Council seeking a further extension to the Extractive Industry License for Lot 10126 Bates Rd.

Council's August 2010 approval was as below;

That Council grants approval for the continued use of part of lot 10126 Bates Rd Williams for the purpose of gravel extraction as per the application submitted by URP subject to:

- The area to be mined is restricted to the area mentioned in the submission*
- Clearing of native vegetation is restricted as per the submission*
- Revegetation is to occur as per the submission*
- Gravel extraction is to be limited to supply within the Shire of Williams unless a further submission is made.*
- Approval is for a 12 month period, renewable on the 1st July each year subject to an application being submitted. No fee will be charged for renewal.*
- The hours of operation be 6:00 am to 8:00 pm Monday to Saturday and other times subject to approval.*
- Restoration and reinstatement of the excavation site and staging of such works to a maximum work area of 1 ha;*

- *Except where the local government approves otherwise the applicant must drain and keep drained to the local government's satisfaction any excavation to which the license applies so as to prevent the accumulation of water;*
- *Council will not permit the dumping of any material, such as building material or metal objects, on extractive industry sites or any other sites that is incompatible with the planned future use of the land. Council will only permit the fill of extractive industry sites with clean material that is specified in the approved rehabilitation plan.*
- *Minimum setbacks to roads and other property (30 metres unless otherwise approved);*
- *The amenity of the locality by reason of the emission of dust, noise, vibration, waste production, smoke, odour or otherwise shall not be affected, any complaint will be investigated and this permit may be revoked.*
- *Transportation of material from the site shall not occur during school bus hours or during or after significant rain. The applicant is to ensure that all efforts are made not to adversely affect the roads because of their activities. Should the road be damaged other than fair wear and tear then renewal of the permit may not be granted.*
- *Erection of signs in conjunction with the Shire Works Supervisor clearly indicating the access point to the site*
- *No Blasting or Crushing to be carried out without prior approval from the Council*
- *The permit is non-transferable unless written approval is granted by Council*
- *Council reserves the right to cancel an extractive industry approval at any time without redress where it is of the view that any of the above conditions are not being complied with.*

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That Council approve the extension of the Extractive Industry Licence for Lot 10126 Bates Road for a further 12 months with no changes to the previous conditions.

Paterson/Earnshaw

That Council approve the extension of the Extractive Industry Licence for Lot 10126 Bates Road for a further 12 months with no change to the previous conditions.

**Carried 7/0
Resolution 95/12**

Afternoon Tea

Council adjourned for afternoon tea at 3.00pm and resumed the meeting at 3.40pm

Report Reference:	8.4.9
Subject:	Town of Narrogin – Community Assisted Transport Service Vehicle
File Reference:	7.10.20
Statutory Reference:	Nil.
Author & Date:	RN Duff 10 th November 2011

Background:

The shire has received a request from the Town of Narrogin to make part contribution - \$2000 towards the purchase of a replacement vehicle for the Community Assisted Transport Service (CATS) vehicle for the 2012/13 financial year. The current vehicle is at 50,000kms and ready for trade. This vehicle has in the past been traded with the use of original accumulated funding and from various community organisations.

The Town of Narrogin's Home Care has operated this service since 2007.

Comment:

This year the request is directed to those shires whose residents are the prime users of the service. Namely Shires of Narrogin, Cuballing, Pingelly, Wagin and Williams. The change over cost is \$8,500.

The Community Assisted Transport service is recoupable for users providing they qualify, if not they pay a private rate of \$60. The drivers are volunteers and the users are either attending specialist appointments or being admitted or discharged from hospital.

Advice was sought from Colin Bastow at the Town of Narrogin with regard to the Community Assisted Transport Service (CATS). Colin advises that:

The CATS service began in late 2007.

- In 2007 Williams residents used the vehicle once in October.
- In 2008 Williams residents used the vehicle: twice in January, four times in April, once in May and two times in August, a total of 9 times.
- In 2009 Williams residents used the vehicle: once in May, once in April and twice in November, a total of 4 times.
- In 2010 Williams residents used the vehicle: once in February, once in April, once in May, once in June, once in August, once in September, once in October and twice in December, a total of 9 times.
- In 2011 Williams residents have used the: vehicle once in January, once in February, twice in March, once in June, once in July and once in August, a total of 7 times as of the end of August. We don't have the September and October statistics on the matrix as yet.

The brochure of the CATS vehicle, a photograph of the latest vehicle and some further information with regard to the history etc of the CATS vehicle is attached at **APPENDIX 3**.

If you have any further queries please don't hesitate to contact me.

Financial Implications:

\$2,000 to be included in the 2012/13 budget.

Voting Requirements:

Simple Majority

Recommendation:

That the Shire of Williams contributes \$2000 towards the purchase of a replacement vehicle for the Community Assisted Transport Service (CATS) vehicle for the 2012/13 financial year.

Earnshaw/Johnstone

That the Shire of Williams contributes \$2000 towards the purchase of a replacement vehicle for the Community Assisted Transport Service (CATS) vehicle for the 2012/13 financial year.

**Carried 7/0
Resolution 96/12**

8.4 CHIEF EXECUTIVE OFFICER'S REPORT - LATE ITEMS

Paterson/Earnshaw

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

**Carried 7/0
Resolution 97/12**

Report Reference:	8.4.10
Subject:	SuperTowns Community Workshop
File Reference:	3.5.1
Statutory Reference:	Nil.
Author & Date:	R.N Duff 15 th November 2011

Background:

The Regional Centres Development Plan (SuperTowns) is a Royalties for Regions initiative to encourage regional communities in the southern half of the state to plan and prepare for the future so they can take advantage of opportunities created by Western Australia's population growth to 2050. WA's population is predicted to more than double over the next 40 years to 4.9 million people.

The Shire of Williams has involvement in the Super Towns initiative via the Shire of Boddington which has been declared a Super Town and as a result has included the Williams and Wandering Communities in its deliberations. Council has indicated its support of the Boddington SuperTown Project and the Chief Executive Officer is represented on the Boddington SuperTown Project Team.

The Boddington Growth Plan, which is to be undertaken in the period November 2011 to April 2012, will seek, in consultation with community and other stakeholders, to determine the likely future growth of Boddington and the sub-region over the next 40 years or so, articulating a vision for the town and sub-region, and determining the key infrastructure requirements and other interventions that will be necessary to attain this growth.

In planning for the future, Boddington needs to be particularly conscious of the vision that its residents hold, levels of sustainable development achievable, the capacity of the Shire and its partners to deliver growth, the needs of the wider sub-region and the potential for growth that the other sub-regional centres hold (particularly Wandering and Williams).

It is not to be expected that all growth in the sub-region will be taken up in Boddington. Demand will emerge for growth in both Wandering and Williams – potentially in urban neighbourhoods, in larger lifestyle developments and even as leisure residential development as the Perth metropolitan region creates a growing demand for that form of development.

Comment:

To be eligible for the \$80 million project funding the Shire of Boddington and its partners must develop a Vision 2050 Document, SuperTown Growth Plan and SuperTown Economic Development Strategy. The Shire of Boddington has appointed two consultants, Hames Sharley to do the Vision and Growth Plan Documents and Syme Marmion to complete the Economic Development Strategy.

It is proposed to seek extensive Community consultation and an Information Session and Workshop will be held in Williams on the 30th November 2011 at 9.00am (Flyer attached). This is not an ideal time for us to be seeking input from the Community due to harvest, however the timetable set by Minister Grylls must have a Growth Plan finalised by February 2012.

Workshop Session 1 - What we value?

What special local things do we need to protect and enhance now and into the future?

Workshop Session 2 – What we can create?

What will economic, social and environmental prosperity mean to you and your kids?

Workshop Session 3 – How we will shape?

Agreeing on a set of guiding principles to develop a place-making vision to guide development to 2050 and beyond...

The information received at this workshop will be helpful for Council in its decision making processes and in order to get the Community to attend this workshop, specific people will be targeted with a personal invite (List attached). The flyer has been sent to all Williams Residents and Ratepayers.

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

For Council's consideration

Report Reference:	8.4.11
Subject:	Ali Ford – Hire of Office
File Reference:	4.20.40
Statutory Reference:	<i>Local Government Act 1995 s.3.58</i>
Author & Date:	R.N Duff 15th November 2011

The Shire of Williams has advertised the vacant office at the Community Resource Centre for lease. The office was previously used by the Williams Landcare Officer, the Department of Regional Development & Lands and more recently by a private tenant.

Legislative Requirements:

LOCAL GOVERNMENT ACT 1995 - SECT 3.58

3.58 . Disposing of property (Including leasing of Property)

- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
- (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

Comment:

An application was received from Mrs. Ali Ford to lease the office. E-mail below:

"I would like to apply to lease the office space available at the Williams Resource Centre.

I will be using the space to practice Reflexology and if possible I would like to take the lease for a trial period until March 31st 2012 with an option after which to renew the lease.

I will at times need to use the room after hours and I am not sure if this will be a problem with security etc.

I look forward to your reply and if successful with the terms & conditions under which I can have the lease."

The Chief Executive Officer has been verbally advised by the Community Resource Centre Manager that an expression of interest in the vacant office was made by a Chiropractor, but at this stage no further information has come forward. It is assumed that neither Mrs. Ford nor potentially a Chiropractor would require the office full time and could possibly share this space. Given Mrs. Ford has officially applied for the office lease she should be consulted on a possible sharing arrangement.

Financial Implications:

The rent in the previous lease document has been set at \$135 per week with a rent review set for the 30th June 2012. A per day rate of \$27 - \$30 could be considered if a joint sharing arrangement was entered into.

Voting Requirements:

Simple Majority

Recommendation:

That Council agree to lease Office 1 at the Williams Community Resource Centre to Mrs. Ali Ford for \$135 per week or suitable day rate subject to Council advertising the lease under Local Government Act 1995 s3.58 and no public submissions being received.

Should any submission be received Council will be required address the submission before signing the lease.

Major/Earnshaw

That Council agree to lease Office 1 at the Williams Community Resource Centre to Mrs. Ali Ford for \$135 per week or suitable day rate subject to Council advertising the lease under Local Government Act 1995 s3.58 and no public submissions being received.

**Carried 7/0
Resolution 98/12**

8.5 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT

8.5.1 ACCOUNTS FOR PAYMENT

Johnstone/Paterson

That Municipal Fund cheques 103435 – 103446, EFT Transfers and Direct Debits totalling \$139,970.93 approved for payment by the Chief Executive Officer be endorsed and that Municipal Fund cheques 103447 – 103463 totalling \$8,457.15 and Municipal Fund EFT Transfers totalling \$127,970.93 be approved for payment.

**Carried 7/0
Resolution 99/12**

8.5.2 FINANCIAL STATEMENTS

Earnshaw/Logie

That the financial statements presented for the period ending 31st October 2011 be received.

**Carried 7/0
Resolution 100/12**

8.6 COUNCILLORS

8.6.1 Boddington Super Town

Cr Cavanagh attended a Boddington Super Town Community Reference Group meeting.

8.6.2 Gibbygunya Farm

Cr Cowcher advised that together with the Chief Executive Officer he met with Dean Wynne and Greg Chatsworth to discuss a proposal to establish a factory on Gibbygunya Farm to build kit homes, utilising an indigenous work force.

8.6.3 Sustainability Awards

Cr Cowcher advised that together with the Chief Executive Officer and Community Development Officer he attended the Sustainability Awards dinner in Perth.

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

13.0 MEETING CLOSURE

There being no further business for discussion the President declared the meeting closed at 4.35pm