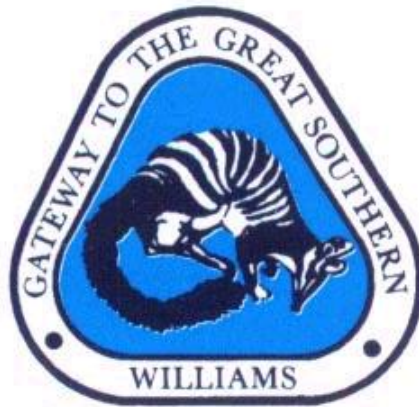


# ***SHIRE OF WILLIAMS***

***MINUTES ORDINARY MEETING  
HELD ON WEDNESDAY 20 MARCH 2019***



## **COUNCIL DIARY**

**WEDNESDAY 20 MARCH 2019**

12.00pm

Budget Review Meeting

**WEDNESDAY 20 MARCH 2019**

1.00pm

Ordinary Meeting

**WEDNESDAY 17 APRIL 2019**

1.00pm

Ordinary Meeting



TABLE OF CONTENTS

Item	Subject	Page
	DISCLAIMER .....	4
<b>1.0</b>	<b>Declaration of Opening / Announcement of Visitors .....</b>	<b>5</b>
<b>2.0</b>	<b>Record of Attendance / Apologies / Leave of Absence .....</b>	<b>5</b>
<b>3.0</b>	<b>Public Question Time .....</b>	<b>5</b>
<b>4.0</b>	<b>Petitions / Deputations / Presentations .....</b>	<b>5</b>
<b>5.0</b>	<b>Declarations of Interest .....</b>	<b>5</b>
<b>6.0</b>	<b>Confirmation of Minutes of Previous Meetings .....</b>	<b>6</b>
<b>6.1</b>	<b>Ordinary Council Meeting Held 20 February 2019 .....</b>	<b>6</b>
<b>6.2</b>	<b>4WDL Meeting Held 12 February 2019 .....</b>	<b>6</b>
<b>6.3</b>	<b>CRG MEETING Held 11 March 2019.....</b>	<b>6</b>
<b>6.4</b>	<b>HWEDA MEETING Held 12 March 2019.....</b>	<b>7</b>
<b>7.0</b>	<b>Announcements by Presiding Member Without Discussion.....</b>	<b>7</b>
<b>8.0</b>	<b>Reports .....</b>	<b>7</b>
<b>8.1</b>	<b>Economic Development Officer’s Report.....</b>	<b>8</b>
8.1.1	Regional Bicycle Network Local Government Grant 2019/20 .....	8
<b>8.2</b>	<b>Works Supervisor’s Report .....</b>	<b>11</b>
8.2.1	Maintenance Grading Activity .....	11
8.2.2	Road Maintenance Works (see Appendix) .....	11
8.2.3	2018/19 Road Construction Program.....	12
8.2.4	Mechanical Report.....	13
8.2.5	Staff.....	13
8.2.6	Town and Facilities Report .....	13
8.2.7	Private Works .....	14
8.2.8	Works Supervisor Report Acceptance .....	14
<b>8.3</b>	<b>Environmental Health / Building Surveyor’s Report .....</b>	<b>14</b>
<b>8.4</b>	<b>Chief Executive Officer’s Report.....</b>	<b>15</b>
8.4.1	Chief Executive Officer’s General Report .....	15
8.4.2	Development Application – New Toilet Block at St Boniface Church, Quindanning.....	17
8.4.3	Management of Reserves 46498 and 48750.....	21
8.4.4	Williams Community Resource Centre .....	25
8.4.5	2018 Compliance Audit Return.....	27



*MINUTES – ORDINARY MEETING OF COUNCIL HELD 20 MARCH 2019*

---

8.4.6	Development Application – Office at Lot 201 (6) Albany Highway, Williams .....	28
8.4.7	Use of the Common Seal and Actions Performed Under Delegated Authority .....	35
<b>8.5</b>	<b>Manager of Finance’s Report</b> .....	<b>37</b>
8.5.1	Accounts for Payment .....	37
8.5.2	Financial Statements .....	38
8.5.3	2018-2019 Budget Review.....	39
<b>8.6</b>	<b>Waste Management Officer’s Report</b> .....	<b>41</b>
8.6.1	Engagement of Waste Services Contractor .....	41
8.6.2	Alternative Landfill Site .....	43
8.6.3	General Projects Update .....	45
<b>8.7</b>	<b>Councillors’ Reports</b> .....	<b>46</b>
<b>9.0</b>	<b>Elected Members Motions of which Notice has been given</b> .....	<b>46</b>
<b>10.0</b>	<b>New Business of an Urgent Nature introduced by Decision of Meeting</b> .....	<b>47</b>
10.1	Elected Members .....	47
10.2	Officers .....	47
<b>11.0</b>	<b>Application for Leave of Absence</b> .....	<b>47</b>
<b>12.0</b>	<b>Information Session</b> .....	<b>47</b>
<b>13.0</b>	<b>Closure of Meeting</b> .....	<b>47</b>

**Separate Documents**

1. Minutes – Council; 4WDL, HWEDA, CRG
2. CEO General Report
3. Appendices to CEO Report
4. Appendix to Work Supervisor’s Report
5. Payment Listing
6. Monthly Financial Report
7. Municipal Bank Reconciliation
8. Status Report
9. Info Statement



## DISCLAIMER

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

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



# AGENDA

## 1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Deputy President Cr Jarrad Logie declared the Meeting open at 1.09pm.

## 2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Cr Jarrad Logie Deputy President  
 Cr Moya Carne  
 Cr Gil Medlen  
 Cr Natalie Major  
 Cr Greg Cavanagh  
 Cr Simon Harding  
 Cr Alex Watt  
 Cr Bob Baker

Geoff McKeown Chief Executive Officer  
 Heidi Cowcher Economic Development Officer (1.30pm – 1.40pm)  
 Tony Kett Works Supervisor (1.41pm – 1.56pm)  
 Cara Ryan Manager of Finance (5.15pm – 5.34pm)  
 Manuela Lenehan Minute Taker

Apologies Nil  
 Leave of Absence Nil

## 3.0 PUBLIC QUESTION TIME

## 4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

## 5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	None received
Item No. / Subject	
Type of Interest	



## 6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

### 6.1 ORDINARY COUNCIL MEETING HELD 20 FEBRUARY 2019

#### **Officer's Recommendation**

That the Minutes of the Ordinary Meeting held on 20 February 2019, as previously circulated, be confirmed as a true and accurate record.

#### **Council Resolution**

##### ***Carne/Major***

That the Minutes of the Ordinary Meeting held on 20 February 2019, as previously circulated, be confirmed as a true and accurate record.

**Carried 8/0  
Resolution 141/19**

### 6.2 4WDL MEETING HELD 12 FEBRUARY 2019

#### **Officer's Recommendation**

That the Minutes of the 4WDL Meeting held on 12 February 2019, as previously circulated, be received.

#### **Council Resolution**

##### ***Watt/Medlen***

That the Minutes of the 4WDL Meeting held on 12 February 2019, as previously circulated, be received.

**Carried 8/0  
Resolution 142/19**

### 6.3 CRG MEETING HELD 11 MARCH 2019

#### **Officer's Recommendation**

That the Minutes of the CRG Meeting held on 11 March 2019, as previously circulated, be received.

#### **Council Resolution**

##### ***Major/Medlen***

That the Minutes of the CRG Meeting held on 11 March 2019, as previously circulated, be received.

**Carried 8/0  
Resolution 143/19**



## 6.4 HWEDA MEETING HELD 12 MARCH 2019

### **Officer's Recommendation**

That the Minutes of the HWEDA Meeting held on 12 March 2019, as previously circulated, be received.

### **Council Resolution**

#### ***Watt/Major***

That the Minutes of the HWEDA Meeting held on 12 March 2019, as previously circulated, be received.

**Carried 8/0  
Resolution 144/19**

## **7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

## **8.0 REPORTS**

*The Economic Development Officer, Mrs Heidi Cowcher, attended the Meeting at 1.30pm to discuss her report.*



## 8.1 ECONOMIC DEVELOPMENT OFFICER'S REPORT

### 8.1.1 REGIONAL BICYCLE NETWORK LOCAL GOVERNMENT GRANT 2019/20

<b>File Reference</b>	Internal Files
<b>Statutory Reference</b>	<i>Local Government Act 1995</i>
<b>Author &amp; Date</b>	Heidi Cowcher 14 March 2019

#### Background

The WA Bicycle Network (WABN) Grants Program is an initiative of the WA State Government, administered by the Department of Transport.

Grant funding is available to local governments in WA, with up to 50% of the total project cost available for the planning and implementation of bicycle network infrastructure in accordance with State and Local priorities.

The Shire of Williams submitted an application in October 2018 for the construction of a new shared use 324m x 2.5m concrete path from just north of the Coalling Creek bridge linking across the new bridge and then to the intersection of Richardson Street. The proposed project was considered an important linkage between residential, commercial and recreational areas of town, and completing a comprehensive pathway network that the townsite enjoys. The project was considered timely, as it would be able to be completed in conjunction with the MRWA roadworks, thereby minimising disruption to users and businesses.

#### Comment

The Shire has received advice that the application, totalling a contribution of up to \$31,170 for the construction of the pathway. The advice was received on the 1<sup>st</sup> March 2019, but has been embargoed until an anticipated Ministerial announcement during Bikeweek (15<sup>th</sup> March to 24<sup>th</sup> March 2019).

Funding will be available in the 2019/20 financial year enabling Council to include the project in its budget planning and considerations, with works anticipated to commence in September 2019 and be completed by June 2020.

As part of the delivery of the project, there is a requirement to complete an 'Activation, Consultation and Evaluation (ACE) Report', which will report on how the project will be activated within the community. This will be required in order to release funds and be associated with project milestones. As this is a new aspect of the funding program, the Department will provide advice and support in this regard.

The project will require the relocation of a Western Power dome servicing the Milk Shed property that is currently within the road reserve. It would be advisable that the Shire commence this process as soon as the grant funding is announced formally, so as to not hold the construction of the path up due to the extensive timelines of Western Power.





### Strategic Implications

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

- CL 2.1 Maximise and leverage grant funding opportunities to balance and support Council investment.
- CL 2.2 Maintain accountability, transparency and financial responsibility.
- SCD 2.7 Support implementation of initiative as identified in the Disability Access and Inclusion Plan, Williams Local Bike Plan, Local Emergency Management Arrangements and other related plans for the Shire.

### Financial Implications

To be budgeted for.

Total Budget for project is as follows:

Construction of shared use path (324m x \$160/m) = \$51,840

Relocation of Western Power dome = \$8,000 (estimated)

Project Management = \$2,500

TOTAL COST = \$62,340

50% funding = \$31,170

### Voting Requirements

Simple Majority

### Officer's Recommendation

That Council notes the successful WA Bicycle Network Local Government Grant of \$31,170 and will include the project in the 2019/20 Budget for implementation.



**Council Resolution**

***Watt/Major***

That Council notes the successful WA Bicycle Network Local Government Grant of \$31,170 and will include the project in the 2019/20 Budget for implementation.

**Carried 8/0  
Resolution 145/19**

As this is my last report to Council as Economic Development Officer, I would like to extend my appreciation to the Shire for the opportunities that I have been given over the last almost 17 years. In April 2002, I was fortunate that Jim Epiro (CEO) gave me the opportunity to establish a Community Development role for the Shire that was to identify, develop, source funding for, and implement a wide range of projects for the Shire and community. Over the years, I have grown and developed this role into what it is today. I have seen significant improvements and additions to the infrastructure for our community and this has contributed to and strengthened the reputation that Williams now boasts as 'batting above its weight' in regards to identifying, securing and implementing funded projects. The strong stakeholder relationships that Williams has nurtured and developed with a wide range of government departments, community organisations, industry, business and people have assisted with this and will serve Williams well into the future.

I am proud of what I have achieved over the last 17 years, and proud that the Council has endorsed, supported and financially contributed to these initiatives and making them happen for our community. We have a lot to be proud of.

I wish Council well with its future endeavours and all that it seeks to do and trust that the legacy that has been left by John Cowcher as Shire President for 20 years and myself as Economic Development Officer for almost 17 years, will continue to serve the community of Williams and its visitors well into the future.

*Heidi Cowcher left the Meeting at 1.40pm.*

*The Works Supervisor, Mr Tony Kett, attended the Meeting at 1.41pm to discuss his report.*



## 8.2 WORKS SUPERVISOR'S REPORT

File Reference	12.15.36	
Statutory Reference	N/A	
Author & Date	Tony Kett	13 March 2019
Attachments	Appendix 1	

### 8.2.1 MAINTENANCE GRADING ACTIVITY

Road Name	Length Graded (km)
English Rd	6.5
Wangeling Gully Rd	8.8
Deep Dene	5.7
Munthoola Rd	2.0
Coulter Rd	2.3
Quindanning-Darkan	14.0
Bates Rd	3.5
Rubbish Tip Rd	2.0
<b>Total Length for the Month</b>	<b>48.8 Km</b>

### 8.2.2 ROAD MAINTENANCE WORKS (SEE APPENDIX)

- Patching on Williams-Darkan Rd and York-Williams Rd
- Extra re-seal on Williams-Darkan Rd to be completed



**8.2.3 2018/19 ROAD CONSTRUCTION PROGRAM**

Road Construction Program 2018-2019								
Road No	Road Name (Road Length)	Description of Work	Start SLK	End SLK	Total	Start Date	Finish Date	Comments
10	Pingelly Rd	Seal 7m wide	5.00	6.50				Tree clearing started
128	Williams Darkan Road	Reseal	0.00	7.00				COMPLETED
7	Clayton Road	Seal Shoulder	2.00	4.00				
7	Clayton Road	Widen Shoulders	4.00	6.00				
1	York Williams Road	Reseal 3kms	6.10	9.10				COMPLETED
23	Wangeling Gully Road	Install Culverts and Gravel Sheet						Culverts are in. Tree trimming & picking up spoil completed.
12	Zilko Road	Widen over Culverts						
15	Glenfield Road	Tree Trimming			2.00kms			
9	Dardadine Road	Tree Trimming			2.00kms			
31	Extracts Road	Tree Trimming			2.50kms			
	Townsite Drainage	Drainage plan and upgrade						
58	Kelly Road	Replace Culvert						
12	Zilko Road	Gravel Sheet (3kms)						
11	Marradong Road	Drainage and seal failures						
	Various Roads	Gravel Sheetting and Reforming						



MINUTES – ORDINARY MEETING OF COUNCIL HELD 20 MARCH 2019

**8.2.4 MECHANICAL REPORT**

Plant Description		Driver	Date Purchased	Hours/Km 8/11/2018	Works Completed this Month
Mazda CX5 WL 16	Light Vehicles	C Ryan	Aug 18	6,000	
Toyota Prado 16 WL		G McKeown	Sep 16	76,000 km	
Isuzu 4x2 Dual Cab Utility WL 76		Outside staff	Nov 04	200 km	
Holden Colorado Dual Cab WL 19		T Kett	Sep 17	45,000 km	
Isuzu 150 WL 36		J Cowan	Nov 18	200 km	
Isuzu D-Max WL 5802		A Wood	Nov 14	132,854 km	
Isuzu 4x2 Single Cab Ute WL 5826		Maintenance	Nov 16	22,325 km	
Holden Rodeo Single Cab Utility WL 826		Outside staff	Nov 06	127,726 km	
Isuzu 4x2 Single Cab Ute WL 915		J Lenehan	Nov 16	17,756 Km	
Skid Steer Track Loader 1EVV725		Construction Equipment	Outside staff	Sep 15	888 hr
Multipack Multi-Tyre Roller WL 49	Outside staff		Oct 04	7,239 hr	
Vibromax Roller WL 126	Outside staff		Sep 04	4,615hr	Fit new side window
Caterpillar 12M Grader WL 61	Outside staff		Dec 11	6,340 hr	Serviced
Caterpillar 12M Grader WL 361	A Wood		Oct 14	3,466 hr	Serviced
721E Case Loader WL 5639	N Fisher		May 12	6,953 hr	Serviced
Volvo EC210BLC Excavator WL 499	P Reed		Jul 07	7,745 hr	Serviced
John Deere 315SE4 Backhoe WL 745	T Palframan		Sep 01	3,159 hr	Repaired hydraulic hose
Toro Reelmaster SP Mower WL 5827	Works		Aug 09	1,327 hr	
Kubota Generator	Parks & Gardens		Refuse Site		4,829 hr
Toro Groundmaster 360 WL917		J Cowan	Nov 16	1,280 hr	
Toro Kholer Ride on Mower WL 5302		J Cowan	Aug 05	674 hr	
Honda TRX 4-wheel M/cycle WL 429		J Cowan	Mar 00	1,529 hr	
Toyota DA115 Tip/Water Truck WL 595		J Lenehan	Aug 94	237,400 km	
Isuzu FVZ1400 Tip Truck WL093	Trucks & Trailers		Dec 03	312,323 km	
Volvo P-Move WL91		P Reed	Jan 19	500 km	
Isuzu Giga CXZ Tip Truck WL 128		J Murdock	Dec 08	245,533 km	
Isuzu NPR 300 Truck WL 5825		K Sandilands	Jan 13	107,574 km	
SFM S-Tip Trailer WL 3730		Works	Dec 05	163,500 km	
Howard Port. L-Loader 1TIF238		Works	Aug 07	155,500 km	
Howard Port. Pig Trail. WL3792		J Murdock	Dec 08	164,500 km	
'08 Nissan Patrol Fire Ute 1CXV788		BFB Fast attack	Received Feb 16	167,853 km	

**8.2.5 STAFF**

- Have employed two outside staff: David Hill and Callum Fawcett

**8.2.6 TOWN AND FACILITIES REPORT**

- Replaced street signs around town
- Put up new Industrial Estate sign
- Verti-mowed football and hockey ovals



**8.2.7 PRIVATE WORKS**

- Water deliveries

**8.2.8 WORKS SUPERVISOR REPORT ACCEPTANCE**

**Voting Requirements**

Simple Majority Required

**Officer's Recommendation**

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

**Council Resolution**

***Harding/Major***

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

**Carried 8/0  
Resolution 146/19**

*Tony Kett left the Meeting at 1.56pm.*

**8.3 ENVIRONMENTAL HEALTH / BUILDING SURVEYOR'S REPORT**

Nil Report



## 8.4 CHIEF EXECUTIVE OFFICER'S REPORT

### 8.4.1 CHIEF EXECUTIVE OFFICER'S GENERAL REPORT

<b>File Reference</b>	4.1.20
<b>Statutory Reference</b>	N/A
<b>Author &amp; Date</b>	Geoff McKeown      14 March 2019
<b>Attachment</b>	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.

#### **Strategic Implications**

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):  
CL 2.2      Maintain accountability, transparency and financial responsibility.

#### **Financial implications**

Nil

#### **Voting Requirements**

Simple Majority

#### **Officer's Recommendation**

That the Chief Executive Officer's General Report for March 2019 be received by Council.

#### **Movement of Oversize Agricultural Vehicles**

Discussion was held regarding the recently introduced Heavy Vehicle Agricultural Pilot Authorisation 2018 that requires a Licensed Heavy Vehicle Pilot to be used when oversize agricultural vehicles travel on State Roads for a distance of more than 1km. Council discussed the benefits of a modified training requirement specifically designed for movement of oversize agricultural vehicles, whilst acknowledging that a higher level of competency is required for more complex vehicle movements.



**Council Resolution**

***Carne/Harding***

That the Shire of Williams recommends the Department of Transport develop and implement specific training and qualification for Licensed Heavy Vehicle Pilots required for the movement of oversize agricultural vehicles, with the training meeting the needs of the agricultural industry and complying with the Heavy Vehicle Agricultural Pilot Authorisation 2018.

**Carried 8/0  
Resolution 147/19**

**Council Resolution**

***Medlen/Watt***

That the Chief Executive Officer's General Report for March 2019 be received by Council.

**Carried 8/0  
Resolution 148/19**

**Afternoon Tea**

The President adjourned the Meeting for afternoon tea at 3.52pm and the Meeting resumed at 4.14pm.



**8.4.2 DEVELOPMENT APPLICATION – NEW TOILET BLOCK AT ST BONIFACE CHURCH, QUINDANNING**

<b>File Reference</b>	10.60.15
<b>Statutory Reference</b>	N/A
<b>Author &amp; Date</b>	Geoff McKeown      11 March 2019
<b>Attachment</b>	Nil

**Background**

In 2016 the Anglican Diocese of Bunbury (“Diocese”) advised that it intended to demolish the old toilet block at the St Boniface Church in Quindanning and replace it with a new facility. In the time since the first contact the Diocese has advanced the design and location of the toilet and demolished the old structure.

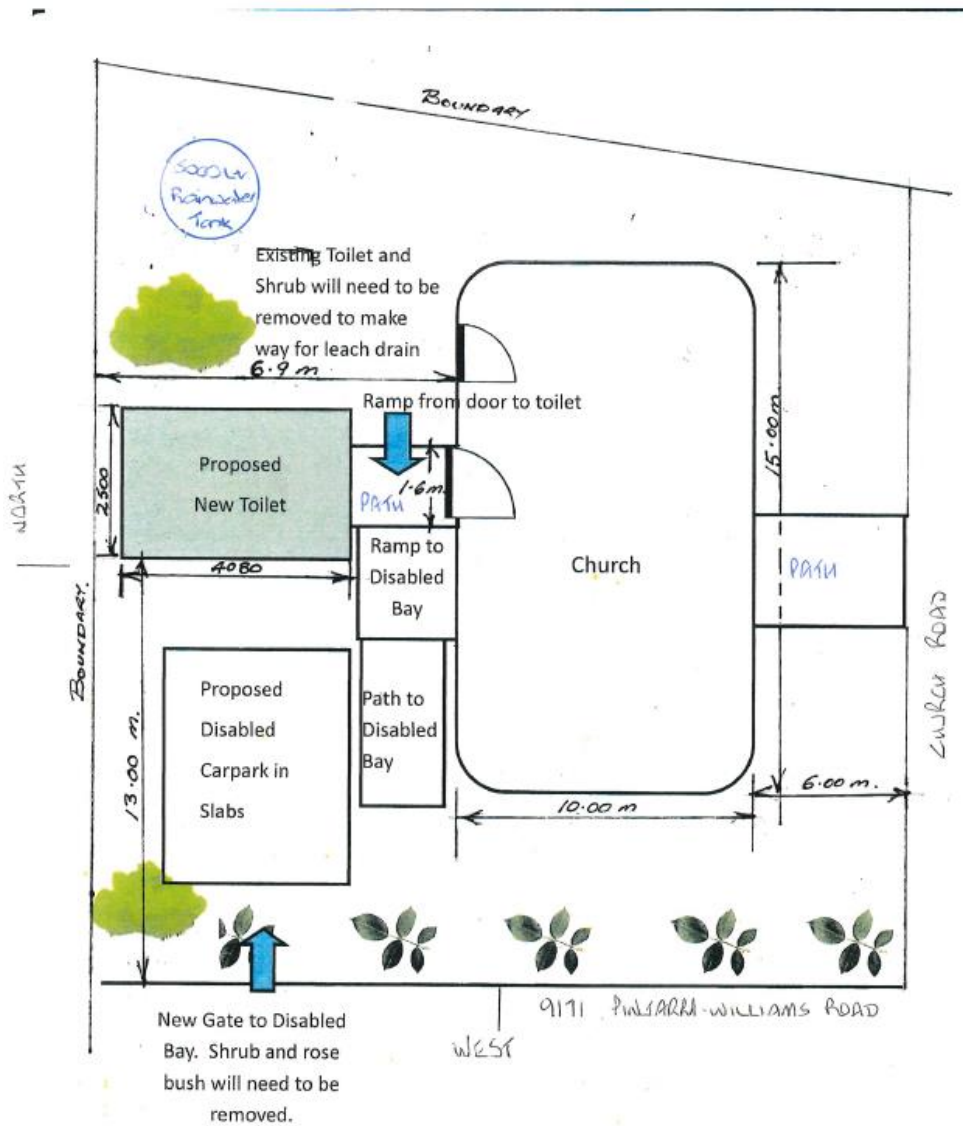
**Comment**

St Boniface Church has heritage significance and is included on the Shire of Williams Municipal Inventory. In addition, it is classified by The National Trust of Australia (WA) as a place of significance. As such the Diocese was advised to seek development approval for the new toilet block.

The Diocese sought advice from a heritage consultant and was advised that the exiting toilet block was not critical to the Church’s significance. Below is a photo of the toilet block that has since been demolished:



The plans submitted as a development application include a site plan and a picture of the new toilet design.





Detail of the development application was published in The Williams, inviting comment on the proposal. Two responses were received from the public. Neither had an issue with the style or design of the proposed toilet. They just requested the colour be in keeping with the Church. One raised issues of disabled access into and within the Church. This information can be communicated back to the Diocese.

The Diocese also responded indicating that it conducted a consultation process in 2016 and received support for the proposal from the Anglican Parish of Williams. It asked that given the time that has elapsed from when the project was first proposed, it would appreciate a prompt decision from Council so the project can proceed.

Council has all the information required to issue development approval.



**Strategic Implications**

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

- SCD 1.1 Provide, maintain and improve community infrastructure
- SCD 3.1 Advocate and support initiatives that will develop and celebrate the cultural heritage of the Shire

**Financial implications**

Nil

**Voting Requirements**

Simple Majority

**Officer’s Recommendation**

That Council approve the development application submitted by the Anglican Diocese of Bunbury for the demolition of the old toilet block and construction of a new facility at St Boniface Church, Quindanning subject to meeting all health and building requirements to the satisfaction of the Shire.

**Council Resolution**

***Cavanagh/Medlen***

That Council defer approval of the development application submitted by the Anglican Diocese of Bunbury for the demolition of the old toilet block and construction of a new facility at St Boniface Church, Quindanning pending the Diocese discussing and addressing the concerns of the Quindanning Community.

**Carried 8/0  
Resolution 149/19**

*The resolution differed from the recommendation as Council recognises that some representatives of the Quindanning community do not support the development proposal as submitted and wants the Diocese to consider alternative options for the new toilet construction.*

**8.4.3 MANAGEMENT OF RESERVES 46498 AND 48750**

<b>File Reference</b>	11.30.31
<b>Statutory Reference</b>	<i>Land Administration Act 1997</i>
<b>Author &amp; Date</b>	Geoff McKeown 11 March 2019
<b>Attachment</b>	Nil

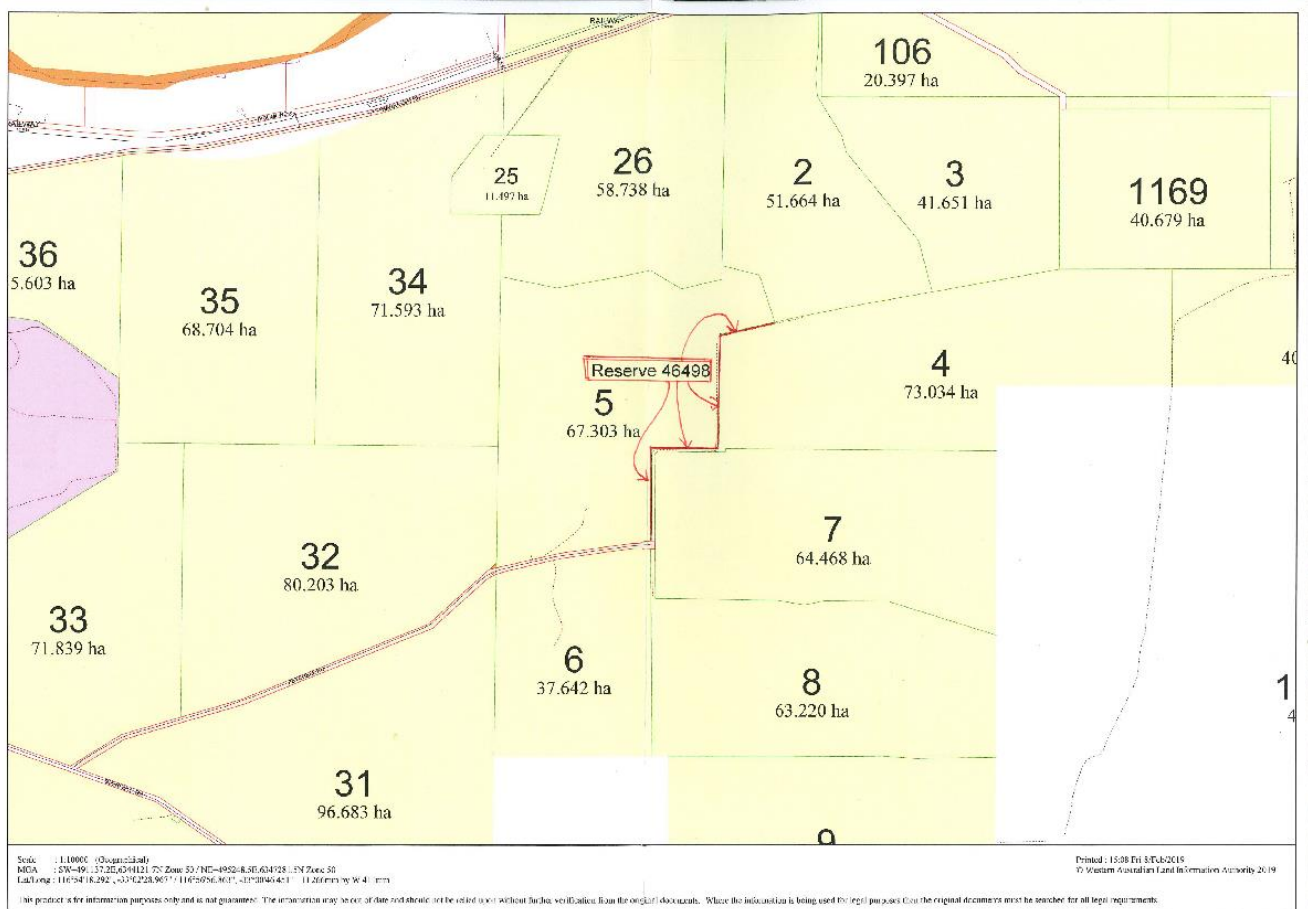
**Background**

The Department of Planning, Lands and Heritage has written to the Shire asking if it is willing to accept the management of Reserve 46497 and 48750. A similar invitation to take on management of a reserve occurred late last year.

**Comment**

These reserves were created as a result of a freehold subdivision and were ceded to the Crown subject to section 152 of the *Planning and Development Act 2005*.

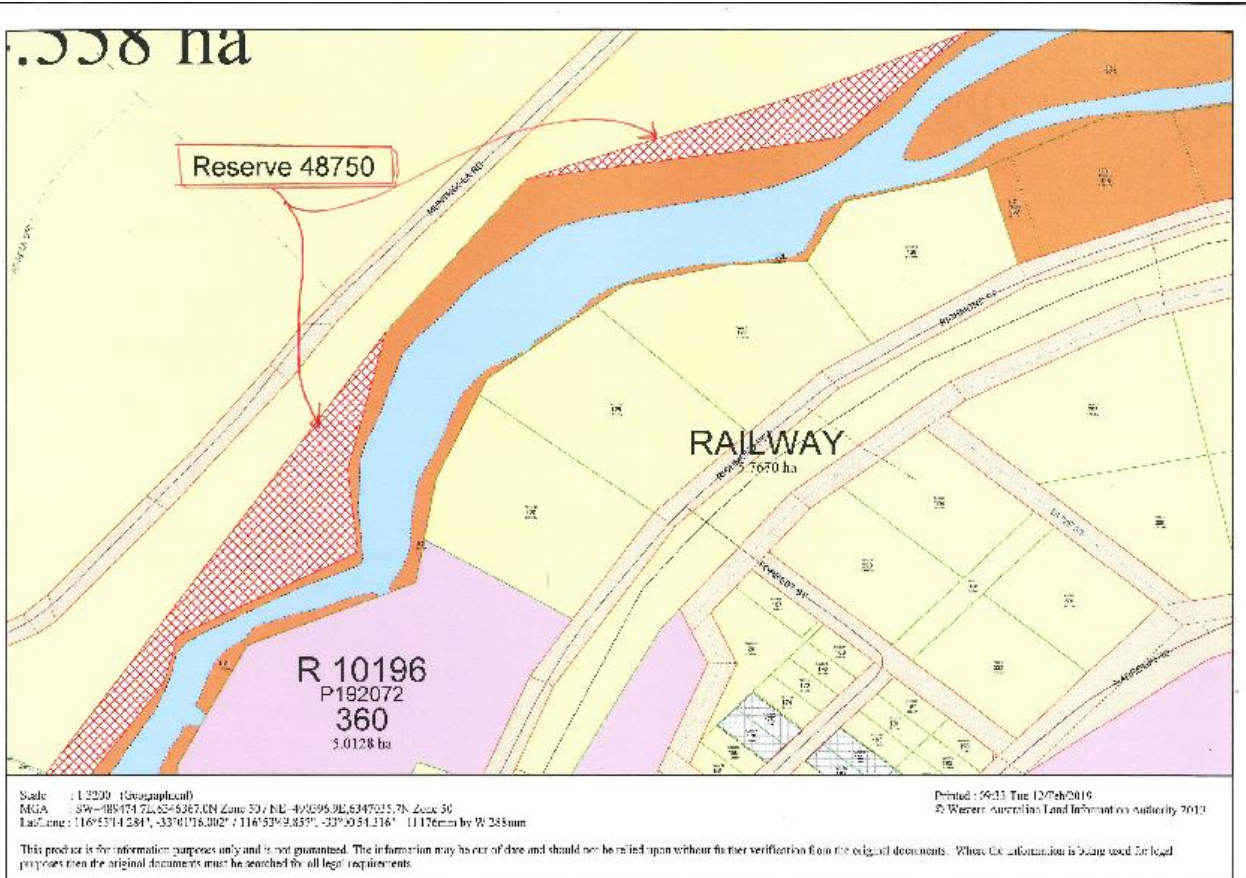
Reserve 46498 continues on from the end of Petchell Road and has the purpose of ‘Water Supply’. It is 3m wide and extends for approximately 1.18kms. The plan below highlights the extent of the reserve.

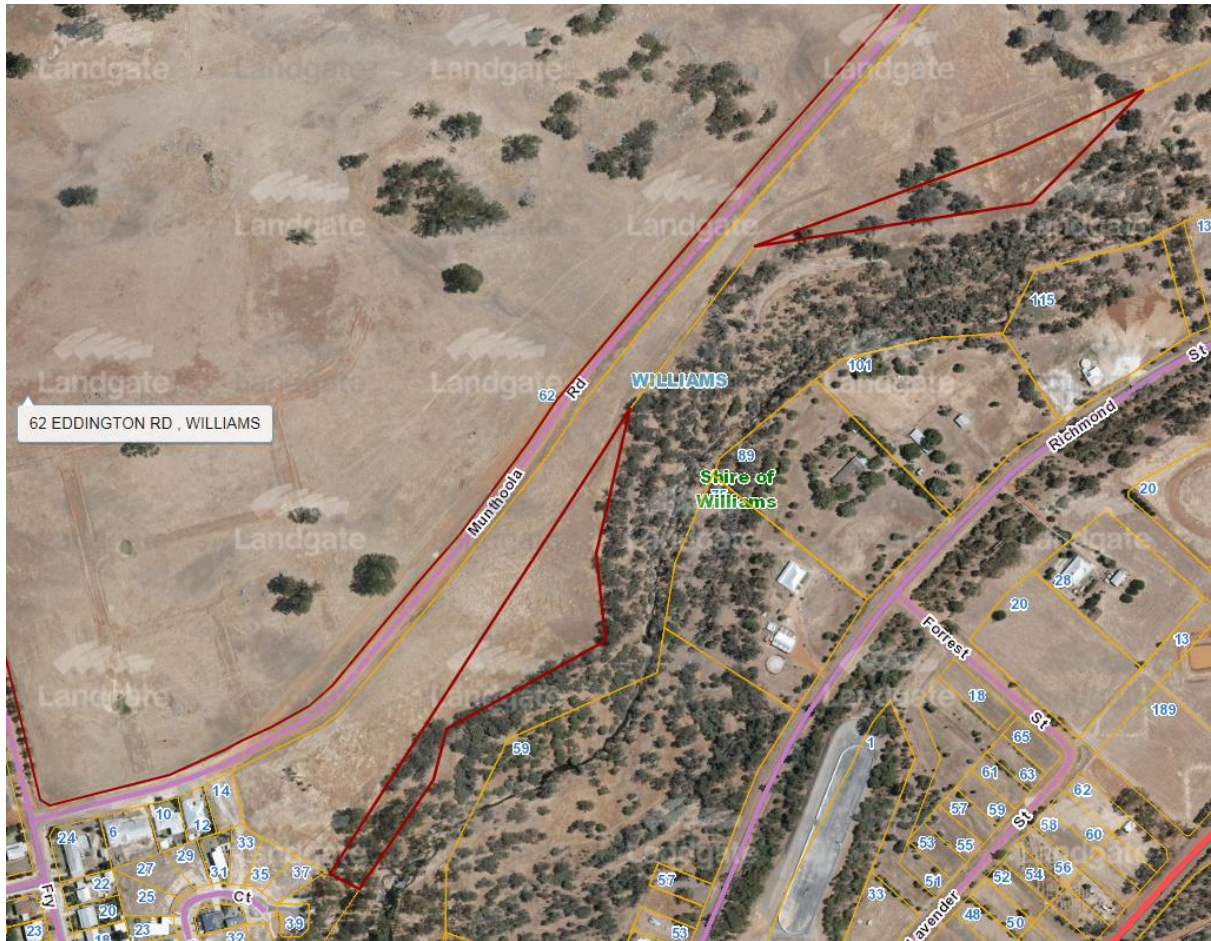




Reserve 48750 lies between Munthoola Road and the Williams River. It has the purpose of 'Foreshore Management'. It has an area of approximately 2.63ha and contains two lots, being Lot 300 and Lot 301. They don't appear to be fenced off from the adjoining property and are likely to be used for farming purposes.

The plans below highlight the extent of the reserve:





The Shire could decline the offer if it considers that it does not want the care and management of this land. However there are other reserves vested in the Shire that are not actively managed, with issues dealt with as and when they arise.

The Williams River is used by residents for passive recreation and the Shire having management ensures that this can continue into the future. This is the situation for Reserve 48750. However, there appears little value in accepting the care and management of Reserve 46498. Practically it is difficult to manage a parcel of land 3m wide, along with the fact that it really serves as a means of water supply for the subdivided lots.

**Strategic Implications**

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

- ED 1.8 Consider future land acquisition for the Shire for recreation, commercial, residential or industrial purposes.
- SCD 1.5 Continue to support and develop tourism opportunities for the Shire.
- SCD 3.1 Advocate and support initiatives that will develop and celebrate the cultural heritage of the Shire.
- LUE 2.1 Provide quality amenities and accessible public open spaces for the community.



**Financial Implications**

Nil

**Voting Requirements**

Simple Majority

**Officer's Recommendation**

That Council accept the offer from the Department of Planning, Lands and Heritage to take on the management of Reserve 48750, being Lots 300 and 301 on Plan 47200 for the purpose of 'Foreshore Management'.

**Officer's Recommendation**

That Council decline the offer from the Department of Planning, Lands and Heritage to take on the management of Reserve 46498, being Lot 15984 on Plan 22647 for the purpose of 'Water Supply'.

**Council Resolution**

***Cavanagh/Medlen***

That Council accept the offer from the Department of Planning, Lands and Heritage to take on the management of Reserve 48750, being Lots 300 and 301 on Plan 47200 for the purpose of 'Foreshore Management'.

**Carried 8/0  
Resolution 150/19**

**Council Resolution**

***Major/Carne***

That Council decline the offer from the Department of Planning, Lands and Heritage to take on the management of Reserve 46498, being Lot 15984 on Plan 22647 for the purpose of 'Water Supply'.

**Carried 8/0  
Resolution 151/19**





#### 8.4.4 WILLIAMS COMMUNITY RESOURCE CENTRE

<b>File Reference</b>	4.21.05
<b>Statutory Reference</b>	<i>Local Government Act 1995 and Local Government (Functions and General) Regulations 1996</i>
<b>Author &amp; Date</b>	Geoff McKeown 11 March 2019
<b>Attachments</b>	<b>Appendix 1</b> - Draft Lease Agreement <b>Appendix 2</b> - Draft Memorandum of Understanding <b>Appendix 3</b> - Draft Fee for Service Agreement for the Provision of Library Services

#### Background

In June 2017 the Shire and the Williams Community Resource Centre Committee (WCRC) negotiated new administrative arrangements for the operation of the Community Resource Centre and delivery of library and other services. These arrangements are due to expire on 31 March 2019.

#### Comment

The WCRC is an independent not-for-profit association. A number of agreements were negotiated with the WCRC as the organisation transitioned to become fully independent of the Shire in 2017. These arrangements are contained in the following documents which now expire on the 30 June 2020:

1. Lease of the Premises;
2. Memorandum of Understanding between the Shire and WCRC; and
3. Fee for Service Agreement for the provision of library services.

#### Statutory Implications

Section 3.58 of the *Local Government Act 1995* outlines the requirement for disposing of property. The term 'dispose' includes selling, leasing, or otherwise disposing of, whether absolutely or not. An exemption exists from having to meet the requirements of this section when the disposal is to a body where the objects of which are cultural and educational. An extract from the *Local Government (Functions and General) Regulations 1996* follows:

#### 30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
  - (b) the land is disposed of to a body, whether incorporated or not —
    - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
    - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;



### Policy Implications

Entering into a fee for service contract for the delivery of library services raises an issue with regard to Council's Purchasing Policy. The fee for service contract is for a fifteen month period and the total value of the contract is approximately \$48,373.

There is justification not to invite quotes in this situation due to the unique nature of the service; the fact that it is provided in a Shire owned building; and the unlikely situation where another provider will operate this service in Williams.

### Financial implications

The value of rental in the lease agreement and the fee for service contract for library services amount remain unchanged for the duration of the period up to 30 June 2020.

### Voting Requirements

Simple Majority

### Officer's Recommendation

That Council:

1. Agree to continue the lease agreement for the premises located at 5 Brooking Street, Williams with the Williams Community Resource Centre Inc. up to the 30 June 2020, including the rent amount and electricity contribution limit determined at the Council Meeting held on the 17th May 2017 (Resolution 208/17);
2. Endorse the Memorandum of Understanding pertaining to the use and management of the premises, and provision of library services and community programs; and
3. Accept the fee for service contract with the Williams Community Resource Centre Inc. for the provision of library services, acknowledging that the value of the contact exceeds the quoting threshold contained in the Shire's Purchasing Policy and recognising that due to the unique nature and location of the service it is unlikely that there is more than one potential supplier of the service.

### Council Resolution

#### **Major/Cavanagh**

That Council:

1. Agree to continue the lease agreement for the premises located at 5 Brooking Street, Williams with the Williams Community Resource Centre Inc. up to the 30 June 2020, including the rent amount and electricity contribution limit determined at the Council Meeting held on the 17th May 2017 (Resolution 208/17);
2. Endorse the Memorandum of Understanding pertaining to the use and management of the premises, and provision of library services and community programs; and
3. Accept the fee for service contract with the Williams Community Resource Centre Inc. for the provision of library services, acknowledging that the value of the contact exceeds the quoting threshold contained in the Shire's Purchasing Policy and recognising that due to the unique nature and location of the service it is unlikely that there is more than one potential supplier of the service.

**Carried 8/0  
Resolution 152/19**



#### 8.4.5 2018 COMPLIANCE AUDIT RETURN

<b>File Reference</b>	4.50.00
<b>Statutory Reference</b>	<i>Local Government (Audit) Regulations 1996</i>
<b>Author &amp; Date</b>	Geoff McKeown 13 March 2019
<b>Attachment</b>	<b>Appendix 4</b> – Compliance Audit Return

#### Background

The Annual Compliance Audit Return for the period 1 January 2018 to 31 December 2018, is presented for review by Council.

All local governments are required to carry out a Compliance Audit Return (CAR) under the *Local Government (Audit) Regulations 1996* on an annual basis. The CAR contains a checklist of statutory requirements and covers the calendar year.

The CAR is to be:

1. Presented to the Audit Committee for review at a meeting of the Audit Committee;
2. Recommended for Adoption by Council at an Audit Committee Meeting;
3. Presented to the Council at a meeting of Council;
4. Adopted by the Council; and
5. The adoption recorded in the minutes of the meeting at which it is adopted.

Once the CAR has been presented to Council, a certified copy of the return, along with the relevant section of the minutes and any additional information explaining or qualifying the CAR is to be submitted to the Director General, Department of Local Government, Sport and Cultural Industries by 31 March 2019.

#### Comment

The audit was carried out internally, sourcing evidence of compliance through the Shire's own records. The audit checklist is determined by the Minister of Local Government.

There were no areas where non-compliance was noted. However, comment has been made in relation to one occasion where an absolute majority resolution was needed. Although an absolute majority of votes was identified, the resolution appearing in the Minutes states "Carried" rather than "Carried by Absolute Majority". Attention will be given to this matter to ensure the correct notation is recorded in future Minutes.

#### Strategic Implications

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

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



**Financial Implications**

Nil

**Voting Requirements**

Simple Majority

**Officer's Recommendation**

That Council adopt the 2018 Compliance Audit Return and endorses the certification by the Deputy Shire President and the Chief Executive Officer for submission to the Department of Local, Sport and Cultural Industries.

**Council Resolution**

***Baker/Medlen***

That Council adopt the 2018 Compliance Audit Return and endorses the certification by the Deputy Shire President and the Chief Executive Officer for submission to the Department of Local, Sport and Cultural Industries.

**Carried 8/0  
Resolution 153/19**

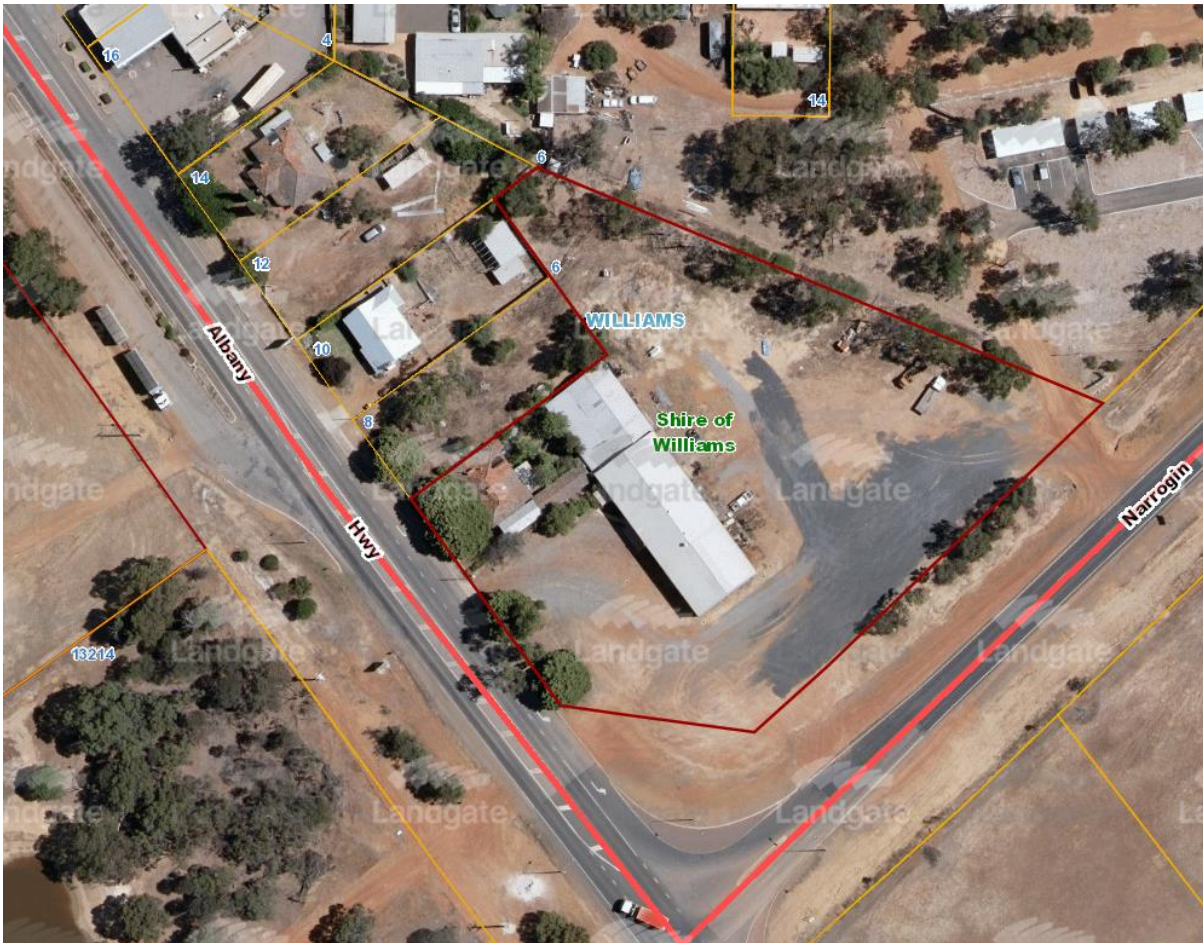
**8.4.6 DEVELOPMENT APPLICATION – OFFICE AT LOT 201 (6) ALBANY HIGHWAY, WILLIAMS**

<b>File Reference</b>	10.60.15
<b>Statutory Reference</b>	<i>Town Planning and Development Act 2005</i>
<b>Author &amp; Date</b>	Geoff McKeown 14 March 2019
<b>Attachment</b>	<b>Appendix 5 – Site plans</b>

**Background**

In 2015 development approval was granted for the construction of a 64m x 20m x 10.5m concrete tilt up panel/colorbond shed for the manufacturing of steel on what is now known as Lot 201 (6) Albany Highway, Williams.

Following this approval, the applicants, Barry, Marion, Jon and Tracey Price obtained a building permit which included a site plan showing potential future office accommodation. A development application has now been received for this stage. The plan below shows the boundary of the lot. As the aerial photo below does not show the more recent building activity.



**Comment**

There are two initial planning considerations associated with this proposal, being (1) the proposed land use and (2) the proposed building works.

1. Landuse

If the ‘office’ use is only to service the existing industrial business (for the applicant’s own admin work, accounts, bookings etc.) then it will be ancillary to the predominant use. Incidental use means a use of premises which is a consequent of, or naturally attaching, appertaining or relating to, the predominant use. Therefore development approval may not be required. However, it needs to be considered in relation to the proposed building works mentioned below.

2. Building Works

Clause 60 of the *Planning and Development (Local Planning Schemes) Regulations 2015* specifically states that a person must not commence or carry out works on, or use, land in the Scheme area unless –

- (a) the person has obtained the development approval of the local government under Part 8; or
- (b) the development is of a type referred to in Clause 61.



In other words, all 'works' require planning approval unless they are specifically exempt / listed in Clause 61 of the Regulations. Works is defined in the Regulations as including 'construction, alteration of or addition to any building or structure on the land'.

Clause 61 of the *Planning and Development (Local Planning Schemes) Regulations 2015* specifically list 'development for which development approval is not required' and this is limited and includes 'internal building work which does not materially affect the external appearance of the building'.

Based on the submitted plans, the owner proposes an office that is not utilising the existing internal floor area, but includes construction of a building addition which will affect the external appearance of the building. Therefore the 'works' component of the development requires planning approval irrespective of whether the office land use is considered to be ancillary or a separate office land use.

- *Description of Proposed Building*

The applicants propose to construct a new two story steel clad office building.

The building will be setback 6.574 metres from the property boundary on a raised reinforced hardstand area that is 4.381 metres from the property boundary.

Access to the property and office is via a crossover to the Narrogin Road.

- *Setbacks*

Under Clause 4.6(4)(a) of the Scheme a minimum front and rear setback of 16.5 metres is required in the industrial zone. Side setbacks are at the discretion of Council.

The applicant proposes a 6.574 metre building setback in lieu of the required 16.5 metres. It should be recognised that due to the truncation of the road, the distance between the building and the trafficable section of the road is significant.

Council has discretion under the Scheme to waive the minimum setback where it '*would result in undue hardship*' or '*be contrary to the interests of the area*'.

This report is supportive of the proposed setback variation as:

- The property is impacted by the road truncation.
- The building setback variation will not have a negative impact.
- Rigidly applying the 16.5 metre minimum setback without having regard for specific development plans would or '*be contrary to the interests of the area*'.

Under Clause 2.11 of the Scheme, Council has to give notice of its intention to waive a Scheme requirement which entails advertising the issue for 14 days. An advertising sign will be erected on the site inviting submissions within the advertising period.



- *Description of business*

The applicant operates a steel fabrication business and the retail of rainwater tanks and is known as Price's Fabrication and Steel. The business specialises in fabricating sheds and other steel structures.

- *Proposed land-use*

Council approved the steel fabrication and retail of rainwater tanks in 2015 when it approved the construction of the concrete tilt up panel/Colorbond shed. The proposed Office will service the existing industrial business.

- *Car-parking*

The Scheme does not stipulate minimum car-parking bay requirements for Industrial land so the number of car bays required is at the discretion of Council.

From a practical perspective it is recommended that:

- One car-parking bay be required for each staff member be accepted, noting that ten (10) bays are marked on the site plan; and
- The proposed three (3) bays for customers, including one for universal access parking, be accepted.

The site plan and other plans are includes as **Appendix 5**.

- *Relevant State Planning Policies and Guidelines – Bushfire Prone Areas*

Under the 'deemed provisions' of the *Planning and Development (Local Planning Schemes) Regulations 2015* Council is to have 'due regard' to any state planning policy. This essentially means Council has an obligation to give proper, genuine and realistic consideration to the requirements of 'State Planning Policy 3.7: Planning in Bushfire Prone Areas' (SPP 3.7).

The Shire has a mandatory obligation to consider SPP3.7 when making a decision on any application where the lot is within a designated bushfire prone area.

The Western Australian Planning Commission released SPP3.7 and associated Guidelines for Planning in Bushfire Prone Areas ('the Guidelines') in December 2015. These documents apply to all land identified as Bushfire Prone.

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website. Lot 201 is just within the declared bushfire prone area (pink area).



Under Clause 5.4 of the Guidelines all planning applications in Bushfire Prone Areas are to be accompanied by a BAL (Bushfire Attack Level) assessment.

A BAL examines the location of proposed development, distance to vegetation, type of vegetation within 100 metres, slope and determines whether higher construction standards should be imposed to reduce bushfire risk.

It is recommended that the application be determined without a BAL for the following reasons:

- A BAL for non-habitable development only influences siting of buildings (setbacks to vegetation) because no higher construction standards apply to Class 4 to 9 buildings under the Building Code of Australia (BCA). The building is Class 8 under the BCA.
  - Under the Bushfire Guidelines the applicant has discretion as to whether they choose to build to a higher construction standard, and it is not compulsory. In this circumstance a BAL at the planning stage is considered onerous.
  - Only a small area of the lot, which is not developed with buildings, is impacted by the declared bushfire prone area.
- *Advertising / Delegated Authority*

Due to the Scheme requirement for advertising, Council is not in a position to determine the planning application at this time. As the application is generally supported, it is recommended





that Council grant delegated authority to the Chief Executive Officer to determine the application following the close of advertising.

The Chief Executive Officer will only utilise the delegated authority if no substantiated objections are lodged.

### **Policy Requirements**

Nil

### **Legislative Requirements**

Shire of Williams Town Planning Scheme No 2 – The majority of the Scheme requirements are explained in the body of this report.

Clause 2.6 outlines methods for advertising (sign, newspaper or letters to neighbours) and stipulates a minimum advertising period of 14 days.

Clause 2.11 relating to 'Waiving the provisions of the Scheme' states that '*where the Council considers application of the provision of Parts 4 and 5 of the Scheme would result in undue hardship, or be contrary to the interests of the area it may, after giving notice of its intention in accordance with Clause 2.6, waive the requirements of the provision except that Council shall not waive the requirements of either Table 1 or Clause 5.6*'.

Clause 5.1 (1) of the Scheme requires the minimum dimension of any car-parking space to be 2.5 metres by 5.5 metres excluding any access drives.

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

The Regulations have introduced 'Deemed Provisions' that automatically apply to every Local Planning Scheme in Western Australia including the Shire of Williams Town Planning Scheme No 2.

The deemed provisions mainly deal with administrative matters and procedures that are commonly contained in most local planning schemes including local planning policies, heritage protection, structure plans, requirements for development approval, the form of development applications, advertising, enforcement and administration.

Regulation 67 outlines 'matters to be considered by Council' including and not limited to the aims and provisions of the Scheme, orderly and proper planning, any approved state policy, the compatibility of the development with its setting including to development on adjoining land, amenity, loading, access, traffic and any submissions received on a proposal.

Regulation 82 allows Council to grant delegated authority to the Chief Executive Officer to exercise the local government's powers under the Scheme. Any resolution must be by Absolute Majority in accordance with Regulation 82 (2).



### Strategic Implications

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

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

### Financial Implications

The applicant will pay a planning fee based on the cost of the development.

### Voting Requirements

Absolute Majority

### Officer's Recommendation

That Council:

1. Note that advertising will be undertaken in regard to a variation to the boundary setback requirement.
2. Authorise the Chief Executive Officer to advise the applicant that the proposal to construct and occupy office accommodation at Lot 201 (6) Albany Highway, Williams is generally supported; however the variation to the boundary setback requirement is required to be advertised under the Shire's Town Planning Scheme.
3. 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 the application lodged to construct and occupy office accommodation at Lot 201 (6) Albany Highway, Williams following the close of advertising.
4. 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 April 2019 Ordinary Council Meeting.

### Council Resolution

#### Major/Watt

That Council:

1. Note that advertising will be undertaken in regard to a variation to the boundary setback requirement.
2. Authorise the Chief Executive Officer to advise the applicant that the proposal to construct and occupy office accommodation at Lot 201 (6) Albany Highway, Williams is generally supported; however the variation to the boundary setback requirement is required to be advertised under the Shire's Town Planning Scheme.
3. 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 the application lodged to construct and occupy office accommodation at Lot 201 (6) Albany Highway, Williams following the close of advertising.
4. 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 April 2019 Ordinary Council Meeting.

**Carried by Absolute Majority 8/0  
Resolution 154/19**



**8.4.7 USE OF THE COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY**

<b>File Reference</b>	4.50.60
<b>Statutory Reference</b>	Sections 5.42 and 9.49A <i>Local Government 1995</i>
<b>Author &amp; Date</b>	Geoff McKeown      14 March 2019
<b>Attachment</b>	Nil

**Background**

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

There is a requirement under the *Local Government Act 1995* that the Delegations Register is reviewed annually by Council. A procedure included in the Delegations Register is to report to Council the activities or actions that have been performed under delegated authority. A report will be completed for Council at 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 Delegations Register.

**Comment**

Actions performed under delegation during the preceding month 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. \$150,000.00 from the Municipal Fund Cash Management Account to the Municipal Fund in anticipation of future expenditure;

- **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.

**Strategic Implications**

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



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

### **Financial Implications**

Payments from the Municipal Fund and Trust Fund have been approved in the 2018/19 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 February 2019.

#### **Council Resolution**

##### ***Harding/Watt***

That Council accepts the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of February 2019.

**Carried 8/0  
Resolution 155/19**

The Chief Executive Officer requested approval to raise an additional item for Council consideration.

### **Public Liability Claim**

The Chief Executive Officer advised that the Shire had received a public liability claim. It had been assessed by the Shire's Insurer, who declined the claim. The Chief Executive Officer sought direction from Council if it wished to consider any further action.

#### **Council Resolution**

##### ***Harding/Watt***

That Council review options for settlement of the claim, on a without prejudice basis, outside the Shire's Public Liability Policy.

**Lost 3/5  
Resolution 156/19**

The Chief Executive Officer was directed to ask the Shire's Insurer to review its decision on the public liability claim.

*The Manager of Finance, Mrs Cara Ryan, attended the Meeting at 5.14pm to discuss her report.*



## 8.5 MANAGER OF FINANCE'S REPORT

### 8.5.1 ACCOUNTS FOR PAYMENT

<b>File Reference</b>	4.23.15	
<b>Statutory Reference</b>	N/A	
<b>Author &amp; Date</b>	Cara Ryan	13 March 2019

#### 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 104729 – 104734 totalling \$284,732.85, and Trust Fund EFT totalling \$50.00, approved by the Chief Executive Officer during the month of February 2019 be endorsed.



**Council Resolution**

**Harding/Major**

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104729 – 104734 totalling \$284,732.85, and Trust Fund EFT totalling \$50.00, approved by the Chief Executive Officer during the month of February 2019 be endorsed.

**Carried 8/0  
Resolution 157/19**

**8.5.2 FINANCIAL STATEMENTS**

<b>File Reference</b>	4.23.15	
<b>Statutory Reference</b>	N/A	
<b>Author &amp; Date</b>	Cara Ryan	13 March 2019

**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 28 February 2019 be received.

**Council Resolution**

**Medlen/Watt**

That the financial statements presented for the period ending 28 February 2019 be received.

**Carried 8/0  
Resolution 158/19**



### 8.5.3 2018-2019 BUDGET REVIEW

<b>File Reference</b>	4.21.25
<b>Statutory Reference</b>	<i>Local Government Act 1995</i> Section 6.12(1)
<b>Author &amp; Date</b>	Cara Ryan 15 March 2019
<b>Attachments</b>	Appendix 1 - 2018/2019 Budget Review Statement of Financial Activity, Net Current Funding and Predicted Variances

#### Purpose

To consider and adopt the Budget Review as presented and recommended at the Audit Committee meeting held on Wednesday, 20 March 2019.

#### Background

A Statement of Financial Activity incorporating year to date budget variations and forecasts to 30 June 2019 for the period ending 28 February 2019 was presented to the Audit Committee to consider and for recommendation to Council for adoption. The *Local Government (Financial Management) Regulations 1996*, Regulation 33A as amended, requires that local governments conduct a budget review between 1 January and 31 March in each financial year. The results of the review and accompanying report from the review must be presented to Council within 30 days of the review. The review and determination is then to be provided to the Department of Local Government within 30 days of the adoption of the review.

The Budget Review has been prepared to include information required by the *Local Government Act 1995*, *Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards. Council adopted a 5% and \$5,000 minimum for reporting of material variances to be used in the statements of financial activity and the annual budget review.

Features of the review, as summarised from the detailed financial reports attached, are as follows:

#### REVENUE

Unbudgeted revenue received from LGIS, due to a refund on insurance premiums on revaluation of Buildings and Infrastructure.	\$6,927
Insurance reimbursement for repairs to administration air-conditioner.	\$2,700
Reduced rental income on Munthoola Rd. Currently vacant.	(\$10,000)
Increase in General Purpose component of Federal Assistance Grant.	\$16,845
Reduction in Local Road Grant component of Federal Assistance Grant.	(\$26,033)
Fees and charges relating to Childcare below budget expectations.	(\$34,679)
Additional funding received from 17/18 Federal Sustainability Grant.	\$12,930
Increase in refuse site access fees.	\$11,137
Unbudgeted revenue received for works associated with the NRM Grant.	\$2,200
Main Roads Direct Grant reinstated to 16/17 levels.	\$28,921
Planning fees received exceeding budget expectations	\$10,000
<b>TOTAL ADJUSTED REVENUE</b>	<b>\$20,948</b>



**EXPENDITURE**

Saving on staff costs associated with running the Childcare Centre.	\$11,500
Increase expenditure on swimming pool maintenance.	(\$7,000)
Saving on insurance costs for Workers Compensation cover.	\$6,000
<b>TOTAL ADJUSTED EXPENDITURE</b>	<b>\$10,500</b>

**CAPITAL REVENUE**

Funding for Albany Hwy footpath postponed to 2019/2020.	(\$35,000)
Trade-in of Prime Mover exceeded budget expectations.	\$10,512
<b>CAPITAL FUNDING</b>	<b>(\$24,488)</b>

**CAPITAL EXPENDITURE**

Slightly over budget with Lions Park Redevelopment of 4%.	(\$32,029)
Construction of footpath on Albany Hwy postponed to 2019/2020.	\$70,084
Saving on purchase of Prime Mover.	\$44,900
<b>CAPITAL EXPENDITURE</b>	<b>\$82,955</b>

**OTHER ITEMS**

Increase in Opening Surplus	<b>\$4,684</b>
-----------------------------	----------------

**Financial Implications**

Due to the combined value of the above adjustments the balanced budget is now predicted to be in a surplus of \$94,599. This predicted surplus includes a timing adjustment of \$35,084, which will be required to be carried over to the 2019-2020 Budget. This is for the construction of a footpath along Albany Hwy to which grant funding has been approved. The trade-in of the Prime Mover resulted in an overall saving of \$55,412, therefore Council may want to consider reducing the reserve transfer budgeted for this, by this amount.

**Strategic Implications**

This item aligns with the community’s vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017-2032. Specifically it relates to the following strategies:

CL 2.2 Maintain accountability, transparency and financial responsibility.

**Voting Requirements**

Simple Majority

**Officer’s Recommendation**

That the 2018-2019 Budget Review completed by senior staff be recommended to Council for adoption.

**Council Resolution**

**Major/Medlen**

That the 2018-2019 Budget Review completed by senior staff be recommended to Council for adoption.

**Carried 8/0  
Resolution 159/19**





Cara Ryan left the Meeting at 5.34pm.

## 8.6 WASTE MANAGEMENT OFFICER’S REPORT

### 8.6.1 ENGAGEMENT OF WASTE SERVICES CONTRACTOR

<b>File Reference</b>	10.10.20
<b>Statutory Reference</b>	<i>Environmental Protection Act 1986, Waste Avoidance Resource Recovery Act 2007, Waste Avoidance and Resource Recovery Strategy 2030.</i>
<b>Author &amp; Date</b>	Seonaid Leslie            13 February 2019

#### Background

The Shire of Williams is seeking to establish a contract with a suitable contractor to provide the following waste services:

- Town site Kerbside Collection of Rubbish and Recycling bins;
- Transport of Kerbside Collection Rubbish and Recycling to a suitable landfill and recycling processing plant;
- Transport of bulk recycling to a recycling processing plant; and
- Transport of bulk rubbish from Shire of Williams Transfer Station to a suitable landfill.

Avon Waste currently provides a weekly kerbside rubbish collection services and fortnightly kerbside recycling service to the towns of Quindanning and Williams. Quindanning residents are provided this collection service by Avon Waste under the Shire of Boddington Contract. The service is invoiced to the properties by the Shire of Boddington, with waste going to the Boddington landfill. Kerbside rubbish from the town of Williams is currently disposed of at the Shire’s landfill, with the process of finding an alternative site underway.

The Shire of Williams landfill is approximately 3km east of the town on the Narrogin-Kondinin Road. The landfill has been a trench landfill but is rapidly filling requiring an alternative site to be found, see item 8.6.2 for project progress details. Infrastructure is in place for the landfill trench to close and become a transfer station, see item 8.6.3 for project progress details on establishing the Williams transfer station.

#### Comment

An audit of the Shire of Williams kerbside and bulk rubbish and recycling services is underway. This is to ensure the Shire’s records are correct and the Shire’s requirements are communicated clearly in the future waste services contract. This will facilitate the best provision of services, a smooth transition from the existing services to the future contract and the most accurate calculation of expenses by the future waste services contractor and Shire Officers. The audit involves a review of rated domestic and commercial waste services, public services (such as street, park and Shire bins) and transfer station current and future service requirements.

The next stage of this project is to determine the Shire’s preferred approach to engaging a waste services contractor. To ensure the Shire meets the local government procurement policy the Shire has been in discussion with the West Australian Local Government Association’s (WALGA)



Procurement Officer. It is recommended that the best outcome for the Shire would be achieved by using WALGA's Preferred Supplier Program. Purchasing through this program means the Shire will not have to tender, as a tender exemption applies to all WALGA Preferred Supplier Contracts. This saves on time, money and risks associated with tendering. With the Council's endorsement a Request for Quote will be written, with the guidance of WALGA and distributed electronically using eQuotes. Alternatively the Shire could go out to tender independently.

The Shire has entered into preliminary discussions with the Shire of Wandering to merge our kerbside waste collection services. The Shire of Wandering's contract with their existing waste services provider has expired and collaborating would benefit both parties. In addition to increasing the appeal of the contract, challenges around compaction and collection routes may be improved. It is recommended that this strategic partnership is investigated further, and if it's mutually beneficial, to complete a joint request for quote.

### Strategic Implications

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

- LUE 3.5 Support and advocate for a regional waste approach to waste management including transfer station, recycling and waste reduction education
- CL 3.2 Foster, nurture and develop strategic alliances with local government, major industry and government agencies
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business

### Financial Implications

To be determined, based on recommendations and implementation (if any).

The cost to the Shire for waste services is predicted to increase due to the change in the distance required to transport municipal waste.

### Voting Requirements

Simple Majority

### Officer's Recommendation

That Council endorse:

1. the audit of current Shire waste services as presented.
2. using the WALGA Preferred Supplier Program to engage a waste services contractor.
3. collaborating with the Shire of Wandering in the engagement of a waste services provider if it is mutually beneficial.



**Council Resolution**

**Baker/Watt**

That Council endorse:

4. the audit of current Shire waste services as presented.
5. using the WALGA Preferred Supplier Program to engage a waste services contractor.
6. collaborating with the Shire of Wandering in the engagement of a waste services provider if it is mutually beneficial.

**Carried 8/0  
Resolution 160/19**

**8.6.2 ALTERNATIVE LANDFILL SITE**

<b>File Reference</b>	10.10.30
<b>Statutory Reference</b>	<i>Environmental Protection Act 1986, Waste Avoidance Resource Recovery Act 2007, Waste Avoidance and Resource Recovery Strategy 2030.</i>
<b>Author &amp; Date</b>	Seonaid Leslie            13 February 2019

**Background**

The Shire of Williams landfill is approximately 3km east of the town on the Narrogin-Kondinin Road. The landfill has been a trench landfill but is rapidly filling requiring an alternative site to be found. The urgency of closure has increased following a fire in the refuse site in December 2018. The fire was contained and smothered using large volumes of soil, which in turn has reduced space remaining for landfilling. An assessment was made and it was agreed not to clear additional land for continued trench landfilling. Infrastructure is in place for the site to close and become a transfer station, see item 8.6.3. An alternative site is being sought for the long-term disposal of rural residents’ refuse and the kerbside collected refuse.

**Comment**

Letters to the Shire of Boddington and the Shire of Narrogin have been sent, requesting that they give consideration to accepting Shire of Williams’ municipal waste. In addition, the private landfill in North Bannister operated by SUEZ has been requested to provide a proposal to accept the Shire’s waste. No official responses have been received from these three potential alternative landfill sites.

It is recommended that the Shire initially engage a waste services contractor, and use this process to determine the best alternative landfill site. This will take into account the logistical impacts on the transport fee, as well as the gate fee for disposal. Additionally the fee structure for the alternative sites needs to be taken into consideration. The two local government owned landfills do not have weighbridges on site, so currently charge per m<sup>3</sup>, while the privately owned landfill does have a weighbridge on site and charges a fee per tonne.

For cost estimates the quantity of waste to be sent to an alternative site is assumed to be similar to last year. In 2018, 247 tonnes of municipal waste were disposed of to the Williams landfill,



equating to a volume of approximately 832m<sup>3</sup>. This volume estimate is based on a compaction density of 0.3t/m<sup>3</sup>, which was obtained from the shires current waste service provider. It is estimated that the same quantity of refuse is brought into the Williams landfill by rural residents. This is a visual estimate only and will be assessed once the transfer station is operational. Upon engagement of a waste services contractor kerbside waste can be easily transported to the alternative landfill. The remaining capacity of the Williams landfill will then allow for a transition period for waste generated from the newly commissioned transfer station to occur.

### Strategic Implications

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

- LUE 3.5 Support and advocate for a regional waste approach to waste management including transfer station, recycling and waste reduction education
- CL 3.2 Foster, nurture and develop strategic alliances with local government, major industry and government agencies
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business

### Financial Implications

To be determined, based on recommendations and implementation (if any).

As a result of the closure of the Williams landfill the cost of waste disposal will increase. Where previously the Shire was only paying for the operation and maintenance of its landfill, the Shire will now also pay a gate fee for disposal at an alternative site. While management of the new transfer station should be less than the current site, this will be made up by the increased time required to improve waste diversion.

### Voting Requirements

Simple Majority

### Officer's Recommendation

That Council notes progress on securing an alternative landfill site.

### Council Resolution

*Medlen/Major*

That Council notes progress on securing an alternative landfill site.

**Carried 8/0  
Resolution 161/19**



**8.6.3 GENERAL PROJECTS UPDATE**

<b>File Reference</b>	10.10.30
<b>Statutory Reference</b>	<i>Environmental Protection (Rural Landfill) Regulations 2002</i>
<b>Author &amp; Date</b>	Seonaid Leslie                      13 February 2019

**Background**

The Waste Management Officer (WMO) manages a variety of projects that are in various stages of progress.

**Comment**

Shire of Williams Landfill Closure

As explained in item 8.6.2 the Shire is planning for the closure of the Williams Landfill. The Shire is in contact with WALGA regarding the reviewed *Environmental Protection (Rural Landfill) Regulations 2002*, to ensure the sites closure meets the most current legislation requirements. The operation of the landfill will be continued for as long as possible with kerbside municipal waste being diverted to the alternative landfill site as a priority, to allow rural residents time to adjust to the transfer station.

Shire of Williams Transfer Station

The Shire of Williams constructed a small waste transfer station at the Williams Refuse Site over the period 2013-2016. State Government funding was made available to the Great Southern Waste Group through the Regional Investment Plan funding program. This infrastructure will allow the closure of the landfill and transfer of waste to an alternative location, see item 8.6.2 for details on the progress of this project.

Research is ongoing to determine the best layout for effective waste diversion. Discussions are underway regarding the structure of the municipal waste transfer bay and bins, and future site visits to operational transfer stations are planned.

Waste Education

The Shire is keeping up to date on the progress of the State’s Container Deposit Scheme and will communicate all relevant information to residents.

The following waste education projects are progressing:

- Increased waste diversion at transfer station to make the most of valuable skip bin space at the new transfer station.
- Increase recycling in the Shire of Williams.
- Reduce recycling contamination in the Shire of Williams.
- Work with neighbouring Shires and State Government to ensure consistent recycling information is provided. This aligns with the *State Governments Waste Avoidance and Resource Recovery Strategy 2030* headline strategy “Develop state-wide communications to support consistent messaging on waste avoidance, resource recovery and appropriate waste disposal behaviours.”
- Be a point of contact for recycling and waste disposal questions.



### Shire of Williams Waste Plan

The Shire is up to date with the new *State Government Waste Avoidance and Resource Recovery Strategy 2030*. One of the headline strategies is to “implement local government waste plans, which align local government waste planning processes with the *Waste Avoidance and Resource Recovery Strategy 2030*”. Officers will follow the guidance of the Waste Authority to ensure the Shire meets this local government requirement. An information session on the *State Government Waste Avoidance and Resource Recovery Strategy 2030* and *Action Plan 2030*, hosted by WALGA, is being attended online by the Shire of Williams on the 17<sup>th</sup> of April.

### **Strategic Implications**

This item aligns with the community’s vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017-2032. Specifically it relates to the following strategies:

- LUE 3.5 Support and advocate for a regional waste approach to waste management including transfer station, recycling and waste reduction education
- CL 3.2 Foster, nurture and develop strategic alliances with local government, major industry and government agencies
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business.

### **Financial Implications**

To be determined, based on recommendations and implementation (if any).

### **Voting Requirements**

Simple Majority

### **Officer’s Recommendation**

That Council notes the Waste Management Officer’s general projects update.

### **Council Resolution**

#### ***Harding/Cavanagh***

That Council notes the Waste Management Officer’s general projects update.

**Carried 8/0  
Resolution 162/19**

## **8.7 COUNCILLORS’ REPORTS**

Cr Cavanagh reported on his attendance at a recent South 32 Community Liaison Committee Meeting.

Cr Carne, together with the CEO, attended a WALGA Central Country Zone Meeting at Corrigin on the 15 March 2019. The meeting commenced with a tribute to the late John Cowcher.

## **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**

Cr Carne requested leave of absence for the June 2019 Council Meeting.

### **Council Resolution**

#### ***Medlen/Watt***

That Council endorse the leave of absence request from Cr Carne for the June 2019 Ordinary Council Meeting.

**Carried 8/0  
Resolution 163/19**

## **12.0 INFORMATION SESSION**

Cr Major and Cr Logie advised that they had enrolled and will attend the CEO Performance Review Workshop run by WALGA and hosted by the Shire of Wagin on the 23 May 2019.

Cr Baker reporting on matters relating to the Williams Men's Shed, the Williams Gateway Expo and the Williams Monthly Markets.

Cr Baker also reported that he had been elected President of Williams Art & Craft Centre Inc. at its recently held Annual General Meeting.

Cr Cavanagh thanked the Shire for its continued support of the Quindanning Picnic Races and for allowing the use of the Shire water truck for the event.

Cr Logie requested that attention be given to removing windblown litter from around the Shire's Refuse Site in the lead up to commissioning the waste transfer station.

## **13.0 CLOSURE OF MEETING**

There being no further business for discussion the Deputy President declared the Meeting closed at 5.57pm.