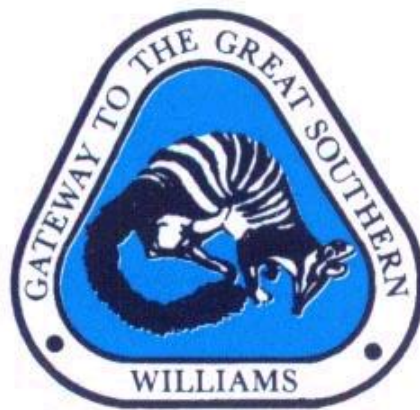


# ***SHIRE OF WILLIAMS***

***MINUTES ORDINARY MEETING HELD ON  
WEDNESDAY 17 APRIL 2019***



## **COUNCIL DIARY**

**WEDNESDAY 17 APRIL 2019**

1.00pm

Ordinary Meeting

**THURSDAY 25 APRIL 2019**

8.00am

ANZAC Day Ceremony

**WEDNESDAY 15 MAY 2019**

1.00pm

Ordinary Meeting



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**Separate Documents**

1. Minutes – Council , Audit Committee; HWEDA,
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 1.05pm.

## 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
Cara Ryan	Manager of Finance (3.41pm – 4.05pm)
Trevor Brandy	Environmental Health Officer / Building Surveyor (1.44pm – 1.49pm)

Manuela Lenehan	Minute Taker
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Apologies	Nil
Leave of Absence	Nil

### ELECTION OF OFFICE BEARERS

#### Election of President

The *Local Government Act 1995* (Sections 2.11 to 2.15 and Schedules 2.3 and 4.1) outlines procedures for the election process for the Shire President and Deputy Shire President.

The Deputy President vacated the Chair.

The Chief Executive Officer invited nominations for the position of President to serve for a term concluding at the 2019 Ordinary Election.



The Chief Executive Officer received three written nominations, all nominating Cr Logie. The Chief Executive Officer called for any further nominations. No further nominations were received. Cr Logie accepted the nomination.

Cr Logie was duly elected as Shire President for a term concluding at the 2019 Ordinary Election and made a declaration of office in the presence of Chief Executive Officer, Geoff McKeown.

Cr Logie assumed the Chair.

#### **Election of Deputy President**

The President invited nominations for the position of Deputy President to serve for a term concluding at the 2019 Ordinary Election.

The Chief Executive Officer received three written nominations. Two nominations were for Cr Major and one nomination for Cr Cavanagh. The President called for any further nominations. No further nominations were received. Cr Major accepted the nomination. Cr Cavanagh declined the nomination.

Cr Major was duly elected as Deputy President for a term concluding at the 2019 Ordinary Election and made a declaration of office in the presence of Chief Executive Officer, Geoff McKeown.

#### **Audit Committee Membership**

The Chief Executive Officer advised that due to the passing of Cr John Cowcher a vacancy has arisen on the Audit Committee. The Audit Committee currently includes Crs Medlen, Baker and Harding. He recommended the appointment of an additional member to the committee.

#### **Council Resolution**

##### ***Harding/Major***

That Cr Logie be appointed to the Audit Committee to join current members being Crs Medlen, Baker and Harding.

**Carried By Absolute Majority 8/0  
Resolution 164/19**

### **3.0 PUBLIC QUESTION TIME**

### **4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS**



## 5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	Geoff McKeown, Chief Executive Officer
Item No. / Subject	Item 8.4.4 Proposed Subdivision/Amalgamation – Lots 128 & 129 Richmond Street, Williams.
Type of Interest	Impartiality Interest

DECLARATION OF INTEREST	
Name / Position	Cr Robert Baker
Item No. / Subject	Item 8.4.6 Williams Men’s Shed – Request for Support.
Type of Interest	Impartiality Interest

## 6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

### 6.1 ORDINARY COUNCIL MEETING HELD 20 MARCH 2019

#### **Officer’s Recommendation**

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

#### **Council Resolution**

##### ***Carne/Baker***

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

**Carried 8/0  
Resolution 165/19**



## 6.2 AUDIT COMMITTEE MEETING HELD 20 MARCH 2019

### **Officer's Recommendation**

That the Minutes of the Audit Committee Meeting held 20 March 2019, as previously circulated, be received.

### **Council Resolution**

#### ***Harding/Medlen***

That the Minutes of the Audit Committee Meeting held 20 March 2019, as previously circulated, be received.

**Carried 8/0  
Resolution 166/19**

## 6.3 HWEDA MEETING HELD 9 APRIL 2019

### **Officer's Recommendation**

That the Minutes of the HWEDA Meeting held 9 April 2019, as previously circulated, be received.

### **Council Resolution**

#### ***Watt/Cavanagh***

That the Minutes of the HWEDA Meeting held 9 April 2019, as previously circulated, be received.

**Carried 8/0  
Resolution 167/19**

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

## **8.0 REPORTS**





## 8.1 ECONOMIC DEVELOPMENT OFFICER'S REPORT

Nil Report

*In the absence of the Works Supervisor on annual leave, the report was presented by the CEO.*

## 8.2 WORKS SUPERVISOR'S REPORT

File Reference	12.15.36	
Statutory Reference	N/A	
Author & Date	Tony Kett	11 April 2019
Attachments	Appendix 1	

### 8.2.1 MAINTENANCE GRADING ACTIVITY

Road Name	Length Graded (km)
McKenzie Rd	5.4
Playle Rd	3.7
Westmere Rd	5.0
Yarrabin Rd	4.5
Congelin Rd	6.1
Kennedy Rd	2.7
Johnstone Rd	1.2
Zilko Rd	19.3
Munday Rd	8.7
Church Rd	1.0
Waldock Rd	1.8
Marling Rd	7.1
Culbin-Boraning Rd	17.7
<b>Total Length for the Month</b>	<b>84.2Km</b>

### 8.2.2 ROAD MAINTENANCE WORKS (SEE APPENDIX)

- Flood damage repair – completed on Coulter Rd.
- Started flood damage repair on Culbin-Boraning and Marling Rds.
- Cleaned up after storm on 21/3/19.



**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				Sealing 16-4-2019
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 and 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						Completed
12	Zilko Road	Gravel Sheet (3kms)						
11	Marradong Road	Drainage and seal failures						
	Various Roads	Gravel Sheeting and Reforming						



### 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	Serviced
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	Serviced
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	Install new window. Repaired hydraulic hose.
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	
721E Case Loader WL 5639	N Fisher		May 12	6,953 hr	
Volvo EC210BLC Excavator WL 499	P Reed		Jul 07	7,745 hr	Repaired Quick hitch
John Deere 315SE4 Backhoe WL 745	T Palframan		Sep 01	3,159 hr	Air con serviced.
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	Serviced
Isuzu Giga CXZ Tip Truck WL 128		J Murdock	Dec 08	245,533 km	Replaced seat switch
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

- Nil to report

### 8.2.6 TOWN AND FACILITIES REPORT

- Started new fence at the cemetery.
- Set up for Expo.



**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**

**Medlen/Major**

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

**Carried 8/0  
Resolution 168/19**

*The Environmental Health Officer/Building Surveyor, Mr Trevor Brandy, attended the Meeting at 1.44pm to discuss his report.*



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

**8.3.1 BUILDING PERMITS**

**File Reference** 13.34.10  
**Statutory Reference** Building Act 2011, Building Regulations 2012  
**Author & Date** Trevor Brandy 10 April 2019  
**Attachments** Nil

**Comment**

An application was received from Mr N Gallegos of 1463 Quindanning /Darkan road to extend his building permit number 370 for his proposed Dwelling. Mr Gallegos indicated work and family commitments for his need for an extension and that the building is at plate height. The Permit has been extended for another 2 years

Permit Number	Owner	Address	Description
418	J Clay	2 Richardson Street, Williams	Steel Framed Patio
421	M Jaksic	Lot 215, 36 Lavender Street Williams	Steel Framed Dwelling

**Voting Requirements**

Simple Majority

**Officer’s Recommendation**

That Building Report as presented be endorsed by Council.

**Council Resolution**

**Medlen/Watt**

That Building Report as presented be endorsed by Council.

**Carried 8/0  
Resolution 169/19**



**8.3.2 FOOD PREMISES REGISTRATIONS ETC.**

<b>File Reference</b>	7.40.41
<b>Statutory Reference</b>	Food Act 2008, Health Act 1911
<b>Author &amp; Date</b>	Trevor Brandy 10 April 2019
<b>Attachments</b>	Nil

**Comment**

A meeting was held with Kirby Dickson on Food Registrations for the upcoming Williams Gateway Expo. I advised her that all registrations will be monitored on the Saturday when the Environmental Health Officer goes ‘undercover’.

Monthly water samples have been taken from Council’s re-use facility and samples submitted to the Water Examination Laboratory. Previously samples were sent from Narrogin due to samples not being delivered in the allocated time frame (24 hrs); it was decided to give our local couriers another try to alleviate the need to drop off in Narrogin.

The sample arrived at Pathwest on time and results have just come back, with values within the guidelines as specified in the Health Department Water Reuse Guidelines.

**Voting Requirements**

Simple Majority Required

**Officer’s Recommendation**

That the Food Premises Registration Report be endorsed by Council.

**Council Resolution**

***Baker/Harding***

That the Food Premises Registration Report be endorsed by Council.

**Carried 8/0  
Resolution 170/19**

*Trevor Brandy left the Meeting at 1.49pm.*



**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	11 April 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 April 2019 be received by Council.

**Council Resolution**

**Carne/Harding**

That the Chief Executive Officer’s General Report for April 2019 be received by Council.

**Carried 8/0  
 Resolution 171/19**

**8.4.2 DEVELOPMENT APPLICATION – LOT 20 CHANNON STREET, WILLIAMS**

<b>File Reference</b>	10.60.15	
<b>Statutory Reference</b>	Town Planning Scheme No.2	
<b>Author &amp; Date</b>	Geoff McKeown	10 April 2019
<b>Attachment</b>	Nil	



### **Background**

At the August 2016 Ordinary Meeting, Council considered a development application submitted by Mr Michael Eastwood for the construction of a dwelling on Lot 169 Channon Street, Williams. Council granted conditional approval for the development.

An amendment was made to one of the development conditions at the December 2016 Ordinary Council Meeting.

No development has commenced to this point. The original development approval was granted for a two year period. It has now lapsed.

### **Comment**

In the interim, the owner successfully amalgamated his original three lots to form a new Lot 20. He now wishes to proceed with the development. In order for this to occur, a new development approval is required.

The original approval contained the following conditions:

- 1 The applicant is approved to use Lot 333 as an access leg to Lot 169 and Lot 3;
- 2 The access leg and crossover to Forrest Street being constructed to Council's satisfaction;
- 3 The applicant obtaining a Building Permit prior to construction of the dwelling; and
- 4 The development being undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council.

### **Advice Notes:**

The development shall be substantially completed within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Williams having first been sought and obtained.

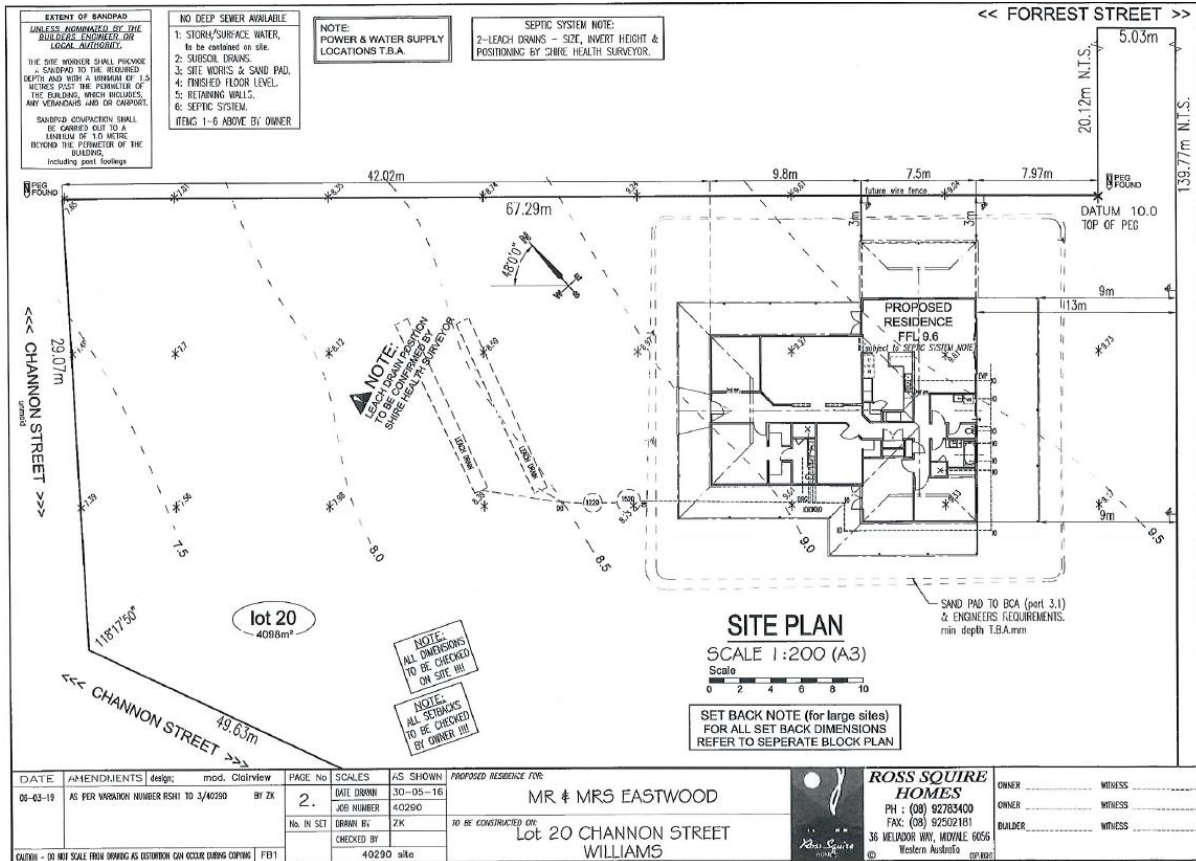
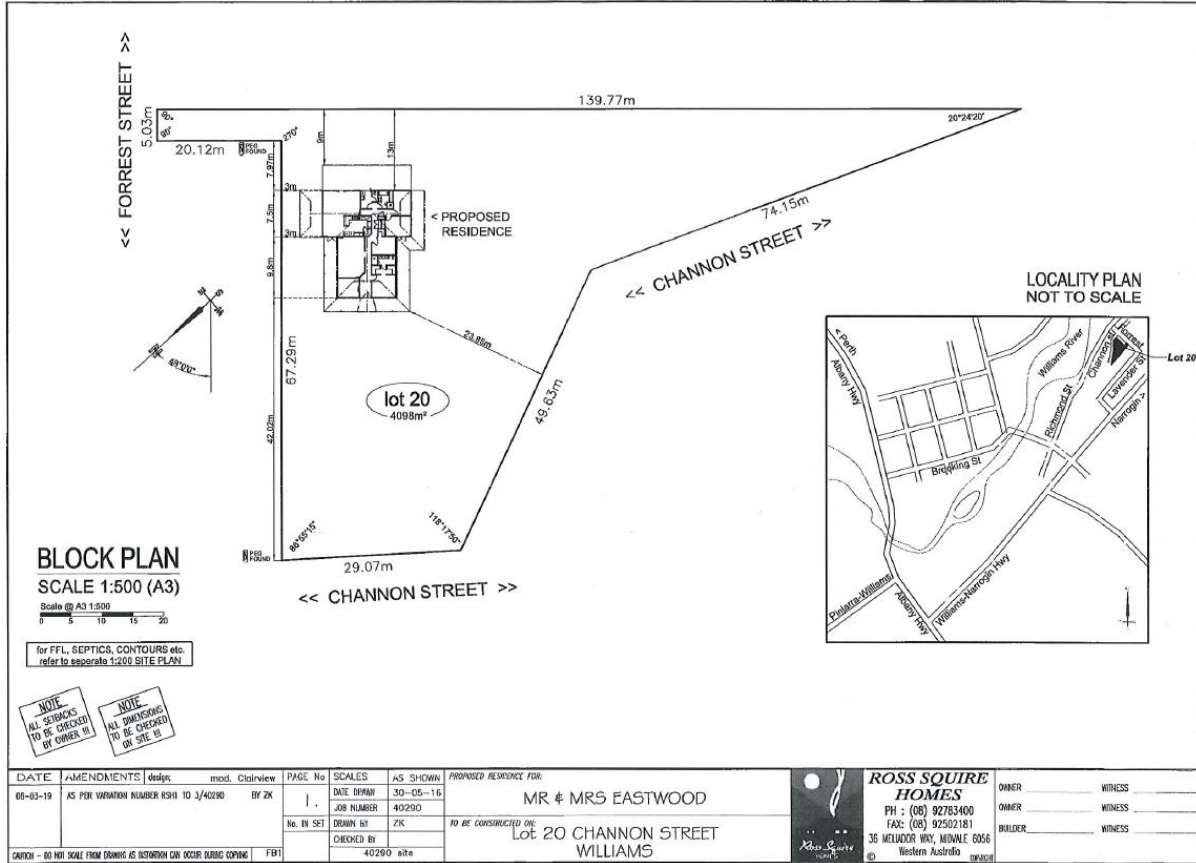
New development plans have been submitted on behalf of the owner and Council is asked to reissue development approval. All the development is now contained on Lot 20.

Mr Eastwood's original development proposal included an off-grid solar power system and rainwater tanks for water. Conditions relating to this should be included in the new development approval.



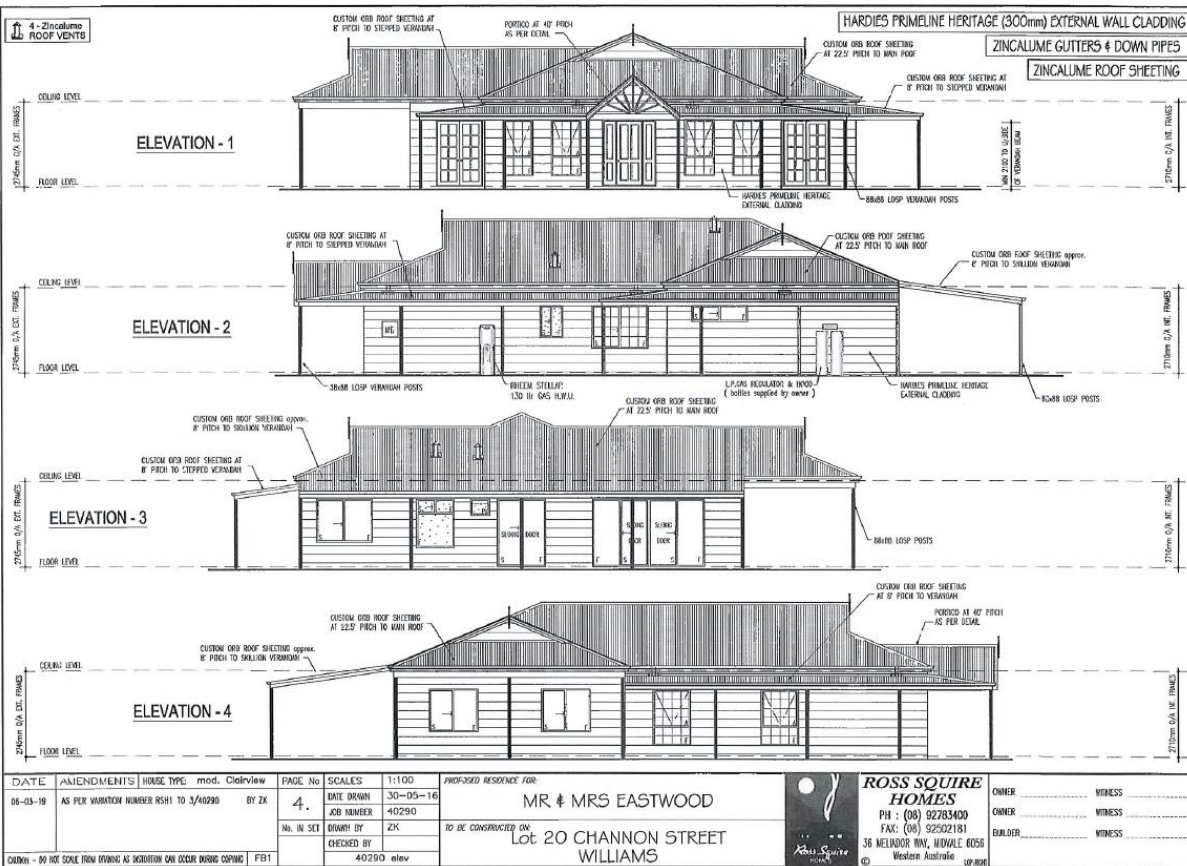
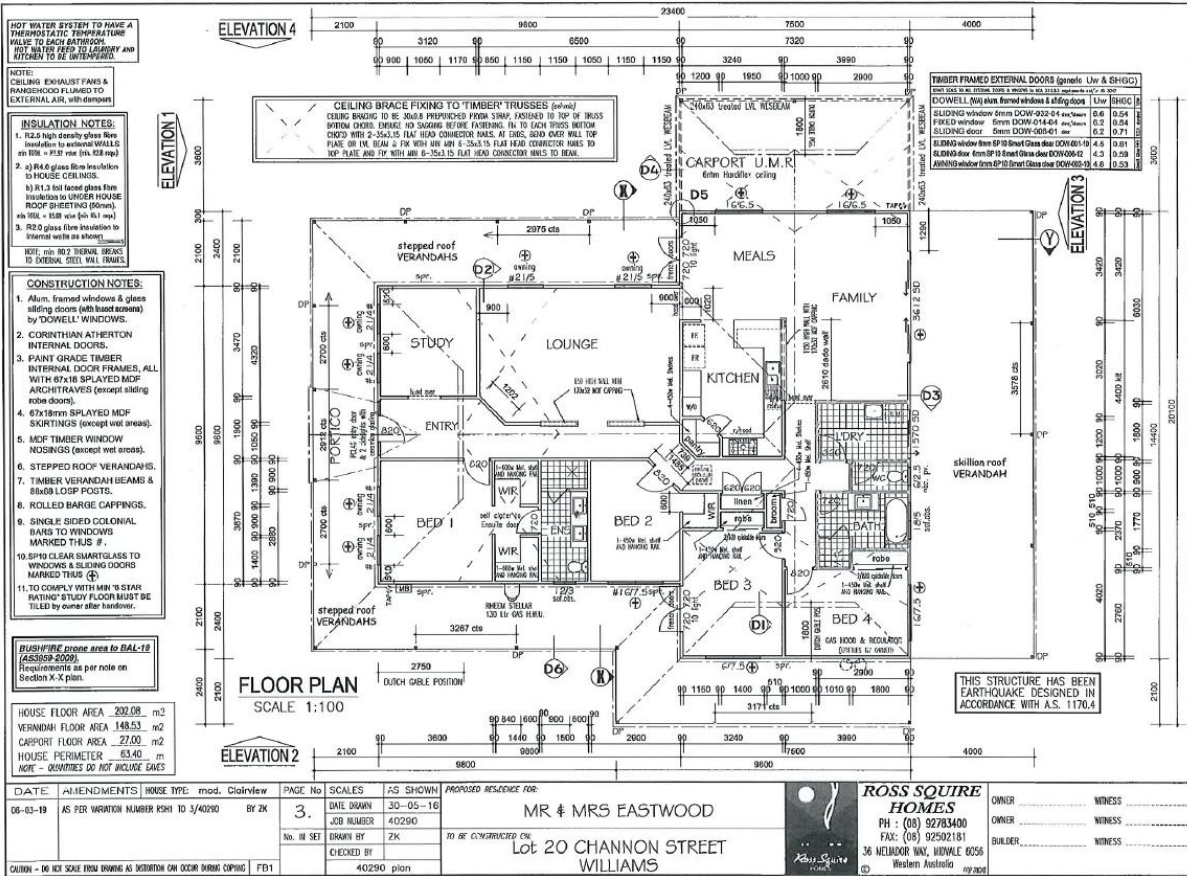


MINUTES – ORDINARY MEETING OF COUNCIL HELD 17 APRIL 2019





# MINUTES – ORDINARY MEETING OF COUNCIL HELD 17 APRIL 2019





**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**

Nil

**Voting Requirements**

Simple Majority

**Officer’s Recommendation**

That Council approve the development application for the construction of a dwelling on Lot 20 Channon Street, Williams, owned by Mr Michael Eastwood, subject to the following conditions:



1. The owner is to maintain the lot with flammable material not exceeding the minimum requirements of the Shire of Williams Firebreak Notice;
2. The owner is to obtain a building permit for the proposed dwelling;
3. The owner is to obtain approval for suitable power supply for the dwelling;
4. The owner is to obtain approval for an onsite effluent disposal system;
5. A crossover is to be installed on Forrest Street to the Shire’s satisfaction, having regard to the verge drainage and subject to the provisions of Council’s Crossover Policy;
6. Development is to be undertaken strictly in accordance with approved plans presented to Council and any statutory requirement applicable to the development;
7. Onsite water supply with a combined capacity of 100,000 litres is required with a minimum of 10,000 litres water supply to be provided onsite for the purpose of bushfire fighting that is not available for general use and is provided with a camlock fitting that is compatible with Bush Fire Brigade fittings; and
8. Stormwater to be disposed of to the Shire’s satisfaction.

**Council Resolution**

**Major/Medlen**

That Council approve the development application for the construction of a dwelling on Lot 20 Channon Street, Williams, owned by Mr Michael Eastwood, subject to the following conditions:

1. The owner is to maintain the lot with flammable material not exceeding the minimum requirements of the Shire of Williams Firebreak Notice;
2. The owner is to obtain a building permit for the proposed dwelling;
3. The owner is to obtain approval for suitable power supply for the dwelling;
4. The owner is to obtain approval for an onsite effluent disposal system;
5. A crossover is to be installed on Forrest Street to the Shire’s satisfaction, having regard to the verge drainage and subject to the provisions of Council’s Crossover Policy;
6. Development is to be undertaken strictly in accordance with approved plans presented to Council and any statutory requirement applicable to the development;
7. Onsite water supply with a combined capacity of 100,000 litres is required with a minimum of 10,000 litres water supply to be provided onsite for the purpose of bushfire fighting that is not available for general use and is provided with a camlock fitting that is compatible with Bush Fire Brigade fittings; and
8. Stormwater to be disposed of to the Shire’s satisfaction.

**Carried 8/0  
Resolution 172/19**

**8.4.3 GIFTING OF IPAD AND WAIVING A HIRE FEE**

<b>File Reference</b>	4.1.65
<b>Statutory Reference</b>	<i>Local Government Act 1995, Local Government (Administration) Regulations 1996 and Local Government (Functions and General) Regulations 1996</i>
<b>Author &amp; Date</b>	Geoff McKeown 10 April 2019
<b>Attachment</b>	Nil



## Background

Council is asked to consider applying a provision of the iPads/Tablet – Provision for Councillors/Senior Staff Policy in relation to the recent passing of Cr John Cowcher. In addition, the item requests consideration to waive the hire fee for the Shire Pavilion.

## Comment

Cr John Cowcher tragically passed away on the 16 January 2019. The Shire's Policy C3.3 iPads/Tablet – Provision for Councillors/Senior Staff, describes that Council may, at its discretion, approve the gifting of an iPad/Tablet used by a Councillor on their cessation of tenure. Such a decision must be in accordance with the *Local Government Act 1995, Local Government (Administration) Regulations 1996 and Local Government (Functions and General) Regulations 1996*. The relevant sections and clauses of this legislation are referred to in the Policy.

Council is asked to consider gifting the iPad used by John Cowcher to Mrs Heidi Cowcher.

Arrangements for and the conduct of the Funeral Service for John Cowcher on the 30 January 2019 were primarily organised by the Deputy Shire President and other elected members, along with significant input from Shire Staff. The facilities at the Recreation Ground and Pavilion were used. Use of the Pavilion for such an occurrence attracts a hire fee of \$416.00, including GST.

Council is asked to consider waiving this charge in recognition of the long period of service John Cowcher performed as an elected member of the Shire of Williams and considering the substantial input by Shire elected members and staff in organising the event.

The *Local Government Act 1995* includes powers for the Council to defer, grant a discount, waive or grant a concession and write off debts. In this situation Council is asked to agree to a waiver of the hire fee.

Section 6.12 of the *Local Government Act 1995* states:

*6.12. Power to defer, grant discounts, waive or write off debts*

*(1) Subject to subsection (2) and any other written law, a local government may —*

- (a) when adopting the annual budget, grant\* a discount or other incentive for he early payment of any amount of money; or*
- (b) waive or grant concessions in relation to any amount of money; or*
- (c) write off any amount of money, which is owed to the local government.*

## 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

The value of the iPad to the Shire at the time of purchase in November 2017 was \$596.00, plus GST. The fee for hire of the Pavilion is \$416.00, including GST.



**Voting Requirements**

Absolute Majority

**Officer’s Recommendation**

That Council gifts the iPad used by Cr John Cowcher to Mrs Heidi Cowcher in accordance with Shire Policy C3.3 iPads/Tablet – Provision for Councillors/Senior Staff. Further, it waives the hire fee for the use of the Pavilion on the 30 January 2019 for the funeral service for the late John Cowcher.

**Council Resolution**

**Medlen/Major**

That Council gifts the iPad used by Cr John Cowcher to Mrs Heidi Cowcher in accordance with Shire Policy C3.3 iPads/Tablet – Provision for Councillors/Senior Staff.  
Further, it waives the hire fee for the use of the Pavilion on the 30 January 2019 for the funeral service for the late John Cowcher.

**Carried by Absolute Majority 5/3  
Resolution 173/19**

*The Chief Executive Officer declared an Impartiality Interest for the following Item 8.4.4 Proposed Subdivision/Amalgamation – Lots 128 & 129 Richmond Street, Williams. The Chief Executive Officer remained in the meeting. The nature of his interest relates to his wife participating in equine training activities on the property hosted by the applicant.*

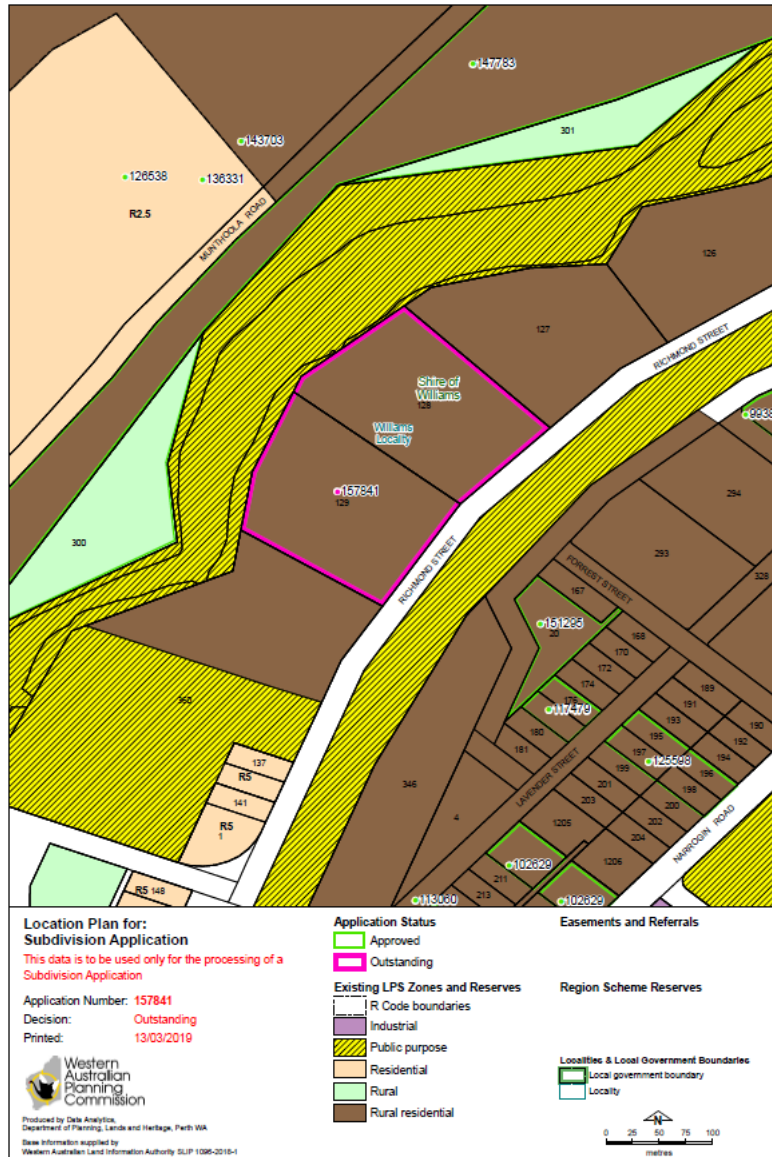
**8.4.4 PROPOSED SUBDIVISION/AMALGAMATION – LOTS 128 & 129 RICHMOND STREET, WILLIAMS**

<b>File Reference</b>	10.64.20
<b>Statutory Reference</b>	Shire of Williams Town Planning Scheme No 2
<b>Author &amp; Date</b>	Geoff McKeown 10 April 2019
<b>Attachments</b>	Nil

**Background**

An application has been lodged with the Western Australian Planning Commission (WAPC) seeking planning approval to subdivide and amalgamate Lots 128 and 129 Richmond Street, Williams. The WAPC has referred the application to the Shire of Williams for comment (by 25 April 2019).

The lots included in the proposal are shown on the following plan:



**Comment**

➤ **Description of Application**

Detail included in the Applicant’s report indicates that the proposal seeks to achieve the following outcomes:

- The proposed realignment is to create an expanded Lot A for the reason that the land to be added to Lot 129 is generally higher and is required to keep the horses dry when the Williams River flows. The owners of Lot 129 keep horses on their property.
- Services for the two lots are in place and it is proposed that the internal water pipe from the meter to the house on Lot 128 be protected by an easement. To move the meter to proposed Lot B would take a water main extension at considerable expense.
- The proposed lot will create no new building entitlements. The shape of the proposed new boundary takes into account the rural zoning of the land.

The Applicant indicates above that the land is zoned ‘rural’. In fact it is zoned ‘rural residential’.



➤ **Shire of Williams Town Planning Scheme No 2**

The lots are zoned 'Rural Residential' under the Shire of Williams Town Planning Scheme No 2 ('the Scheme').

There is reference to lot size in the Scheme and with regard to these lots. An extract from the Scheme is shown below:

**SCHEDULE 4 RURAL RESIDENTIAL ZONE**

PARTICULARS OF LAND	REQUIREMENTS OF THE ZONE
<p>In the Williams townsite: Lots 123-130, 336 and 337 Richmond Street; Lots 293-297 Channon Street; Lot 328 Olive/Forrest Streets; Lots 298-302 William Street.</p> <p><i>AMD 10 GG 9/5/97</i></p>	<p>1. The Council will not recommend to the Commission support for further subdivision, but this shall not preclude the Council recommending to the Commission support for a rationalisation of lot boundaries provided no additional lots are created and the resultant lots sizes and shapes are to the satisfaction of the Council. The minimum lot size should be no less than 1.0 hectare.</p> <p>2. A reticulated water supply shall be provided to all lots of less than 2.0 hectares as a condition of subdivision/amalgamation.</p>

The proposed subdivision/amalgamation application does not propose to increase the number of lots. It also retains the smaller lot above 1.0 hectare in size. Therefore it complies with the Scheme.

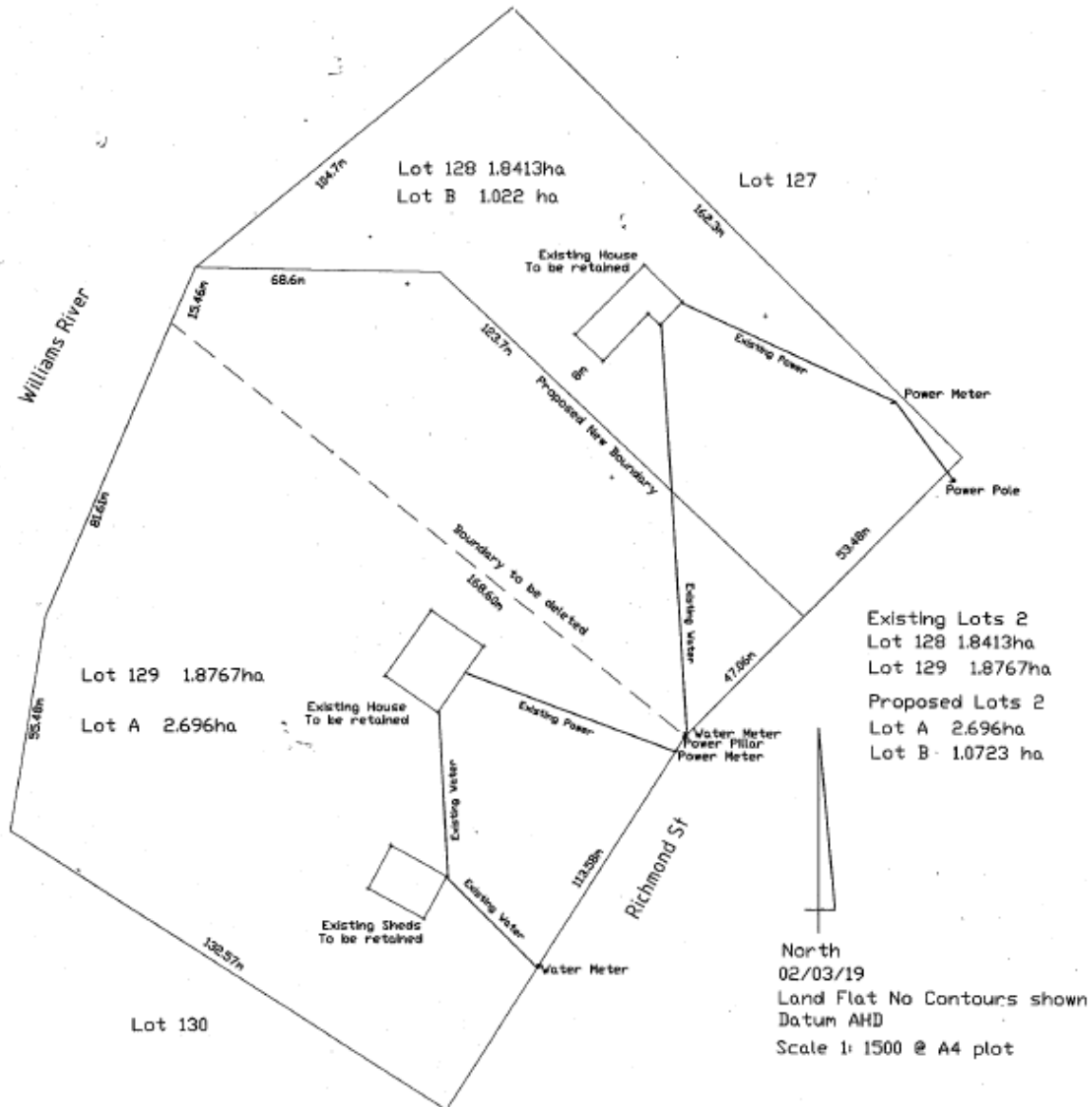
Accordingly, it is recommended that the application be supported. A plan of the subdivision/amalgamation follows:





DEPARTMENT OF PLANNING, LANDS AND HERITAGE	
DATE	FILE
13-Mar-2019	157841

Proposed Subdivision Plan for Lots 128 and 129 Richmond St Williams



PH and KE Gow (Licensed Surveyors) 98815140

16/02/19.

➤ **Bush Fire Prone Mapping**

There is on line mapping which identifies all land in bushfire prone areas for the whole of Western Australia – available on [www.dfes.wa.gov.au](http://www.dfes.wa.gov.au). An extract of the map as it applies to lots that are the subject to this application is included on the following page.

The bush fire prone areas have been designated by the Fire and Emergency Services Commissioner.

A new State Planning Policy, *State Planning Policy 3.7 Planning in Bushfire Prone Areas* (SPP 3.7) was gazetted on Monday, 7 December 2016. SPP 3.7 directs how land use should address bushfire risk management in Western Australia. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner as highlighted on the Map of Bush Fire Prone Areas.

SPP 3.7 requires all new subdivision applications entailing land identified as Bushfire Prone to be supported with a Bushfire Attack Level (BAL) contour map. However the WAPC Planning Bulletin 111/2016 states that State Planning Policy 3.7 applies to applications for subdivision except for amalgamations or boundary realignments. As this proposed boundary realignment will not result in an increased bushfire risk, no detailed fire assessment is required at this stage. Any potential future development on the site will require appropriate assessment at that time.





**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**

Nil

**Voting Requirements**

Simple Majority

**Officer’s Recommendation:**

That Council recommend to the Western Australian Planning Commission that it approve the application to subdivide and amalgamate Lots 128 and 129 Richmond Street, Williams as the Shire of Williams Town Planning Scheme No.2 supports the rationalisation of lot boundaries in this area of the ‘Rural Residential’ Zone where no additional lots are created and the proposed lot sizes are greater than 1.0 hectare.

**Council Resolution**

***Cavanagh/Harding***

That Council recommend to the Western Australian Planning Commission that it approve the application to subdivide and amalgamate Lots 128 and 129 Richmond Street, Williams as the Shire of Williams Town Planning Scheme No.2 supports the rationalisation of lot boundaries in this area of the ‘Rural Residential’ Zone where no additional lots are created and the proposed lot sizes are greater than 1.0 hectare.

**Carried 8/0  
Resolution 174/19**

The President adjourned the Meeting for afternoon tea at 2.59pm and the Meeting resumed at 3.28pm.

**8.4.5 AGREEMENT FOR SALE – PART WILLIAMS LOCATION D, ALBANY HIGHWAY**

<b>File Reference</b>	12.15.33
<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 April 2019
<b>Attachments</b>	<b>Appendix 1</b> – Agreement for Sale

**Background**

In 2018, Council considered the potential acquisition of a parcel of land on the Albany Highway within the Williams Townsite. The CEO had previously written to Main Roads to express the



Shire's interest the lot, if it was proposed to be sold. Main Roads subsequently advised that it is willing to sell the land and a purchase price was negotiated.

### **Comment**

Main Roads acquired the land a number of years ago when a road realignment was being considered to the west of the current Albany Highway alignment. That project did not eventuate.

The State Solicitor's Office has now provided a draft Agreement for Sale document to be endorsed by the parties, see **Appendix 1**. The Shire had earlier indicated to Main Roads that the purchase would not proceed until the 2019/20 financial year, where the funds could be included in the Annual Budget. A settlement date of 31 August 2019 is included in the draft.

The *Local Government Act 1995* requires a local government to invite tenders before it enters into a contract for the supply of goods or services over the value of \$150,000. There is an exemption to this requirement when the contract is with the State Government. An extract of the relevant section of the *Local Government (Functions and General) Regulations 1996* follows:

### **11. When tenders have to be publicly invited**

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.
- (2) Tenders do not have to be publicly invited according to the requirements of this Division if —
  - (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government;

### **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 1.4 Promote land availability within the Shire for residential, industrial and commercial development
- ED 1.8 Consider future land acquisition for the Shire for recreation, commercial, residential or industrial purposes
- CL 2.2 Maintain accountability, transparency and financial responsibility

### **Financial implications**

The funds required for the purchase of this property are proposed to be included in the 2019/20 Annual Budget.

### **Voting Requirements**

Simple Majority



**Officer’s Recommendation**

That Council endorses the Agreement for Sale of Part Williams Location D and approves the Shire President and Chief Executive Officer signing the document and affixing the Shire of Williams Common Seal.

**Council Resolution**

**Harding/Medlen**

That Council endorses the Agreement for Sale of Part Williams Location D and approves the Shire President and Chief Executive Officer signing the document and affixing the Shire of Williams Common Seal.

**Carried 8/0  
Resolution 175/19**

*Cr Baker declared an Impartiality Interest in the following Item 8.4.6 Williams Men’s Shed – Request for Support. Cr Baker remained in the meeting, took part in the discussion and voted on the item. The nature of his interest relates to his being a member of the Williams Men’s Shed.*

**8.4.6 WILLIAMS MEN’S SHED – REQUEST FOR SUPPORT**

<b>File Reference</b>	11.70.100	
<b>Statutory Reference</b>	Nil	
<b>Author &amp; Date</b>	Geoff McKeown	11 April 2019
<b>Attachments</b>	Nil	

**Background**

Correspondence has been received from the Williams Men’s Shed seeking assistance from the Shire, next financial year, for the site works and power and water to support its proposed new shed.

**Comment**

The Williams Men’s Shed writes as follows:

*The Williams men’s Shed Inc. in now confident of being in a satisfactory financial position during the coming financial year (2019/2020) to enable the establishment of a shed facility on the title of land agreed to by CBH and the Williams Shire.*

*A concentrated sponsorship and fund-raising drive is now underway and applications to major fund providers will now take place. The building fund with the Bendigo Bank has reached the \$10,000.00 mark and climbing.*

*The Williams Men’s Shed now makes a request to the Williams Shire, that line allocations of money be included in the shire’s budget deliberations for the year 2019/2020 to enable the*



## MINUTES – ORDINARY MEETING OF COUNCIL HELD 17 APRIL 2019

Williams Shire to build the crossover entrance to the site from the Narrogin Road and establish the site connections for power and water.

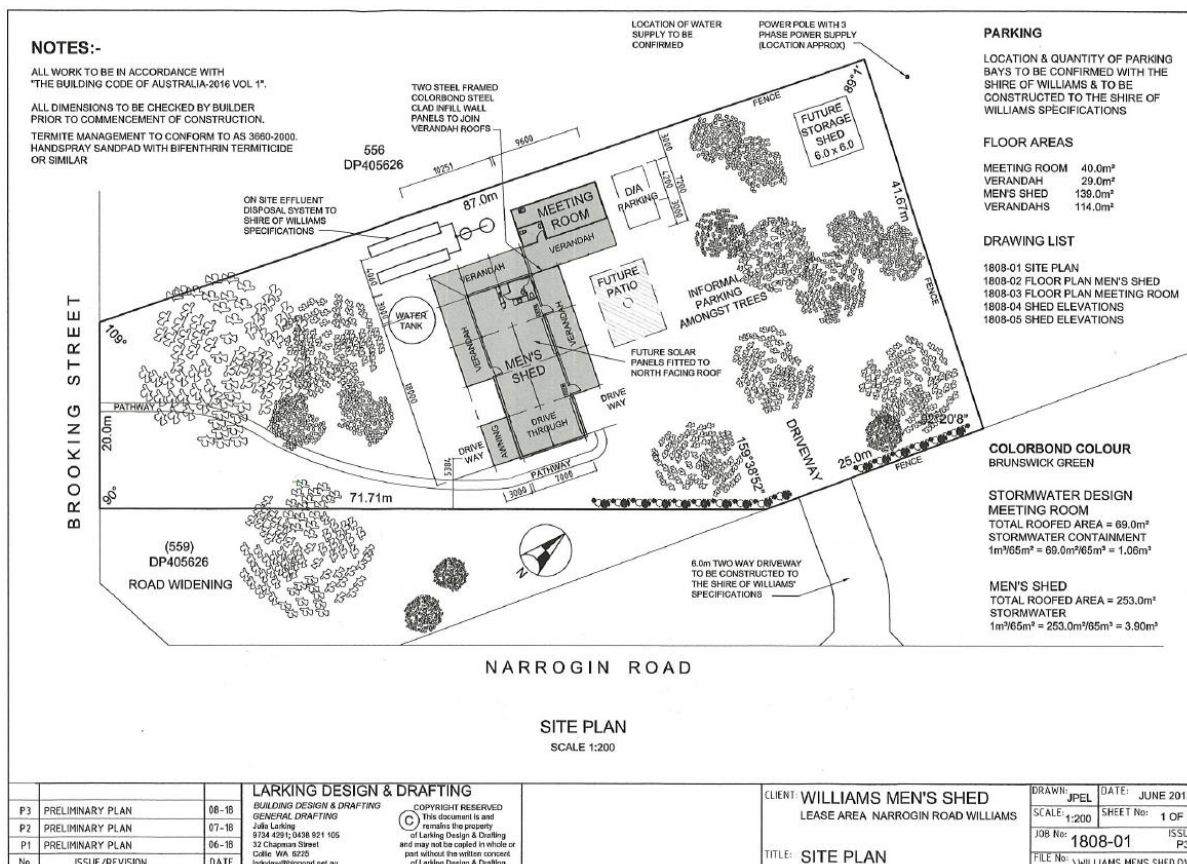
The Williams Men's Shed committee expect the site project to be achieved over a number of stages, with the first stage being the priority of a shed, which would include installation on WC and septic systems as per the site and building diagrams as attached.

We look forward to yours and the shire's positive consideration."

The site and building diagrams appear on the following pages.

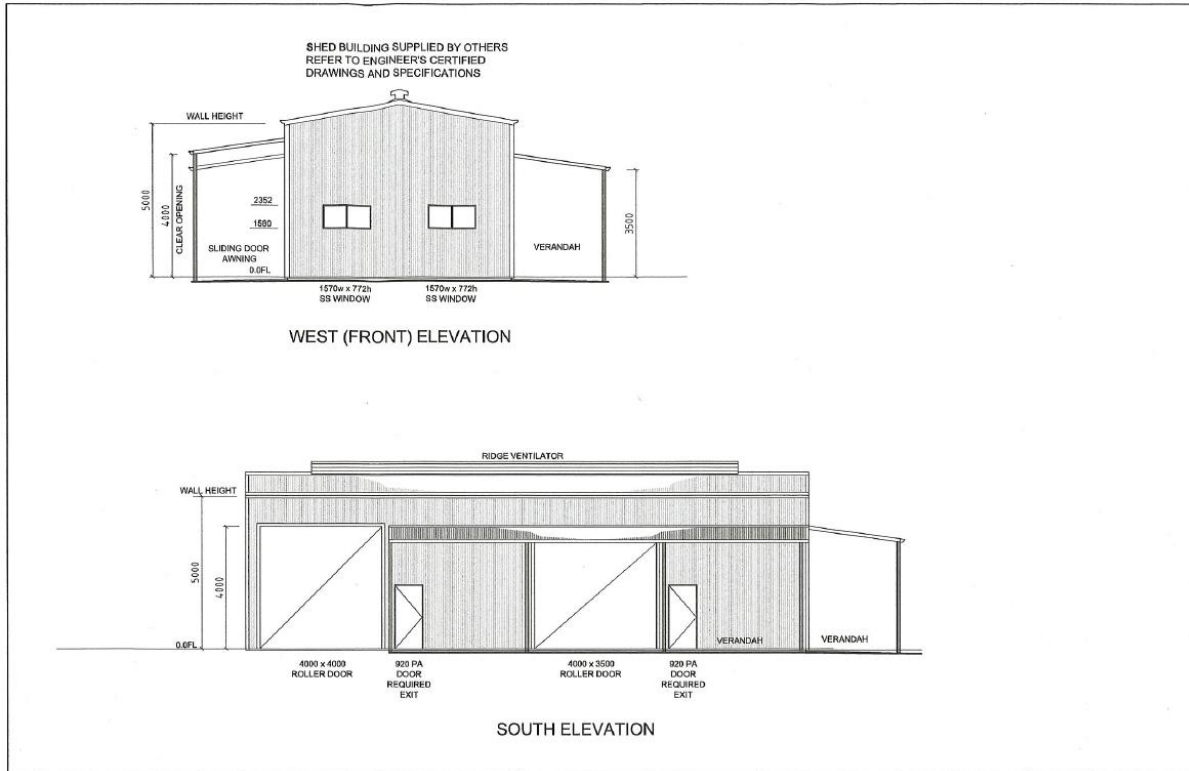
As Council will be considering items for inclusion in the 2019/2020 Annual Budget in the coming months, it is in a position now to obtain estimates ahead of the budget's deliberation and adoption.

Assisting the Williams Men's Shed in establishing a facility that will support men's health and well-being is a key strategy in the Shire's Strategic Community Plan 2017 to 2032.

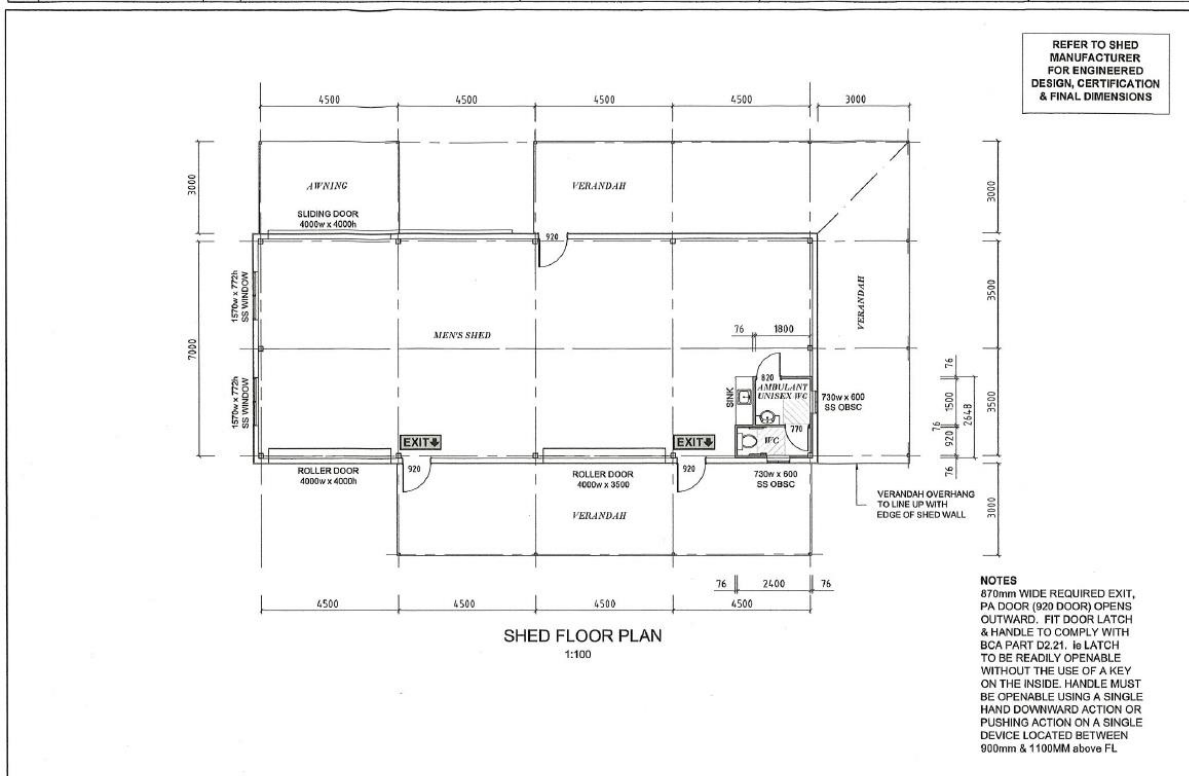




# MINUTES – ORDINARY MEETING OF COUNCIL HELD 17 APRIL 2019



<b>LARKING DESIGN &amp; DRAFTING</b> BUILDING DESIGN & DRAFTING GENERAL DRAFTING Julia Larking 9724 4281; 9438 921 105 32 Chapman Street Castle WA 6225 larkview@bigpond.net.au		COPYRIGHT RESERVED This document is and remains the property of Larking Design & Drafting and may not be copied in whole or part without the written consent of Larking Design & Drafting.	CLIENT: <b>WILLIAMS MEN'S SHED</b> LEASE AREA NARROGIN ROAD WILLIAMS	DRAWN: JPEL SCALE: 1:100 JOB No: 1808-04 FILE No: WILLIAMS MENS SHED.DWG	DATE: JUNE 2018 SHEET No: 4 OF 5 ISSUE P3
P3 PRELIMINARY PLAN P2 PRELIMINARY PLAN P1 PRELIMINARY PLAN No. ISSUE/REVISION	07-18 07-18 06-18 DATE	TITLE: <b>SHED ELEVATIONS</b>			



<b>LARKING DESIGN &amp; DRAFTING</b> BUILDING DESIGN & DRAFTING GENERAL DRAFTING Julia Larking 9724 4281; 9438 921 105 32 Chapman Street Castle WA 6225 larkview@bigpond.net.au		COPYRIGHT RESERVED This document is and remains the property of Larking Design & Drafting and may not be copied in whole or part without the written consent of Larking Design & Drafting.	CLIENT: <b>WILLIAMS MEN'S SHED</b> LEASE AREA NARROGIN ROAD WILLIAMS	DRAWN: JPEL SCALE: 1:100 JOB No: 1808-02 FILE No: WILLIAMS MENS SHED.DWG	DATE: JUNE 2018 SHEET No: 2 OF 5 ISSUE P3
P3 PRELIMINARY PLAN P2 PRELIMINARY PLAN P1 PRELIMINARY PLAN No. ISSUE/REVISION	07-18 07-18 06-18 DATE	TITLE: <b>MEN'S SHED BUILDING FLOOR PLAN</b>			



**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 1.2 Support the initiatives of the Williams Men’s Shed in establishing a facility that will support men’s health and well-being

**Financial implications**

The funds required to support this project can be included in draft 2019/20 Annual Budget.

**Voting Requirements**

Simple Majority

**Officer’s Recommendation**

That Council investigate the cost of the crossover site works, and cost for installation of power and water, to support the proposed new Williams Men’s Shed, and to include this information in the draft 2019/2020 Annual Budget.

**Council Resolution**

***Carne/Harding***

That Council investigate the cost of the crossover site works, and cost for installation of power and water, to support the proposed new Williams Men’s Shed, and to include this information in the draft 2019/2020 Annual Budget.

**Carried 8/0  
Resolution 176/19**





**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      11 April 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. \$250,000.00 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 March 2019.

**Council Resolution**

***Harding/Watt***

That Council accepts the report “Use of Common Seal and Actions Performed under Delegated Authority” for the month of March 2019.

**Carried 8/0  
Resolution 177/19**

*The Manager of Finance, Mrs Cara Ryan, attended the Meeting at 3.41pm 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>	<i>Local Government (Financial Management) Regulations 1996</i>
<b>Author &amp; Date</b>	Cara Ryan 4 April 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 104735 – 104739 totalling \$451,859.37 approved by the Chief Executive Officer during the month of March 2019 be endorsed.



**Council Resolution**

**Medlen/Major**

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104735 – 104739 totalling \$451,859.37 approved by the Chief Executive Officer during the month of March 2019 be endorsed.

**Carried 8/0  
Resolution 178/19**

**8.5.2 FINANCIAL STATEMENTS**

<b>File Reference</b>	4.23.15
<b>Statutory Reference</b>	<i>Local Government (Financial Management) Regulations 1996</i>
<b>Author &amp; Date</b>	Cara Ryan 4 April 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 31 March 2019 be received.

**Council Resolution**

**Watt/Cavanagh**

That the financial statements presented for the period ending 31 March 2019 be received.

**Carried 8/0  
Resolution 179/19**

*Cara Ryan left the Meeting at 4.05pm.*



## **8.6 WASTE MANAGEMENT OFFICER'S REPORT**

Nil Report

## **8.7 COUNCILLORS' REPORTS**

Cr Cavanagh reported on matters raised at a South 32 Community Liaison Committee Meeting, including the issue of dust suppression at the Boddington bauxite mining operations.

Cr Cavanagh also mentioned that the Shire donated playground equipment at the Quindanning Picnic Race Day grounds is in place and looks good.

## **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 Medlen requested leave of absence for the July 2019 Ordinary Council Meeting.

### **Council Resolution**

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

That Council endorse the leave of absence request from Cr Medlen for the July 2019 Ordinary Council Meeting.

**Carried 8/0  
Resolution 180/19**

## **12.0 INFORMATION SESSION**

## **13.0 CLOSURE OF MEETING**

There being no further business the President declared the Meeting closed at 4.46pm.