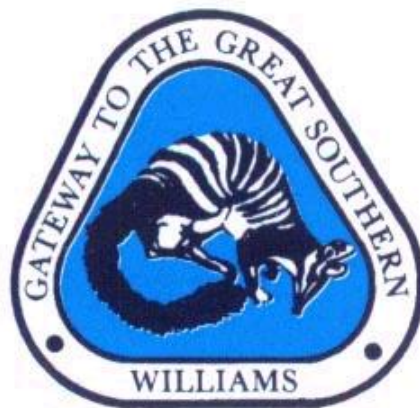


SHIRE OF WILLIAMS

***MINUTES ORDINARY MEETING HELD ON
WEDNESDAY 22 MAY 2019***



COUNCIL DIARY

WEDNESDAY 22 MAY 2019

1.00pm

Ordinary Meeting

WEDNESDAY – 19 JUNE 2019

9.30am

Special Meeting

WEDNESDAY 19 JUNE 2019

1.00pm

Ordinary Meeting



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Separate Documents

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2. CEO General Report
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6. Payment Listing
7. Monthly Financial Report
8. Municipal Bank Reconciliation
9. Status Report
10. Info Statement



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AGENDA

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President Jarrad Logie declared the Meeting open at 1.02pm.

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Cr Jarrad Logie	President
Cr Natalie Major	Deputy President
Cr Moya Carne	
Cr Simon Harding	
Cr Alex Watt	
Cr Bob Baker	

Geoff McKeown	Chief Executive Officer
Cara Ryan	Manager of Finance (4.36pm – 4.57pm)
Tony Kett	Works Supervisor (1.04pm – 1.46pm)
Manuela Lenehan	Minute Taker

Apologies	Cr Cavanagh and Cr Medlen
Leave of Absence	Nil

Visitors

Mel Durack	Peel-Harvey Catchment Council (1.50pm – 2.33pm)
Kate Barr	Peel-Harvey Catchment Council (1.50pm – 2.33pm)
Peter Cupitt	DFES (2.35pm – 3.02pm)
Donna Morgan	DFES (2.35pm – 3.02pm)
Daphne Kett	Williams VFERS (3.04pm – 3.10pm)
Ian Bell	Williams VFERS (3.04pm – 3.10pm)

3.0 PUBLIC QUESTION TIME

Nil

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

5.0 DECLARATIONS OF INTEREST



DECLARATION OF INTEREST	
Name / Position	Cr Bob Baker
Item No. / Subject	8.4.2 Williams Gateway Expo
Type of Interest	Impartiality Interest

DECLARATION OF INTEREST	
Name / Position	Cr Jarrad Logie, President
Item No. / Subject	8.4.3 Salaries and Allowances Tribunal Determination for Elected Members
Type of Interest	Financial Interest

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 17 APRIL 2019

Officer's Recommendation

That the Minutes of the Ordinary Meeting held 17 April 2019, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Harding/Watt

That the Minutes of the Ordinary Meeting held 17 April 2019, as previously circulated, be confirmed as a true and accurate record.

**Carried 6/0
Resolution 181/19**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.0 REPORTS

8.1 ECONOMIC DEVELOPMENT OFFICER'S REPORT

Nil report

The Works Supervisor, Mr Tony Kett, attended the Meeting at 1.04pm to discuss his report.



8.2 WORKS SUPERVISOR'S REPORT

File Reference	12.15.36	
Statutory Reference	N/A	
Author & Date	Tony Kett	14 May 2019
Attachments	Appendix 1	

8.2.1 MAINTENANCE GRADING ACTIVITY

Road Name	Length Graded (km)
Dardadine Rd	21.5
Dardadine South Rd	.5
Sattler Rd	5.4
Wangeling Gully Rd	8.8
Hurley Rd	13.8
Dardadine-Hillman Rd	1.8
Major Rd	1.2
Quindanning-Darkan Rd	14.0
Taylor Rd	9.1
Pig Gully Rd	11.0
Cowcher Rd	4.4
Bates Rd	3.5
Total Length for the Month	95 Km

8.2.2 ROAD MAINTENANCE WORKS (SEE APPENDIX)

- Flood damage repairs completed on the following: Culbin-Boraning Rd, Marling Rd, Narrakine Rd and Zilko Rd.



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				COMPLETED
128	Williams Darkan Road	Reseal	0.00	7.00				COMPLETED
7	Clayton Road	Seal Shoulder	2.00	4.00				COMPLETED
7	Clayton Road	Widen Shoulders	4.00	6.00				STARTED
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			COMPLETED
31	Extracts Road	Tree Trimming			2.50kms			COMPLETED
	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	
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	
Caterpillar 12M Grader WL 61	Outside staff		Dec 11	6,340 hr	
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	
John Deere 315SE4 Backhoe WL 745	T Palframan		Sep 01	3,159 hr	
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	Repaired 2 way radio.
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	New brake booster.
'08 Nissan Patrol Fire Ute 1CXV788		BFB Fast attack	Received Feb 16	167,853 km	

8.2.5 STAFF

- Kim Sandilands has resigned.

8.2.6 TOWN AND FACILITIES REPORT

- Started new fence at the cemetery – ongoing.
- Replaced blown globes in the lights at the football oval.
- Carted in gravel to back fill curbing at the industrial car park.



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

Major/Carne

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

**Carried 6/0
Resolution 182/19**

Tony Kett left the Meeting at 1.46pm.

There was a short delay in the Meeting proceedings to prepare for the following presentation.

Mel Durack and Kate Barr attended the Meeting at 1.50pm

The Chief Executive Officer introduced Mel Durack and Kate Barr, advising that they wished to provide an update on their Natural Resource Management activities and particularly the support given to Shire of Williams landowners. Mel Durack commenced by outlining the identity of the Peel Harvey Catchment Council (PHCC) and the roles that she and Kate Barr perform. The PHCC is one of a number of catchment regions in Australia and was previously part of the South West Catchment Council. Both bodies have a presence in the Williams Shire. Natural Resource Management activities has evolved from encouraging revegetation to supporting biodiversity, waterway management, tourism, on-ground work with landholders, mining and forestry industries. Mel Durack included detail of the activities involving landholders in the Williams Shire and future projects that will impact on the Shire.

Mel Durack and Kate Barr left the meeting at 2.33pm.

Peter Cupitt and Donna Morgan attended the meeting at 2.35pm

The Chief Executive Officer introduced Peter Cupitt and Donna Morgan and advised Council that they have made themselves available to provide additional information on the draft Shire of Williams Bush Fire Management Plan. An item regarding the adoption of the Plan will come up later in the Meeting.



Donna Morgan commenced by explaining the asset protection strategy in the Plan and the liaison with government agencies and landholders. High risk areas will be prioritised. Once the Plan is endorsed the Shire is eligible to apply for funding for mitigation works. There is still time to make amendments or alterations to the Plan if Council considers it necessary.

Peter Cupitt and Donna Morgan left the Meeting at 3.02pm

Daphne Kett and Ian Bell attended the Meeting at 3.04pm. They were accompanied by approximately ten (10) friends and family members.

President Jarrad Logie welcomed the assembled crowd and explained the WA Volunteer Service Award and its history.

After a brief summary of their respective service to the Williams community, Medallions and Certificates were presented to Daphne Kett and Ian Bell for 25 years of volunteering to the Williams Volunteer Fire & Rescue Service.

Trevor Palframan spoke on behalf of the Williams Volunteer Fire & Rescue Service thanking Daphne and Ian for their contribution.

The President concluded the ceremony and adjourned the Meeting for afternoon tea at 3.10pm. He invited those present to join Council for afternoon tea.

Daphne Kett, Ian Bell and other guests left at 3.39pm

The Meeting resumed at 3.39pm. Cr Baker was absent at the resumption of the Meeting.



The Chief Executive Officer presented the Environmental Health Officer/Building Surveyor's Report in the absence of Mr Trevor Brandy.

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 13 May 2019
Attachments Nil

Comment

One demolition permit was issued as follows:

Permit Number	Owner	Address	Description
WILL 1D	Beau Stanton	2 Piesse Street, Williams	Removal of fire damaged, timber framed, asbestos cladded dwelling

Voting Requirements

Simple Majority

Officer's Recommendation

That Building Report as presented above be endorsed by Council.

Council Resolution

Major/Harding

That Building Report as presented above be endorsed by Council.

**Carried 5/0
Resolution 183/19**

Cr Baker attended the Meeting at 3.42pm.

8.3.2 MANAGING PUBLIC HEALTH RISKS

File Reference 7.40.41
Statutory Reference Food Act 2008
Author & Date Trevor Brandy 13 May 2019
Attachments Proposed Risk Matrix (Appendix 1)



Comment

Managing Public Health Risks at Events in WA

Leading up to Stage 5 of the changes to the *Public Health Act*, a review of all Regulations are being carried out which includes the *Health (Miscellaneous Provisions) Act 1911*. This Act involves Public Events and how Town Fairs/ Expos can be planned to avoid Health related issues.

At present, public health risk at events are managed by Authorised Officers under the Public Building Regulations and are heavily reliant on guidance documents.

The proposal is to include an assessment into the guidelines to determine the severity of risk (see Appendix 1).

Management of Public Health Risk related to Offensive Trades in WA

Again with review of the *Health (Miscellaneous Provisions) Act 1911*, Offensive Trades that are listed in Schedule 2 have been looked at. They include 13 specific trades with 13 variations and 8 additions that draw a prescribed fee.

An Offensive Trade has the potential to create an odour, a noise or pollute air or water that may be detrimental to Public Health. Traditionally, this has been picked by Local government under the Old Health Act 1911 and there are mechanism under the new Public Health Act to deal with these issues. The Town Planning Act and associated schemes also deals with Offensive Trades.

Apart from removing certain listings that are antiquated and replacing them with new ventures, ie cattle lot feed establishments and intensive farming, the list should stay the same under the new legislation.

This proposed change will be discussed further at the group Health Meeting in Northam on the 7th of June.

Financial Implications

Could affect Fees and Charges under Offensive Trades

Voting Requirements

Simple Majority

Officer's Recommendation

That the Managing Public Health Risks Report be endorsed by Council.

Council Resolution

Carne/Watt

That the Managing Public Health Risks Report be endorsed by Council.

**Carried 6/0
Resolution 184/19**



8.4 CHIEF EXECUTIVE OFFICER’S REPORT

8.4.1 CHIEF EXECUTIVE OFFICER’S GENERAL REPORT

File Reference	4.1.20	
Statutory Reference	N/A	
Author & Date	Geoff McKeown	16 May 2019
Attachment	Nil	

Background

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

Comment

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

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 May 2019 be received by Council.

Council Resolution

Harding/Watt

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

**Carried 6/0
Resolution 185/19**

Cr Baker declared an Impartiality Interest in the following Item 8.4.2 Williams Gateway Expo. 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 Gateway Expo Committee.



8.4.2 WILLIAMS GATEWAY EXPO

File Reference	11.60.95	
Statutory Reference	Nil	
Author & Date	Geoff McKeown	7 May 2019
Attachment	Nil	

Background

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

Comment

In recent years the Williams Gateway Expo has been charged a ground hire fee for the event. This year the amount was \$507.50. The Shire has regularly donated the same amount back to the Committee as a contribution.

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 1.5 Continue to support and develop tourism opportunities for the Shire.
- SCD 2.4 Continue to promote community events, initiatives and programs.
- CL 2.2 Maintain accountability, transparency and financial responsibility.

Financial Implications

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

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council make a donation of \$507.50 to the Williams Gateway Expo Committee to assist with the cost of running the 2019 Williams Gateway Expo Event.

Council Resolution

Harding/Watt

That Council make a donation of \$507.50 to the Williams Gateway Expo Committee to assist with the cost of running the 2019 Williams Gateway Expo Event.

**Carried 6/0
Resolution 186/19**



Cr Logie declared a financial interest the following Item 8.4.3 Salaries and Allowances Tribunal Determination for Elected Members and left the Meeting at 3.57pm.

The nature of his interest relates to the proposed adoption of an amount for the President's Allowance.

The Deputy President, Cr Major, assumed the Chair.

8.4.3 SALARIES AND ALLOWANCES TRIBUNAL DETERMINATION FOR ELECTED MEMBERS

File Reference	4.1.60
Statutory Reference	<i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 7 May 2018
Attachment	Appendix 1 - Determination of the Salaries and Allowances Tribunal

Background

In April 2019 the Salaries and Allowances Tribunal (SAT) completed a review of fees, allowances and expenses for local government elected members in Western Australia. In doing so it has determined there will be a one (1) percent increase to the fees, expenses or allowances ranges within the bands.

Council can now adopt a position on the payment of fees and allowances, and provision for reimbursement of expenses that will apply from the 1 July 2019.

Comment

The *Local Government Act 1995* confers entitlement for elected members to claim fees, expenses and allowances.

In recognition that local governments differ in size and levels of responsibility, all councils have been placed in a Band Range of 1 through to 4. The Shire of Williams is included in Band 4. These bands are also in place for the determination made by SAT each year on the salary package range for Chief Executive Officers.

Council needs to make a decision on the amount elected members will be paid for council meeting attendance and committee meeting attendance. Table 1 below shows the minimum and maximum range for council meeting attendance as determined by SAT to be used from the 1 July 2019.



Table 1: Council meeting fees per meeting – local governments

Band	For the council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$615	\$793	\$615	\$1,189
2	\$373	\$582	\$373	\$780
3	\$193	\$410	\$193	\$634
4	\$91	\$238	\$91	\$490

Table 2 shows the fee range for committee meeting attendance. This includes, but is not limited to, the Audit Committee, and meetings where elected members are representing the Shire of Williams such as WALGA Central Country Zone, Regional Road Group, 4WDL VROC, HWEDA, etc. and meetings with a Minister of the Crown.

Table 2: Committee meeting and prescribed meeting fees per meeting – local governments

For a council member (including the mayor or president)		
Band	Minimum	Maximum
1	\$308	\$396
2	\$186	\$291
3	\$97	\$205
4	\$46	\$119

Council also has the option of paying elected members an annual fee in lieu of a council or committee meeting fees. Table 3 below shows the minimum and maximum annual fees that can be applied.

Table 3: Annual attendance fees in lieu of council meeting and committee meeting attendance fee - local governments

Band	For the council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$24,604	\$31,678	\$24,604	\$47,516
2	\$14,865	\$23,230	\$14,865	\$31,149
3	\$7,688	\$16,367	\$7,688	\$25,342
4	\$3,589	\$9,504	\$3,589	\$19,534

The final consideration for Council is the allowance to be paid to the President. Although the Shire of Williams has not previously paid an allowance to the Deputy President, this is also included in the SAT determination.

The allowance recognises the additional tasks undertaken by the President and Deputy President, including the following:



- (a) the leadership role of the President;
- (b) the statutory functions for which the President is accountable;
- (c) the ceremonial and civic duties required of the President, including local government business related entertainment;
- (d) the responsibilities of the Deputy President when deputising;

The maximum annual allowance for the President shall not exceed the maximum shown in the table below, or 0.2 per cent of the local government’s operating revenue, whichever is the lesser.

Further, the allowance for the Deputy President, if endorsed by Council to be paid, will be 25% of the amount paid to the President.

Table 8: Annual allowance for a mayor or president of a local government

For a mayor or president		
Band	Minimum	Maximum
1	\$51,258	\$89,753
2	\$15,377	\$63,354
3	\$1,025	\$36,957
4	\$513	\$20,063

At the Council Meeting held on the 20 June 2018 the following resolution was endorsed:

Council Resolution

Medlen/Harding

That Council adopts the following arrangements for the payment of elected member fees and allowances from the 1st July 2018:

1. *A meeting fee of \$138.00 for elected members and \$271.00 for the President, for attendance at a council meeting;*
2. *A meeting fee of \$72.00 for elected members and \$113.00 for the President, for attendance at a committee meeting or (at the request of the local government) a meeting of a type prescribed in regulation 30(3A) of the Local Government (Administration) Regulations 1996; and*
3. *A President’s Allowance of \$4,385.00.*

Further, with regard to properly incurred out of pocket expenses, elected members will be reimbursed in full.

***Carried by Absolute Majority 7/1
Resolution 222/18***

Now that the determination has been handed down by SAT, Council can review the level of fees to be paid from the 1 July 2019. While the decision of SAT recommends a small increase in the band levels this Shire remains within the minimum and maximum limits. A decision on this matter will require a resolution by absolute majority.

The recommendation includes an increase on the previous year of approximately 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 2.2 Maintain accountability, transparency and financial responsibility.
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business.

Financial implications

To be included in the 2019/20 Budget deliberation.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council adopts the following arrangements for the payment of elected member fees and allowances from the 1 July 2019:

1. A meeting fee of \$141.00 for elected members and \$276.00 for the President, for attendance at a council meeting;
2. A meeting fee of \$74.00 for elected members and \$115.00 for the President, for attendance at a committee meeting or (at the request of the local government) a meeting of a type prescribed in regulation 30(3A) of the *Local Government (Administration) Regulations 1996*; and
3. A President's Allowance of \$4,473.00.

Further, with regard to properly incurred out of pocket expenses, elected members will be reimbursed in full.

Council Resolution

Carne/Harding

That Council defer the adoption of the level of payment of elected member fees and allowances and that it be reconsidered as part of the 2019/20 Annual Budget deliberations.

**Carried 4/1
Resolution 187/19**

The resolution differed from the recommendation as Council wished to defer making a decision on the matter at this time and it be reconsidered as part of the 2019/20 Annual Budget deliberations.

Cr Logie returned to the meeting at 3.59pm and resumed the Chair.

8.4.4 DEVELOPMENT APPLICATION – SHED AT LOT 259 (116) NARROGIN ROAD, WILLIAMS

File Reference	10.60.15
Statutory Reference	<i>Town Planning and Development Act 2005</i>
Author & Date	Geoff McKeown 7 May 2019
Attachment	Nil

Background

A development application has been received from Mr Correy Kennett seeking approval to construct a 8m x 12m x 5.78m shed on Lot 259 (116) Narrogin Road, Williams.

Mr Kennett is seeking to purchase the property and has submitted a copy of the Contract of Sale where it states that the parties agree to the sale subject to development approval being granted for construction of the shed. His intention is to use the shed for storage and a workshop for his personal use. The Shire’s Consultant Planner has advised that this activity is a permitted use in the ‘industrial’ zone

Comment

An aerial photo below shows the Lot 259:



- **Description of Proposed Building**

The applicant proposes to construct a new 8m x 12m x 5.78m shed. The application does not specify whether the cladding will be zincalume or Colorbond, however the Shire’s Town Planning Scheme states that zincalume or reflective materials are not permitted for construction of new industrial buildings.



The building is proposed to be setback 10m metres from the property boundary and located in the centre of the lot.

Access to the property 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 10 metre building setback in lieu of the required 16.5 metres. This is in keeping with other buildings on the Narrogin Road.

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 other properties have a similar building setback.
- 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 has been erected on the site inviting submissions within the advertising period.

- *Proposed land-use*

This application proposed that the building will be used for personal storage and as a workshop for the applicant's own equipment.

- *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 259 is 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).
- The bushfire construction requirements of the Building Code of Australia only apply to certain types of residential buildings (being Class 1, 2 or 3 buildings and/or Class 10a buildings or decks associated with a Class 1, 2 or 3 building) in designated bushfire prone areas. Whilst this is a Class 10a building it is not associated with any other residential building
- 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.



- *Advertising / Delegated Authority*

As the Scheme requires advertising of the request for a reduced setback, Council will be able to determine the planning application as public submissions will close on the 21 May 2019. At the time of writing this report no submissions were received.

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'*.

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.

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 approve the development application submitted by Mr Correy Kennett for the construction of a shed on Lot 259 (116) Narrogin Road, Williams, 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 shed;
3. A crossover is to be installed on Narrogin Road to the Shire's satisfaction, having regard to the verge drainage and subject to the provisions of Council's Crossover Policy;
4. Development is to be undertaken strictly in accordance with approved plans presented to Council and any statutory requirement applicable to the development; and
5. Stormwater to be disposed of to the Shire's satisfaction.

Council Resolution

Watt/Harding

That Council approve the development application submitted by Mr Correy Kennett for the construction of a shed on Lot 259 (116) Narrogin Road, Williams, 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 shed;
3. A crossover is to be installed on Narrogin Road to the Shire's satisfaction, having regard to the verge drainage and subject to the provisions of Council's Crossover Policy;
4. Development is to be undertaken strictly in accordance with approved plans presented to Council and any statutory requirement applicable to the development; and
5. Stormwater to be disposed of to the Shire's satisfaction.

**Carried by Absolute Majority 6/0
Resolution 188/19**

8.4.5 MAIN ROADS WA - LAND REQUIREMENTS TO SUPPORT THE BRIDGE REPLACEMENT AND ROAD IMPROVEMENT WORKS ON BRIDGE 24, ALBANY HIGHWAY

File Reference	12.15.33
Statutory Reference	<i>Land Administration Act 1997</i>
Author & Date	Geoff McKeown 10 May 2019
Attachment	Nil

Background

On the 8 May 2019 correspondence was received from Main Roads WA advising that sections of land have been identified as being required to support bridge construction activities and road widening requirements associated with the works in the vicinity of Bridge 24 over the Coalling Brook.

Comment

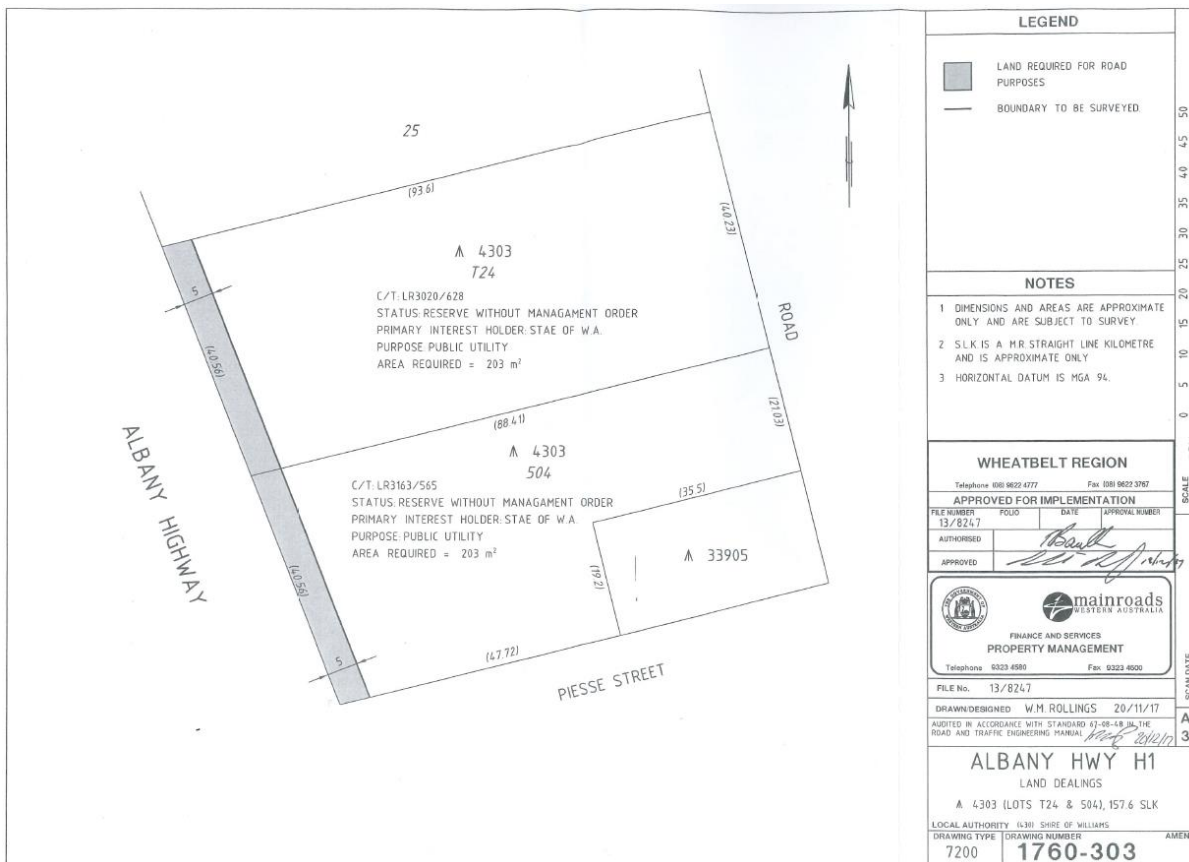
The land parcels required for road widening are part of Reserve 4303 located on the east side of Bridge 24. The reserve is under the control of the Department of Planning, Lands and Heritage.

As part of the process to resume land for road widening, Main Roads wishes to indemnify the Shire of Williams and the Minister for Lands against any claims that may arise as a result of the dedications relating to the Albany Highway, in accordance with section 56(4) of the *Land Administration Act 1997*.

The following map shows the location of Reserve 4303:



Following is a plan showing the land required for road widening. The total area to be incorporated into the Albany Highway road reserve is 406m².



On a related matter, Main Roads advises that another Reserve is affected by the Bridge 25 Replacement Project, being Reserve 31309 “Recreation”, which is under the control of the Shire. Because the Shire’s Management Order over this land contains the power to lease the Department of Planning, Lands and Heritage requires confirmation that no interests have been granted over the subject area or, if they have, there is a partial surrender of those interests.

In February 2018 the Shire endorsed the resumption of a small parcel of land from this reserve and supported its dedication for road purposes.

This latest request just relates to determining if any other parties may have an interest in the land. As the Shire no longer has an agreement for the advertising billboard to be on the site, and the billboard has been removed, Council can confirm that no interests have been granted over the subject area.

The following plan highlights the area of land to be resumed from Reserve 31309:



Council Resolution

Major/Harding

Council at its meeting of 22 May 2019 concurred to the dedication of the land shown shaded on the attached copy of Main Roads Western Australia’s Land Dealing Drawing Number 1760-303 as road under section 56 of the *Land Administration Act 1997*.

Further, Council advises that no interests have been granted over land comprising Reserve 31309 “Recreation”.

**Carried 6/0
Resolution 189/19**

8.4.6 WILLIAMS HARNESS RACING CLUB – TRACK FENCE

File Reference	11.60.75	
Statutory Reference	Nil	
Author & Date	Geoff McKeown	10 May 2019
Attachment	Nil	

Background

The Williams Harness Racing Club has written to the Shire seeking support to complete the construction of a new fence at the rear of the trotting track where it adjoins the Williams Lions Park.

Comment

The Club has met with a representative of Racing and Wagering Western Australia (RWVA) to determine the standard of fencing required. RWVA has recommended a 1.8m black chain mesh fence along the back straight. The style of fencing is highlighted in the following example:





The Club is seeking support from the Shire with this project. It would like to offer to purchase the materials if the Shire contributes to the installation. An upgraded fence between the track and the Williams Lions Park will benefit both the Shire and the Club through improved safety. If the Council is willing to support this project in the manner proposed, a contribution can be included in the draft 2019/2020 Annual Budget for consideration in July 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):

- ED 1.2 Develop and invest in the redevelopment of the Williams Lions Park
- SCD 1.1 Provide, maintain and improve community infrastructure
- SCD 1.3 Maintain a safe and secure environment for the community
- SCD 2.4 Continue to promote community events, initiatives and programs.
- LUE 2.1 Provide quality amenities and accessible public open spaces for the community
- CL 2.2 Maintain accountability, transparency and financial responsibility.

Financial Implications

Funds for the installation of the fence can be included in the draft 2019/2020 Annual Budget.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council include sufficient funds in the draft 2019/2020 Annual Budget to support the installation of barrier fencing between the trotting track and the Williams Lions Park.

Council Resolution

Carne/Harding

That Council defer making a decision on the installation of barrier fencing between the trotting track and the Williams Lions Park to allow for further discussion with the Williams Harness Racing Club on the proposed fence specifications.

**Carried 6/0
Resolution 190/19**

The resolution differed from the recommendation as Council wished to discuss the proposed fence specifications with the Williams Harness Racing Club.



8.4.7 WHEATBELT SECONDARY FREIGHT NETWORK – UPDATED FINANCIAL CONTRIBUTION ALLOCATION

File Reference	12.15.36	
Statutory Reference	Nil	
Author & Date	Geoff McKeown	16 May 2019
Attachment	Nil	

Background

For Council to consider support for the Wheatbelt Secondary Freight Network project by reallocation of funds from Building Better Regions Fund co-contribution to role of Lead Consultant Project Management in support of successful Regional Economic Development grant.

Comment

The Wheatbelt Secondary Freight Network (WSFN) network comprises 4,400km of Local Government managed roads that connect with State and National highways to provide access for heavy vehicles into the region. These roads are intended to enable large, high productivity trucks safe and cost effective access to business.

The project is being driven by local government authorities with a Working Group established consisting of representatives from the following organisations:

- Wheatbelt North Regional Road Group (WN RRG)
- Wheatbelt South Regional Road Group (WS RRG)
- WA Local Government Association (WALGA)
- Regional Development Australia - Wheatbelt (RDA-W)
- Main Roads WA-Wheatbelt Region (MRWA-WR)
- Wheatbelt Development Commission (WDC)

Over the last 2 years, 42 Local Government authorities across the region have collaborated to identify priority routes and have also participated in a technical data collection process, preparation of a pre-feasibility business case and a cost benefit analysis of the planning process. The in-kind investment by local government to date is estimated to be in excess of \$750,000. The process has been an excellent example of a large number of local governments working together on a common strategic regional priority. The key undertakings of the project so far are:

1. Identification of nominated WSFN roads based upon a simple criteria developed by RRG.
2. Determination of basic project framework and minimum design standards.
3. Road condition assessment against minimum design standards.
4. High level scope of works and order of magnitude costs for upgrades required.
5. A summary of data collection and assessment across the 42 local of governments is:



	Route Length (km)	Proposed Works (km)	Proposed Length (%)	Indicative Costs (\$)
TOTAL	4,337	2,851	66	\$493,000,000

This initial approach was to assist the Working Group to work towards an Infrastructure Australia Stage 3/4 submission for inclusion of the WSFN project on the Infrastructure Australia Infrastructure Priority List (IPL). The long term goal is to obtain funding support for a broadly estimated, \$500 million capital works program over 10 - 20 year timeframe to bring the network up to a fit for purpose standard for current and anticipated future needs. The group is working towards submitting an IA Stage 4 Business Case submission for the WSFR. The project development costs associated with the business case submission are estimated to be \$5M, which is in the order of 1% of the estimated capital investment.

The following provides an outline of the proposed budget and funding applications that were submitted to assist with the development and planning stages the WSFN project:

Stages	Budget and Funding Sources
Stage 1 – Strategic Planning	\$1,000,000
<ul style="list-style-type: none"> ▪ Design Criteria and Objectives ▪ Options Assessment ▪ Collated Data Review ▪ Multiple Criteria Assessment ▪ Staging Plan 	<ul style="list-style-type: none"> ▪ BBRF (\$750K) ▪ LGA co-contribution (\$250K)
Stage 2 – Detailed Planning	\$3,600,000
<ul style="list-style-type: none"> ▪ Concept Design Investigations ▪ Preliminary Design Investigations 	<ul style="list-style-type: none"> ▪ Commodity Route (\$1M) ▪ LGA in-kind
Stage 3 – IA Stage 3/4 Submission	\$400,000
<ul style="list-style-type: none"> ▪ Project Management ▪ Governance Plan ▪ Business Case Development 	<ul style="list-style-type: none"> ▪ REDS (\$100K) ▪ LGA in-kind
	\$5,000,000

Building Better Regions Fund (BBRF) submission

The Building Better Regions Fund (BBRF) submission is only intended to contribute towards funding activities associated with Stage 1 – Strategic Planning at an estimated budget of \$1M.

Funding and the associated BBRF application can be summarised as follows:

- Budget
 - Total Cash \$1M
- Funding
 - BBRF \$750K
 - LGA cash co-contribution \$250K.

This strategic planning work will inform the strategic allocation of road capital works funding provided to LGAs in the region, the economically optimal sequence for developing the network



and ensure that roads are designed and constructed to an optimal standard from a 'whole-of-life' asset management perspective. The detailed planning exercise is expected to achieve a net benefit in the order of \$20 million based solely on the benefits gained from freight route prioritisation.

Commodity Freight Roads Fund (CFRF)

The Commodity Freight Roads Fund submission is intended to contribute towards funding of activities associated with Stage 2 – Detailed Planning. This will specifically entail \$1M for consultants to undertake Preliminary Design Investigations. The remainder of Stage 2 is intended to be undertaken via in-kind by local governments and other funding sources currently being investigated, should they become available.

Regional Economic Development (RED) Grant

The Regional Economic Development (RED) Grant submission is intended to contribute towards funding activities associated with Stage 3 – IA Stage 3/4 Submission. This will specifically entail \$100K for a Lead Consultant to undertake project management. The remainder of Stage 3 is intended to be undertaken via in-kind by local governments and other funding sources being investigated should they become available.

Major Project Business Case Fund (MPBCF) Initiative

The Australian Government is investing \$100 billion over 10 years from 2019–20 through its rolling infrastructure plan to help manage our growing population, meet our national freight challenge and get Australians home sooner and safer. This includes \$250 million allocated to the Major Project Business Case Fund (MPBCF) initiative. Projects with clear strategic merit that has:

- Engagement in the project planning stage
- View of future priorities
- Ready to invest to enable economic activity
- Address nationally significant deficits in the transport system
- Drive economic productivity growth and liveability in cities and regions through transport infrastructure investment

The WSFR Working Group sees the \$5M sought for the Stage 4 IA submission for this regionally significant project as an ideal candidate for the MPBCF.

Roads of Strategic Importance (ROSI) Initiative

The Australian Government will invest \$4.5 billion, including \$1 billion of additional funding committed in the 2019-20 Budget, to the Roads of Strategic Importance (ROSI) initiative to help connect regional businesses to local and international markets, and better connect regional communities. ROSI has the following principles:

- Key freight corridors that connect primary agricultural areas and mining resource regions to ports and other transport hubs.
- Support communities along the corridors and provide better access for tourists and other road users
- Characterised by narrow sections of road, low capacity bridges and deteriorating pavements,
- Constrains the productivity and efficiency of freight movements.
- Catalyse economic activity and improve access to communities and tourist attractions.



From an estimated total of \$500,000,000 in funding the Working Group sought \$125,000,000 over the next 3 years for the delivery of the first stage of capital works.

The Working Group put in separate funding submissions for each of the abovementioned funding sources for the various stages of the project. The project has been successful in obtaining funding from the following sources:

- ROSI initiative funding (
 - Stage 1 Priority Works – Wheatbelt Secondary Freight Network.
 - The Australian Government has committed \$70 million towards the project.

“Upgrades will be prioritised based on linkages to state and national roads and highways and the rail network. Consideration will also be given to links to six ports and two livestock centres, as well as regional and metro grain receival sites, accessed by the producers of the Wheatbelt region.

Benefits of the project include:

- improve road safety
- improve freight efficiency, connectivity and travel time
- ensure consistent Restricted Access Vehicles (RAVs) ratings across the network, which will provide improved access for agricultural and mining regions to transport hubs

- RED Grants (Supported by the WA State Government’s Royalties for Regions Program)
 - Lead Consultant Project Coordinator – Wheatbelt Secondary Freight Network.
 - \$100,000.

The Lead Consultant will form part of the Project Management Team and work with the member organisation Working Group.

The Lead Consultant - Project Management is an integral key to successful project delivery. The complexity and scale of this project is significant and well beyond the technical and financial capabilities of the Wheatbelt shires on an individual basis. Engaging a Lead Consultant – Project Management with the skills and expertise required to work with all technical consultants and the PMT will ensure a cohesive collaborative environment is established for optimum outputs.

The project is planned to be managed via oversight from the WSFR Steering Committee with a nominated Project Manager and the Project Management Team (PMT) representing the WSFR.

Lead Consultant – Project Management will direct the work of the external technical consultants and will be the main contact for communication between the Project Management Team and external consultants.

The WSFN Project will require the specialised skills of a range of external technical consultants. Key areas of technical expertise identified for the project are:

- Civil Design
- Surveying
- Environmental
- Economic Assessment”



Previously 42 local governments were asked to financially contribute to the WSFN project via a budget allocation of \$6,000 which was proposed to be part of a co-contribution towards BBRF. With the unsuccessful BBRF bid, it is proposed that the \$6,000 in financial contributions from each of the 42 local governments totalling \$252,000 be allocated to combine with the RED funding of \$100,000 to become a project management pool of approximately \$350,000. This would contribute towards the overall project management requirements associated with the delivery of Stage 1 Priority Works over the course of an estimated 3 year delivery timeframe. Funding would contribute towards the following nominal requirements:

- Project Coordinator
 - Nominal \$60,000 per annum (\$180,000 across 3 years)
- Project Administration and Communications Officer.
 - Nominal \$20,000 per annum (\$60,000 across 3 years)
- Technical Consultancy Resources
 - Nominal \$100,000.

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):

- LUE 4.1 Strive for high-quality, well-constructed and maintained local road network
- CL 2.1 Maximise and leverage grant funding opportunities to balance and support Council investment
- CL 3.2 Foster, nurture and develop strategic alliances with local government, major industry and government agencies

Financial Implications

Reallocation of funds from Building Better Regions fund co-contribution to role of Lead Consultant Project Management in support of successful Regional Economic Development grant.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Continues to support the strategic intent of the Wheatbelt Secondary Freight Network Project; and
2. Authorises the Chief Executive Officer to prepare and sign a letter of support that endorses the re-allocation of \$6,000 in 2019/20 budget to co-fund the project management of the Wheatbelt Secondary Freight Network in combination with the WA State Government's \$100,000 of Regional Economic Development Grant funding, as part of the delivery of its Stage 1 Priority Works.



Council Resolution

Harding/Carne

That Council:

1. Continues to support the strategic intent of the Wheatbelt Secondary Freight Network Project; and
2. Authorises the Chief Executive Officer to prepare and sign a letter of support that endorses the re-allocation of \$6,000 in 2019/20 budget to co-fund the project management of the Wheatbelt Secondary Freight Network in combination with the WA State Government’s \$100,000 of Regional Economic Development Grant funding, as part of the delivery of its Stage 1 Priority Works.

**Carried 6/0
Resolution 191/19**

8.4.8 WILLIAMS BUSHFIRE RISK MANAGEMENT PLAN

File Reference	5.10.6
Statutory Reference	<i>Bush Fires Act 1954, Emergency Management Act 2005 and others</i>
Author & Date	Geoff McKeown 16 May 2019
Attachment	Appendix 2 - Shire of Williams Bushfire Risk Management Plan 2019 – 2024

Background

Council is asked to endorse the Shire of Williams Bushfire Risk Management Plan 2019 – 2024 (**Appendix 2**). Under the State Hazard Plan for Fire (formerly Westplan Fire) an integrated Bushfire Risk Management Plan (BRM Plan) is to be developed for local government areas with significant bushfire risk.

Comment

The BRM Plan has been reviewed against the ‘Assessment Criteria Feedback’ provided by the Office of Bushfire Risk Management (OBRM) and amendments made accordingly. This plan has been reviewed against the ‘Guidelines for Preparing a Bushfire Risk Management Plan’ as well as OBRM’s ‘Local Government Bushfire Risk Management Plan Checklist’ and meets the required standard.

Correspondence has been received from OBRM advising that it has reviewed the BRM Plan and it meets the required standard as per the Bushfire Risk Management Planning – Guidelines for Preparing a Bushfire Risk Management Plan. It goes on to say that the BRM Plan should now be presented to Council for approval and formal adoption.

Within six months of adoption, the Shire of Williams is requested to finalise the Treatment Schedule in the Bushfire Risk Management System (BRMS) and provide written notification to OBRM.



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):

LUE 1.5 Continue to ensure appropriate compliance in fire safety mitigation measures within the townsite and work with relevant agencies to address issues on public land

Financial Implications

Upon finalisation of the BRM Plan Treatment Schedule a decision on investment in projects can be made.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council endorses the Shire of Williams Bushfire Risk Management Plan 2019 – 2024 and will advise the Office of Bushfire Risk Management accordingly.

Council Resolution

Major/Harding

That Council endorses the Shire of Williams Bushfire Risk Management Plan 2019 – 2024 and will advise the Office of Bushfire Risk Management accordingly.

**Carried 6/0
Resolution 192/19**

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

File Reference	4.50.60
Statutory Reference	Sections 5.42 and 9.49A <i>Local Government 1995</i>
Author & Date	Geoff McKeown 16 May 2019
Attachment	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. \$200,000.00 from the Municipal Fund Cash Management Account to the Municipal Fund in anticipation of future expenditure;

- **Common Seal – Delegation LGA7**

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

Action - The President and Chief Executive Officer affixed the common seal to the Lease Agreement relating to the lease of premises at 5 Brooking Street to the Williams Community Resource Centre Inc.

- **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 April 2019.

Council Resolution

Watt/Harding

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

**Carried 6/0
Resolution 193/19**

The Manager of Finance, Mrs Cara Ryan, attended the Meeting at 4.36pm to discuss her report.



8.5 MANAGER OF FINANCE’S REPORT

8.5.1 ACCOUNTS FOR PAYMENT

File Reference	4.23.15
Statutory Reference	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cara Ryan 13 May 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 104740 – 104747 totalling \$361,275.16 approved by the Chief Executive Officer during the month of April 2019 be endorsed.



Council Resolution

Watt/Harding

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104740 – 104747 totalling \$361,275.16 approved by the Chief Executive Officer during the month of April 2019 be endorsed.

**Carried 6/0
Resolution 194/19**

8.5.2 FINANCIAL STATEMENTS

File Reference	4.23.15
Statutory Reference	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cara Ryan 13 May 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 30 April 2019 be received.

Council Resolution

Harding/Baker

That the financial statements presented for the period ending 30 April 2019 be received.

**Carried 6/0
Resolution 195/19**



8.5.3 COUNCIL POLICIES - AMENDMENTS

File Reference	4.4.10
Statutory Reference	Local Government Act 1995, Part 6 and Part 7 Local Government (Financial Management) Regulations 1996
Author & Date	Cara Ryan 17 th May 2019
Attachments	Appendix 1 - O.12 – Significant Accounting Policies Appendix 2 - O.13 – Portable and Attractive Assets

Purpose

To seek Councils endorsement to adopt the attached policies and authorise the removal of policies *O.12 - Fair Value Accounting* and *O.13 Fixed Assets - Capitalisation*, previously adopted in July 2018.

Background

On the 26 June 2018 an amendment to 17A of the Local Government (Financial Management) Regulations 1996 took effect. The two major changes to this regulation amended the timeframe set for local government to revalue their assets and setting a minimum capitalisation threshold of \$5,000.

The timeframe for local government to revalue assets was amended to between three and five years, previously set on a three year cycle for particular asset classes as directed by Regulation 17A (3). The local government now has the ability to set the period of revaluations as long as it is no longer than 5 years and at least 3 years or whenever the local government is of the opinion that the fair value of the asset is likely to be materially different from its carrying value.

A local government is now to exclude assets if the fair value of the asset as at the date of acquisition by the local government is less than \$5,000, previously this was up to the discretion of Council. In order to ensure effective asset management of low value assets that are susceptible to theft or loss the local government is required to maintain a property register of portable and attractive items.

These changes bring local government in line with State Government agencies as well as being consistent with the Australian Accounting Standards Board standard 116 : Property, Plant and Equipment.

Statutory Environment

Local Government (Audit) Regulations 1996 – Reg 17A

17A. Assets, valuation of for financial reports etc.

- (1) In this regulation —
carrying amount, in relation to an asset, means the carrying amount of the asset determined in accordance with the AAS;



fair value, in relation to an asset, means the fair value of the asset measured in accordance with the AAS.

- (2) Subject to subregulation (3), the value of an asset shown in a local government's financial reports must be the fair value of the asset.
- (3) A local government must show in each financial report —
 - (a) for the financial year ending on 30 June 2013, the fair value of all of the assets of the local government that are plant and equipment; and
 - (b) for the financial year ending on 30 June 2014, the fair value of all of the assets of the local government —
 - (i) that are plant and equipment; and
 - (ii) that are —
 - (I) land and buildings; or
 - (II) infrastructure;and
 - (c) for a financial year ending on or after 30 June 2015, the fair value of all of the assets of the local government.
- (4) A local government must revalue an asset of the local government —
 - (a) whenever the local government is of the opinion that the fair value of the asset is likely to be materially different from its carrying amount; and
 - (b) in any event, within a period of at least 3 years but no more than 5 years after the day on which the asset was last valued or revalued.
- (5) An asset is to be excluded from the assets of a local government if the fair value of the asset as at the date of acquisition by the local government is under \$5 000.

[Regulation 17A inserted: Gazette 20 Apr 2012 p. 1699-700; amended: Gazette 21 Jun 2013 p. 2451; 26 Jun 2018 p. 2388.]

Comment

With the change of the timeframe of revaluation of Shire assets it is proposed that Council endorses a schedule of every four years based on the below timetable, which is included in the amended policy *O 1.12 – Significant Accounting Policies at (e) Fixed Assets*.

2019/2020	Plant & Equipment
2019/2020	Furniture & Equipment
2019/2020	Land, Building and Other Structures
2021/2022	Infrastructure Roads and Footpaths

All asset classes to then be revalued on a four yearly rotation from the dates listed above.



With the relaxing of the timeframe to revalue assets this will relieve the pressure placed on Shire resources to financially engage an independent valuer to undertake the valuations, particularly in regards to Land, Buildings and Infrastructure.

The change for assets to only be capitalised at \$5,000 or greater will mean that all assets previously acquired below this threshold will need to be removed from the asset register and as it was in force on the 26 June 2018 it will need to be adjusted for the previous financial year of 2017-2018. A comparative balance sheet will need to be included in this year's Annual Financial Report 2019-2020 to explain the change to the 2017-2018 financial position.

As there is not a definitive definition of "portable and attractive" assets it is important to set a policy to guide management and staff on examples on what is perceived to be a "portable and attractive" asset. The policy also sets a minimum original cost threshold of \$500 to prevent unnecessary items and low cost items being recorded on the register. It also outlines the minimum information to be contained on the register and how often a stocktake is to be performed.

Consultation

The Chief Executive Officer and the Guide to Local Government Auditing Reforms – June 2018 published by the Department of Local Government, Sport and Cultural Industries.

Financial Implications

Nil

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 Council:

1. Endorse the removal of Council Policies – *O 1.12 Fair Value Accounting, O 1.13 Fixed Assets – Capitalisation Threshold* and *O 1.20 Non- Current Assets – Depreciation*.
2. Adopt and replace the above policies listed at item 1 with *O 1.12 Significant Accounting Policies* and *O 1.13 Portable and Attractive Assets*, as attached.

Council Resolution

Major/Baker

That Council:

3. Endorse the removal of Council Policies – *O 1.12 Fair Value Accounting, O 1.13 Fixed Assets – Capitalisation Threshold* and *O 1.20 Non- Current Assets – Depreciation*.



4. Adopt and replace the above policies listed at item 1 with *O 1.12 Significant Accounting Policies* and *O 1.13 Portable and Attractive Assets*, as attached.

**Carried 6/0
Resolution 196/19**

8.5.4 WRITE-OFF OUTSTANDING DEBTS

File Reference 4.12.25
Statutory Reference *Local Government Act 1995* Section 6.12(1)
Author & Date Cara Ryan 17th May 2019
Attachments Nil

Background

This report is presented to advise Council of non-collectable debts and seeks Council approval to write-off debts that have been outstanding for an excessive period of time and are considered unrecoverable.

The total outstanding monies owed to Council of \$1,427.92, are as detailed on the following schedule.

Date	Invoice Number	Details	Amt
06/11/2015	2225	Water Delivery - resident moved address. Promised several times to pay debt but no payment was forthcoming.	\$187.50
22/03/2016	2423		\$187.50
18/08/2016	2867	Reimbursement of travel time for the Building Officer to inspect relocatable dwelling in Metricup – left several messages and sent emails confirming arrangement but no response.	\$948.51
13/12/2016	CHILDCARE	Childcare Fees – The child’s place was suspended on several occasions when there was non-payment. Payment would then arrive and child’s place was re-activated. On the last occasion child’s place was lost and family have now left Williams.	\$104.41

Statutory Implications

Local Government Act 1995 Section 6.12

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 the 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.

* Absolute majority required.



- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

Comment

All outstanding debtors are reviewed on a monthly basis and whilst the Council has a good track record of managing and recovering debts there will always be some debts that become uncollectable. All attempts have been made to recover the above outstanding debts. They were all been placed in the hands of debt collectors, only to be returned with the advice that after several attempts they are uneconomical to pursue.

Financial Implications

Should Council decide to write off \$1,427.92 as a bad debt, there will be a nil effect to the year-end closing funds as there is a provision on the balance sheet of \$10,901.28 for doubtful debts.

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

Absolute Majority

Officer’s Recommendation

That Council agrees to write off the following bad debts totalling \$1,427.92:

<u>Date</u>	<u>Invoice</u>	
06/11/2015	2225	\$187.50
22/03/2016	2423	\$187.50
18/08/2016	2867	\$948.51
13/12/2016	CHILDCARE - DaSilva	\$104.41

Council Resolution

Baker/Harding

That Council agrees to write off the following bad debts totalling \$1,427.92:

<u>Date</u>	<u>Invoice</u>	
06/11/2015	2225	\$187.50
22/03/2016	2423	\$187.50
18/08/2016	2867	\$948.51
13/12/2016	CHILDCARE - DaSilva	\$104.41

**Carried by Absolute Majority 6/0
Resolution 197/19**

Cara Ryan left the Meeting at 4.57pm.



8.6 WASTE MANAGEMENT OFFICER'S REPORT

The Chief Executive Officer gave a brief verbal report on the progress towards conversion of the Williams landfill site to a waste transfer station. A request for quote has been issued for waste collection services and economies of scale could be realised by collaborating with the Shire of Wandering. A Waste Local Law is being considered to assist with the appropriate management of waste that is either recyclable or going to landfill.

8.7 COUNCILLORS' REPORTS

Cr Logie mentioned that he will be attending the upcoming WALGA Central Country Zone Meeting in Brookton where discussion will be held on the low volume conditions applying to vehicles using the Restricted Access Vehicle Network.

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

10.1 ELECTED MEMBERS

10.2 OFFICERS

11.0 APPLICATION FOR LEAVE OF ABSENCE

12.0 INFORMATION SESSION

Cr Major suggested that the Shire should introduce a policy to provide guidance on the processes for recruitment of employees.

Crs Logie and Major advised that they will be attending a WALGA Workshop in Wagin on the subject of CEO Performance Appraisals (for Elected Members).

Cr Major recommended a revised ten year road construction plan be prepared to assist with the forward planning of future projects. Cr Watt suggested that a road inspection be scheduled to assist with this planning process.

13.0 CLOSURE OF MEETING

There being no further business for discussion the President declared the Meeting closed at 5.37pm.