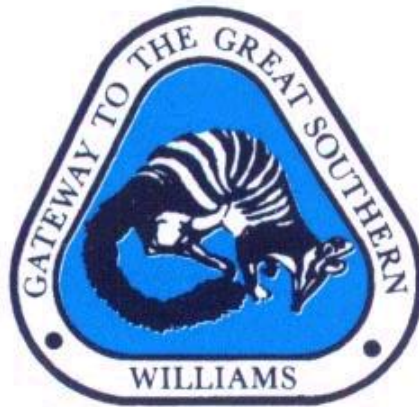


SHIRE OF WILLIAMS

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



COUNCIL DIARY

WEDNESDAY 20 NOVEMBER 2019

1.00pm

Ordinary Meeting,
preceded by the Election of
President and Deputy President.

WEDNESDAY 18 DECEMBER 2019

1.00pm

Ordinary Meeting



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Separate Documents

1. Minutes – Council; Audit Committee, 4WDL, CRG
2. CEO General Report
3. Appendix to CEO General Report
4. Appendices to CEO Report
5. Action Items Report
6. Appendices to EHO Report
7. Appendices to CDO Report
8. Appendix to Work Supervisor’s Report
9. Payment Listing
10. Monthly Financial Report
11. Municipal Bank Reconciliation
12. Status Report
13. Info Statement



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It was noted that Cr Major, Cr Carne and Cr Price made a Declaration by Elected Member in accordance with the *Local Government Act 1996* and *Local Government (Constitution) Regulations 1998* on the 29 October 2019. Further, Cr Medlen made a Declaration by Elected Member on the 7 November 2019.

AGENDA

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member, Jarrad Logie, declared the Meeting open at 1.01pm.

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

Cr Jarrad Logie	President
Cr Natalie Major	Deputy President
Cr Moya Carne	
Cr Gil Medlen	
Cr Simon Harding	
Cr Alex Watt	
Cr Bob Baker	
Cr Tracey Price	
Geoff McKeown	Chief Executive Officer
Britt Logie	Community Development Officer (1.16pm – 2.00pm)
Tony Kett	Works Supervisor (2.01pm – 2.17pm)
Trevor Brandy	Environmental Health Officer/Building Surveyor (2.18pm – 2.49pm)
Manuela Lenehan	Minute Taker
Visitors	Heather Rose (Sculpture Project) (1.35pm – 2.00pm) Heather Higham (Sculpture Project) (1.35pm – 2.00pm) Kelly Ford (Mosquito control measures) (2.00pm – 2.46pm)
Apologies	Nil
Leave of Absence	Nil

The Chief Executive Officer, Geoff McKeown assumed the chair and called for nominations for the position of President.



ELECTION OF PRESIDENT

File Reference	4.1.40
Subject	Election of Shire President
Statutory Reference	<i>Local Government Act 1995</i> (Sections 2.11 to 2.15 and Schedules 2.3 and 4.1) and <i>Local Government (Constitution) Regulations 1998</i>
Author & Date	Geoff McKeown 12 November 2019

Background

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. In each case the following procedures have to be adhered to:

- i) The election for the Shire President is conducted by the Chief Executive Officer. The election for the Deputy Shire President is conducted by the (newly elected) Shire President.
- ii) Nominations for Shire President and Deputy Shire President must be given in writing.
 - a) Nominations for Shire President must be given in writing to the Chief Executive Officer.
 - b) Nominations for Deputy Shire President must be given in writing to the Shire President.
- iii) If a Councillor is nominated by another Councillor, the Chief Executive Officer or Shire President (as the case may be) is NOT to accept the nomination unless the nominee has advised the Chief Executive Officer or Shire President orally or in writing that he or she is willing to be nominated for the office.
- iv) Councillors are to vote on the nominations by secret ballot just as they would at any Council election. Councillors who have accepted nomination are entitled to cast a vote in the same way as those Councillors not nominated.
- v) Votes are counted by the Chief Executive Officer on the basis of “first past the post” and the candidate with the highest number of votes is declared elected.
- vi) If there is an equality of votes, the meeting is adjourned for a period of not more than 7 days.
- vii) During the 7 day period up until the adjourned meeting resumes, existing candidates may withdraw their nominations or new nominations can be made (provisions still apply in relation to written nominations and willingness to accept nominations where the nominee is not the nominating person).
- viii) Upon resumption of the adjourned meeting, Councillors all vote for a second time and if there is a clear winner that person is declared.
- ix) If upon the second count there is still an equality of votes, the Chief Executive Officer is to draw lots to ascertain a winner.

The *Local Government Act 1995* states in section 2.29(2):

2.29. *Declaration*

- (2) *A person elected by the council as mayor, president, deputy mayor or deputy president has to make a declaration in the prescribed form before acting in the office.*

Comment

At the time of preparing the Agenda no nominations have been received.



The Chief Executive Officer advised that he had received one written nomination. Cr Carne nominated Cr Logie. The Chief Executive Officer called for any further nominations. No further nominations were received.

Cr Logie accepted his nomination for the position of President and was duly elected as President for a two (2) year term and made a declaration of office in the presence of the Chief Executive Officer.

Cr Logie assumed the chair.

ELECTION OF DEPUTY PRESIDENT

File Reference	4.1.40
Subject	Election of Deputy Shire President
Statutory Reference	<i>Local Government Act 1995</i> (Sections 2.11 to 2.15 and Schedules 2.3 and 4.1) and <i>Local Government (Constitution) Regulations 1998</i>
Author & Date	Geoff McKeown 12 November 2019

Background

The same method of nomination applies for the position of Deputy Shire President, as does the counting of votes, except that the newly elected Shire President will take the Chair for the process.

The *Local Government Act 1995* states in section 2.29(2):

2.29. Declaration

- (2) *A person elected by the council as mayor, president, deputy mayor or deputy president has to make a declaration in the prescribed form before acting in the office.*

Comment

At the time of preparing the Agenda no nominations have been received.

The Chief Executive Officer advised that he had received one written nomination. Cr Carne nominated Cr Major. The President called for further nominations. No further nominations were received.

Cr Major accepted the nomination and was duly elected as Deputy President for a two (2) year term. Cr Major then made a declaration of office in the presence of the Chief Executive Officer.



3.0 PUBLIC QUESTION TIME

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

Heather Rose & Heather Higham will attend the meeting to discuss Bridging the Gap – The Williams Sculpture Project as detailed in the Community Development Officer’s Report.

Kelly Ford will attend the meeting to hear discussion on the Shire’s mosquito control program as detailed in the Environmental Health Officer’s Report.

5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	Cr Alexander Watt / Councillor
Item No. / Subject	8.4.1 CEO General Report Item – Telstra Connection to Lot 403 Marjidin Way
Type of Interest	Proximity

DECLARATION OF INTEREST	
Name / Position	Cr Moya Carne / Councillor
Item No. / Subject	8.4.2 Lease of Vacant Shire Land – Lot 9000 Alb. Hwy
Type of Interest	Impartiality

DECLARATION OF INTEREST	
Name / Position	Cr Jarrad Logie / President
Item No. / Subject	8.4.2 Lease of Vacant Shire Land – Lot 9000 Alb. Hwy
Item No. / Subject	8.4.3 Christmas/New Year Period – Office Closure
Item No. / Subject	8.4.9 Waiver of Swimming Pool Family Pass Fee
Item No. / Subject	8.4.14 Proposed Subdivision Application – Lot 802 Albany Hwy, Williams
Type of Interests	8.4.2 Proximity 8.4.3 Impartiality 8.4.3 Impartiality 8.4.14 Proximity

DECLARATION OF INTEREST	
Name / Position	Cr Tracey Price / Councillor
Item No. / Subject	8.4.9 Waiver of Swimming Pool Family Pass Fee 8.4.14 Proposed Subdivision Application – Lot 802 Albany Hwy, Williams
Type of Interest	8.4.9 Impartiality 8.4.14 Proximity



DECLARATION OF INTEREST	
Name / Position	Geoff McKeown / CEO
Item No. / Subject	8.4.3 Christmas/New Year Period – Office Closure
Type of Interest	Impartiality

DECLARATION OF INTEREST	
Name / Position	Manuela Lenehan / Minute Taker
Item No. / Subject	8.4.3 Christmas/New Year Period – Office Closure
Type of Interest	Impartiality

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 16 OCTOBER 2019

Officer's Recommendation

That the Minutes of the Ordinary Meeting held 16 October 2019, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Baker/Major

That the Minutes of the Ordinary Meeting held 16 October 2019, as previously circulated, be confirmed as a true and accurate record.

**Carried 8/0
Resolution 83/20**

6.2 AUDIT COMMITTEE MEETING HELD 12 NOVEMBER 2019

Officer's Recommendation

That the Minutes of the Audit Committee Meeting held 12 November 2019, as previously circulated, be received.

Council Resolution

Medlen/Baker

That the Minutes of the Audit Committee Meeting held 12 November 2019, as previously circulated, be received.

**Carried 8/0
Resolution 84/20**



6.3 4WDL MEETING HELD 8 OCTOBER 2019

Officer's Recommendation

That the Minutes of the 4WDL Meeting held 8 October 2019, as previously circulated, be received.

Council Resolution

Carne/Watt

That the Minutes of the 4WDL Meeting held 8 October 2019, as previously circulated, be received.

**Carried 8/0
Resolution 85/20**

6.4 WILLIAMS BRIDGE TO BRIDGE PROJECT CRG MEETING HELD 4 NOVEMBER 2019

Officer's Recommendation

That the Minutes of the Williams Bridge to Bridge Project CRG Meeting held 4 November 2019, as previously circulated, be received.

Council Resolution

Major/Watt

That the Minutes of the Williams Bridge to Bridge Project CRG Meeting held 4 November 2019, as previously circulated, be received.

**Carried 8/0
Resolution 86/20**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.0 REPORTS

The Community Development Officer, Britt Logie, attended the Meeting at 1.16pm to discuss her report.



8.1 COMMUNITY DEVELOPMENT OFFICER'S REPORT

8.1.1 GENERAL PROJECTS UPDATE

File Reference	CDO Files	
Statutory Reference	N/A	
Author & Date	Britt Logie	15 th November 2019

Background

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

Comment

Community Perceptions Survey

The Community perceptions survey has come back with a total of 56 surveys and some great feedback and ideas for the review of the Strategic Plan. Please see appendices for the full results and comments of the survey.

Town Playground

There is some common feedback in regards to the upgrade to the town park in the Survey. A proposal was put to council back in 2016 in relation to the upgrade of the town playground adjacent to the town hall, there was a committee formed and plans drawn, the project is included in the forward capital works program for 2020/21, subject to receiving grant funds. I do believe that with the results of the current survey, there is still high demand for an upgrade to the town hall park and that we should place it as a high priority in the review of the strategic planning.

Townscape improvement

I have recently had a number of people comment that we should place some murals around town to "freshen" the town up. After recently talking to Georgina Paterson, I thought a good wall to start with would be outside the council chambers where the benches have recently been placed. I would like to arrange Georgina to conduct a 3 day youth program in painting this wall in a theme relevant to Williams. If this is successful, we could possible continue this theme throughout the town and hold 2 workshops a year.

Pathway along river

I do believe that this path needs desperate attention. It has such potential as an addition from the Lions Park for a quick walk. I think cleaning up this path and making it an attraction would be in the best interest for our town.

I would like to look into forming a committee including a member of Council, myself and various other members of the staff and community to put forward ideas to begin the process of Townscape improvement.

Live Local Love Local Campaign

The recent campaign has recently been advertised in the Williams, since then there has been a positive response in the community from people that want to help in the campaign and also from sporting clubs that are interested in the funds that may soon become available.

Our first event will be held late January / early February where we will hold a “Start of year Community Cheer” event where people can come, meet other members of the community, listen to music with some free entertainment for the kids. We would then like to try and organise an additional 4-6 community events a year.

We would like to purchase an initial order of drink bottles, coffee cups and bucket hats with the “live local live local – Williams” logo on them. As we haven’t raised any funds yet, we are asking for the initial order to be a loan from the community chest fund and replace the money as the items sell. We would need approximately \$2,000 for the initial order.



Heather Rose and Heather Higham attended the meeting at 1.35pm.

The Williams Swimming Pool

The Swimming pool has now been opened for 2 weeks, we have currently sold 42 season passes (33 Family passes, 7 single and 2 child). Swim Club has continued at the pool with the new days being Monday and Thursday and is again quite successful, the first week the pool received 23 children on Monday and 34 children on Thursday.

Early morning swimming is set to begin on Monday 25th November and will continue twice a week until Friday 20th Dec. After this period, the early morning swims will be reviewed prior to recommencing in January. The costs of early morning swimming is an extra \$55 a day (\$110 a week) on top of our current contract. In a recent survey for the Swimming Pool, from 32 responses, 20 answered yes to wanting early morning swimming.

Town Inspections

The town site inspections were completed last week and a total of 20 letters were sent for a total of 23 properties. The landowners have until 26th November to have the long grass removed from their properties.

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:

- SCD 1.1 Provide, maintain and improve community infrastructure.
- SCD 1.3 Maintain a safe and secure environment for the community.
- SCD 2.7 Support implementation of initiatives identified in DAIP, Williams Local Bike Plan, LEMA and other related Plans for the Shire.
- LUE 2.1 Provide quality amenities and accessible public open spaces for the community.
- LUE 2.2 Ensure townsite amenities are maintained and improved where required.



- CL 1.2 Ensure the community remains well informed, well connected and engaged and has the opportunity to actively participate.
- CL 2.1 Maximise and leverage grant funding opportunities to balance and support Council investment.
- CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

Project based, budgeted for as appropriate. Funding identified and secured where appropriate.

Voting Requirements

Simple Majority

Officer’s Recommendation

That the Community Development Officer’s General Projects update be received.

Council Resolution

Medlen/Major

That the Community Development Officer’s General Projects update be received.

**Carried 8/0
Resolution 87/20**

8.1.2 BRIDGING THE GAP – THE WILLIAMS SCULPTURE PROJECT.

File Reference	CDO Files	
Statutory Reference	N/A	
Author & Date	Heather Rose & Heather Higham	15 th November 2019

The project is moving forward with several donations inclusive of the generous support of the Williams Shire.

We have some funding from CBH and Newmont and are hopeful in the future grant applications.

We have decided that the best positioning for the sculpture walkway will be starting from the Northern end of the car bay, in front of the trees, for about 30m heading north. We feel this will be the best vantage point to see the sculptures and without trees obstructing the art work, while still being safe distance off the road.

Please see the attached diagram.

We aim to create 8 sculptures with the creative minded Williams community members, under the guidance of Len Zuks and Heather Higham.

After many meetings we have come up with our concept which is to take our spectators on a trip through the varied periods of our community and what makes us who we are.

We have narrowed down the Sculptures to fit into the following categories:



1. Indigenous – Roma Winmar is in the process of being consulted.
2. Early History and Pioneers
3. The Bridges, River and Road
4. Early Agriculture
5. Current Agriculture
6. The Present Williams into the future
7. Culture and Community.

We plan on having signage on each piece which Kirby Dickson has said she will fund. Within these signs there will be QR codes which lead the viewer back to the sculptors, and any stories and other images relevant to the sculpture.

Officer's Recommendation

That the Community Development Officer's Williams Sculpture Project update be received.

The President invited Heather Rose and Heather Higham to make a presentation on the sculpture project.

Heather Rose commenced by giving some background of the sculpture project and how the ideas for it have developed via a number of community meetings. The concept at this point in time is to 'tell the story' of Williams via a sculpture trail, in a visible location near the Albany Highway. The seven categories listed in the Community Development Officer's report are to collectively achieve this aim, and were briefly touched on in the presentation. There will be a number of workshops and artists, managed by one or more team leaders, will create a variety of works for inclusion in the trail.

Heather Higham mentioned the project is looking to present Williams with something unique and different to what other towns have to offer. The installation of the sculptures could occur over a period of time.

Funding is a restrictive factor, equipment will be needed. An artist has been assigned for each category and will work with members of the community. The goal is to encourage travelers/visitors to get out of their cars and explore the area. Each sculpture will have a story attached to it, displayed on a plaque.

There was general discussion on the need to engage with Main Roads to obtain its approval and consideration of future planning for the area to ensure property access to the highway is not impacted.

It was suggested that local businesses might like to donate to the project. Heather Higham advised that she will manage the supply or loan of materials and equipment. There is a need for welders, vices, tools, grinders, workbenches, etc.

It was suggested that the sculptures could be illuminated at night.

Council Resolution

Carne/Watt

That the Community Development Officer's Williams Sculpture Project update, be received.

**Carried 8/0
Resolution 88/20**



Britt Logie, Heather Rose and Heather Higham left the Meeting at 2.00pm.

Kelly Ford attended the Meeting at 2.00pm.

The Works Supervisor, Tony Kett, attended the Meeting at 2.01pm to discuss his report.

8.2 WORKS SUPERVISOR’S REPORT

File Reference	12.15.36	
Statutory Reference	N/A	
Author & Date	Tony Kett	12 November 2019
Attachments	Appendix 1	

8.2.1 MAINTENANCE GRADING ACTIVITY

Road Name	Length Graded (km)
Lyons Rd	1.7
Rintoul Rd	1.6
Hamon Rd	0.8
Congelin-Narrogin Rd	6.1
Darkan-Quindanning Rd	14.0
Plank Rd	4.7
Total Length for the Month	25.9 km

8.2.2 ROAD MAINTENANCE WORKS (SEE APPENDIX)

- Pingelly Rd works

8.2.3 2019/20 ROAD CONSTRUCTION PROGRAM

Road Construction Program 2019-2020								
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	6.50	8.01				Trees done, spoil picked up and gravel in. Mixing gravel for sealing on 20 th Nov.
128	Williams Darkan Road	Reseal. Pavement repair	11.0 21.07	16.0 21.17				
7	Clayton Road	Seal Shoulder	4.00	6.00				
7	Clayton Road	Widen Shoulders	6.00	8.00				
1	York Williams Road	Reseal 3kms and pavement repairs	9.10	12.10				



23	Wangeling Gully Road	Gravel Sheet Tree Clear	4.70 7.70	7.70 9.30				
12	Zilko Road	Seal Widen over Culverts						
14	Narrakine Road	Stabilise pavement	7.21	7.27				
21	Carne Road	Stabilise pavement	3.71	3.86				
04- 03	Lavender St, Forrest St, Stan Gillett St: Seal to 7.0m wide.		650m	650m.				Gravel in, drainage and culverts done.
12	Zilko Road	Gravel sheet	10.4	13.4				
11	Marradong Road	Stabilising Pavement						

8.2.4 MECHANICAL REPORT

Plant Description	Driver	Date Purchased	Hours/Km 10/6/19	Works Completed this Month
Holden Colorado WL 076	A Wood	Oct 19	100 km	Fitted 2 way radio and flashing light.

8.2.5 STAFF

- Nil report

8.2.6 TOWN AND FACILITIES REPORT

- Nil report

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 89/20**

Tony Kett left the Meeting at 2.17pm.



The Environmental Health Officer/Building Surveyor, Trevor Brandy, attended the Meeting at 2.18pm 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 6 November 2019
Attachments Nil

Comment

Two applications were received during October 2019:

Permit Number	Owner	Address	Description
1/19	Paceview Holdings	Lot 12 (4) Albany Highway	Demolition of Existing Dwelling
4/19	P & R Moog	Lot 320 (281) Narrogin Road	Nursery

Lot 802 (13255) Albany Highway Service Station

A Certified application was received from the Finlay Building Group for a Service Station to be built on Lot 802 Albany Highway. Due to a number of issues namely, effluent disposal, storm water and a lack of specific detail regarding the food preparation area, the Building Permit has been delayed pending further detail.

Also, Main Roads approval for access and egress of the highway has not been forthcoming as yet.

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

Applicants for Building Permits pay fees accordance with the Shire’s Fee and Charges Schedule.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council endorse the Building Report as presented.



Council Resolution

Medlen/Harding

That Council endorse the Building Report as presented.

**Carried 8/0
Resolution 90/20**

8.3.2 HEALTH RELATED ISSUES

File Reference	7.40.41
Statutory Reference	<i>Public Health Act 2016</i>
Author & Date	Trevor Brandy 6 November 2019
Attachments	Nil

Comment

Issues attended to during October 2019.

- 1 Request for comment from the Department of Water and Environment Regulation – proposed clearing of 300m² of area for apiary (bee keeping) on various sites south of Williams, purposes to access and egress of collection vehicles. Discussions with the CEO concluded with no need to comment.
- 2 Health Department survey to update data on class one Aquatic Facilities.
- 3 Health Department update on starting procedure for effluent reuse schemes.
- 4 Pool sampling start up samples – results received in good order.
- 5 Referral from Health Department – use of chlorine in rain water tank – 6 Petchell Road Williams.

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 note the report on General Health Issues as presented.

Council Resolution

Watt/Medlen

That Council note the report on General Health Issues as presented.

**Carried 8/0
Resolution 91/20**



8.3.3 COMPLAINTS WITH REFERENCE TO MOSQUITO FOGGING

File Reference	11.20.20
Statutory Reference	
Author & Date	Trevor Brandy 6 November 2019
Attachments	Submissions received on the issue of mosquito fogging

Comment

Council is in receipt of two submissions regarding mosquito fogging and the need to continue this operation. To follow on from the EHO's Report (Ordinary Meeting of Council 18th May 2016), on the various methods of mosquito control, fogging seemed to be the most effective and economic method of mosquito management.

Statistically, the records received from the Health Departments Medical Entomologist, Mr Peter Neville indicate that there were 6 cases of Ross River Virus (RRV) and 2 cases of Barmah Forest Virus within the Shire during 2006/07 – 2017. There was no indication that these cases were contracted either inside the local authority or from another area. Although not present in Western Australia, mosquito borne viruses such as the Zika, Chikungunya and the Japanese Encephalitis have the potential to take hold if introduced.

Interesting to note is that they were predominantly reported during January to March indicating the presence of the mosquito activity likely after summer rains.

In the submissions of concern, reference was made a number of the following areas:

- 1 Use of larvicides - although a preferred method of control our inhospitable terrain where mosquitos breed makes it virtually impractical to implement and to have personal on standby when the conditions are right to use larvicide products.
- 2 Mosquito fogging is complaint based with knowledge of their seasonal emergence especially after environmental weather events. It is noted that mosquitos control is more of a nuisance base than a disease control procedure but controlling the seasonal number does mitigate any future risk of disease outbreak before it can take hold in a demographic area.
- 3 There are 2 active constituents and a thermol carrier being use in the fogging program,
 - a) bioresmethrin- a synthetic pyrethroid, has a very low toxicity level and residual effect.
 - b) piperonyl butoxide – increases effectiveness of active constituent, low residual effect.
 - c) Carmel carrier – water base carrier that helps attach molecules to product, i.e. foliage, insect.
- 4 Low toxicity Level – the warning indicated in the Material Safety Data Sheet (MSDS) is for the operator using the concentrated form of the product. The product being dispersed out of the fogger is well watered down and given the time being used poses little risk. Other flying insects such as flies and midges are affected during fogging but are subjected to the confined area being treated.
- 5 In conjunction with the Health Department of WA educational campaigns are used to educate the population on mosquito management but apathy seems to prevail in a lot of cases.

In conclusion, it is impractical to use the alternative method of larviciding to control mosquito breeding and public education can be limited in its effectiveness. If mosquito



fogging is used appropriately, i.e. at the onset of summer and after a rain event during summer, the risk to non-target species should be minimal.

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 Shire has a budget allocation each year for mosquito fogging if it is required.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council note the submissions opposing the current method of mosquito control, by the use of a fogging technique, and determine an action for the future control of mosquitos.

The President invited Kelly Ford to ask a question.

Kelly Ford mentioned that mosquito fogging seems to be carried out based on subjective opinion of a minority of the population and the statistics don’t bear out that a sufficient health risk exists. She commented that personal protection is a better option.

There was general discussion about the current mosquito fogging programme that has been undertaken for the last six weeks or so, generally twice a week. Initially the Shire commenced the fogging based on complaints from the public. These have reduced in recent weeks and the fogging may be discontinued in the near future.

Trevor Brandy commented that fogging does decrease the numbers of mosquitoes. With mosquito breeding occurring near the Williams River, trapping and counting mosquitos or using a larvicide is impractical and expensive, and in some cases can present a handling danger. Personal protection is definitely advisable, however the need for heavy or prolonged use of skin based products carries its own chemical load risks and products advertised as natural may not be as effective.

Kelly Ford asked if the subjective opinions of a few community members were enough to incur both the cost and toxicity risks of fogging.

It was further commented that it would be worthwhile to communicate with other local governments so see how they are managing their mosquito problem.

Kelly Ford left the meeting at 2.46pm.

Council Resolution

Watt/Harding

That Council note the submissions opposing the current method of mosquito control, by the use of a fogging technique, and determine an action for the future control of mosquitos.

**Carried 8/0
Resolution 92/20**

Trevor Brandy left the Meeting at 2.49pm.



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 15 November 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 November 2019 be received by Council.

The President adjourned the Meeting for afternoon tea at 3.18pm and the Meeting resumed at 3.52pm.

Cr Medlen left the Meeting at 4.21pm and returned to the Meeting at 4.29pm.

An item contained in the Chief Executive Officer's General Report included information concerning the absence of Telstra telephone cabling in the Marjidin Way Industrial Estate. There was a request for the Shire to install this infrastructure in the previously installed pits and conduits. Telstra has supplied a quote to install the cabling to Lot 403 Marjidin Way at a cost of \$4,500. plus GST.

Cr Watt declared a proximity interest for an item forming part of 8.4.1 Chief Executive Officer's General Report – Telstra Connection to Lot 403 Marjidin Way. The nature of his interest relates to being the owner of land that is opposite Lot 403 Marjidin Way.

Cr Watt left the Meeting at 4.35pm.



Council Resolution

Harding/Baker

That Council agrees to pay \$4,500, plus GST, to install telephone cabling to service Lot 403 Marjidin Way, Williams subject to the cabling servicing all lots in the Marjidin Way Estate.

**Lost 3/4
Resolution 93/20**

Cr Watt returned to the Meeting at 5.01pm

Council Resolution

Carne/Price

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

**Carried 8/0
Resolution 94/20**

Cr Carne declared an impartiality interest in the following Item 8.4.2 Lease of Vacant Land – Lot 9000 Albany Highway. The nature of her interest relates to being a member of the Williams Bowling Club.

Cr Logie declared a proximity interest for the following Item 8.4.2 Lease of Vacant Land – Lot 9000 Albany Highway. The nature of his interest relates to being the owner of land that is adjacent to the Lot 9000 Albany Hwy.

Cr Logie and Cr Carne left the Meeting at 5.15pm

Deputy President, Cr Major, assumed the Chair.



8.4.2 LEASE OF VACANT SHIRE LAND – LOT 9000 ALBANY HIGHWAY

File Reference	11.70.30
Statutory Reference	Section 3.58 <i>Local Government Act 1995</i> and Clause 30 <i>Local Government (Functions and General) Regulations 1996</i>
Author & Date	Geoff McKeown 14 November 2019
Attachment	Nil

Background

The Williams Bowling Club has written to the Shire seeking an extension of the lease of vacant land at Lot 9000 Albany Highway for cropping purposes to assist with fundraising to be put towards its self-supporting loan and other projects.

In its letter the Club Secretary provides the following supporting information:

“On behalf of the Bowling Club Committee I have been asked to write to thank you and the Council for the opportunity given to the Bowling Club to lease and crop Lot 9000 on the corner of the Highway and the Narrogin Road.

As you would be aware the laying of the new synthetic green was a huge cost and could not have been done without the assistance of the Shire. Fortunately this now saves us in regular cost of green upkeep, mowing etc.

However these greens only have a limited life span and the opportunity to lease Lot 9000 is giving us the opportunity to put some capital away for green replacement in the future. We also now need to change the lighting from B green to A green where the synthetic is which will also be at significant cost. With that in mind we would like to have the opportunity to lease the block again for a further three years. This would assist us in changing of the lighting but also in building that reserve for green replacement. Obviously the more the Bowling Club can fund the less need we have in asking the Shire for funds and assistance.

Once again thank you for your assistance and we hope that this request will be looked a favourably.”

Comment

At the October 2019 Council Meeting the following resolution was passed:

Council Resolution

Major/Harding

That Council invite expressions of interest from local community and sporting clubs wishing to enter into a three (3) year lease of Lot 9000 Albany Highway for the purpose of cropping and grazing, with the matter to be presented to the November 2019 Ordinary Council Meeting for determination.

**Carried 7/0
Resolution 76/20**

Expressions of interest were invited via a notice on the Shire’s Facebook page and in an article in The Williams.

The Williams Bowling Club remains the only community group to register an interest.

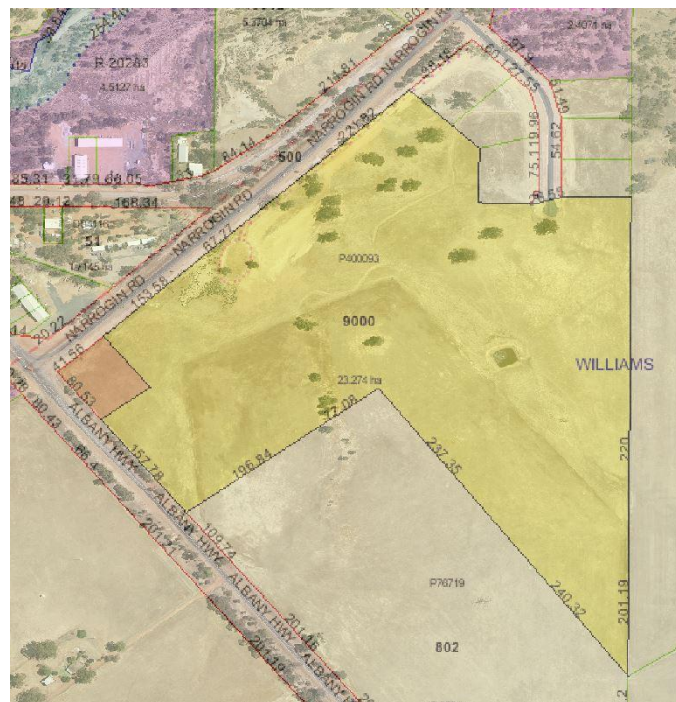
It is important to note that the leasing of property owned by a local government is governed by provisions contained in the *Local Government Act 1995* and *Local Government (Function and General) Regulations 1996*.

To lease property to an individual outside a public tender involves a process where the public can make submissions and the detail of the disposition is publicised. However, the regulations do allow for the disposition of property to a recreational or sporting organisation without going through this process. An extract of the relevant Regulation follows:

30. Dispositions of property excluded from Act s. 3.58

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

A plan highlighting Lot 9000 is shown below:



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 1.5 Encourage business and community groups’ initiatives to promote the Shire as a place to live, work, play and invest
- SCD 1.1 Provide, maintain and improve community infrastructure
- 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 agrees to the Williams Bowling Club leasing Lot 9000 Albany Highway for the purpose of cropping and grazing for a period of three years from the 1st March 2020 to 28th February 2023, subject to the following conditions:

- (i) the Shire being recognised as a contributor and sponsor for its fundraising efforts; and
- (ii) should the land be required for development by the Shire during the period of the lease, the land will be returned without any commitment or obligation to provide compensation for cancellation of the lease.

Council Resolution

Medlen /Watt

That Council agrees to the Williams Bowling Club leasing Lot 9000 Albany Highway for the purpose of cropping and grazing for a period of three years from the 1st March 2020 to 28th February 2023, subject to the following conditions:

- (i) the Shire being recognised as a contributor and sponsor for its fundraising efforts; and
- (ii) should the land be required for development by the Shire during the period of the lease, the land will be returned without any commitment or obligation to provide compensation for cancellation of the lease.

**Carried 6/0
Resolution 95/20**

Cr Logie and Cr Carne returned to the meeting at 5.18pm and Cr Logie resumed the Chair.

Cr Logie declared an impartiality interest for the following Item 8.4.3 Christmas/New Year Period – Office Closure. The nature of his interest relates to the item dealing with employment arrangements of an immediate family employed by the Shire of Williams. Cr Logie remained in the meeting, took part in the discussion and voted on the item.

The Chief Executive Officer, Geoff McKeown, and Minute Taker, Manuela Lenehan declared an impartiality interest in the following Item 8.4.3 Christmas/New Year Period – Office Closure and remained in the chamber. The nature of their interest relates to the item dealing with employment arrangements.

8.4.3 CHRISTMAS/NEW YEAR PERIOD – OFFICE CLOSURE

File Reference	4.20.50	
Statutory Reference	Nil	
Author & Date	Geoff McKeown	28 October 2019
Attachment	Nil	

Background

Since December 2012 the Shire Office has closed during the Christmas/New Year’s period. This year the Administration Staff are seeking Council approval close from 4.00pm Tuesday, 24 December 2019 to reopen at 8.00am Monday, 30 December 2019. This period includes one working day and an early close on Christmas Eve.



Comment

The Public Holidays are:

- Wednesday 25 December 2019 (Christmas Day)
- Thursday 26 December 2019 (Boxing Day)
- Wednesday 1 January 2020 (New Year’s Day)

The only scheduled working day during the proposed closure period is Friday, 27 December 2019

If approved, the Administration Staff will take annual leave for this day.

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 1.2 Ensure the community remains well informed, well connected and engaged and has the opportunity to actively participate.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council approves the Shire Office closure from 4.00pm Tuesday, 24 December 2019 and to reopen 8.00am Monday, 30 December 2019 and that the appropriate advertising of the closure be undertaken and suitable emergency contacts be listed for the duration of the closure period.

Council Resolution

Harding/Watt

That Council approves the Shire Office closure from 4.00pm Tuesday, 24 December 2019 and to reopen 8.00am Monday, 30 December 2019 and that the appropriate advertising of the closure be undertaken and suitable emergency contacts be listed for the duration of the closure period.

**Carried 8/0
Resolution 96/20**

8.4.4 ELECTION OF COMMITTEES REPRESENTATIVES

File Reference	4.1.20
Statutory Reference	Local Government Act 1995 section 5.8-5.18
Author & Date	Geoff McKeown 28 October 2019
Attachments	Nil

Background

A local government may establish committees to assist the Council, and they may be delegated powers to exercise and discharge the duties of the local government. A committee established in this way is confirmed by a resolution of Council requiring a decision by absolute majority.



Comment

Following the Local Government Elections the Council normally appoints elected members to a number of committees, although none of them exercise any powers or discharge any duties on behalf of the Council as mentioned above. It is appropriate to review the relevance of the committees and the nominated elected member representation. Current elected member representation includes:

1. WALGA Central Zone Delegates: Cr J Logie – Proxy: Cr M Carne
2. Narrogin Sub-Regional Road Group: Cr J Logie
3. Heritage Inventory Review: vacant
4. Williams Landcare Inc.: Cr G Medlen
5. Community and Staff Housing: Cr M Carne, Cr N Major and Sharon Wilkie (Staff)
6. Works and Plant Committee: Cr J Logie, Cr A Watt, Cr S Harding
7. Audit Committee: Cr J Logie, Cr G Medlen, Cr S Harding, Cr B Baker
8. Art Acquisition Committee: Cr M Carne, Cr N Major and two community members
9. Hotham Williams Economic Alliance: vacant – Proxy: vacant
10. South 32 Community Liaison Committee (CLC) for Boddington Bauxite Mine: vacant - Proxy: Cr M Carne
11. Newmont Boddington Gold CLC – Geoff McKeown (Staff) - Proxy: vacant
12. 4WDL VROC – Cr M Carne, Proxy: Cr N Major
13. Premier’s Australia Day Active Citizenship – Cr N Major, Cr B Baker

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 1.2 Ensure the community remains well informed, well connected and engaged and has the opportunity to actively participate.
- CL 3.1 Participate in, and actively collaborate with, the 4WDL VROC on resource sharing opportunities.
- CL 3.2 Foster, nurture and develop strategic alliances with local government, major industry and government agencies.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council appoint Elected Members and Staff to various committees as listed.

The item dealing with the appointment of Elected Members and Staff to various committees is to be deferred to the Ordinary Meeting of Council to be held in February 2020 and following completion of the extraordinary election process for the elected member vacancy.



8.4.5 DEVELOPMENT ASSESSMENT PANEL

File Reference	10.60.10
Statutory Reference	<i>Planning and Development (Development Assessment Panels) Regulations 2011</i>
Author & Date	Geoff McKeown 28 October 2019
Attachments	Nil

Background

Advice has been received from the Department of Planning, Lands and Heritage reminding local governments that, if there has been any change to elected members from the recent local government election, it may be necessary to revise the representation on the Development Assessment Panel (DAP).

The legislation establishing DAPs came into operation on 2011 and included provisions for elected members from local government to be nominated as members of the DAP.

Comment

There are nine DAPs across the State with six in the Metropolitan area and three in regional areas. The Shire of Williams is included in a DAP covering the Mid-West/Wheatbelt Region.

Legislation dictates the type of application that will be considered by DAPs. It also sets limits where the applicant can opt to have their development application considered by a DAP and where it is mandatory to do so.

In November 2017 Council reviewed its membership and resolved that the following elected members be nominated as the Shire’s DAP representatives:

- Cr M Carne
- Cr G Cavanagh
- Proxy: Cr N Major
- Proxy: Cr J Logie

With Cr Cavanagh not seeking re-election at the recent Local Government Elections it is timely to review the Shire’s representation.

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 nominate Councillors and as members with Councillors and as proxy members to represent the Shire of Williams on the Mid-West/Wheatbelt Joint Development Assessment Panel.

Council Resolution

Harding/Medlen

That Council nominate Councillors Major and Carne as members with Councillors Price and Logie as proxy members to represent the Shire of Williams on the Mid-West/Wheatbelt Joint Development Assessment Panel.

**Carried 8/0
Resolution 97/20**

8.4.6 CONTRACT RANGER SERVICES

File Reference	5.20.2
Statutory Reference	<i>Local Government Act 1995</i> and other legislation
Author & Date	Geoff McKeown 28 October 2019
Attachments	Nil

Background

This item considers the prospect of engaging professional ranger services to assist in managing law, order and public safety matters in the Shire. Neighbouring local governments have successfully used this type of service.

Presently a number of Shire employees are approved to deal with matters under various items of legislation, including:

- *Local Government Act 1995*
- *Local Government Act (Miscellaneous Provisions) Act 1960*
- *Dog Act 1976*
- *Litter Act 1979*
- *Bushfires Act 1954*
- *Cat Act 2011*
- *Health Act 1911*
- *Control of Vehicles (off road areas) Act 1978*
- *Caravan Parks and Camping Grounds Act 1995*
- Council Local Laws and Policies
- *Animal Welfare Act 2002*

Comment

The majority of issues that arise are dealt with by the Shire’s authorised officers. On some occasions a contract service has been engaged to specifically handle a difficult situation. Recently there was a dog attack where the contract ranger was used, along with the unlawful occupancy of a caravan on a residential lot.

The Shire Administration would like to expand the role of a contract service to undertake a wider education and enforcement role. There is a growing problem with dogs not being registered, dogs wandering around town not being controlled, feral cats, car bodies on properties, unkempt



premises, etc. A contract service can target these areas with visits to properties to encourage residents to comply and use enforcement if necessary.

It is anticipated that the service could visit one day per fortnight to start with, over a period of several months. This will help to gauge the effectiveness of the service and see whether it is beneficial to continue for a longer period.

The service could be engaged for a two hour period at a cost of \$255 plus GST, including travel. Typically the ranger will attend the Shire Office to establish if any complaints/jobs need to be attended to. This is followed by a patrol and door to door compliance checks for dog and cat registration. This ensures better compliance and reduces complaints as the direct community engagement allows greater level of pet responsibility through education.

Sufficient funds have been included in this year's budget to trial the service.

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 1.3 Maintain a safe and secure environment for the community
- 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
- CL 4.4 Monitor and ensure compliance with regulatory framework for local government business

Financial Implications

The 2019/2020 Annual Budget includes sufficient funds to trail the provision of a contact ranger service for the balance of the financial year.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council engage a contract ranger service for fortnightly visits to assist with managing law, order and public safety matters in the Shire. Further, the service be engaged for a period up to the 30 June 2020 at which time it will be reassessed for its effectiveness and consideration given to its continued operation.

Council Resolution

Carne/Harding

That Council engage a contract ranger service for fortnightly visits to assist with managing law, order and public safety matters in the Shire. Further, the service be engaged for a period up to the 30 June 2020 at which time it will be reassessed for its effectiveness and consideration given to its continued operation.

**Carried 6/2
Resolution 98/20**



8.4.7 DEVELOPMENT APPROVAL – MULTIPLE DWELLINGS ON LOT 2108 (126) REDMAN ROAD, WILLIAMS

File Reference	10.60.15
Statutory Reference	Shire of Williams Town Planning Scheme No.2
Author & Date	Geoff McKeown 28 October 2019
Attachment	Nil

Background

A development application has been received from Anna and Michelle Szabo to construct a second dwelling on their 'rural' zoned property at Lot 2108 (126) Redman Road, Williams.

The Shire of Williams Town Planning Scheme No.2 is not specific in giving direction on multiple dwellings in the 'rural' zone. However, the following wording is relevant:

2.1 APPLICATION OF THE SCHEME

After the gazettal date of the Scheme:-

- (1) *Council permission shall be required for any development undertaken within the Scheme Area.*
- (2) *Unless otherwise provided in the Scheme the following operations or uses of land shall not be taken for the purpose of this Scheme to involve development:-*
 - (a) *The use of land in a Reserve where such land is held by the Council or vested in a public authority;*
 - (i) *for the purpose for which the land is Reserved under the Scheme; or*
 - (ii) *in the case of land vested in a public authority, for any purpose for which such land may be lawfully used by that authority;*
 - (b) *the carrying out of works for the maintenance, improvement or other alteration of any building, being works which affect only the interior of the building or which do not materially affect the external appearance of the building;*
 - (c) *the carrying out by a public authority of any works for the purpose of inspecting, repairing or renewing any sewers, mains, pipes, cables or other apparatus, including the breaking open of any street or other land for that purpose;*
 - (d) *the use of any building or other land within the curtilage of a dwelling for any purpose incidental to the enjoyment of the dwelling as such;*
 - (e) *the construction of, or extension to, a single house except:*
 - (i) *in the Rural Residential Zone as provided in Clause 4.5(2)(a); or*
 - (ii) *where the lot on which the single house is proposed does not have frontage access to a constructed road in a dedicated road reserve in either of which cases a development application shall be made to Council in accordance with the provisions of this Part of the Scheme.*
- (3) *For the avoidance of doubt it is hereby declared that:-*
 - (a) *the use of two or more separate dwellings of any building previously used as a single house involves a material change in the use of the building;*
 - (b) *the deposit of refuse or waste materials on land involves a material change in the use thereof, where the land has not previously been used for that purpose;*
 - (c) *the keeping of horses, cattle, sheep, pigs or goats is not a purpose incidental to the enjoyment of a dwelling as stated in 2.1(2)(e) above.*

Earlier advice from Council's Town Planning Consultant on the subject of multiple dwellings is that a proposal for a second dwelling on a 'rural' zoned lot should be dealt with as a development application.

Comment

The applicants have indicated in their application is for an ancillary residence comprising a two (2) bedroom kit home (85m²)

A map showing the proposed site for the dwelling follows. The existing dwelling and infrastructure is shown at the rear of the lot, with a yellow maker for the proposed new development.



The property is located in a Bush Fire Prone Area. The applicants will be advised that a Bushfire Attack Level Assessment Report will have to be prepared to accompany an application for a building permit.

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 Shire has received a development application fee based on the value of the development.

Voting Requirements

Simple Majority



Officer’s Recommendation

That Council grants development approval to Anna and Michelle Szabo to construct a second dwelling on Lot 2108 (126) Redman Road, Williams subject to the following conditions:

1. The building and effluent disposal systems having the necessary clearance from the lot boundaries as required under relevant legislation;
2. The additional dwelling is to provide accommodation for an employee/farm worker; and
3. The applicant is to meet all Health and Building requirements to the satisfaction of the Shire.

Council Resolution

Medlen/Watt

That Council grants development approval to Anna and Michelle Szabo to construct a second dwelling on Lot 2108 (126) Redman Road, Williams subject to the following conditions:

1. The building and effluent disposal systems having the necessary clearance from the lot boundaries as required under relevant legislation;
2. The additional dwelling is to provide accommodation for an employee/farm worker; and
3. The applicant is to meet all Health and Building requirements to the satisfaction of the Shire.

**Carried 8/0
Resolution 99/20**

8.4.8 GIFTING OF IPAD

File Reference	4.1.65
Statutory Reference	<i>Local Government Act 1995, Local Government (Administration) Regulations 1996 and Local Government (Functions and General) Regulations 1996</i>
Author & Date	Geoff McKeown 29 October 2019
Attachment	Nil

Background

Council is asked to consider applying a provision of the iPads/Tablet – Provision for Councillors/Senior Staff Policy in relation to a departing elected member.

Comment

Cr Greg Cavanagh did not seek re-election at the recent Local Government Elections and his term as an elected member concluded on the 19 October 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 used iPad to Greg Cavanagh.

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 August 2012 was \$802.50, plus GST.

Voting Requirements

Absolute Majority

Officer’s Recommendation

That Council gifts the iPad used by Cr Greg Cavanagh to him in accordance with Shire Policy C3.3 iPads/Tablet – Provision for Councillors/Senior Staff.

Council Resolution

Medlen/Major

That Council gifts the iPad used by Cr Greg Cavanagh to him in accordance with Shire Policy C3.3 iPads/Tablet – Provision for Councillors/Senior Staff.

**Carried by Absolute Majority 8/0
Resolution 100/20**

Cr Logie and Cr Price declared an impartiality interest in the following Item 8.4.9 Waiver of Swimming Pool Family Pass Fee. The nature of their interest relates to members of their families participating in swimming coaching conducted by Karen Vlastuin of the Boddington Swimming Club. Crs Logie and Price remained in the Meeting, took part in the discussion and voted on the item.

8.4.9 WAIVER OF SWIMMING POOL FAMILY PASS FEE

File Reference	11.20.20
Statutory Reference	Local Government Act 1995
Author & Date	Geoff McKeown 31 October 2019
Attachment	Nil

Background

At the commencement of the 2017 and 2018 swimming seasons the Shire agreed to Karen Vlastuin from the Boddington Swimming Club coming to Williams for the purpose of undertaking swim coaching. Previously Williams swimmers travelled to Boddington for this coaching.

Karen Vlastuin has indicated that she once again would like to offer swim coaching in Williams for the pool season.

Comment

Council is asked to waive the cost of a family pool pass for Karen Vlastuin for this pool season in recognition of the valuable service to this community and encouraging increased usage of the pool.

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 scheduled fee for a family pool entry.



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 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.

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

A decision to waive the family pool pass fee will reduce revenue by \$230.

Voting Requirements

Absolute Majority

Officer’s Recommendation

That Council agrees to grant a waiver to the scheduled family pass fee for Karen Vlastuin to have entry to the Williams Swimming Pool for the 2019/20 pool season in recognition of her valued contribution to the promotion of swimming to the Williams Community.

Council Resolution

Watt/Major

That Council agrees to grant a waiver to the scheduled family pass fee for Karen Vlastuin to have entry to the Williams Swimming Pool for the 2019/20 pool season in recognition of her valued contribution to the promotion of swimming to the Williams Community.

**Carried by Absolute Majority 7/1
Resolution 101/20**

8.4.10 WAIVER OF HIRE FEE FOR PAVILION SURROUNDS

File Reference	11.30.45
Statutory Reference	<i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 14 November 2019
Attachment	Nil

Background

A Shire employee has asked if Council will agree to the waiver of a hire fee for a local charity fundraising event. Jeff Cowan has booked the Pavilion surrounds, including the outside bar and



BBQ on Saturday, 30 November 2019. The event is free to attend and he intends to raise funds for the Fred Hollows Foundation.

The Chief Executive Officer has limited delegation to consider such a request as delegated approval only extends to a value of up to \$50.00. The hire fee for the booking is \$83.50 and if minor use of the kitchen occurs there is a fee of \$27.00.

Comment

Council is asked to waive the hire fee for this fundraising 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 scheduled fee for the outside bar, BBQ and surrounds, and if necessary minor use of the kitchen.

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 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.

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

A decision to waive the fee will reduce revenue between \$83.50 and \$110.50.

Voting Requirements

Absolute Majority

Officer’s Recommendation

That Council agrees to grant Jeff Cowan a waiver for the scheduled fee for the Pavilion outside bar, BBQ and surrounds, and if necessary minor use of the kitchen, on Saturday, 30 November 2019 recognising that the event is raising funds for a charitable foundation.

Council Resolution

Major/Price

That Council agrees to grant Jeff Cowan a waiver for the scheduled fee for the Pavilion outside bar, BBQ and surrounds, and if necessary minor use of the kitchen, on Saturday, 30 November 2019 recognising that the event is raising funds for a charitable foundation.

**Carried by Absolute Majority 8/0
Resolution 102/20**



8.4.11 RESEAL WORKS – WILLIAMS DARKAN ROAD AND YORK WILLIAMS ROAD

File Reference	12.15.32
Statutory Reference	Section 3.57 <i>Local Government Act 1995</i> and <i>Local Government (Functions and General) Regulations 1996</i>
Author & Date	Geoff McKeown 15 November 2019
Attachment	Nil

Background

It is proposed to undertake reseal works on the Williams Darkan Road and York Williams Road this financial year. The areas to be resealed are 35,000m² and 21,000m² respectively.

Comment

The cost of this work is expected to exceed \$150,000; therefore the Shire is required to either:

- Seek at least three (3) quotations from a supplier included in the relevant WALGA Preferred Supplier Arrangement and / or another tender exempt arrangement; or
- Conduct a Public Request for Tender process in accordance with the *Local Government Act 1995* and relevant Shire Policy requirements.

The *Local Government (Functions and General) Regulations 1996* provides the limit on the value of a contract where tenders must be invited.

Quotes were invited through the WALGA Preferred Supplier Arrangement. The closing date for quotes was Thursday, 14 November 2019. Four (4) suppliers were invited to quote and all responded. A summary of the quotes received follows:

Quote Summary - Williams Darkan Road Reseal 35,000m ² and York Williams Road Reseal - 21,000m ²				
Company	Price per m ² excluding GST	Traffic Management	Seal Design	Total
Bitutek Pty Ltd	\$3.00	Included	Included	\$168,000.00
Boral Asphalt	\$3.60	Included	Included	\$201,600.00
Colas Western Australia Pty Ltd	\$3.45	Included	Included	\$193,200.00
Fulton Hogan Industries Pty Ltd	\$3.34	Included	Included	\$186,900.00 *
* Total price averaged over both jobs				

The selection criteria included in the request for quote mentioned the following:

- Price.
- The demonstrated ability of the Contractor to complete the works within the specified timeframes.
- Demonstrated experience in completing similar works.

All Suppliers have indicated that they can complete the works within the timeframe, which states that the reseal must be finished by the 31st March 2020. Similarly all have demonstrated experience in completing similar works. Therefore on this occasion price is the principal determining factor.



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-construction and maintained local road network
- CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

Funds to undertake these projects have been included in the 2019-20 Budget.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council accept the quote from Bitutek Pty Ltd to undertake reseal works on the Williams Darkan Road and York Williams Road in accordance with the quote information supplied.

Council Resolution

Major/Medlen

That Council accept the quote from Bitutek Pty Ltd to undertake reseal works on the Williams Darkan Road and York Williams Road in accordance with the quote information supplied.

**Carried 8/0
Resolution 103/20**

8.4.12 REPLACEMENT OF WHEEL LOADER

File Reference	12.37.05
Statutory Reference	Section 3.57 <i>Local Government Act 1995</i> and <i>Local Government (Functions and General) Regulations 1996</i>
Author & Date	Geoff McKeown 15 November 2019
Attachment	Nil

Background

The 2019/20 Annual Budget includes the replacement of the Case 721E Wheel Loader. The changeover value in the budget for the Loader is \$215,000, with the purchase up to \$280,000 and the trade-in estimated at \$65,000.

Comment

The cost for the purchase of a Wheel Loader will exceed \$150,000; therefore the Shire is required to either:

- Seek at least three (3) quotations from a supplier included in the relevant WALGA Preferred Supplier Arrangement and / or another tender exempt arrangement; or
- Conduct a Public Request for Tender process in accordance with the *Local Government Act 1995* and relevant Shire Policy requirements.

The *Local Government (Functions and General) Regulations 1996* provides the limit on the value of a contract where tenders have to be invited.



Quotes were invited through the WALGA Preferred Supplier Arrangement. The closing date for quotes was Thursday, 14 November 2019.

In addition, the outright purchase option for the Shire’s 2010 Case 721E Wheel Loader was facilitated by WALGA via a public tender. This was required as the likely value of the Loader exceeds \$20,000 and Shire is required to offer it for sale at a public auction, public tender or go through the procedure of sale to an individual as outlined in r 30(2a)(c) *Local Government (Functions and General) Regulations 1996*. Notification of this public tender was also included in *The Williams*, on the Shire’s website and Facebook page.

At the closing date for quotes, a total of five (5) companies responded offering seven (7) wheel loader options. In addition, four (4) offers were received for the outright purchase of the Shire’s Case 721E Wheel Loader.

The selection criteria mentioned in the request for quote included the following:

- Price.
- The demonstrated ability to supply the machine on time and with all requested options and extras.
- Demonstrated experience with after sales service and support.
- Demonstrated ability of the machine being offered to carry out the works required by the Shire of Williams.

All the companies that provided quotes have machines that meet the needs of the Shire, along with backup service. Price is a major criterion in recommending a suitable wheel loader.

A summary of the quotes received follows:

Wheel Loader Replacement								
Budget - Purchase Price \$280,000 - Trade-In \$65,000 - Changeover \$215,000								
Supplier	Make & Model	Engine	Gross Power	Gross Torque	Bucket	Quote (excl GST)	Trade-in (excl GST)	Changeover (excl GST)
CJD Equipment	Volvo 90F	Volvo D6E LAE3	129 kW	770 Nm	2.6m ³	281,000.00	50,000.00	231,000.00
John Deere Limited	John Deere 544L	John Deere PVS 6068	130 kW	770 Nm	2.5m ³	260,000.00	32,000.00	228,000.00
	John Deere 624L	John Deere PVS 6068	152 kW	923 Nm	3.0m ³	304,500.00	32,000.00	272,500.00
Komatsu Australia*	Komatsu WA380-8	Komatsu SAA6D107E-3	143 kW		3.6m ³	336,000.00	47,000.00	289,000.00
McIntosh & Son	Case 721F	Case Model F4HFE613Y	145 kW	841 Nm	2.7m ³	241,000.00	65,000.00	176,000.00
WesTrac	Caterpillar 930K	Cat C7.1 ACERT	119 kW	787 Nm	2.5m ³	276,080.00	40,000.00	236,080.00
	Caterpillar 938K	Cat C7.1 ACERT	140 kW	896 Nm	2.7m ³	287,880.00	40,000.00	247,880.00
Outright Purchase								
WA Machinery Brokers Pty Ltd							48,000.00	
Smith Broughton & Sons							36,363.63	
Redneval Grazing Co							40,000.00	
Allused Pty Ltd							21,000.00	
* Note: Komatsu Australia will offer a \$10,000 discount if trade is sold to a 3rd party								



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-construction and maintained local road network
- CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

Funds to undertake this purchase is included in the 2019/20 Annual Budget.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council accept the quote from McIntosh & Son for a new Case 721F Wheel Loader and offering for trade the Shire’s Case 721E Wheel Loader.

Council Resolution

Watt/Medlen

That Council accept the quote from McIntosh & Son for a new Case 721F Wheel Loader and offering for trade the Shire’s Case 721E Wheel Loader.

**Carried 8/0
Resolution 104/20**

8.4.13 ADOPTION OF ANNUAL REPORT AND DATE FOR ANNUAL MEETING OF ELECTORS

File Reference	4.23.15
Statutory Reference	Sections 5.27, 5.54 & 5.55 <i>Local Government Act 1996</i>
Author and Date	Geoff McKeown 14 November 2019
Attachment	Appendix 1 - 2018/19 Annual Report

Background

Council is asked to adopt the Annual Report for the 2018/19 financial year, which includes the Annual Financial Report and Independent Auditor’s Report, and set a date for the Annual Meeting of Electors.

Comment

Council’s appointed Auditor visited during September 2019 to conduct the financial audit. Following that visit the Manager of Finance provided further information to complete the Audit. A meeting of the Audit Committee was held on Tuesday, 12 November 2019 where representatives of the Office of the Auditor General and Butler Settineri Audit were present to discuss issues arising from the audit.

The Audit Committee recommended that Council endorse the 2018/2019 Annual Financial Report and note the Audit Completion Report and Independent Auditor’s Report. Highlighted in the Independent Auditor’s Report is the following:



“In accordance with the Local Government (Audit) Regulations 1996 I report that:

- (i) In my opinion, the following material matters indicate significant adverse trends in the financial position of the Shire:

 - a. The Operating Surplus Ratio has been below the Department of Local Government, Sport and Cultural Industries standard for the past three years. The financial ratios are reported at Note 29 of the financial report.**
- (ii) All required information and explanations were obtained by me.*
- (iii) All audit procedures were satisfactorily completed.*
- (iv) In my opinion, the asset consumption ratio and the asset renewal funding ratio included in the annual financial report were supported by verifiable information and reasonable assumptions.”*

Reference to the Operating Surplus Ratio being below the Department of Local Government, Sport and Cultural Industries standard will be the subject of a separate report by the Chief Executive Officer to be tabled at a later date.

Council can now consider adoption of the Annual Report, which includes the Annual Financial Report and set a date for the Annual Meeting of Electors.

Local governments are required to give local public notice of the availability of the Annual Report as soon as practical after the report has been adopted by the Council.

Last year the Annual Meeting of Electors was held in December immediately following the scheduled Ordinary Council Meeting.

This year it is recommended that the Annual Meeting of Electors be held at 6.00pm on Wednesday, 18 December 2019, again following Ordinary Council Meeting.

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 1.2 Ensure the community remains well informed, well connected and engaged and has the opportunity to actively participate
- CL 2.2 Maintain accountability, transparency and financial responsibility

Voting Requirements

Absolute Majority

Officer’s Recommendation

The Annual Report, including the Annual Financial Report, for the financial year ending 30 June 2019 be adopted and the Annual Meeting of Electors be held on Wednesday, 18 December, 2019 commencing at 6.00pm.

Council Resolution

Baker/Carne

The Annual Report, including the Annual Financial Report, for the financial year ending 30 June 2019 be adopted and the Annual Meeting of Electors be held on Wednesday, 18 December, 2019 commencing at 5.00pm.

**Carried by Absolute Majority 8/0
Resolution 105/20**



The resolution differed from the recommendation as Council considered 5.00pm to be a suitable time for the meeting.

Cr Logie and Cr Price declared a proximity interest in the following Item 8.4.14 Proposed Subdivision Application – Lot 802 Albany Highway, Williams. The nature of their interest relates to being owners of land adjacent to the property that is the subject of the application.

Cr Logie and Cr Price left the Meeting at 5.50pm.

Cr Major assumed the Chair.

8.4.14 PROPOSED SUBDIVISION APPLICATION – LOT 802 ALBANY HIGHWAY, WILLIAMS

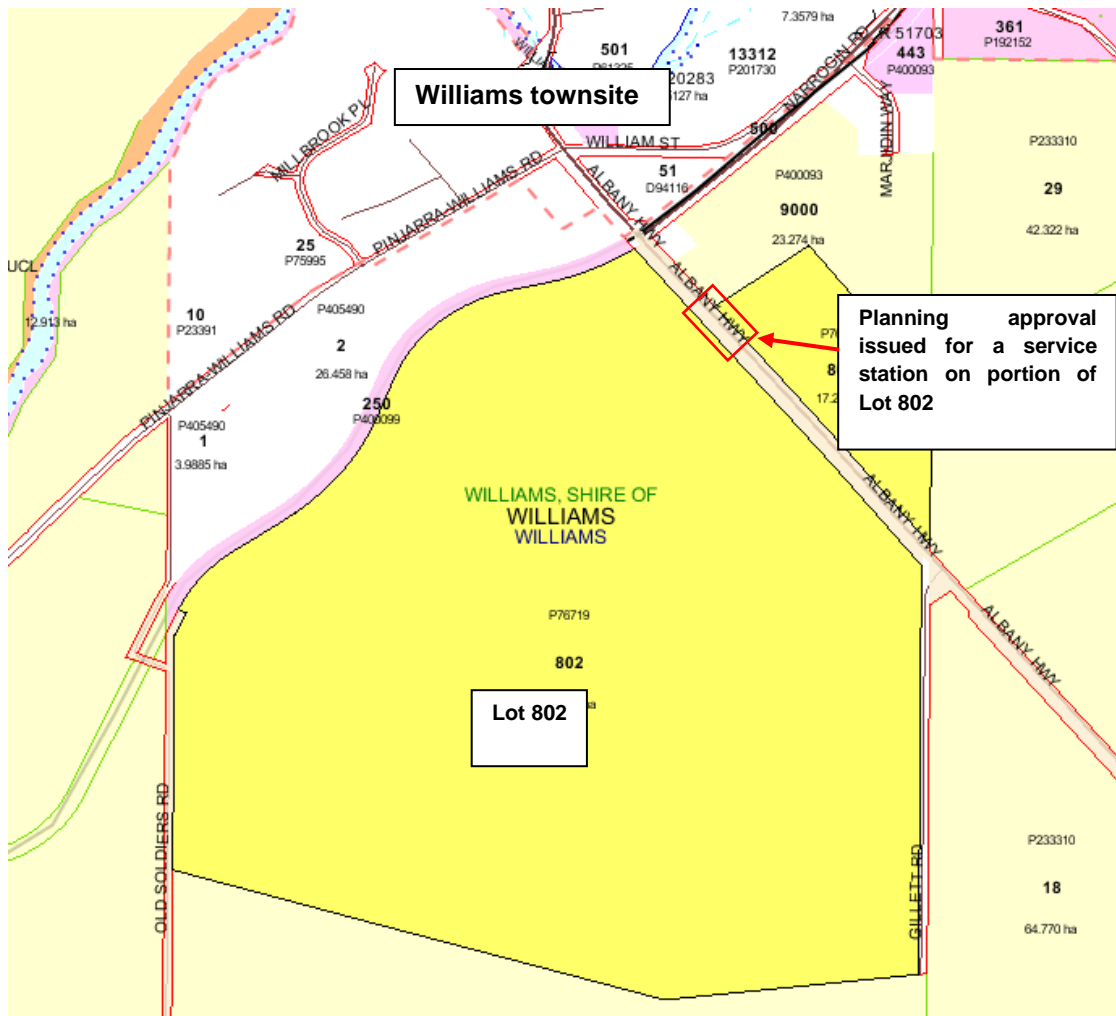
File Reference	10.64.20
Statutory Reference	Shire of Williams Town Planning Scheme No.2
Author and Date	Liz Bushby - Town Planning Innovations 8 November 2019
Attachment	Nil

Background:

Lot 802 is zoned 'Rural' under the Shire of Williams Town Planning Scheme No 2 ('the Scheme').

The lot is approximately 500 metres from the Pinjarra-Williams Road and Albany Highway intersection. Albany Highway dissects Lot 802. The lot has been substantially cleared and is currently used for farming.

Planning approval was issued on the 25 June 2019 for a service station on a portion of the lot.



Location Plan compiled by TPI

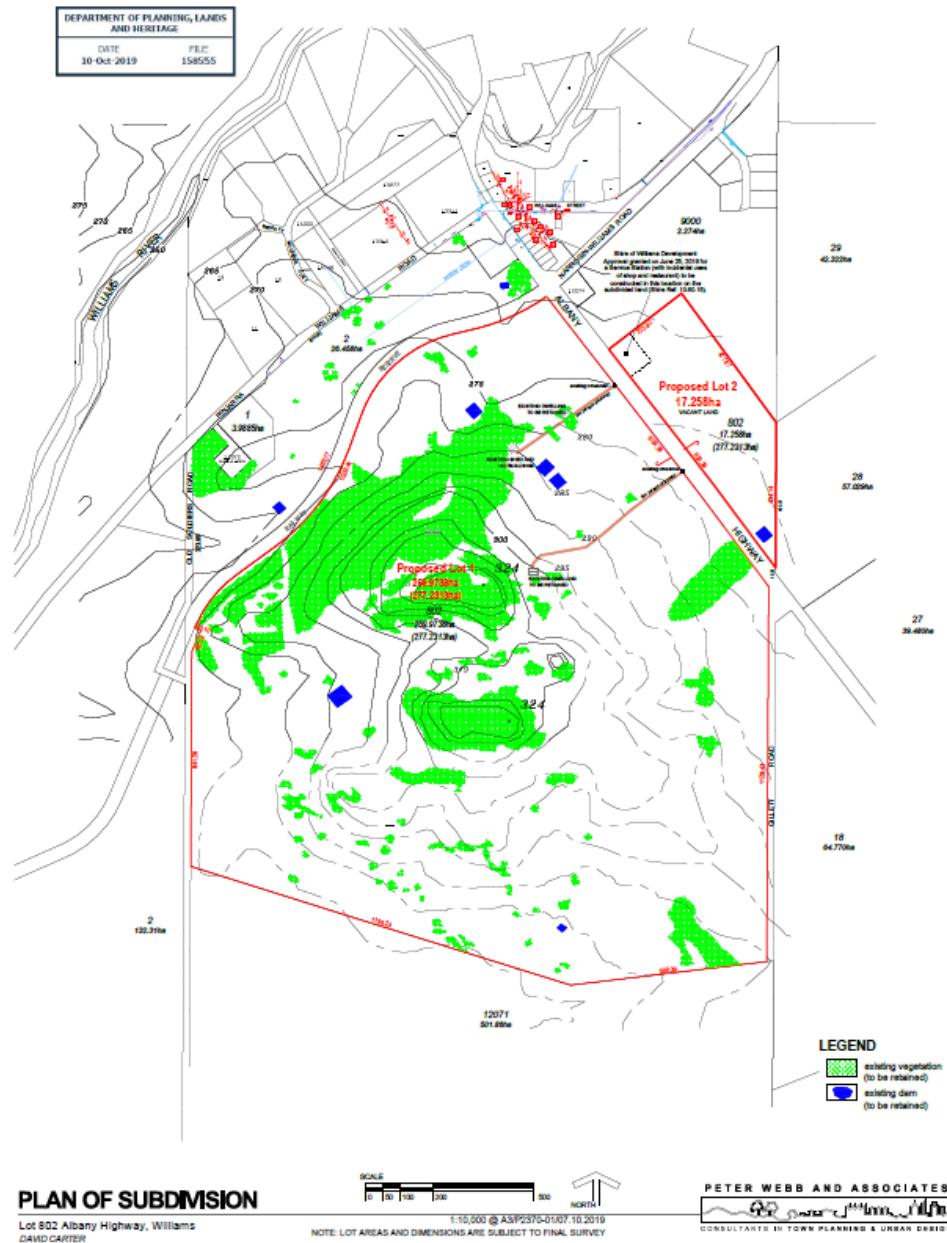
Comment

• **Description of Application**

The Western Australian Planning Commission has received an application proposing to subdivide Lot 802 into two lots. The application has been referred to the Shire for a recommendation.

The Western Australian Planning Commission is the determining authority for all subdivision applications.

Proposed Lot 1 is planned to be south west of Albany Highway with an area of approximately 259.97 hectares. Proposed Lot 2 is planned to the north east of Albany Highway with an approximate area of 17.25 hectares – refer plan below.



• **Supporting Information**

In support of the application, the applicant has advised as follows:

- a. The subject land is situated to the south west and north east of Albany Highway. The land is physically divided into two (2) separate land areas by Albany Highway.
- b. The existing physical division of the portion of the land to the north east of Albany Highway is sought to be formalised in accordance with the relevant standard for rural subdivision contained in the WAPC *Development Control (DC) Policy 3.4 – Subdivision of Rural Land*. The remaining land to the south west of Albany Highway is to be retained for rural farming purposes.
- c. The land has proven incapable over the years of being effectively used as part of the larger farming operations on the land to the north east of Albany Highway, due to the significant physical barrier created by Albany Highway.
- d. The two (2) proposed lots already physically exist as separate land units. This application simply seeks to formalise these lots on separate Certificates of Title.



- e. The Shire has recently granted conditional Development Approval for the land area to the north east of Albany Highway to be developed as a Service Station with the incidental uses of a Shop and Restaurant. This approved use is to operate independently to the larger farming land to the south west of the Highway. The formalisation of this lot on a separate Certificate of Title will enable the land to be developed as intended, in accordance with this conditional planning approval.

A complete copy of the application is available to Councillors on request.

- **Relevant Scheme provisions**

Clause 4.7 (3) (a) (1) of the Scheme applicable to the Rural zone states that *'There shall be a general presumption by Council against subdivision in the Rural zone unless:*

- (i) *the lots have already been physically divided by significant natural or man-made features which preclude the continued operation of a rural property as a single unit (unless adjoining land could be similarly subdivided and thereby, by the process of precedent, lead to an undesirable pattern or land use in the area or in lots too small for uses compatible with the prevailing use in the area or in ribbon development alongside roads)'*

Subdivision can be supported under the Scheme as the lot is physically divided by Albany Highway. Whilst this may set a precedent for any similar lots it is recognised that Albany Highway cannot be easily crossed for farm management.

- **Development Control Policy 3.4**

Development Control Policy 3.4: subdivision of rural land (DC 3.4) sets out the principles that will be used by the Western Australian Planning Commission in determining applications for the subdivision of rural land.

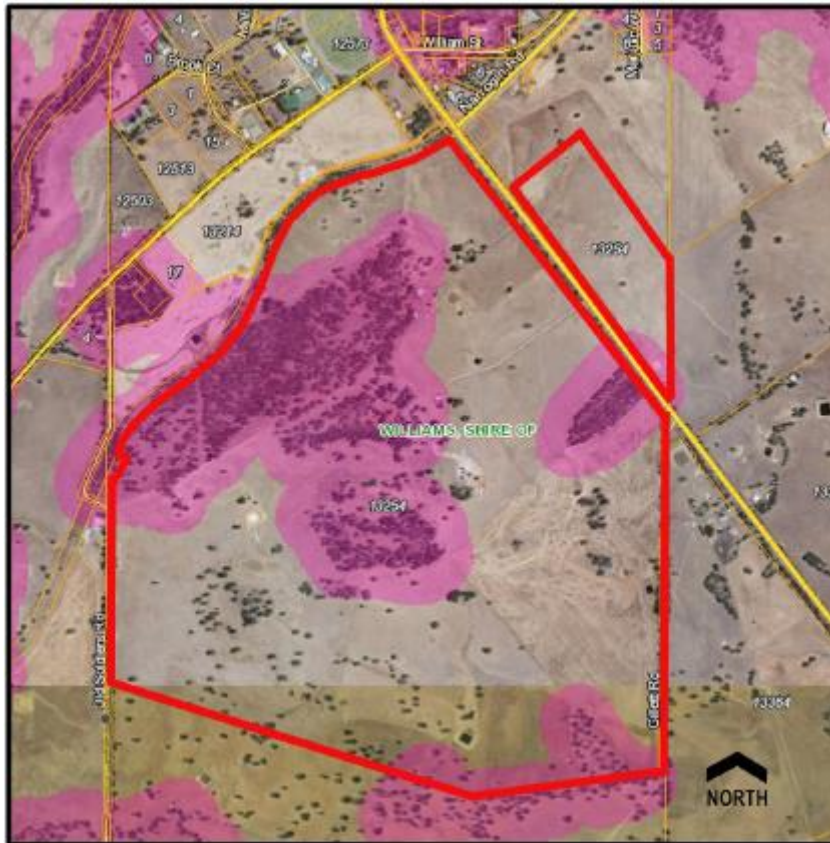
Clause 6.1 of the Policy refers to significant division and states:

- The existing physical division of a lot by a significant natural or constructed feature may be formalised through subdivision. The physical division in itself however, does not warrant the creation of additional or smaller lots.
- A significant physical division would include, but not be limited to, a controlled access highway or a river but would not generally include minor barriers such as rural roads or creeks that are commonly crossed for farm management purposes.

Subdivision can be supported under the Western Australian Planning Commission Development Control Policy 3.4 as Albany Highway constitutes a significant division.

- **State Planning Policy 3.7 - Planning in Bushfire Prone Areas**

The land contains some pockets of vegetation which are classified as 'bushfire prone' areas and therefore the policy requirements of the *State Planning Policy 3.7 – Bushfire Prone Areas* (SPP 3.7) need to be considered.



Map showing bushfire prone areas in pink

Source: www.dfes.wa.gov.au

The applicant has advised that further information is currently being prepared by a suitably qualified Bushfire Management Consultant and will be submitted as 'further information' to the Western Australian Planning Commission as soon as possible.

No additional information had been received at the time of writing of this report, and it is noted that the Western Australian Planning Commission has accepted the application as being complete without a Bushfire Attack Level (BAL) assessment.

TPI is of the view that bushfire management is not a major impediment to any subdivision for the following reasons:

- a) Existing improvements on the land include two (2) existing dwellings and associated outbuildings, which are located on proposed Lot 1 to the south west of Albany Highway. Any BAL rating cannot be applied retrospectively to the existing dwellings.
- b) The area of the land to the north east of Albany Highway is clear of vegetation and is currently vacant. Only a small portion is within the bushfire prone area.
- c) This proposal will not result in any significant changes to the existing use on the farming land.
- d) The Development Application for the Service Station has recently been approved by the Shire of Williams without any requirement for a bushfire management plan as part of the assessment process as is not within a bushfire prone area.
- e) The subdivision will not result in any intensification of use on the main farming property proposed as Lot 1 and therefore no increase in the threat of bushfire to people or risk to human life.

POLICY REQUIREMENTS

Applicable state planning policies are explained in the body of this report.

LEGISLATIVE REQUIREMENTS:

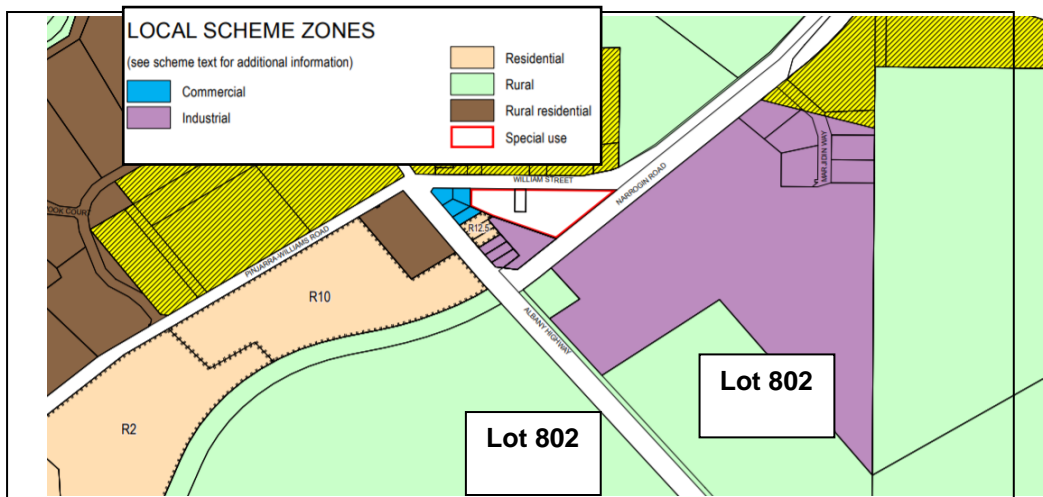
Planning and Development (Local Planning Schemes) Regulations 2015

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

Regulation 67 of the deemed provisions outlines ‘matters to be considered by Council’ including but not limited to relevant state planning policies.

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

The Scheme Map below shows the zoning in the surrounding area:



STRATEGIC IMPLICATIONS

There are no strategic implications associated with this matter.

SUSTAINABILITY IMPLICATIONS

➤ **Environment**

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

➤ **Economic**

There are no quantified economic implications associated with this report.

➤ **Social**

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

FINANCIAL IMPLICATIONS

The Shire pays consultancy fees to Liz Bushby of Town Planning Innovations for advice.

VOTING REQUIREMENTS

Simple Majority



Officer's (Consultant Planner) Recommendation

That Council recommend that the Western Australian Planning Commission unconditionally approve the application (WAPC Reference: 158555) to subdivide Lot 802 Albany Highway, Williams into two lots due to physical division of Albany Highway as permissible under Clause 6.1 of Development Control Policy 3.4: Subdivision of Rural Land.

Council Resolution

Medlen/Harding

That Council recommend that the Western Australian Planning Commission unconditionally approve the application (WAPC Reference: 158555) to subdivide Lot 802 Albany Highway, Williams into two lots due to physical division of Albany Highway as permissible under Clause 6.1 of Development Control Policy 3.4: Subdivision of Rural Land.

**Carried 5/1
Resolution 106/20**

Cr Logie and Cr Price returned to the Meeting at 5.59pm.

Cr Logie resumed the Chair.

8.4.15 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 15 November 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. \$500,000.00 from the Municipal Fund Cash Management Account to the Treasury Corporation Overnight Cash Deposit Facility to generate interest earnings from available funds.



2. \$400,000.00 from the Municipal Fund Cash Management Account to the Treasury Corporation Overnight Cash Deposit Facility to generate interest earnings from available funds.
3. \$300,000.00 from the Municipal Fund Cash Management Account to the Treasury Corporation Overnight Cash Deposit Facility to generate interest earnings from available funds.

- **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 2019/20 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 October 2019.

Council Resolution

Watt/Harding

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

**Carried 8/0
Resolution 107/20**



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 14 November 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 104772 – 104783 totalling \$406,415.62, and Trust Fund EFT totalling \$19,368.94, approved by the Chief Executive Officer during the month of October 2019 be endorsed.

Council Resolution

Carne/Watt

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104772 – 104783 totalling \$406,415.62, and Trust Fund EFT totalling \$19,368.94, approved by the Chief Executive Officer during the month of October 2019 be endorsed.

Carried 8/0
Resolution 108/20



8.5.2 FINANCIAL STATEMENTS

File Reference	4.23.15
Statutory Reference	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cara Ryan 14 November 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 October 2019 be received.

Council Resolution

Baker/Harding

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

Carried 8/0
Resolution 109/20

8.6 COUNCILLORS' REPORTS

No Councillors' reports received.

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 Logie advised that he had been invited to join the selection panel established to consider the appointment of a new Officer-in-Charge for the Williams Police. Candidates selected on the short list will be interviewed via teleconference with the successful candidate likely to commence duty in the New Year.

Cr Medlen suggested that it would be useful, when conducting future community perception surveys, for demographic information to be gathered to ensure the Shire captures the views of all sections of the community.

13.0 CLOSURE OF MEETING

There being no further business for discussion the President declared the Meeting closed at 6.11pm.