

SHIRE OF WILLIAMS

MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 21ST JULY 2010

1.0 OPENING

1.1 DECLARATION OF OPENING

The President declared the meeting open at 1.00pm

1.2 ANNOUNCEMENT OF VISITORS

Nil

2.0 RECORD OF ATTENDANCE

2.1 PRESENT

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

R Duff	Chief Executive Officer
IR Ball	Deputy Chief Executive Officer
Heidi Cowcher	Community Development Officer (1.10pm – 1.35pm)
Steve Friend	Environmental Health Officer/Building Surveyor (1.55pm – 2.16pm)

2.2 APOLOGIES

Cr Moya Carne – Leave of Absence
Cr Gilbert Medlen – Leave of Absence

3.0 PUBLIC QUESTION TIME

Nil

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

6.0 CONFIRMATION OF PREVIOUS MINUTES

6.1 SPECIAL BUDGET MEETING MINUTES

Johnstone/Earnshaw

That the minutes of the Special Budget Meeting held in the Council Chambers on Wednesday 16th June 2010, as circulated, be confirmed as a true and correct record of proceedings.

**Carried 7/0
Resolution 1/11**

6.2 ORDINARY MEETING MINUTES

Cavanagh/Major

That the minutes of the Ordinary Meeting held in the Council Chambers on Wednesday 16th June 2010, as circulated, be confirmed as a true and correct record of proceedings.

**Carried 7/0
Resolution 2/11**

6.2 4WD VROC MEETING MINUTES

Earnshaw/Johnstone

That the minutes of the 4WD VROC Meeting held on 28th June 2010, as circularised, be received.

**Carried 7/0
Resolution 3/11**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The President advised that together with the CEO he had met with representatives of FESA and WA Police to discuss a contribution to the compensation payment to RN Petchell for the radio communication tower site. Both have since made a formal commitment to make a contribution.

The President also advised that together with the CEO on Wednesday 14th July he met with representatives of St John Ambulance Assoc. to also discuss a contribution to the compensation payment.

The President advised that he met with Terry Waldron MLA on Thursday 15th July to discuss sport and recreation issues and the compensation payment to be made for the communications tower site.

Together with the CEO on Friday 16th July attended a farewell function in Cuballing for retiring Shire of Cuballing, CEO, Peter Naylor.

8.0 REPORTS OF COMMITTEES/OFFICERS AND COUNCILLORS

Community Development Officer Heidi Cowcher attended the meeting at 1.10pm to discuss her report.

8.1 COMMUNITY DEVELOPMENT OFFICER'S REPORT

8.1.1 Local Government Week 2010 – Banner

Williams Primary School (Years 3-7, under the guidance of Mr Hamilton) were engaged to paint the 2010 Shire of Williams entry into the Local Government Week Banner competition. The banner has been completed and has been sent to Perth. The students have done a fantastic job and should be commended. The banner will be on display in St George's Terrace and Adelaide Terrace from Sunday 1st August to Saturday 14th August. Once the banner is received back, it could be hung on the banner pole outside of the Post office.

For information.

8.1.2 Regional Bicycle Network Local Government Grants 2010-2011

An application for a 474m pathway along Growse & Richardson Streets was applied for in December 2009. We have been advised that unfortunately we have been unsuccessful. It is anticipated that we will resubmit our application in December 2010 for 2011-12.

For information.

8.1.3 LEMC

The Draft Shire of Williams LEMC plan has been emailed to the committee for their consideration, with comments due back by Friday 23rd July, after which an LEMC meeting (consideration for the last week July/first week August) will be called to endorse the draft plan, before presentation to Council at their August meeting.

Once the LEMC and Council have endorsed the revised plan, it will be forwarded to the DEMC to be endorsed at their October meeting.

Preparation of the Shire's 2009/10 Annual LEMC Report and the 2010/11 Business Plan is currently being prepared for submission by the 17th July.

For information.

8.1.4 DSR – Club Development Officer

A short survey of all sporting and recreation club's has been distributed seeking input from the club's into their future needs for the next 5 years, as well as an audit of the individual club status in terms of incorporation etc. As the surveys are returned, the results will be collated and used in the development of the Shire's Strategic Plan and Forward Capital Works Program required in order to access Country Local Government Funding for the next 4 years. We have received a total of 12 surveys returned (out of 17 distributed). The information is currently being collated – mainly contact details into a database.

Information that was gleaned at the last Sport & Recreation Advisory committee meeting will also be used in conjunction to the details that have been provided on the surveys to assist with the planning for the future needs of our sport and recreation in our community.

Contact details will now be used to distribute relevant funding and other related sporting information to all the sport and recreation clubs in Williams. It is hoped that this regular contact will assist clubs to have access to up to date information that is relevant. In time, the Club Development officer position will also have to attend and organise workshops both locally and regionally (Wagin, West Arthur – together with the CDO's in the respective Shires) for sporting groups.

Darren Monument from A Balanced View Leisure Consultancy will also use the information as part of the preparation of the Recreation Needs Assessment and Feasibility Planning that we have engaged him to undertake. We are yet to finalise the details of this consultancy as we are still waiting to meet with Darren, which we anticipate will be in the next few weeks.

For information.

8.1.5 Williams St John Ambulance New Building

Construction of the building is almost complete. Practical completion was due on 13th July 2010, however has been delayed due to Western Power not having finalised connection of the power supply. There are also a number of finishing touches that need to be attended to over the coming weeks.

Fit out, landscaping and window treatments are all being considered currently. Honour boards to recognise funding partners, corporate sponsors and the Williams SJA committee members who have been involved in

the project over the past 4 years are also currently being prepared in order to recognise the significant contribution these respective businesses and individuals have made to the success of the project.

The official opening function is scheduled for 3rd September 2010, with invitations currently being printed by the Williams Community Resource Centre. In attendance will be local MP Mr Terry Waldron, Mrs Wendy Newman (CEO, Wheatbelt Development Commission), Mr Tony Ahern (CEO, St John Ambulance), Mr Gerard King (Chairman, SJA State Board), Mr John Cowcher (Shire President, Shire of Williams) and Mr Neville Steicke (Chairman, Williams SJA). Ed Argyle will be blessing the new facility as part of the official opening function. Williams Primary School is also providing a choir for the event. Ashley Stone will be MC for the function.

All Councillors will receive an invitation to the opening. It is hoped that as many as possible can attend, as Council and the Shire have been a major contributor and supporter of this project, and seeing it from conception to fruition over the past 4 years. Williams SJA is exceptionally appreciative of this support, without which the project would not have been possible.

For Council's interest, CDO Attachment A includes the up to date income/expenditure statement on the project. The total cost of the project amounted to \$820,817, of which 99.22% has been sourced. Two funding applications are still pending (VSEG 2010 and LW – fit out), with outcome anticipated imminently. The Shire contribution for site works exceeded the estimate included in the original budget forecasts, however this has not been amended to reflect it in this spreadsheet. In addition to the site works, Williams SJA has utilised the Community Development Officer role in preparing funding applications etc and this contribution, whilst recognised as being immensely significant, has also not been included in the budget process.

For information.

8.1.6 Speed Alert Mobile Trailer

The Shire received \$18,528 from WALGA's Local Government and Community Road Safety Grants in January 2009 to purchase a Speed Alert Monitor (SAM) trailer for the Shires of Williams, West Arthur, Narrogin and the Town of Narrogin. The Shire of Williams agreed to be the project proponent, thereby applying for the funding and managing the project, including all reporting required.

The final grant evaluation and acquittal is due on the 20th July, and is currently being prepared.

For information.

8.1.7 Regional & Local Community Infrastructure Program – Round 3 (2010/11)

On 18th June 2010, the Australian Government made an additional \$100 million available to boost the RLCIP funding (previously, the Government committed \$250 million in Round 1 (2008/9) – of which the Shire received \$100,000 towards the construction of the new kiosk at the swimming pool and \$100 million in Round 2 (2009/10) – of which the Shire received \$30,000 towards hotmix sealing the recreation facilities carpark).

RLCIP Round 2 (\$30,000) is due for completion 31st December 2010, with final reports due 28th February 2011.

The Shire is eligible to apply for up to \$30,000 in a one-off payment. Eligible projects need to be *additional* (ie: not budgeted in the Council budgets) or additional stages of current projects and represent value for money. Additional projects are those which have not been included in the local government's financial budget for 2010/11, are new or can be brought forward as a result of RLCIP funding. Funding will not be provided to bolster funding for existing projects which have exceeded their original budget forecasts.

Consideration is being given to applying for funding to replace the fencing around the Swimming Pool complex (materials and labour) and complete the hotmix sealing of the recreation precinct carpark (the

previous RLCIP funding has committed \$30,000 towards sealing of 1450 square metres of carpark – there is approximately 2000 square metres of carparking area to be sealed)

Applications are due on 30th July 2010. Project eligibility and funding outcome advice will be received within a couple of weeks, with the funding agreements to be signed and completed by the 30th August 2010. The funding must be acquitted by 31st December 2011 with final reports due 1st February 2012. The funding of \$30,000 will be made available as soon as the funding agreement is executed.

Recommendation:

That Council support a funding application to the Regional & Local Community Infrastructure Program – Round 3 (2010/11) for \$30,000 towards fencing the Swimming Pool complex and completion of the hotmix seal of the recreation precinct carpark.

Since the announcement of the Federal Election the Department of Infrastructure, Transport, Regional Development and Local Government have advised that the Australian Government have now assumed a caretaker role. For RLCIP Round 3 the Department will continue to liaise with Councils and receive, assess and approve compliant projects during the caretaker period. Funding agreement negotiations with Councils will be progressed but will not be finalised until following the Federal Election on 21st August 2010. With the need for the Swimming Pool project to progress earlier than that date Council will need to consider another project to apply the funding.

Johnstone/Major

That Council support a funding application to the Regional & Local Community Infrastructure Program – Round 3 (2011/12) for \$30,000 towards the upgrade of the Town Hall.

**Carried 7/0
Resolution 4/11**

8.1.8 La Boheme – Co-Opera Performance

Council supported this at their December 2009 meeting. The performance is scheduled for Thursday 9th September 2010, 8pm at the Williams Hall. The total cost of the performance is \$6200. Council needs to determine the ticket price, so this can be included in the advertising that is anticipated to commence within the next couple of weeks.

If we are able to attract an audience of approximately 200 persons, ticket prices to cover the cost of the performance would need to be at least \$31. Williams Repertory Club is currently advertising for their forthcoming performance of *Pirates of Penzance* and their prices are \$45 per person including a meal. Given that the *La Boheme* performance is 2 weeks after the Williams Repertory Club's shows, this may impact on the audience numbers, and this also needs to be taken into consideration when setting the ticket prices.

If Council is prepared to subsidise the performance, then perhaps consideration could be given to tickets being between \$15-\$20, as there will be no meal supplied with this show.

The Williams Tennis Club is providing a licensed bar for the show. Should Council advertise seeking a club/group prepared to pre-sell a supper or cheese/biscuit platters (Williams Netball Club did this for Williams Gateway Expo and it was a resounding success)? This could be sold separately to the show tickets.

For consideration – ticket prices & supper

Major/Earnshaw

That a charge of \$30 per person be set for the La Boheme Co-Opera Performance and community groups be approached to supply and pre sell a supper or cheese/biscuit platter.

**Carried 7/0
Resolution 5/11**

Logie/Major

That the Community Development Officer's Report be received.

**Carried 7/0
Resolution 6/11**

Ms Cowcher left the meeting at 1.35pm

Gordon Atwell, Patrick Harrison and Graham Fellows attended the meeting at 1.35pm to discuss a subdivision application by Mr Atwell.

Mr Fellows advised that the aim of the variation to the original Munthoola estate subdivision is to provide a short term cash flow by creating titles and to create a lot to preserve the accommodation of Munthoola Cabins. The lots being proposed already have power and road access but the road reserve will need to be vested with Council prior to the lots being created.

In principle support from Council is being sought prior to formal application to WA Planning Commission.

Messrs Atwell, Harrison and Fellows left the meeting at 1.50pm

8.2 WORKS SUPERVISOR'S REPORT

The Works Supervisor is away on long service leave so the Chief Executive officer gave a verbal report on the progress of works and also advised of a major problem with the Multipac Roller engine.

Earnshaw/Johnstone

That the Works Supervisor's Report be received.

**Carried 7/0
Resolution 7/11**

Environmental Health Officer/Building Surveyor Steve Friend attended the meeting at 1.55pm to discuss his report.

8.3 ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR'S REPORT

8.3.1 Building Permits

#263	J Price	Lot 13 (1) Brooking Street, Williams	Colorbond shed
#264	P Babic	Lot 451 Growse Street, Williams	Zinc shed extension
#265	J & K Johnson	Lot 15 Brook Court, Williams	Above ground pool

Building inspections ongoing.

8.3.2 Food Premises Inspection

Williams Woolshed – Everything clean and tidy, no outstanding issues. The staff that are employed here have instituted a cleaning programme that has ensured best practices are adhered to and the results are there to see.

Caltex Roadhouse – The report here is not as encouraging as the one above. At the time of the inspection there were a couple of cleanliness issues, however there are still issues with the building/maintenance of the premises that have not been corrected from the last health order.

I am going to try and get Caltex representatives to meet with the lessee and myself to try and sort out some of the issues. If this fails I will be seeking to issue improvement notices on them.

8.3.3 Other Business

I have now completed the Shire's Operational and Maintenance Manual, a document that is necessary before the Health Department will issue approval for the use of recycled water from the soon to be relocated waste water treatment plant.

The recycled water will be piped to the storage tank within the depot complex from the new plant situated above the cemetery and from there irrigated onto the town oval.

There are strict guidelines with how the system can operate such as watering times, colouring of all irrigation infrastructure, chlorination rates, sampling procedures and induction of employees.

The O & MM has been forwarded to the Health Department for its approval.

8.3.4 CBH Submission – Caravan Park

At the last two meetings I have presented submissions from CBH regarding a proposal to place accommodation units in the caravan park.

Council has resolved that in principle approval be issued subject to:

- Plans and specifications to enable a building permit being submitted
- The complex being connected to the deep sewerage system
- The fire hose reel system of the caravan park being extended to provide coverage to the complex
- The internal road system servicing this complex being sealed, kerbed and drained to the satisfaction of the Shire
- A disabled compatible donga including toilet facilities being provided

Initially there was another resolution (May 2010) requiring the plans being submitted to FESA for it's recommendations, but it was correctly pointed out by CBH that as the buildings would be classified as 1b, there was no requirement to do so.

This point was omitted at the June 2010 meeting with the resolution above being adopted.

A letter to this effect was forwarded to CBH (attachment 1).

CBH have responded with a letter (attachment 2).

I am unsure now where CBH are coming from. As can be seen from the Shires letter of 18 June 2010, CBH were informed that the conditions imposed by Council were planning conditions and not building conditions.

I am not sure whether CBH are requesting another review, are stating their case again hoping to change Councils mind or just didn't get the gist of the letter of 18 June.

I believe that Council has given this some good consideration and understands that the conditions imposed (in principle) are imposed under planning grounds and not under the Building Code (BCA).

Council can either discuss it again and either confirm the "in principle" approval or change its stance or more correctly, respond to CBH and request that they make a development application, with associated fees, and Council will consider the application and issue a formal approval.

If CBH are aggrieved by the formal approval, they will have a right of appeal. At the moment they do not as no formal application has been made or any formal approval given.

I believe they are "chipping away" hoping they can persuade Council to change its stance.

Recommendation:

That CHB be informed that Council is still of the belief that the proposed accommodation units at the Shady Acre Caravan Park should be serviced by the caravan park's fire hose reel system and that the inclusion of a

disabled accessible accommodation unit will enhance the proposal and that in order to finalise this matter, a formal development application should be submitted to Council with the appropriate fees.

Cavanagh/Earnshaw

That CHB be informed that Council is still of the belief that the proposed accommodation units at the Shady Acre Caravan Park should be serviced by the caravan park's fire hose reel system and that the inclusion of a disabled accessible accommodation unit will enhance the proposal and that in order to finalise this matter, a formal development application should be submitted to Council with the appropriate fees.

**Carried 7/0
Resolution 8/11**

8.3.5 Williams Newsagency – Development Approval

Cavanagh/Earnshaw

That Development approval be granted to A Kirkwood and M & A Klomp to erect a zinculume bullnose veranda over the footpath outside the Newsagency.

**Carried 7/0
Resolution 9/11**

Paterson/Earnshaw

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

**Carried 7/0
Resolution 10/11**

Mr Friend left the meeting at 2.16pm

8.4 CHIEF EXECUTIVE OFFICER'S REPORT

Report Reference:	8.4.1
Subject:	Shire of Williams Strategic Plan
File Reference:	4.21.40
Statutory Reference:	<i>Section 5.56 Local Government Act 1995</i> <i>Section 19C & 19D Local Government (Administration) Regulations 1996</i>
Author & Date:	R.N. Duff 9 th July 2010

Background:

The Shire of Williams originally completed a Corporate Plan (Strategic Plan) back in May 1994. This document has been the foundation on which the Shire has based its strategic activities with these activities being reviewed on a regular basis. This document was converted into the Principle Activities Plan which became a requirement when the new Local Government Act was legislated in 1995. The Principle Activities Plan was renamed the Plan for the Future in recent years yet remaining in much the same format as previous documents.

Comment:

The Shire of Williams has an opportunity to re-evaluate what is important for the community and how the Council can satisfy the community expectations. The opportunity has arisen because of the implementation of the Country Local Government Fund and the requirement for Council to prepare a Capital Works Plan as a prerequisite to receive this funding. The Shire of Williams has been granted \$35,000 by the Department of Regional Development and Lands to formalise and document this process.

Using previous documents and the strategies included in those documents the CEO has restructured and revised the Shire of Williams Strategic Plan for Council to consider prior to seeking public comment. The Draft Strategic Plan was presented to the July 2010 Council meeting for Councillor comment with the only changes being the inclusion of timelines and delegation of tasks by the CEO.

The proposed timeline for the adoption of the Strategic Plan is:

July 2010 -	1 st Draft Presented to Council
July 2010 -	Council adopts the Strategic Plan for Public Comment
July 2010 -	Advertise for Public Comment
August 2010 -	Council to formally adopt the Strategic Plan
December 2010 -	Capital Works Plan Completed and Approved by DRDL
January 2011 -	Council receives 2010/11 Country Local Government Fund Allocation

Financial Implications:

The financial implications of preparing the strategic plan have, to date been limited to staff costs. Once formally adopted by Council the plan will guide major shire expenditure into the foreseeable future.

Voting Requirements:

Simple Majority

Recommendation:

That Council adopt the Shire of Williams Strategic Plan 2011 – 2021 and advertise the Strategic Plan for public comment prior to formal adoption.

Major/Johnstone

That Council adopt the Shire of Williams Strategic Plan 2011 – 2021 and advertise the Strategic Plan for public comment prior to formal adoption.

**Carried 7/0
Resolution 11/11**

Report Reference:	8.4.2
Subject:	10 Year Road Construction Program
File Reference:	12.15.30
Statutory Reference:	N/A
Author & Date:	R.N Duff 9 th July 2010

Background:

The Shire of Williams regularly submits a 5 year road program to the Regional Road Group to allow the Regional Road Group to plan for future funding. The concept of this document has been expanded and extended to include Council's full road construction program for a period of 10 years. The document was presented to the June 2010 Council meeting and remains unchanged.

The purpose of the document is to give Councillors and the community a picture of what our road network will look like 10 years into the future. While not entirely accurate this document is a conceptual base plan and can be reviewed and amended by Council on an annual basis to reflect road funding levels.

Comment:

There is no legislative requirement for Council to produce this document but in doing so it will assist with future planning. The 10 Year Road Construction Program will run alongside the Shire of Williams Capital Works Plan.

The proposed timeline for the adoption of the 10 Year Road Program is:

June 2010 -	1 st Draft Presented to Council
July 2010 -	Council adopts the 10 Year Road Program for Public Comment
July 2010 -	Advertise for Public Comment
August 2010 -	Council to formally adopt the 10 Year Road Program

Financial Implications:

In completing the 10 Year Road Construction Program Council will be in a far greater position to maximise road funding opportunities and plan annual road programs that can effectively include private works opportunities to increase Council's revenue.

Voting Requirements:

Simple Majority

Recommendation:

That Council adopt the Shire of Williams 10 Year Road Construction Program Document and advertise the document for public comment prior to formal adoption.

Johnstone/Earnshaw

That Council adopt the Shire of Williams 10 Year Road Construction Program Document and advertise the document for public comment prior to formal adoption.

**Carried 7/0
Resolution 12/11**

Report Reference:	8.4.3
Subject:	Forward Capital Works Plan – Appointment of Consultant
File Reference:	4.12.36
Statutory Reference:	<i>Royalties for Regions Act 2010</i>
Author & Date:	R.N Duff 4 th July 2010

Background:

The Shire of Williams was eligible and has received \$35,000 towards the support and development of a strategic plan, assets management and forward capital works plan. The Shire of Williams is required to prepare these documents in order to satisfy the Department of Regional Development Country Local Government Fund Guidelines and receive a Country Local Government Fund allocation of \$295,892 in the 2010/11 financial year. To receive the GLGF Council must have the documents approved by the Department of Regional Development by December 2010.

Comment:

The Chief Executive Officer has been presented with a number of proposals from consultants to carry out the work required to formulate a Forward Capital Works Plan. However Morrison Low was recommended and the CEO requested further information on what services they could provide. Subsequently a meeting was arranged with Morrison Low, Shire of Wagin and the Shire of Williams to which Morrison have since provided a proposal to provide the following:

Long Term Financial Plan
Asset Management Plan
Forward Capital Works Plan

The proposal is attached at **APPENDIX 1**.

After consultation with the Shire President it was decided to accept Morrison Low's proposal and move forward as quickly as possible in order to complete the required documents and receive our next allocation of the Country Local Government Fund.

Financial Implications:

Council has been granted \$35,000 by the Department of Local Government to complete this process. In its submission to the Department it was indicated that this money was to be expended as follows:

Staff Time	\$16,000
Consultants	\$11,500
Councillor Involvement	\$5,000
Public Consultation	<u>\$2,500</u>
	\$35,000

It is now proposed to accept Morrison Low's proposal and amend the expenditure to reflect the following:

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Staff Time	\$10,000
Consultants	\$22,500
Councillor Involvement	\$2,000
Public Consultation	<u>\$500</u>
	\$35,000

Voting Requirements:

Simple Majority

Recommendation:

That Council endorse the actions of the Shire President and Chief Executive Officer in appointing Morrison Low to assist in the completion of a Long Term Financial Plan, Asset Management Plan and Forward Capital Work Plan.

Logie/Earnshaw

That Council endorse the actions of the Shire President and Chief Executive Officer in appointing Morrison Low to assist in the completion of a Long Term Financial Plan, Asset Management Plan and Forward Capital Work Plan.

**Carried 7/0
Resolution 13/11**

Report Reference:	8.4.4
Subject:	Generator of Refuse Site
File Reference:	10.10.30
Statutory Reference:	Nil.
Author & Date:	R.N Duff 4 th July 2010

Background:

The Shire of Williams via the Tidy Towns Committee was successful in receiving funding for a Cardboard Baler and associated infrastructure to house the baler.

The Shire has recently acquired a second-hand baler from the Shire of Nannup and has excess funds that can be utilised to purchase a generator to power the baler at the refuse site. It is anticipated that this generator will be utilised as an emergency power source for the Shire office and at events such as the Williams Gateway Expo.

Comment:

Council's Plant Committee recently met and has decided that Council should purchase a Kubota SQ3200 Diesel Generator from Boya Equipment for a purchase price of \$19,000.

The Kubota generator was chosen from a range of 8 generator quotes sourced by Trevor Palframan.

Financial Implications:**Project Cost Summary:**

Original	Cost		Amended	Cost	
Site Preparation	\$ 3,000.00	In kind	Site Preparation	\$ 3,000.00	In kind
Old SES Shed Erection	\$ 5,000.00	In kind	Old SES Shed Erection	\$ 5,000.00	In kind
Concrete Floor	\$ 1,940.00		Concrete Floor	\$ 5,000.00	
Patio Extension	\$ 4,476.36		Patio Extension	\$ 4,476.36	
Shelving Units	\$ 1,746.55		Shelving Units	\$ 1,746.55	spent 2009/10
Baler	\$ 20,742.00		Baler (Repairs)		
Generator	\$ -		Generator	\$ 18,742.00	

Project Cost	\$ 36,904.91		Project Cost	\$ 37,964.91	
Grant	\$ 18,452.00		Grant	\$ 18,452.00	Received 50%
Shire In-kind	\$ 8,000.00		Shire In-kind	\$ 8,000.00	
Shire Cash	\$ 10,452.91		Shire Cash	\$ 11,512.91	
Project Income	\$ 36,904.91		Project Income	\$ 37,964.91	

Voting Requirements:

Simple Majority

Recommendation:

That the Plant Committee recommendation to purchase a Kubota SQ3200 from Boya Equipment for \$19,000 be endorsed.

Cavanagh/Major

That the Plant Committee recommendation to purchase a Kubota SQ3200 from Boya Equipment for \$19,000 be endorsed.

**Carried 7/0
Resolution 14/11**

Report Reference:	8.4.5
Subject:	Hedley & Robyn Fowler – Subdivision of Lot 12 Millbrook Place
File Reference:	10.64.20
Statutory Reference:	<i>Planning and Development Act 2005</i>
Author & Date:	R.N Duff 12 th July 2010

Background:

In 1999 Amendment 12 of the Shire of Williams Town Planning Scheme No. 2 was gazetted and therefore allowing the Millbrook Park Development of 10 lots to proceed (Photo attached at **APPENDIX 2**). The lots are zoned Rural Residential are vary in size from 3.0ha to 4.94ha and are connected to underground power and reticulated water.

A letter has been received from Mr Hedley Fowler seeking Council's in principle support to subdivide Lot 12 Millbrook Place into 2 lots. Lot 12 is 4.4278 ha and has road frontage on both Pinjarra Williams Road and Millbrook Place. The proposed subdivision layout is attached at **APPENDIX 3**.

Comment:

Advice was received from Gray and Lewis Planning Consultants:

1. *The land in Millbrook Park is zoned 'Rural Residential' under the Shires Town Planning Scheme.*
2. *Under Schedule 4 of the Scheme (attached) there are specific scheme provisions relating to this Millbrook Park which was originally known as Lots 13303 to 13309.*
3. *The Scheme requires all subdivision to be in accordance with a 'plan of subdivision' certified by the CEO and WAPC. The approved subdivision plan would have produced the current Millbrook Place lots, and based on this the lots do not currently have any further subdivision potential.*
4. *If individual owners want to further subdivide then they will need to lodge an amended subdivision 'plan' seeking Shire approval, and endorsement of the plan by the WAPC. They would also need to lodge supporting information to address matters such as drainage, ensure the new lot can sustain on site effluent disposal, vegetation retention (although most appears cleared) etc.*
5. *The Shire will need to consider whether it will (1) allow individual owners to apply or (2) require an overall plan co-coordinating future subdivision by all the owners. From a strategic perspective the WAPC may be opposed to ad hoc individual subdivision, so any owner needs to be aware of risk as WAPC is the determining authority.*

6. *Any plan would need to cover the entire Millbrook Place subdivision, and will require WAPC endorsement. We would recommend that any landowner wishing to subdivide seek the assistance of a planning consultant.*

In summary there is no subdivision potential under a current subdivision plan, however there is flexibility and scope for owners to lodge an amended subdivision plan for the area. If that plan is supported by the Shire and WAPC, then they can pursue a formal subdivision application.

Points that need to be considered by Council regarding the subdivision Lot 12 Millbrook Place

- No subdivision could take place until the old Waste Water Treatment Plan has been decommissioned
- “Rural Residential” lots in the adjacent “Carter” Subdivision have been approved as small as 1.0ha
- The new proposed lot fronts a constructed road
- The new proposed lot has access to power and water
- The new lot would not be as susceptible to flooding as other lots in Millbrook Park. The lowest point is approximately 262.00 with the river level being at 259.00. The 100 year flood level is identified as being at 260.75
- Lot 12 is already significantly divided by a granite outcrop in the middle of the Lot.
- The subdivision of lot 12 into two lots would not create any irregular shaped lots.

Points that need to be considered by Council regarding any further Subdivision on Millbrook Park

- No subdivision could take place until the old Waste Water Treatment Plan has been decommissioned
- Once the WWTP is decommissioned there would be no requirement for building envelopes on Lots to keep out of the original 150m buffer zone but, lots 17-20 would still require the building envelopes identified and built up to a level of 261.00 as shown on the original subdivision guide plan.
- Each application should be considered on its merits because of the various shapes and sizes of lots, existing building envelopes and road access within the Millbrook Park Development.
- Rural Residential Lots in the “Carter Subdivision have been approved as small as 1.0ha

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That Council provide in principle support for the proposed subdivision of Lot 12 Millbrook Place subject to:

- An amended subdivision plan be submitted to Council for approval
- Lodgement of supporting information to ensure the new lot can sustain onsite effluent disposal

Cavanagh/Major

That Council provide in principle support for the proposed subdivision of Lot 12 Millbrook Place subject to:

- An amended subdivision plan be submitted to Council for approval
- Lodgement of supporting information to ensure the new lot can sustain onsite effluent disposal

**Carried 7/0
Resolution 15/11**

Report Reference:	8.4.6
Subject:	GR Atwell – Munthoola Estate Subdivision alteration to Subdivision Guide Plan
File Reference:	10.60.20 (WAPC Application 136331)
Statutory Reference:	<i>Planning and Development Act 2005</i>
Author & Date:	R.N Duff 7 th July 2010

Background:

Subdivision approval was granted to GR Atwell Pty Ltd to subdivide Lot 51 & 52 Eddington Road on the 6th June 2008 with the applicant having four years to meet the conditions of subdivision approval. The subdivision guide plan (Attached at **APPENDIX 4**) indicates that the subject land will be divided into 141 lots as below:

SUMMARY TABLE		
Lot Type	Land Area	No. of Lots
Residential R2.5	13.5 ha	25
Residential R12.5	5.2 ha	71
Rural Residential	72.92 ha	44
Special Use (Farm Stay)	15.12 ha	6 holiday cabins
Rural	143.97 ha	1
Public Open Space	0.88 ha	-
Roads	5.78 ha	-
TOTAL	257.37 ha	141 lots (plus 6 holiday cabins)

The subdivision has not progressed any further since the approval due to a number of factors but mainly due to the financial downturn in the economy and it is unlikely to proceed in its current approved format therefore the developer is looking at options to make parts of the subdivision achievable.

The developer Mr Gordon Atwell, Patrick Harrison (Williams Country Accommodation) and Mr Graeme Fellows (Founded Planning) will make a deputation to the Council meeting to discuss an amended proposal.

Comment:

A draft proposal has been submitted to the Chief Executive Officer for Council's comment prior to the developer engaging a surveyor. The developer has discussed this matter with the Western Australian Planning Commission who advised that this proposal should gain Shire support prior to making a formal approach to them.

The new proposal should be read in conjunction with the attached subdivision plan attached at **APPENDIX 5** and the text below from the applicants letter gives an indication as to what the developer wishes to achieve.

"We write to the shire with a singular aim to develop Munthoola into residential land as approved by Shire and WAPC some years ago.

The ever increasing leverage requirements of banks and subsequent financial downturn have struck the development hard; in its current form will prove difficult to sell or develop the land in the shorter term.

The thrust behind this proposal is to find a way to achieve the following whilst still being able to preserve the land for future subdivision; in the similar structure already approved by shire and WAPC.

This is to be read in conjunction with subdivision outline provided.

- 1) Proposed Lot 1 - To create a lot to preserve the accommodation of Munthoola Cabins and transfer such to Patrick and Donna Harrison. They will continue to run as accommodation to support the town centre. Failure to settle this will result in them transferring to another community with a high probability of the cabins closing.*
- 2) Proposed Lot 2 - To create a lot on the river side of the proposed main road for immediate sale. This is within the current structure approved but not being subdivided to into the same density originally proposed.*
- 3) Proposed Lot 3 and 4 - To alter the boundaries between lots 51 and 52 to facilitate the future subdivision of Lot 52 under the currently approved plan by shire and WAPC. This would also allow Lot 51 to be sold immediately and alleviate the financial pressure caused by the inability to develop or sell Lots 51 and 52 together.*

- 4) *Lot 3 will be held awaiting the market to recover sufficiently. An application will be made at some stage to alter the layout of the current structure plan to accommodate and more efficient staging of residential lots. This will also allow lower civil engineering costs and more efficient cash flow. Proposing at least 10 stages.*
- 5) *To vest the road in the shire and allow these transactions to occur.*

The aim is to provide short term cash flow by creating titles and alleviating financial hardship yet still planning to subdivide Lot 52 as per existing development approval.

As we see it the lots being proposed are already powered and have road access but the road reserve will need to be vested with the shire prior to the title lots being created. Furthermore, the road is accepted as a gravel road until such time as the remainder of Lot 52 is subdivided.

An application will be made to the shire in due course to alter the existing structure plan of the DA to a more efficient staging of the subdivision. The proposal to subdivide as a whole was somewhat ambitious at the time and almost impossible under the current financial climate.

We would appreciate in principle comment from the shire embarking on surveyor expenditure on a formal basis.

We have spoken with WAPC who advised to approach the shire for support, the formalities will follow thereafter.

Thank you for your time, we look forward to a favourable decision on the matter."

Advice is currently being sought from our Planning Consultant and will be handed to Councillors prior to the Council meeting.

Financial Implications:
Nil.

Voting Requirements:
Simple Majority

Recommendation:
For Council's consideration

Major/Paterson

That Council give in principle support to the subdivision application concept on Lot 51 and 52 Eddington Rd with further detail to be submitted to Council for formal adoption. In particular clarity is sought on how access road to proposed Lot 1 and Lot 2 would maintain, upgraded in the future and eventually handed to the Shire of Williams.

**Carried 7/0
Resolution 16/11**

Report Reference:	8.4.7
Subject:	Development Application Renewal – Gravel Extraction - Location 4512, Dardadine Road
File Reference:	7.40.41
Statutory Reference:	Shire of Williams Town Planning Scheme No 2
Author & Date:	R.N Duff 4 th July 2010

Background:

In June 2009 the owners of location 4512 Dardadine, Road Dardadine applied for approval to carry out an extractive industry (gravel extraction) on the property. In the Shire of Williams Town Planning Scheme *Extractive Industry* is an AA use, a use that is not permitted unless the approval of Council is granted.

Subsequently a development approval was given with the details below:

Description of Development:

Gravel Extraction License (Extractive Industry)

The application for planning approval is:

- ☐ granted subject to the following conditions:

Conditions

Conditions of Approval

Council will apply conditions of approval as deemed necessary. Without limiting Council's discretion conditions may be imposed in respect of the following matters:

1. Approval is for a 12 month period, renewable on the 1st July each year subject to an application being submitted. No fee will be charged for renewal.
2. The hours of operation be 6:00 am to 8:00 pm Monday to Saturday and other times subject to approval.
3. Restoration and reinstatement of the excavation site and staging of such works to a maximum work area of 1 ha;
4. Except where the local government approves otherwise the applicant must drain and keep drained to the local government's satisfaction any excavation to which the license applies so as to prevent the accumulation of water;
5. Council will not permit the dumping of any material, such as building material or metal objects, on extractive industry sites or any other sites that is incompatible with the planned future use of the land. Council will only permit the fill of extractive industry sites with clean material that is specified in the approved rehabilitation plan.
6. Minimum setbacks to roads and other property (30 metres unless otherwise approved);
7. The amenity of the locality by reason of the emission of dust, noise, vibration, waste production, smoke, odour or otherwise shall not be affected, any complaint will be investigated and this permit may be revoked.
8. Transportation of material from the site shall not occur during school bus hours or during or after significant rain. The applicant is to ensure that all efforts are made not to adversely affect the roads because of their activities. Should the road be damaged other than fair wear and tear then renewal of the permit may not be granted.
9. Erection of signs in conjunction with the Shire Works Supervisor clearly indicating the access point to the site
10. No Blasting or Crushing to be carried out without prior approval from the Council
11. The permit is non-transferable unless written approval is granted by Council
12. Council reserves the right to cancel an extractive industry approval at any time without redress where it is of the view that any of the above conditions are not being complied with.

Footnote:

a) In relation to condition No 1) above the applicant is advised that notwithstanding this requirement, the proposed operation is required to adhere to the Environmental Protection - Noise Regulations.

b) Other Relevant Approvals and Key Policies

Extractive industry proposals will need take into account the relevant legislation, policies and guidelines of other agencies including the Department of Minerals and Energy, Department of Environmental Water and Catchment Protection, Department of Conservation and Land Management, and the Environmental Protection Authority.

Relevant Policies and Guidelines include but are not limited to:

- Quarry Rehabilitation Guidelines (1990) (DOME).
- Extractive Industries within Public Drinking Water Source Areas (Water and Rivers Commission Water Quality Protection Rate)
- Environmental Protection (Noise) Regulations
- Dust Control Guidelines (1990): Guidelines for assessment and control of dust and windborne material for land development sites (DEP)
- Land Development Sites and Impacts on Air Quality Guidelines (1999 – Draft) (DGP)
- Environmental Code of Practice for Extractive Industries (1990) (EPA)

Note 1: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the decision, the approval shall lapse and be of no further effect.

Note 2: Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

Note 3: If an applicant is aggrieved by this decision there is a right of appeal pursuant to the provisions of Part V of the Town Planning Act. An appeal must be lodged within 60 days of the local government's decision.

Comment:

Nil.

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That the Gravel Extraction license be approved on location 4512 Dardadine Road Dardadine for a further 12 months with all previous conditions on the original license continuing.

Cavanagh/Earnshaw

That the Gravel Extraction license be approved on location 4512 Dardadine Road Dardadine for a further 12 months with all previous conditions on the original license continuing.

**Carried 7/0
Resolution 17/11**

Report Reference:	8.4.8
Subject:	Shire of Wandering - Dual Fire Control Officers
File Reference:	5.10.1
Statutory Reference:	<i>Bushfires Act 1954, s.38</i>
Author & Date:	R.N Duff 7 th July 2010

Background:

The Shire of Wandering has requested that Mr. Peter Monk, Mr. Melvin Schorer and Mr. Bruce Dowsett be appointed as dual fire control officer for the Shire of Williams and Shire of Wandering for 2010/11.

Comment:

BUSH FIRES ACT 1954 - SECT 38

38. Local government may appoint bush fire control officer

(1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

Financial Implications:

Nil

Voting Requirements:

Simple Majority

Recommendation:

The Shire of Williams appoint Mr. Peter Monk, Mr. Melvin Schorer and Mr. Bruce Dowsett as a dual fire control officer for the Shire of Williams and Shire of Wandering for the 2010/11 financial year.

Earnshaw/Johnstone

The Shire of Williams appoint Mr. Peter Monk, Mr. Melvin Schorer and Mr. Bruce Dowsett as a dual fire control officer for the Shire of Williams and Shire of Wandering for the 2010/11 financial year.

**Carried 7/0
Resolution 18/11**

Afternoon Tea

Council adjourned for afternoon tea at 2.55pm and resumed the meeting at 3.25pm

Report Reference:	8.4.9
Subject:	Emergency Services Communication Tower – Location 12026 Bates Rd, Williams
File Reference:	5.10.60
Statutory Reference:	Nil.
Author & Date:	R.N Duff 14 th July 2010

Background:

- In 1997 Council negotiated a lease (copy attached) for portion of Williams location 12026 (4330m²) as a site for a Council emergency services communication tower. This site was identified as the most suitable, locality-wise for Council's and the Williams Bush Fires Brigade's radio network.
- The Shire of Williams is party to a taking order under the Land Administration Act 1997 on Lot 500 on DP 59026 owned by Mr RN Petchell for the purposes of a Communications Tower Site and Access.
- The Taking Order was registered at the Office of Titles on the 11th May 2009.
- 3rd July 2009 - claim for compensation was received from Mr Petchell's representative Ferguson Fforde Miller (FFM).
- The original claim submitted under s211 of the Land Administration Act 1997 was for \$200,000.
- Ferguson Fforde Miller then compiled a compensation assessment and amended the claim. The new claim for compensation was \$455,000
- December 2009 meeting of Council received a further valuation from Preston Rowe Paterson WA Pty Ltd. Council resolved to reject the valuation of \$225,500.
- 28th January 2010 - Shire President and CEO meet with the Minister for Emergency Services and representatives from WA Police and FESA.
- Mr. Petchell's representatives referred this matter to the State Administrative Tribunal (SAT).
- SAT Directions Hearing on the 29th January 2010.

**MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON
WEDNESDAY 21ST JULY 2010**

- Mediation session on the 24th March 2010.
- SAT Hearing – 24th March 2010. No agreement with the applicant, although some dialogue was helpful in working a way forward to a suitable compromise on the compensation settlement. Further mediation has been set for the 28th April 2010.
- April 2010 - Police Valuation- Valuation from Independent Valuers of Western Australia of \$154,000.
- SAT Hearing – 28th April 2010. Amount agreed to by all parties subject to Western Australian Police and FESA accepting the amount and agreeing to fund the compensation amount. The final settlement is currently being progressed through a 'without prejudice' SAT mediation process' and therefore cannot be made public at this stage, but Councillors will be informed.
- SAT Mediation 24th May 2010.
- 1st July 2010 – Meeting with FESA and Police and an agreement reached on what their contribution to the compensation payment would be.
- SAT Mediation 7th July – Agreement that the Shire of Williams will present as formal compensation offer to Mr. Petchell no later than 27th July 2010.

Comment:

When an agreement was reached with FESA and Police on the 2nd July it was resolved that each agency using the Tower site would make a contribution to the compensation payment based on the number of licenses held at the site. Currently there are 18 licenses at the site that would be used as a basis for working out each contribution.

Councillors will be given full financial details of this arrangement in a confidential document as the matter is still being heard at SAT; however the Shire of Williams exposure to the compensation payment is \$48,064 and needs to be reported publicly.

Given that FESA and Police have made a formal commitment to contribute the Shire President and the Chief Executive Officer are meeting with the St Johns Ambulance Association in Perth on the 14th July 2010. With or without a commitment from St Johns, Council must agree to make a formal offer to Mr RN Petchell at this Council meeting to avoid the matter being referred to a full SAT hearing process at which Council has no control over the amount of compensation that could be awarded.

Financial Implications:

Disclosed in a confidential document to Councillors.

Voting Requirements:

Simple Majority

Recommendation:

1. That the Shire of Williams makes a formal offer as agreed to at the SAT mediation hearing held on the 7th July 2010 to Mr RN Petchell.
2. That the Shire of Williams draws up a formal user agreement between all the contributing users of the Communications Tower site.

Cavanagh/Logie

That the Shire of Williams proceed “without prejudice” in the manner moved by Councillor Cavanagh and seconded by Councillor Logie on 21 July 2010, the terms of which are recorded in a confidential document retained on file 5.10.60 and authenticated by the Shire President and Chief Executive Officer.

**Carried 7/0
Resolution 19/11**

Report Reference:	8.4.10
Subject:	New House – 9 Growse St Williams
File Reference:	10.64.20 (WAPC Application 140299)
Statutory Reference:	Nil.
Author & Date:	R.N Duff 4 th July 2010

Background:

In October 2009 Council gained approval to subdivide Lot 14 New St Williams. This lot measures 1,012m² with a house built on the southern end. Once subdivided Council will have two lots: Lot 100 which contains the house and Lot 101, a 501m² vacant lot.

Comment:

Once the Council receives the title to Lot 101 we will be able to construct a new house on this block. The Chief Executive Officer has approached Plunkett homes for some house designs which will suit this size lot. Indicative pricing for double brick construction is as follows

Domain Homes	My Bayview	3 x 1	Double Carport	143m2	\$150,432
Domain Homes	My Bayview	3 x 2	Double Carport	154m2	\$159,312
Domain Homes	The Outlook	3 x 2	Double Carport	167m2	\$163,392

To finish of the house Council would need to allow at least 1/3 of the construction price to complete things such as floor covering, window treatments, heating/cooling, fencing and landscaping which equates to an amount of \$54,000 taking the total construction cost to between \$200,000 to \$220,000.

In respect to the existing house Council has made an allowance in the 2010/2011 budget to install new fencing and a new garage/patio in order to complete the subdivision. The house is currently vacant and surplus to Council staffing needs. Therefore Council has the following options:

1. Sell the house as is
2. Make minor repairs and sell the house
3. Make minor repairs to the house and rent on the open market.

Financial Implications:

WAPC Application Fees	\$1,512
Survey Fees	\$4,435
Western Power	\$1,363
Sewer Design Fees	\$3,000
Sewer and Water Connection	Quotes being sought

Voting Requirements:

Simple Majority

Recommendation:

That Council give direction

Report Reference:	8.4.11
Subject:	Perth-Albany-Perth Bike Cycling Event
File Reference:	11.30.35
Statutory Reference:	Nil.
Author & Date:	R.N Duff 4 th July 2010

Background:

Letter received from Audax Australia WA Region, Organiser Perth-Albany-Perth (PAP) 1,200km cycle event October 2010.

Dear Sir/Madam,

The National Sporting Organization, The Audax Australia Cycling Club Inc., is conducting this event for which we expect significant numbers (about 150) of state, interstate and international entrants for a marathon cycling event around southwestern WA over 4 days. This event is not a race, and we are not asking for any road closures: all riders, who are very experienced road cyclists, will abide by normal traffic rules and regulations, and are fully equipped for riding at night. The route of the 1200km long ride takes dual use pathways wherever possible, and will otherwise be on quiet public roads and those with a hard shoulder.

*The event is to be held from Tuesday October 5th through Friday October 8th, 2010, and it starts and finishes in South Perth. The official route goes from South Perth with a 5am start, to Mandurah, Preston, Bunbury, Busselton, Margaret River, Alexander Bridge, Pemberton (overnight accommodation and meal provided), Shannon, Walpole, Denmark, Albany (with overnight facilities), Stirling Ranges, Gnowangerup, Katanning, Wagin, **Williams on Thursday night (with overnight facilities)**, Pinjarra and back to South Perth (end of ride meal and function).*

Riders will be dining and staying overnight at Williams (booking made at the Football Club) on Thursday, having covered 1000km of the route, then are riding northwest through your Shire to Pinjarra on the Friday 8th October, to finish back at South Perth.

I wish to provide you with the above information on this event, but also to ask you to consider whether the Shires could provide some advertising and facilities for use by the entrants, or sponsored advertising (for example Shire logo on riding jerseys or T shirts), bearing in mind that long distance cycling events also aim to promote a healthy lifestyle, and demonstrate a sustainable form of alternative transport, both in urban and rural environments.

Please refer to the attached letter which describes the event in some detail, its objectives and sponsorship attributes.

Comment:

The event is expected to attract approximately 150 and this could be an ideal opportunity to promote Williams to the cyclists and organisers should Council think of a novel way of making the most of this opportunity.

In regards to sponsorship of this event the Council may consider donating the cost of the Pavilion Hire and in return seek some promotion of the Shire of Williams by the organisers of this event.

Financial Implications:

Cost of Pavilion Hire and any promotional material distributed

Voting Requirements:

Simple Majority

Recommendation:

For Council's consideration

Johnstone/Major

That Council make a donation of the cost of the Pavilion Hire to the Perth-Albany-Perth cycle event.

**Carried 7/0
Resolution 20/11**

Report Reference:	8.4.12
Subject:	GHD – Extraction of Clay for the new Waste Water Treatment Plant
File Reference:	10.30.20
Statutory Reference:	Nil.
Author & Date:	R.N Duff 13 th July 2010

Background:

The construction of the new Williams Waste Water Treatment Plant (WWTP) is set to commence in the coming months. Much of the planning and surveying work has already been done and once construction starts the new facility is expected to be completed in 12 months.

The facility is being constructed on Reserve 17309 which has been vested to Council for the purposes of water supply.

Comment:

Consulting Engineers on the project, GHD have approached the Chief Executive Officer to seek permission to use clay material from the Shire gravel pit on Reserve 43389 which is adjacent to the new WWTP site. The clay will be used to line the ponds that make up the WWTP.

The proposal from GHD would involve excavations for clay at the gravel pit as per photograph below, assuming a 1 metre depth of clay was excavated an area of between 50m to 70m squared would be used equating to 2,500m³ - 4,900m³ max. This area may vary if the test results reveal that the clay is deeper than 1 metre and therefore not as much area would be required but a deeper excavation may result.



- GHD are seeking any comments or conditions that Council may wish to impose regarding the extraction of the clay material from this reserve.

Financial Implications:

- Council staff will be making every effort to secure some of the work associated with the job as private works.
- In addition Council may wish to consider charging a royalty for the material removed from the site.

Voting Requirements:

Simple Majority

Recommendation:

For Council's consideration

Cavanagh/Johnstone

That the Chief Executive Officer be authorised to continue negotiations for the supply and delivery of clay from Reserve No 43389 to the Water Corporation for the lining of the new Waste Water Treatment Plant ponds.

**Carried 7/0
Resolution 21/11**

8.4 CHIEF EXECUTIVE OFFICER'S REPORT – LATE ITEMS

Cavanagh/Johnstone

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

**Carried 7/0
Resolution 22/11**

Report Reference:	8.4.13
Subject:	Welldon Beef – Feedlot Approval
File Reference:	10.50.10
Statutory Reference:	<i>Shire of Williams Health Local Law</i>
Author & Date:	R.N. Duff 20 th June 2010

Background:

Letter received from Welldon Beef requesting renewal of approval to operate at feedlot at 531 Glenfield Road.

A previous approval was given in February 2004.

Comment:

The Shire of Williams Health Local Law 2000 deals with the issue of feedlots:

Shire of Williams Health Local Law 2000 Division 5 - Feedlots

Interpretation

- 5.5.1 For the purpose of this division -
“feedlot” means a confined area with watering and feeding facilities where animals or birds are held and fed for the purpose of weight gain;
“animal” includes sheep, lambs, goats, deer, cattle and buffalo;
“birds” includes roosters, hens, geese, turkeys, ducks, poultry, emus and ostriches.

Premises to be approved

- 5.5.2 (1) No premises shall be used as a feedlot unless approved by Council;
(2) Subject to subsection (3), no premises shall be approved as a feedlot by Council unless every portion of such feedlot complies with the minimum separation distances listed in Table 1; and
(3) Sites unable to satisfy the separation requirements may be approved at the discretion of Council if Council is satisfied that approving the feedlot will not give rise to a health nuisance.

Table 1 – Required Buffer Distances for Feedlots	
Buffer	Distances
Townsite boundaries	5000m
Isolated rural dwellings, dairies & industries	1000m
Public roads and recreation areas	100m
Neighbouring rural property boundaries	50m

Major water course and water impoundments	300m
Bores, wells or soaks used for drinking, stock or irrigation	300m
Minor water courses	100m

Site Conditions

- 5.5.3 (1) The owner or occupier of the approved feedlot shall ensure the premises -
- (a) is sited on gently sloping land, no greater than 1:20 but not less than 1:100;
 - (b) is sited on soils with sufficient filtration to avoid surface ponding and run-off;
 - (c) has a minimum groundwater clearance of 2 metres;
 - (d) drainage diverts all uncontaminated storm water from the general waste stream;
 - (e) has solid and liquid waste disposal arrangements that are not offensive or injurious to health.
- (2) The owner or occupier of the approved feedlot shall take effective measures to prevent the discharge of dust which may involve -
- (a) reducing the stocking rate immediately to a level that does not cause the discharge of dust; or
 - (b) stabilisation of the soil surface to a level that does not cause the discharge of dust; or
 - (c) provision of adequate windbreaks to effectively prevent the discharge of dust.

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That the Shire of Williams renew approval for Welldon Beef to operate a Cattle Feedlot at 531 Glenfield Williams subject to the compliance with the Shire of Williams Health Local Law and Department of Environment and Conservation Regulation where applicable.

Patterson/Johnstone

That the Shire of Williams renew approval for Welldon Beef to operate a Cattle Feedlot at 531 Glenfield Williams subject to the compliance with the Shire of Williams Health Local Law and Department of Environment and Conservation Regulation where applicable.

**Carried 7/0
Resolution 23/11**

8.5 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT

8.5.1 ACCOUNTS FOR PAYMENT

Cavanagh/Johnstone

That Municipal Fund Cheques 102930 – 102942, EFT and Direct Debits totalling \$115,872.41 approved by the Chief Executive Officer be endorsed and that Municipal Fund Cheques 102943 – 102978 and EFT transfers totalling \$299,879.12 be approved for payment.

**Carried 7/0
Resolution 24/11**

8.5.2 FINANCIAL STATEMENTS

Earnshaw/Johnstone

That the Financial Statements presented for the period ending 30th June 2010 be received.

**Carried 7/0
Resolution 25/11**

8.5.3 MUNICIPAL FUND BUDGET

Johnstone/Earnshaw

That the 2010/2011 Municipal Fund Budget be adopted as amended.

SCHEDULE OF RATES AND CHARGES LEVIED

General Rates:

- a) i) Gross Rental Values – 4.85 cents in the dollar for land used for Commercial or Industrial purposes or vacant land zoned Commercial or Industrial.
- ii) Gross Rental Values – 3.9 cents in the dollar for all other rateable land within the Williams and Quindanning town site.
- b) Unimproved Values – 0.4815 cents in the dollar on all rateable land.

Minimum Rates:

\$435 per Assessment.

Payment of Rates by Instalments:

Payment of rates to be made by a single payment or by four (4) equal instalments at the election of the ratepayer on the following dates; 10th September 2010, 12th November 2010, 14th January 2011 and 11th March 2011.

Interest and Administration charge on instalment plans:

An interest rate charge of 5.5% per annum to apply to general rates on instalment plans plus administration charge of \$20 for each Assessment.

Late Payment Interest

An interest rate of 11% per annum on rates outstanding thirty five (35) days after the rate notice issue date.

**Carried by absolute majority 7/0
Resolution 26/11**

8.5.4 REFUSE CHARGES

Johnstone/Earnshaw

That the household refuse charge for 2010/2011 be levied as follows:

\$258.00 per service (240lt bin)

**Carried by absolute majority 7/0
Resolution 27/11**

8.5.5 TRUST FUND BUDGET

Johnstone/Earnshaw

That the 2010/2011 Trust Fund Budget as presented be adopted.

**Carried by absolute majority 7/0
Resolution 28/11**

8.5.6 FEES AND CHARGES

Earnshaw/Cavanagh

That Council adopt the Schedule of Fees and Charges with the following amendment to Staff Housing rentals for inclusion in the 2010/2011 Annual Budget.

6 Richardson St	\$240
8 Fry St	\$200
25 Richardson St	\$180
14 Adam St	\$160
16 Piesse St	\$150
Recreation House	\$140

**Carried by absolute majority 7/0
Resolution 29/11**

8.6 COUNCILLORS

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

10.1 ELECTED MEMBERS

10.2 STAFF

Nil

11.0 INFORMATION SESSION

12.0 MEETING CLOSURE

There being no further business for discussion the President declared the meeting closed at 5.32pm.