



SHIRE OF WILLIAMS AGENDA

ORDINARY COUNCIL MEETING
WEDNESDAY 19 AUGUST 2020



NOTICE OF ORDINARY MEETING OF COUNCIL

Dear Elected Member & Community Members,

You are respectfully advised the next Ordinary Meeting of the Shire of Williams will be held on Wednesday 19 August 2020, in the Shire of Williams Council Chambers, 9 Brooking Street, Williams, commencing at 3.30 pm.

Geoff McKeown
Chief Executive Officer

DISCLAIMER

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

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

SHIRE OF WILLIAMS STRATEGIC COMMUNITY PLAN 2017-2032

ECONOMIC

To support industry and business development through the development of sustainable infrastructure and investment opportunities.

ED1. Develop infrastructure and investment that is sustainable and an ongoing legacy to the Shire.

ED2. To have appropriate levels of housing to cater for population retention and growth.

SOCIAL AND CULTURAL

To be a safe and welcoming community where everyone is valued and has the opportunity to contribute and belong.

SCD1. To provide community infrastructure and facilities that meet the needs of the population.

SCD2. To support a safe and healthy community with a strong sense of community pride.

SCD3. To recognise the vibrant history of the Shire and its rich, varied cultural heritage and natural environment is valued, respected, promoted and celebrated.

LAND USE & ENVIRONMENT

To have a balanced respect for our natural assets and built environment, retaining our lifestyle values and community split.

LUE1. To enhance, promote, rehabilitate and leverage the natural environment so it continues to be an asset to the community.

LUE2. Natural assets and public open spaces are accessible, well utilised and managed.
LUE3. Recognising and implementing sustainability measures.

LUE4. To have safe and well maintained transport network that supports local economy.

CIVIC LEADERSHIP

Strong civic leadership representing the whole of the Shire which engages in effective partnerships and reflects the aspirations of an engaged community.

CL1. The Shire is efficient in its operations, actively listens to the community and anticipates and responds to the community needs.

CL2. The revenue needs of the Shire are managed in an equitable, proactive and sustainable manner.

CL3. Effective collaboration and shared services with other relevant Local, State and Federal Government agencies, industry and community organisations.

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AGENDA

1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member, President Jarrad Logie, will declare the Meeting open at 3.30pm.

2.0 Record of Attendance / Apologies / Leave of Absence

Elected Members

Cr Jarrad Logie - President
 Cr Natalie Major - Deputy President
 Cr Moya Carne
 Cr Gil Medlen
 Cr Alex Watt
 Cr Bob Baker
 Cr Tracey Price
 Cr Bernie Panizza

Staff

Geoff McKeown - Chief Executive Officer
 Trevor Brandy - Environmental Health Officer/Building Surveyor
 Cara Ryan - Manager of Finance
 Manuela Lenehan - Minute Taker

Visitors – Nil
 Apologies – Cr Simon Harding
 Leave of Absence – Nil

3.0 Public Question Time

4.0 Petitions / Deputations / Presentations

5.0 Declarations of Interest

DECLARATION OF INTEREST	
Name / Position	
Item No. / Subject	
Type of Interest	

6.0 Confirmation of Minutes of Previous Meetings

6.1 Ordinary Council Meeting Held 22 July 2020

Officer's Recommendation

That the Minutes of the Ordinary Meeting held 22 July 2020, as previously circulated, be confirmed as a true and accurate record.

7.0 Announcements by Presiding Member Without Discussion

8.0 Matters Which Require Decisions

8.1 Development and Regulatory Services

8.1.1 Building Permits

File Reference	13.34.10
Statutory Reference	<i>Building Act 2011 Building Regulations 2012</i>
Author & Date	Trevor Brandy 8 August 2020
Attachments	Nil

Background

The Environmental Health Officer/ building Surveyor undertakes a number of activities in accordance with legislation that require a decision by Council. This report includes detail of these activities.

Comment

Building Permits issued for the Month of July 2020:

Permit Number	Owner	Address	Description
436	Sunara Pty Ltd	Lot 102 Brooking Street	D Brick Dwelling
437	Sunara Pty Ltd	Lot 103 Brooking Street	D Brick Dwelling
438	Terry Tyler	138 Narrogin Road	S/F Shed
439	Michael Eastwood	Lot 20 Forrest Street	S/F Shed

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic 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

Fees are received for processing Building Permits in accordance with the Building Regulations 2012

Voting Requirements

Simple Majority

Officer's Recommendation

That Council endorse the issue of building permits for the month of July 2020.

8.2 Office of the Chief Executive Officer

8.2.1 Review for the Shire of Williams Town Planning Scheme No 2

File Reference	14.25.26
Statutory Ref.	Shire of Williams Town Planning Scheme No.2 and <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Author & Date	Liz Bushby Town Planning Innovations (TPI) 14 July 2020
Attachments	Attachment 1 – Regulations Attachment 2 – Regulations Attachment 3 – Report of Review

Background

- Requirement for Report of Review

The Shire is required to prepare a 'Report of Review' of its Town Planning Scheme under the *Planning and Development (Local Planning Schemes) Regulations 2015* ('the Regulations').

The 'Report of Review' is basically a health check of the Shire's Scheme aimed at determining the adequacy of the existing document.

The Department of Planning, Lands and Heritage ('DPLH') has provided staff resources and a free service to assist the Shire with this matter.

The DPLH has provided the Shire with:

1. A Draft Report of Review which has been used as a base document;
2. A revised Shire of Williams Town Planning Scheme No 2 text; and
3. A Draft Resolution to amend the existing Scheme.

TPI is reviewing the revised Draft Scheme Text provided by the DPLH in consultation with the Shire Chief Executive Officer.

- Deemed Provisions

The Regulations have 'Deemed Provisions' which automatically apply to every local government in Western Australia, and override some sections of the Shire's existing Scheme.

Where there is a conflict between the Shire's Scheme and the 'Deemed Provisions', then the Regulations prevail.

The 'Deemed Provisions' mainly cover administrative procedures and common planning requirements such as:

- (a) The process for making, amending or revoking a Local Planning Policy;
- (b) Heritage Protection;
- (c) The process for Structure Plans (which guide larger sized subdivisions);
- (d) Listing development that requires planning approval and exemptions from planning approval;
- (e) A generic state wide planning application form;
- (f) The information to be lodged with a development application;

- (g) Advertising procedures;
- (h) Processes for dealing with development applications, including the 'Matters to be considered by the Local Government';
- (i) Powers of Local Governments; and
- (j) Delegations by Local Government.

An example of a 'Deemed Provision' outlining the 'matters to be considered by the local government' is included as Attachment 1. Another example outlining advertising procedures is included as Attachment 2.

The 'Deemed Provisions' also include a section on mapping which dictates the zones, reserves and colours that can be used on any Scheme Map.

There are whole sections of the Shire of Williams Town Planning Scheme text that have become redundant and have been replaced by clauses in the 'Deemed Provisions' of the Regulations (e.g. advertising procedures).

- Model Provisions

The Regulations contain a template of a Town Planning Scheme text which outlines what the Western Australian Planning Commission considers to be the ideal format for any new or amended Scheme. The template is known as the 'Model Provisions for Local Planning Schemes'.

The Regulations use the more modern term 'Local Planning Scheme' instead of 'Town Planning Scheme'.

Some of the Model Provisions are essentially fixed (i.e. the Western Australian Planning Commission will not support any variations). An example is that there are set zones and reserves that can be used in a Scheme. There are also set objectives for zones and reserves that have to be utilised.

Whilst not stated by the Western Australian Planning Commission, the long-term outcome will be that most Local Planning Schemes throughout the State will have similar formats, with consistent zones.

There are some areas within the Model Provisions where local governments can include their own local requirements, such as development controls (like site requirements), and exemptions for development from the need for planning approval.

Comment

- Introduction

The Shire's existing Town Planning Scheme is silent on a number of planning matters such as the control of advertising, commercial vehicle parking, second hand or repurposed dwellings, dams and the keeping of animals.

The existing Scheme also has provisions relating to matters that are controlled by current State Planning Policies (such as subdivision). Where planning issues (such as subdivision) are already controlled through state planning documents, there is no need for additional controls to be included in the Shire's Scheme.

The Scheme has some benefits as in most cases it affords Council with a high level of discretion over land uses within the different zones. However, the format has become dated and is not consistent with the Regulations.

- Report of Review

As explained in the background, the Council has to consider a formal 'Report of Review' of the existing Shire of Williams Town Planning Scheme No 2.

A 'Report of Review' is included as Attachment 3.

In accordance with the Regulations the Council has to consider the 'Report of Review' and whether:

1. The existing Scheme is satisfactory in its existing form;
2. The Scheme should be amended; or
3. The Scheme should be repealed and a new Scheme prepared.

It is recommended that the Shire pursue an Amendment to the existing Scheme in order to:

- (A) Modernise the Scheme format and bring it into line with the current 'Model Provisions' contained in the Regulations.
- (B) Improve on a number of existing Scheme provisions whilst maintaining flexibility for future decision making;
- (C) Bring the Scheme into conformity with the Regulations and include cross referencing to the 'Deemed Provisions' of the Regulations;
- (D) Minimise costs associated with the process and maximise use of documents prepared by the DPLH for the Shire;
- (E) Undertake a minor zoning review and correct some mapping anomalies.

Once the Shire makes a decision, then the 'Report of Review' and Council's decision will be referred to the Western Australian Planning Commission (WAPC). The WAPC has to decide if they agree with the Shire's position (which is likely given the support provided by the DPLH).

The 'Report of Review' is the first step of the process. Once agreed to by the WAPC then the Shire can proceed with a Scheme Amendment to change the existing Scheme Text and maps.

A separate Scheme Amendment will be deferred to a future Council meeting.

- Mapping Review

The Shire has identified some areas where zonings need to be reviewed. For example, there are situations where smaller Industrial lots have been developed with single houses.

The DPLH has identified mapping changes needed to comply with the Regulations. Town Planning Innovations is working with the Shire Chief Executive Officer to identify any mapping anomalies that need to be corrected.

The Department of Planning, Lands and Heritage charge for mapping services and have estimated it will cost approximately \$810.00 to update the Scheme Maps for a Scheme Amendment.

- Conclusion

Town Planning Innovations supports the recommendation contained within the 'Report of Review' (Attachment 3) which has been replicated in this agenda item for convenience.

Policy Requirements

Not Applicable

Legislative Requirements

Planning and Development (Local Planning Schemes) Regulations 2015 - discussed in the body of this report.

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

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.

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

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Pursuant to Regulation 65 and 66 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
 - (a) Recommends to the Western Australian Planning Commission that the Shire of Williams Town Planning Scheme No. 2 should be amended; and
 - (b) Notes that there is no local planning strategy for the Scheme and therefore Regulation 66(3)(b) does not apply.
2. Accept and endorse the 'Report of Review' contained in Attachment 3.
3. Authorise the Chief Executive Officer to instruct the Department of Planning, Lands and Heritage to prepare the Scheme Amendment maps.
4. Note that a report on a Scheme Amendment will be prepared, for presentation at a future Council meeting.
5. Authorise Liz Bushby of Town Planning Innovations to formally advise the Western Australian Planning Commission of the Council decision and lodge the 'Report of Review' to the Commission.

67. Matters to be considered by local government

In considering an application for development approval the local government is to have due regard to the following matters to the extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application —

- (a) the aims and provisions of this Scheme and any other local planning scheme operating within the Scheme area;
- (b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this Scheme that has been advertised under the *Planning and Development (Local Planning Schemes) Regulations 2015* or any other proposed planning instrument that the local government is seriously considering adopting or approving;
- (c) any approved State planning policy;
- (d) any environmental protection policy approved under the *Environmental Protection Act 1986* section 31(d);
- (e) any policy of the Commission;
- (f) any policy of the State;
- (g) any local planning policy for the Scheme area;
- (h) any structure plan, activity centre plan or local development plan that relates to the development;
- (i) any report of the review of the local planning scheme that has been published under the *Planning and Development (Local Planning Schemes) Regulations 2015*;
- (j) in the case of land reserved under this Scheme, the objectives for the reserve and the additional and permitted uses identified in this Scheme for the reserve;
- (k) the built heritage conservation of any place that is of cultural significance;
- (l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;
- (m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;

- (n) the amenity of the locality including the following —
 - (i) environmental impacts of the development;
 - (ii) the character of the locality;
 - (iii) social impacts of the development;
- (o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;
- (p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;
- (q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;
- (r) the suitability of the land for the development taking into account the possible risk to human health or safety;
- (s) the adequacy of —
 - (i) the proposed means of access to and egress from the site; and
 - (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;
- (t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;
- (u) the availability and adequacy for the development of the following —
 - (i) public transport services;
 - (ii) public utility services;
 - (iii) storage, management and collection of waste;
 - (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities);
 - (v) access by older people and people with disability;

- (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;
- (w) the history of the site where the development is to be located;
- (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;
- (y) any submissions received on the application;
- (za) the comments or submissions received from any authority consulted under clause 66;
- (zb) any other planning consideration the local government considers appropriate.

68. Determination of applications

- (1) The local government must not determine an application for development approval until the later of —
 - (a) if the application is advertised under clause 64 — the end of each period for making submissions to the local government specified in a notice referred to in clause 64(3); and
 - (b) if a copy of the application has been provided to a statutory, public or planning authority under clause 66 — the end of each period for providing a memorandum to the local government referred to in clause 66(3).
- (2) The local government may determine an application for development approval by —
 - (a) granting development approval without conditions; or
 - (b) granting development approval with conditions; or
 - (c) refusing to grant development approval.

69. Application not to be refused if development contribution plan not in place

- (1) The local government must not refuse an application for development approval only because there is not a development contribution plan in place in relation to the development.

under this Scheme as a heritage area, the local government may require the application to be accompanied by one or more of the following —

- (a) street elevations drawn as one continuous elevation to a scale not smaller than 1:100 showing the proposed development and the whole of the existing development on each lot immediately adjoining the land the subject of the application;
- (b) a detailed schedule of all finishes, including materials and colours of the proposed development;
- (c) a description of the finishes of the existing developments on the subject lot and on each lot immediately adjoining the subject lot.

64. Advertising applications

- (1) An application for development approval must be advertised under this clause if the proposed development —
 - (a) relates to the extension of a non-conforming use; or
 - (b) relates to a use if —
 - (i) the use is not specifically referred to in the zoning table for this Scheme in respect of the zone in which the development is located; and
 - (ii) the local government determines that the use may be consistent with the objective of that zone and that notice of the application should be given;or
 - (c) does not comply with a requirement of this Scheme; or
 - (d) is a development for which the local government requires a heritage assessment to be carried out under clause 11(1); or
 - (e) is of a type that this Scheme requires to be advertised.
- (2) The local government may waive a requirement for an application to be advertised in the circumstances set out in subclause (1)(c) if the local government is satisfied that the departure from the requirements of this Scheme is of a minor nature.

- (3) The local government may advertise, or require the applicant to advertise, an application for development approval in one or more of the following ways —
- (a) by giving notice of the proposed use or development to owners and occupiers of properties in the vicinity of the development who, in the opinion of the local government, are likely to be affected by the granting of development approval, including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is given to the person;
 - (b) by publishing a notice of the proposed use or development in a newspaper circulating in the Scheme area including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is published;
 - (c) by publishing a notice of the proposed use or development by electronic means in a form approved by the local government CEO including a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the notice is published;
 - (d) by erecting a sign or signs in a conspicuous place on the land the subject of the application giving notice of the proposed use or development for a period of not less than 14 days from the day on which the sign is erected including on each sign a statement that submissions may be made to the local government by a specified day being a day not less than 14 days from the day on which the sign is erected.
- (4) Notice referred to in subclause (3) must be in the form of the “Notice of public advertisement of planning proposal” set out in clause 86(3) unless the local government specifies otherwise.
- (5) If an application for development approval is advertised under this clause, the local government —
- (a) must make the application and the material accompanying it available for public inspection during business hours at the offices of the local government; and

REPORT OF REVIEW

SHIRE OF WILLIAMS TOWN PLANNING SCHEME NO. 2

PURPOSE

The following report has been prepared to satisfy the requirements under Regulation 65 and 66 of the *Planning and Development (Local Planning Schemes) Regulations 2015* (Regulations) for the Shire of Williams (the Shire) to carry out a review of Town Planning Scheme No. 2 (TPS 2) and prepare a report of review.

BACKGROUND

The Shire of Williams covers an area of approximately 2,300 square kilometres and is located in the Wheatbelt region, 160 kilometres south east of Perth. The predominant land use and economic activity in the Shire of Williams is extensive agriculture including cropping and rearing of livestock.

In satisfying Regulation 65 and 66, the report must, amongst other things, provide an overview of the subdivision and development activity, lot take-up, population changes, and an overview of the extent to which the Scheme has been amended to comply with the requirements of legislation and State planning policy. The report must then make a recommendation under 66(3).

DETAILS

Shire of Williams Town Planning Scheme No. 2

TPS 2 was gazetted on 22 April 1994 and since this time there have been 18 amendments which relate to minor textual and zoning modifications. Amendments that have occurred since 1994 are summarised in Table 1.

Table 1 – Amendments Since Gazettal

Amendment No.	Amendment summary	Date of Gazettal
8	Scheme rationalisation	22/04/1994
9	Modifying provisions for lots in Channon/Forrest/William/Gillett/Lavender and Martin Streets and re-zoning Reserve 31308 from Commercial to Residential	21/03/1997
10	Modifying Schedule 4 and re-zoning lots in Gull Street, Richard Street, Clayton Street and William Street from Rural Residential to Rural.	9/05/1997
11	Text amendment to add to Schedule 4 and other minor modifications	18/06/1999
12	Add to Schedule 4 and introduce Schedule 6 - Special Use Zones	24/09/1999
13	Lots 51 and 52 Eddington Rd - rezone from Rural to Residential R12.5 and R2.5, Rural Residential, Rural and Special Use (Farm Stay)	04/04/2008
14	Rezone portion of Lot 12070 Albany Hwy from Rural to Residential R2, Residential R10 and Rural Residential	13/11/2009
16	Lot 12070 Albany Hwy - rezone from Rural to Public Purpose and Industrial	20/12/2010

17	Lots 110 and 110 Growse St, Lot 32 New St, rezone from Residential R20 to R30	27/3/2012
18	Lot 200 Albany Highway - rezone from rural to industrial	29/10/2014

Local Planning Strategy

There is no local planning strategy for the Shire.

Subdivision and Lot Activity

Figure 1 below shows preliminary (conditional) subdivision approvals for green title lots and final subdivision approvals (lots created) since 2009 (prior data unavailable). Since this time a total of 22 lots have been given preliminary approval and 51 lots created.

Figure 1 – Final and preliminary approvals per year and stock of cumulative lots created.

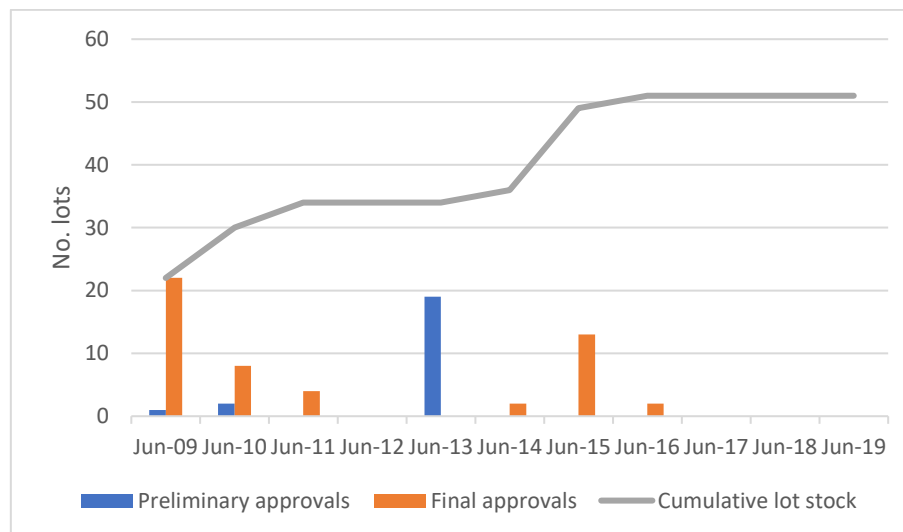


Table 2 below shows the number of lots created, net change in the number of lots and number of vacant lots by land use and tenure across the local government since 2009.

Table 2 - Subdivision and Lot Activity By Zone Since TPS 2 Gazetted

	Residential	Rural living	Industrial	Commercial	Rural
No. lots created	51	12	8	4	31
No. vacant lots	40	53	24	3	N/A

Based on an average area of 1000m² per dwelling on residential zoned land and 2 hectares per dwelling in rural living areas, the existing supply of vacant lots could accommodate an additional 276 dwellings on residential lots and 55 dwellings in rural living areas.

Development Activity

The Shire has received a broad range of development applications over the past few years.

Notable new development includes a range of industries in Marjidin Way, expansion of CBH and aged care housing on Jamtree Lane and New Street, Williams.

In the last two years there has been an increased interest for modernisation and redevelopment of existing service stations in the Williams townsite.

Table 3 below summarises development applications within the Shire since 2015.

Table 3 – Development Approvals

Year	Address	Nature of developments
August 2019 & May 2020	Lots 214 and 215 Brooking Street, Williams	Proposed alteration / addition to existing shop
August 2019	Lot 215 Brooking street, Williams	Shop Extension
June 2019	Lot 320 (No 281) Narrogin Road, Williams	Cottage Industry and Garden Centre
June 2019	Lot 802 Albany Highway, Williams	Proposed Service Station
March 2018	Lot 403 Marjidin Way, Williams	Industrial shed / motor vehicle repairs
March 2016	17 & 19 New Street, Williams	Aged appropriate housing
May 2017	Lot 17 Playle Road, Williams	CBH Expansion (bulkheads and associated development)
April 2017	Lot 243 Narrogin Road, Williams	Storage Shed
March 2017	Lot 1 Old Soldiers Road, Williams	Outbuilding
August 2016	Lot 15 Albany Highway, Williams	Supplies (lime sand storage and sales)
July 2016	Lot 15 Albany Highway and Lot 17 Playle Road, Williams	CBH Expansion (bulkheads and internal access)
April 2016	Lot 500 Albany Highway, Williams	Workers Accommodation
October 2016	Lot 441 (No 3) Marjidin Way, Williams	Motor Vehicle repair
May 2016	11 Lots adjacent to Collie Williams Road, Williams	Tree farm
Oct 2016	Lot 1161 Playle Road, Williams	Seed Cleaning Business
Dec 2015	2–12 Jamtree Lane, Williams	Aged appropriate housing
July 2015	Lot 352 Pinjarra Williams Road Quindanning	Caravan Park, Holiday Cabins and Chalets, Caretakers dwelling and ancillary development

Table 4 - Building Commencements

Year	No. building commencements	Nature of developments
2020-2016	78	Dwellings, Shed, Extensions, etc.
2015-2011	120	Dwellings, Shed, Extensions, etc.
2010-2006	102	Dwellings, Shed, Extensions, etc.
2005-1996	86	Dwellings, Shed, Extensions, etc.

Development Assessment Panel (DAP) applications which have been approved in the Shire of Williams since the introduction of DAPs in 2011 include:

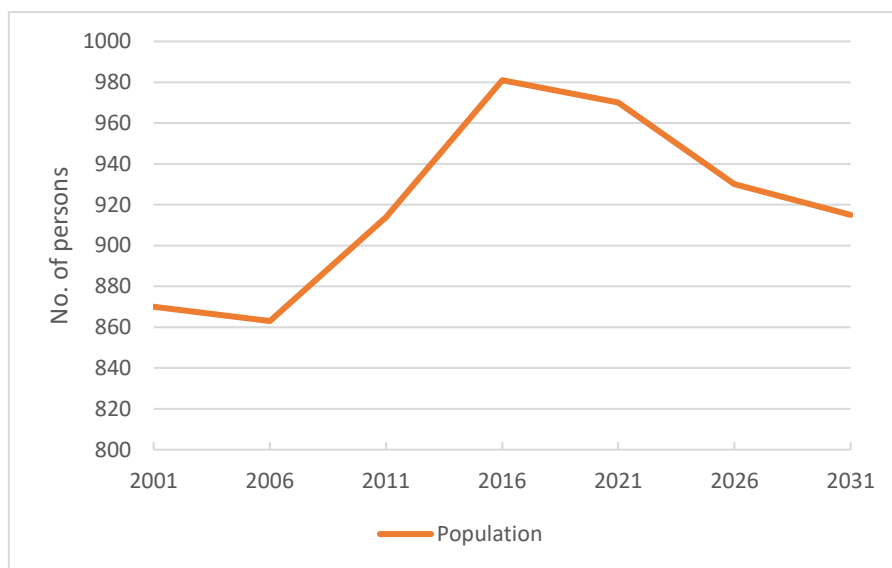
Table 5 – Development Assessment Panel Approvals

Address	Development	Approval Date	File No.
Lots 16, 17 and 300 (56) Albany Highway, Williams	Redevelopment of existing Caltex service station	24 February 2017	DAP/16/01034

Population statistics

Figure 3 below illustrates total estimated resident population (ERP) for the Shire of Williams including future projected population figures based on WA Tomorrow forecasts (Band C – middle estimates).

Figure 3 - Estimated Resident Population 2001-2016, Projected Population 2021-2031 (WA Tomorrow Figures)



Williams is the major population centre in the Shire of Williams comprising 42% of the population, which increased from 39% in 2006.

Based on lot supply and population projections as profiled above, it is anticipated that there will be sufficient residential lots available to accommodate the expected population.

COMMENT

It is considered that TPS 2 is broadly inconsistent with the Regulations and at a minimum, should be amended to bring the Scheme into alignment with the deemed and model provisions.

Council could also take this opportunity to review zoning and provisions to reflect contemporary planning policy and practice by initiating an omnibus amendment to the Scheme.

As there is no local planning strategy for the Scheme, a recommendation is not required under Regulation 66(3)(b).

RECOMMENDATION

That Council, pursuant to Regulation 66(3) of the *Planning and Development (Local Planning Schemes) Regulations 2015* recommend to the Western Australian Planning Commission that

the Shire of Williams Town Planning Scheme No. 2 should be amended to reflect contemporary planning policy and practice. It is not required to prepare a Local Planning Strategy of the local government.

Council report recommendation:

That Council:

1. Pursuant to Regulation 65 and 66 of the *Planning and Development (Local Planning Schemes) Regulations 2015*:
 - (a) Recommends to the Western Australian Planning Commission that the *Shire of Williams Town Planning Scheme No. 2* should be amended; and
 - (b) Notes that there is no local planning strategy for the Scheme and therefore Regulation 66(3)(b) does not apply.
2. Accept and endorse the 'Report of Review' contained in Attachment 3.
3. Authorise the Chief Executive Officer to instruct the Department of Planning, Lands and Heritage to prepare the Scheme Amendment maps.
4. Note that a report on a Scheme Amendment will be prepared for referral to a future Council meeting.
5. Authorise Liz Bushby of Town Planning Innovations to formally advise the Western Australian Planning Commission of the Council decision and lodge the 'Report of Review' to the Commission.

8.2.2 Interim Audit Results for the Year Ending 30 June 2020

File Reference	4.22.00
Statutory Ref.	<i>Local Government Act 1995, Local Government Amendment (Auditing) Act 2017 and Local Government (Audit) Regulations 1996</i>
Author & Date	Geoff McKeown 14 August 2020
Attachments	Nil

Background

In November 2017, proclamation of the *Local Government Amendment (Auditing) Act 2017* introduced a number of reforms to auditing laws. The legislation requires local governments to examine an audit report it receives and implement appropriate action in respect to the significant matters raised.

The Office of the Auditor General's (OAG) Interim Audit Results Report for the year ending 30 June 2020 identified three findings, one being rated as having a significant risk.

Local governments must prepare a report addressing the matter identified in the audit report. A copy of the report must be sent to the Minister for Local Government and published on the local government's website as required by Section 7.12A of the *Local Government Act 1995*.

Comment

On the following page is an extract of the Interim Audit Results Report that relates to an identified matter of significant risk concerning Supplier Masterfile Amendments. The OAG raised concern that there is unrestricted access by all users of the accounting system to make changes to supplier records. Further, that the system is currently unable to provide an audit trail of changes made and suppliers' records are not subject to an independent review.

In response to this the Shire's Management comment included:

“There are currently limitations within the accounting software for the ability to restrict certain areas within the system, however controls have been put in place requiring that all new supplier details and amendments are to be authorised independently to the officer acquiring and checking the authenticity of the details. Secondly, the officer who enters and pays suppliers is not authorised to input new suppliers or change suppliers within the software system.

Although there is no audit trail report to identify changes to supplier records, due to the limitations with the accounting software, a review of online banking reports will highlight any bank detail changes.”

ATTACHMENT

SHIRE OF WILLIAMS
PERIOD OF AUDIT: YEAR ENDED 30 JUNE 2020
FINDINGS IDENTIFIED DURING THE INTERIM AUDIT

1. Supplier Masterfile Amendments

Finding

The Shire has not implemented sufficient and adequate internal controls around the supplier master files. We noted the following issues:

- Unrestricted access to all 6 accounting system users with the ability to make changes to suppliers' records. The system is currently unable to provide an audit trail of the changes made to supplier records.
- Amendments to suppliers' records is not subject to an independent review.

We however acknowledge that our testing to validate suppliers' information in the system did not identify any discrepancies. Our testing also included comparing staff bank account details to the suppliers' bank details.

Rating: Significant

Implication:

There is an increased risk that unauthorised changes may be made resulting in errors or funds being inappropriately transferred.

Recommendation

Management should review all the changes to supplier master files to confirm that they were valid. If not, appropriate action should be taken. In addition, access privileges to the master file should be restricted to only authorised staff, and any changes to suppliers' records should be independently reviewed.

Management's Comments

There are currently limitations within the accounting software for the ability to restrict certain areas within the system, however controls have been put in place requiring that all new supplier details and amendments are to be authorised independently to the officer acquiring and checking the authenticity of the details. Secondly, the officer who enters and pays suppliers is not authorised to input new suppliers or change suppliers within the software system.

Although there is no audit trail report to identify changes to supplier records, due to the limitations with the accounting software, a review of online banking reports will highlight any bank detail changes.

Responsible Person: Chief Executive Officer
Completion Date: Ongoing

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

If adequate control of a Suppliers' Masterfile is not in place, there is a potential risk of misappropriation of funds.

Voting Requirements

Simple

Officer's Recommendation

That Council:

1. Notes the identified significant risk matter identified in the Office of the Auditor General's Interim Audit Results Report for the Year Ending 30 June 2020 relating to Supplier Masterfile Amendments; and
2. Authorises a copy of this report to be forwarded to the Minister for Local Government and be published on the Shire's official website.

8.2.3 Use of Common Seal and Actions Performed Under Delegated Authority

File Reference	4.50.60
Statutory Ref.	Sections 5.42 and 9.49A <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 14 August 2020
Attachments	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 is provided below:

- **Investment of Shire Monies – Delegation LGA4**

Delegation - The Chief Executive Officer has delegated authority, subject to Part 3 of the *Trustees Act 1962*, to invest money held in the Municipal Fund or the Trust Fund that is not, for the time being, required by the local government for any other purpose.

Action - The Chief Executive Officer approved a transfer of:

1. \$200,000.00 from the Municipal Fund to the Municipal Fund Cash Management Account to earn interest.
2. \$200,000.00 from the Municipal Fund Cash Management Account to the Municipal Fund for payment of creditors.

- **Debt, Write-Off, Waiver or Concession – Delegation LGA9**

Delegation - The Chief Executive Officer has delegated authority to write-off debts and grant concessions in relation to any amount of money, up to an amount of \$50.00.

Action - The Chief Executive Officer authorised the write-off of \$0.80 owing on unpaid rates on Assessment No. 3106 relating to a discontinued mining tenement.

- **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 to 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 2020/21 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 July 2020.

8.3 Corporate and Community Services

8.3.1 Payment Listing

File Reference	4.23.15
Statutory Ref.	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cara Ryan 12 August 2020
Attachments	Payment listing for month ending 31 July 2020

Background

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shires municipal or trust account. In exercising their authority, and in accordance with the Local Government (Financial Management) Regulation, it is a requirement to produce a list of payments made from Councils Municipal Fund and Trust Fund bank accounts to be presented to Council in the following month.

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.

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

As listed in the recommendation below.

Voting Requirements

Simple Majority

Officer's Recommendation

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104829 – 104834 totalling \$528,485.50 approved by the Chief Executive Officer during the month of July 2020 be endorsed.

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 31 JULY 2020

DATE	NAME	DESCRIPTION	AMOUNT
MUNICIPAL - EFT, BPAY, DIRECT DEBIT & CHEQUES			
01/07/2020	FDC Educators	15 FDC Educators PE 05 July 2020	\$ 6,835.12
01/07/2020	SHIRE OF WILLIAMS	Salaries & Wages PE 01 July 2020	\$ 41,096.08
02/07/2020	CR A WATT (EFT)	Cr Sitting Fees	\$ 1,636.00
02/07/2020	CR B PANIZZA	Cr Sitting Fees	\$ 1,081.99
02/07/2020	CR GH MEDLEN (EFT)	Cr Sitting Fees	\$ 1,858.33
02/07/2020	CR JW LOGIE (EFT)	Cr Sitting Fees	\$ 8,513.00
02/07/2020	CR M CARNE (EFT)	Cr Sitting Fees	\$ 2,038.16
02/07/2020	CR NE MAJOR (EFT)	Cr Sitting Fees	\$ 1,805.75
02/07/2020	CR RD BAKER (EFT)	Cr Sitting Fees	\$ 1,850.00
02/07/2020	CR S HARDING (EFT)	Cr Sitting Fees	\$ 2,151.77
02/07/2020	CR T PRICE	Cr Sitting Fees	\$ 994.00
2/07/2020	WA SUPER	Superannuation - June 2020	\$ 15,972.98
08/07/2020	BUILDING AND ENERGY (EFT)	BSL Levy - June 2020	\$ 132.00
09/07/2020	FDC Educators	6 FDC Educators PE 12 July 2020	\$ 2,567.28
15/07/2020	SHIRE OF WILLIAMS	Salaries & Wages PE 15 July 2020	\$ 42,695.86
17/07/2020	FDC Educators	11 FDC Educators, Transition Pmt 1, 26 July 2020	\$ 2,616.78
20/07/2020	Carroll, John	Refund Overpaid Rent - Unit 1 Single Units	\$ 174.00
24/07/2020	FDC Educators	14 FDC Educators, Transition Pmt 2, 26 July 2020	\$ 3,177.48
29/07/2020	FDC Educators	14 FDC Educators PE 26 July 2020	\$ 15,699.99
29/07/2020	SHIRE OF WILLIAMS	Salaries & Wages PE 29 July 2020	\$ 43,464.12
31/07/2020	AGQUIRE RURAL HOLDINGS PTY LTD	11348 - Monthly Hardware Account - July 2020	\$ 2,110.24
31/07/2020	APRA LTD (EFT)	11555 - Annual Music Licence 2020/21	\$ 350.00
31/07/2020	AVON WASTE	11015 - Monthly Refuse Charges June 2020	\$ 9,229.07
31/07/2020	BABIC, PAUL.	11507 - Repair Flue (12 Munthoola Rd)	\$ 200.75
31/07/2020	BCITF	BCITF Levy - June 2020	\$ 191.75
31/07/2020	BEAUREPAIRES (EFT)	11465, 11471 - Tyre Exchange & Maintenance (Various)	\$ 1,216.86
31/07/2020	BEST OFFICE SYSTEMS	11561 - Monthly Printing/Copying Charges	\$ 218.41
31/07/2020	BOC Ltd (EFT)	10828 - June 2020 Container Service Fee	\$ 41.38
31/07/2020	BODDINGTON MEDICAL CENTRE	11250 - Support Doctor's Visit to Williams, 2nd Qtr '20	\$ 1,944.00
31/07/2020	BORGAS ENGINEERING	11336 - Crane Hire (Backhoe Repairs)	\$ 495.00
31/07/2020	BOYA EQUIPMENT (EFT)	11277 - Parts (Skid Steer)	\$ 901.87
31/07/2020	BP TRUST (EFT)	Monthly Fuel Account June 2020	\$ 243.28
31/07/2020	CENTRAL COUNTRY ZONE WALGA (EFT)	11448 - Annual Subscription to WCCZ 2020/21	\$ 3,058.00
31/07/2020	CHAMDEN FARMING	11350 - Construct Footpath (Lions Park)	\$ 5,211.25
31/07/2020	CONTRACT AQUATIC SERVICES	11092 - Re-surfacing Swimming Pool	\$ 20,000.00
31/07/2020	CORSIGN (EFT)	11466, 11345 - Traffic Signs & Road Signs	\$ 443.30
31/07/2020	DFES (EFT)	Return Unspent Grant Funds	\$ 14,669.96
31/07/2020	DUFF ELECTRICAL CONTRACTING	11099, 11363, 11418, 11458, 11501, 2, 4 & 6, 11512	\$ 1,967.14
31/07/2020	FUEL DISTRIBUTORS OF WA PTY LTD (EFT)	11463 - Machinery Grease	\$ 612.00
31/07/2020	GLOBAL SYNTHETICS PTY LTD	11459 - Geofabric (Carne Rd)	\$ 858.00
31/07/2020	GREAT SOUTHERN FUELS (EFT)	11467 - Bulk Fuel	\$ 10,880.76
31/07/2020	HARMONY SOFTWARE	Educators' Software Fees, Month of June 2020	\$ 198.00
31/07/2020	IRRI-TEC	11454 - Reticulation Components (Lions Park, Rec Gr)	\$ 2,957.90
31/07/2020	JP UPHOLSTERY & CANVAS	11080 - Repair to Shade Sails (Pavilion)	\$ 300.00
31/07/2020	JR & A HERSEY PTY LTD (EFT)	11476 - Protective Clothing	\$ 519.55
31/07/2020	JUNCTION BROOK PTY LTD (EFT)	11278 - Oil, Fuel & Air Filters (Various Vehicles)	\$ 1,246.30
31/07/2020	LANDGATE (EFT)	Valuation Expenses, Title Search	\$ 163.15
31/07/2020	LG PROFESSIONALS WA	11364 - Staff Training (B Logie)	\$ 730.00
31/07/2020	LGIS (EFT)	Insurances 2020-2021 (Various)	\$ 128,361.29
31/07/2020	LGIS Insurance Broking (EFT)	Insurance 2020-21 - Cargo	\$ 660.00
31/07/2020	LOCAL HEALTH AUTH. ANALYTICAL COMM	11560 - Analytical Services 2020/21	\$ 254.65
31/07/2020	M & M CONTRACTORS	11325, 11347, 11334, 11462 - Gravel Carting / Plant Hire	\$ 15,713.50
31/07/2020	McLEODS	11424 - Town Planning Advice	\$ 2,197.43
31/07/2020	MELCHIORRE PLUMBING & GAS	11359, 11472, 11480, 11505 - Various Plumbing Work	\$ 3,197.15
31/07/2020	NARROGIN BEARING SERVICE (EFT)	11284 - Parts for Backhoe	\$ 336.31
31/07/2020	NARROGIN GLASS (EFT)	11280, 11470 - Vehicle Glass Mtc (Various)	\$ 488.40
31/07/2020	NARROGIN HIRE SERVICE (EFT)	11474 - Reticulation Components (Sandalwood Ct)	\$ 395.58
31/07/2020	NARROGIN MAZDA (EFT)	11367 - Vehicle Service (Mazda CX5)	\$ 363.50
31/07/2020	PORTER CONSULTING ENGINEERS	11440 - Linemarking Plan (Lions Park Carpark)	\$ 1,320.00
31/07/2020	POWERVAC PTY LTD (EFT)	11366 - Part for Vacuum Cleaner (Pavilion)	\$ 126.55

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 31 JULY 2020

31/07/2020	PRO-MET EXTREPRESS - PARCEL PETE (EFT)	Freight - ex. CJD (Gasket Kit 1)	\$	27.30
31/07/2020	RJ SMITH ENGINEERING (EFT)	11282 - Trailer Part	\$	88.00
31/07/2020	SHIRE OF WAGIN (EFT)	EHO Expenses 12/6/2020 to 23/7/2020	\$	6,630.66
31/07/2020	SOUTH WEST ISUZU (EFT)	11289 - Truck Parts	\$	103.48
31/07/2020	STAR TRACK EXPRESS	Freight ex Boya Equipment - Skid Steer Parts	\$	110.02
31/07/2020	T-QUIP (EFT)	11473, 11283 - Mower Parts	\$	910.20
31/07/2020	THE GOODS (EFT)	11503 - Cleaning Products, Toilet Supplies	\$	749.10
31/07/2020	THE WILLIAMS WOOL SHED. (EFT)	11024, 11437, 11483 - Refreshments, Work Clothes	\$	4,799.85
31/07/2020	TOLL TRANSPORT PTY LTD	Freight - Cleaning Products, Vehicle Parts (Various)	\$	291.69
31/07/2020	TOWN PLANNING INNOVATIONS	11446, 11562 - General Planning Advice	\$	3,939.38
31/07/2020	WA CONTRACT RANGER SERVICES	11240, 11559 - Contract Ranger Services, July 2020	\$	911.62
31/07/2020	WA LOCAL GOVERNMENT ASSOCIATION (EFT)	11404, 11368 - Advertising, Councillor Training	\$	4,502.69
31/07/2020	WALLIS COMPUTER SOLUTIONS	11365, 10940 - IT Support Jun '20, Secur. Setup, Subsc.	\$	6,682.11
31/07/2020	WARRENING GULLY FARM	11461 - Gravel - Zilko	\$	5,712.00
31/07/2020	WESTRAC (EFT)	11274, 11291 - Parts (Grader)	\$	1,104.54
31/07/2020	WILLIAMS COMMUNITY RESOURCE CENTRE	Library Service at CRC	\$	10,642.07
31/07/2020	WILLIAMS GENERAL STORE (EFT)	Monthly refreshments & consumables, June 2020	\$	148.53
31/07/2020	WILLIAMS NEWSAGENCY	Monthly account June 2019	\$	8.70
31/07/2020	ESSENTIAL COFFEE PTY LTD	11509 - Consumables for Rec. Ground Coffee Machine	\$	310.37
31/07/2020	DJ & PA MUNDAY	11464 - Gravel - Zilko Rd	\$	1,932.00
01/07/2020	SYNERGY	Electricity to Swimming Pool 19/5/2020 to 16/6/2020	\$	435.17
09/07/2020	TELSTRA	Monthly Phone Usage to 19/6/2020	\$	415.16
27/07/2020	AUSTRALIAN TAXATION OFFICE	BAS - June 2020		18,406.00
22/07/2020	SYNERGY	Electricity to Streetlights, Month to 2/7/2020	\$	3,463.10
22/07/2020	TELSTRA	Telephone Charges (Various)	\$	65.25
29/07/2020	SYNERGY	Electricity - Communic. Tower Bates Rd, to 15/7/2020	\$	359.73
01/07/2020	WESTNET	Monthly CEO Internet Charges, July 2020	\$	54.99
03/06/2020	CBA	CBA - Merchant Fees June 2020	\$	102.00
17/07/2020	ANZ CARDS	Monthly Credit Card Expenses x 3	\$	571.14
01/07/2020	WATER CORPORATION.	Water Charges (Various)	\$	12,962.78
15/07/2020	WILLIAMS LICENSED POST OFFICE	11449 - Postage, Stationery	\$	696.65
15/07/2020	SYNERGY	Electricity - Residential & Public Facilities	\$	3,498.13
17/07/2020	TELSTRA	Mobile Phone Services to 1/7/2020	\$	322.50
27/07/2020	SHIRE OF WILLIAMS	Regos due 31/7/2020	\$	6,794.10
29/07/2020	Cancelled Cheque	Cheque Voided (Pmt Reversed to Change Supplier)	\$	-
			\$	<u>528,483.98</u>

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 Closure of Meeting