



SHIRE OF WILLIAMS MINUTES

ORDINARY COUNCIL MEETING
WEDNESDAY 15 NOVEMBER 2023



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SHIRE OF WILLIAMS STRATEGIC COMMUNITY PLAN 2022-2032

ECONOMIC

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

E1. Develop infrastructure and investment that is sustainable and an ongoing legacy to the Shire.

E2. 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.

SC1. To provide community infrastructure and facilities that meet the needs of the population.

SC2. To support a safe and healthy community with a strong sense of community pride.

SC3. 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. To have safe and well maintained transport network that supports local economy.

LUE4. Recognising and implementing sustainability measures.

INNOVATION, LEADERSHIP & GOVERNANCE

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

ILG1. The Shire is efficient in its operations, actively listens to the community and anticipates and responds to the community needs.

ILG2. The revenue needs of the Shire are managed in an equitable, proactive and sustainable manner.

ILG3. Effective collaboration and shared services with other relevant Local, State and Federal Government agencies, industry and community organisations.

ILG4. A strategically focused, unified Council functioning effectively ensuring compliance within the regulatory framework

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It is noted that Crs Major, Harding, Price, Panizza, Cowcher and Macnamara made a Declaration by Elected Member in accordance with the *Local Government Act 1995* and *Local Government (Constitution) Regulations 1998* on 26 October 2023.

Further, it is noted that Cr Logie made a Declaration by Elected Member in accordance with the *Local Government Act 1995* and *Local Government (Constitution) Regulations 1998* on 27 October 2023.

AGENDA

1.0 Declaration of Opening / Announcement of Visitors

The Presiding Member, President Jarrad Logie, declared the Meeting open at 3.32pm.

2.0 Record of Attendance / Apologies / Leave of Absence

Elected Members

Cr Jarrad Logie - President
 Cr Natalie Major - Deputy President
 Cr Simon Harding
 Cr Tracey Price
 Cr Bernie Panizza
 Cr Christine Cowcher
 Cr John Macnamara

Staff

Geoff McKeown - Chief Executive Officer
 Britt Logie - Community Development Officer (4.35pm to 4.52pm)
 Manuela Lenehan - Minute Taker

Visitors – Peter Stubbs (Incoming CEO)

Apologies - Nil

Leave of Absence – Nil

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

ELECTION OF PRESIDENT

File Reference	4.1.40
Subject	Election of Shire President
Statutory Reference	<i>Local Government Act 1995</i> (Sections 2.11 to 2.15 and Schedules 2.3 and 4.1 and <i>Local Government (Constitution) Regulations 1998</i>
Author & Date	Geoff McKeown 9 November 2023

Background

The *Local Government Act 1995* (Sections 2.11 to 2.15 and Schedules 2.3 and 4.1) outlines procedures for the election process for the Shire President and Deputy Shire President. In each case the following procedures have to be adhered to:

- i) The election for the Shire President is conducted by the Chief Executive Officer. The election for the Deputy Shire President is conducted by the (newly elected) Shire President.
- ii) Nominations for Shire President and Deputy Shire President must be given in writing.
 - a) Nominations for Shire President must be given in writing to the Chief Executive Officer.
 - b) Nominations for Deputy Shire President must be given in writing to the Shire President.

- iii) If a Councillor is nominated by another Councillor, the Chief Executive Officer or Shire President (as the case may be) is NOT to accept the nomination unless the nominee has advised the Chief Executive Officer or Shire President orally or in writing that he or she is willing to be nominated for the office.
- iv) Councillors are to vote on the nominations by secret ballot just as they would at any Council election. Councillors who have accepted a nomination are entitled to cast a vote in the same way as those Councillors not nominated.
- v) Votes are cast in accordance with Section 4.69 of the Act and counted by the Chief Executive Officer.
- vi) If there is an equality of votes, the meeting is adjourned for a period of not more than 7 days.
- vii) During the 7-day period up until the adjourned meeting resumes, existing candidates may withdraw their nominations or new nominations can be made (provisions still apply in relation to written nominations and willingness to accept nominations where the nominee is not the nominating person).
- viii) Upon resumption of the adjourned meeting, Councillors all vote for a second time and if there is a clear winner that person is declared.
- ix) If upon the second count there is still an equality of votes, the Chief Executive Officer is to draw lots to ascertain a winner.

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

2.29. Declaration

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

Comment

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

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

Cr Logie assumed the chair at 3.34pm.

ELECTION OF DEPUTY PRESIDENT

File Reference	4.1.40
Subject	Election of Deputy Shire President
Statutory Reference	<i>Local Government Act 1995</i> (Sections 2.11 to 2.15 and Schedules 2.3 and 4.1 and <i>Local Government (Constitution) Regulations 1998</i>
Author & Date	Geoff McKeown 9 November 2023

Background

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

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

2.29. Declaration

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

Comment

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

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

3.0 Public Question Time

Nil

4.0 Petitions / Deputations / Presentations

Nil

5.0 Declarations of Interest

DECLARATION OF INTEREST	
Name / Position	Cr Natalie Major / Deputy President
Item No. / Subject	8.2.3 Reimbursement of Williams Golf Club Rates
Type of Interest	Impartiality

6.0 Confirmation of Minutes of Previous Meetings

6.1 Ordinary Council Meeting Held 18 October 2023

Officer’s Recommendation

That the Minutes of the Ordinary Council Meeting held 18 October 2023, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Moved: Cr Cowcher / **Seconded:** Cr Price

That the Minutes of the Ordinary Council Meeting held 18 October 2023, as previously circulated, be confirmed as a true and accurate record.

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Carried 7/0
Against: Nil
Resolution 50/24

7.0 Announcements by Presiding Member Without Discussion

Nil

8.0 Matters Which Require Decisions

8.1 Corporate and Community Services

8.1.1 Payment Listing

File Reference	4.23.15
Statutory Ref.	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cassie Barker 9 November 2023
Attachments	Payment listing for month ending 31 October 2023

Background

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shire’s 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

Regulation 13 of the *Local Government (Financial Management) Regulations 1995* states:

13. Payments from municipal fund or trust fund by CEO, CEO’s duties as to etc.

(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 104994 – 104999 totalling 597,093.83 approved by the Chief Executive Officer during the month of October 2023 be endorsed.

Council Resolution

Moved: Cr Price / **Seconded:** Cr Major

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104994 – 104999 totalling 597,093.83 approved by the Chief Executive Officer during the month of October 2023 be endorsed.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 51/24

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 31 OCTOBER 2023

DATE	NAME	DESCRIPTION	AMOUNT
MUNICIPAL - EFT, BPAY, DIRECT DEBIT & CHEQUES			
04/10/2023	FDC EDUCATORS	FDC Educators PE 1/10/2023	\$25,953.66
05/10/2023	SHIRE OF WILLIAMS	Salaries & Wages PE 4/10/2023	\$50,498.68
06/10/2023	WA SUPER	Superannuation - September 2023	\$24,708.67
11/10/2023	BUILDING AND ENERGY	BSL collection - September 2023	\$56.65
18/10/2023	FDC EDUCATORS	FDC Educators PE 15/10/2023	\$30,329.32
18/10/2023	TOTAL IMAGE GROUP	13335 - Staff Uniforms (Various)	\$1,325.81
18/10/2023	BODDINGTON CARPET CARE	13334 - Carpet Cleaning (6 Richardson St)	\$300.00
19/10/2023	SHIRE OF WILLIAMS	Salaries & Wages 18/10/2023	\$52,635.52
26/10/2023	AVON WASTE	13357 - Monthly Refuse Charges September 2023	\$9,919.21
26/10/2023	BOC Ltd	13299 - September 2023 Container Service Fee	\$42.63
26/10/2023	CR MOYA CARNE	Cr Sitting Fees & Travel	\$1,306.72
26/10/2023	CR ROBERT BAKER	Cr Sitting Fees	\$868.00
26/10/2023	DFES.	Var. Buildings (Local Government ESL)	\$3,630.01
26/10/2023	DORMAKABA AUSTRALIA PTY LTD	Automatic Doors Serviced (x2)	\$253.00
26/10/2023	DUFF ELECTRICAL CONTRACTING	13384 - Supply of Lights for Upgrade (Ram Shed)	\$4,125.00
26/10/2023	E & MJ ROSHER PTY LTD (EFT)	13421 - Filters (Kubota Machinery)	\$769.93
26/10/2023	FAMILY DAY CARE WA INC	Annual Membership - 2023/2024	\$200.00
26/10/2023	FIRST REEF PTY LTD	Monthly IT Management for Marradong Directory - August to September	\$590.70
26/10/2023	FULTON HOGAN (EFT)	13239 - 2 Bulka Bags Coldmix (Rural Roads)	\$1,408.00
26/10/2023	GREAT SOUTHERN FUELS	13283 - Bulk Fuel	\$15,686.44
26/10/2023	H+ H ARCHITECTS	13084, 13228, 13393, 13395 - Consultants' Fees	\$16,665.55
26/10/2023	LENEHAN, J	Reimbursement - Work Pants	\$132.00
26/10/2023	MELCHIORRE PLUMBING & GAS	13247, 13333 - Plumbing Works (Various)	\$534.60
26/10/2023	NARROGIN BEARING SERVICE	13419 - Wheel Bearing (Trailer)	\$77.36
26/10/2023	NARROGIN GLASS	13411 - Polycarbonate Screen (Kubota Utility Vehicle)	\$90.95
26/10/2023	NARROGIN TOYOTA	13240 - 70,000km Service (Toyota Hilux)	\$972.77
26/10/2023	PETER STUBBS	Pre-Employment Re-imburements (Medical & Police Clearance) - P Stubbs	\$297.40
26/10/2023	PRIME AG SERVICES - WILLIAMS	13250 - Herbicide (Town Streets)	\$790.00
26/10/2023	REGIONAL FIRE & SAFETY	13087, 13390 - Service Fire Equipment	\$4,244.90
26/10/2023	SCINTEX PTY LTD	13453 - Vehicle Mounted Fogger	\$5,699.00
26/10/2023	SHIRE OF DUMBLYUNG	4WDL Key Worker Housing Project - LG Charge	\$7,150.00
26/10/2023	STAR TRACK EXPRESS	Freight ex Greenway Turf (Various)	\$56.65
26/10/2023	SYSTEM MAINTENANCE	13232 - Sewer Pump Station Rebuild	\$23,162.20
26/10/2023	TEAM GLOBAL EXPRESS	Freight - Various	\$101.81
26/10/2023	THE GOODS	13381, 13383 - Cleaning Products (Various)	\$937.86
26/10/2023	THE WILLIAMS COMMUNITY NEWSPAPER.	Photocopy Charges for Shire Notes	\$81.00
26/10/2023	THE WILLIAMS WOOL SHED.	13382 - Catering (DFES Meeting)	\$182.00
26/10/2023	TOWN PLANNING INNOVATIONS	13396 - General Planning Advice for September 2023	\$866.25
26/10/2023	WESFARMERS KLEENHEAT GAS PTY LTD	13331 - Bulk Gas (Pavilion & Town Hall)	\$913.32
26/10/2023	WESTRAC	13417 - Parts & Oil (CAT Machinery)	\$360.89
26/10/2023	WILD HARVEST CAFE	Refreshments (2 Meetings)	\$151.00
26/10/2023	WILLIAMS COMMUNITY RESOURCE CENTRE	Working At Heights Workshop (D Read)	\$280.00
26/10/2023	WILLIAMS NEWSAGENCY	Monthly Account September- 2023	\$179.55
26/10/2023	WILLIAMS RURAL SUPPLIES	13363, Monthly Hardware Account - September 2023	\$6,330.81
27/10/2023	BW TRUCK PARTS	13422 - Parts (Semi Water Tanker)	\$346.50
27/10/2023	CHATTERBOX CAFE & GALLERY	13388 - Refreshments (October Council Meeting)	\$112.50
27/10/2023	CORNER'S AUTOMOTIVE ELECTRICS	13427 - Regas Airconditioner (CASE Roller)	\$401.50
27/10/2023	HARMONY SOFTWARE	Educators' Software Fees, Month of September 2023	\$360.40
27/10/2023	LGIS	Insurances (Various) - 2nd Instalment	\$129,668.16
27/10/2023	LO-GO APPOINTMENTS WA	13268 - Recruitment Services (50%) Plus Incidentals - CEO Position	\$6,200.11
27/10/2023	MCINTOSH & SON NARROGIN	13424 - Parts (Small Machinery)	\$79.70
27/10/2023	MELCHIORRE PLUMBING & GAS	13338, 13244 - Plumbing Works (Various)	\$966.24
27/10/2023	MISTER YARDMAN	13385 - Rotary Hoe at Quindanning Playground	\$132.00
27/10/2023	NARROGIN BEARING SERVICE	13425 - Part (Volvo Excavator)	\$54.59
27/10/2023	NARROGIN PACKAGING	13341 - Reticulation Cable (Sandalwood Crt)	\$238.90
27/10/2023	NARROGIN TOYOTA	13102 - Chainsaw Chains	\$143.00
27/10/2023	PUBLIC LIBRARIES WA INC	2023/24 Membership (Public Libraries WA)	\$250.00
27/10/2023	SUNNY INDUSTRIAL BRUSHWARE PTY LTD	13243 - Brushes for Skid Steer	\$935.00
27/10/2023	TEAM GLOBAL EXPRESS	Freight - Various	\$260.03
27/10/2023	THE GOODS	13381 - Hand Towels (Childcare Centre)	\$95.17
31/10/2023	EDWARDS ISUZU UTE	13451 - Isuzu D-Max 4x4 (2023)	\$29,933.67
31/10/2023	SHIRE OF PLANTAGENET	Feral Pig Control - July to August 2023	\$14,865.40

SHIRE OF WILLIAMS PAYMENT LISTING FOR THE MONTH ENDING 31 OCTOBER 2023

DATE	NAME	DESCRIPTION	AMOUNT
26/10/2023	TELSTRA	Pool Telephone to 19/10/2023	\$34.54
11/10/2023	SYNERGY	Electricity - Communication Tower Bates Rd, 20/7/2023 to 28/9/2023	\$537.11
11/10/2023	TELSTRA	Monthly Phone Usage to 19/9/2023	\$393.26
18/10/2023	TELSTRA	Mobile Phone Services to 1/10/2023	\$313.69
26/10/2023	SYNERGY	Electricity to Swimming Pool 19/9/2023 to 17/10/2023	\$1,194.89
03/10/2023	TELSTRA	Pool Telephone to 19/9/2023	\$34.54
23/10/2023	AUSTRALIAN TAXATION OFFICE	BAS September 2023	\$37,037.00
01/10/2023	WESTNET	Monthly CEO Internet Charges, October 2023	\$54.99
2-31 Oct 23	DEPARTMENT OF PLANNING & INFRASTRUCTURE	DPI Payment	\$38,466.10
03/10/2023	CBA	CBA - Merchant Fees Sept 2023	\$1,449.66
16/10/2023	WA TREASURY CORPORATION	Loan#65 Industrial Land - Repayment	\$11,809.89
19/10/2023	ANZ CARDS	Monthly Credit Card Expenses x 2 (see details below)	\$3,466.41
30/10/2023	WA TREASURY CORPORATION	Loan Repayment - #72 Bowling Club	\$11,878.48
16/10/2023	WILLIAMS LICENSED POST OFFICE	Petty Cash Recoup	\$162.55
18/10/2023	WATER CORPORATION.	Water Charges - Various	\$7,936.42
26/10/2023	WATER CORPORATION.	Water Use - Various	\$2,204.06
26/10/2023	WILLIAMS LICENSED POST OFFICE	Library Postage Charges - September 2023	\$211.55
			\$597,093.83

19/10/2023	ANZ CARDS	Monthly Credit Card Expenses x 2	-3,466.41
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Geoff McKeown - CEO

		Western Power - Application 9A New St	498.91
		Google - Marradong Trail Promotion	16.80
	PLANT:P089 Kubota Utility Vehicle WL10089	Vehicle Registration (Insurance) - Kubota Side-by-Side WL10089	325.73
	PLANT:P089 Kubota Utility Vehicle WL10089	Vehicle Registration - Kubota Side-by-Side WL10089	41.40

Sharon Palumbo - Manager of Children's Services

		Professional Development	240.00
	PLANT:P084 CX-5 2022 WL036 (FDC)	27.01L Fuel	49.09
		Batteries	12.50
	PLANT:P084 CX-5 2022 WL036 (FDC)	33.3L Fuel	59.34
		Parking for PD	22.73
	PLANT:P084 CX-5 2022 WL036 (FDC)	32.02L Fuel	69.49
		Baby Wipes / Refreshments	32.73
	PLANT:P084 CX-5 2022 WL036 (FDC)	35.85L Fuel	60.91
		Meals x3	27.85
		Accommodation	150.00
	PLANT:P084 CX-5 2022 WL036 (FDC)	48.07L Fuel	89.10
		First Aid Training - Staff	1,450.00
		Baby Wipes, Gloves	51.82
		Annual Card Fees	150.00
	AUSTRALIAN TAXATION OFFICE	Non-Cap. Acq. - Inc GST	118.01
			3,466.41

8.1.2 Financial Statements

File Reference	4.23.15
Statutory Ref.	<i>Local Government (Financial Management) Regulations 1996</i>
Author & Date	Cassie Barker 9 November 2023
Attachments	Financial Statements ending 31 October 2023

Background

In accordance with the *Local Government Act 1995*, a statement of financial activity must be presented at an Ordinary Meeting of Council. This is required to be presented within two months, after the end of the month, to which the statement relates.

The statement of financial activity is to report on the revenue and expenditure as set out in the annual budget for the month, including explanations of any variances. *Regulation 34*, from the *Local Government (Financial Management) Regulations 1996* sets out the detail that is required to be included in the reports.

Statutory Implications

Local Government (Financial Management) Regulations 1996 - Regulation 34.

Comment

The attached monthly financial statements and supporting information have been compiled to meet compliance with the Local Government Act 1995 and associated Regulations.

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 disclosed in the financial statements.

Voting Requirements

Simple Majority

Officer's Recommendation

That the financial statements presented for the period ending 31 October 2023 be received.

Council Resolution

Moved: Cr Harding / **Seconded:** Cr Panizza

That the financial statements presented for the period ending 31 October 2023 be received.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 52/24

SHIRE OF WILLIAMS



MONTHLY FINANCIAL REPORT

(Containing the required statement of financial activity and statement of financial position)
For the period ended 31 October 2023

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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SHIRE OF WILLIAMS
STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2023

	Supplementary Information	Adopted Budget Estimates (a) \$	YTD Budget Estimates (b) \$	YTD Actual (c) \$	Variance* \$ (c) - (b) \$	Variance* % ((c) - (b))/(b) %	Var.
OPERATING ACTIVITIES							
Revenue from operating activities							
Rates	10	2,245,399	2,243,398	2,242,019	(1,379)	(0.06%)	
Grants, subsidies and contributions	13	469,870	379,629	237,755	(141,874)	(37.37%)	▼
Fees and charges		1,093,829	352,585	401,747	49,162	13.94%	▲
Service charges		0	0	0	0	0.00%	
Interest revenue		80,500	26,833	47,242	20,409	76.06%	▲
Other revenue		39,775	15,867	19,616	3,749	23.63%	▲
Profit on asset disposals	6	6,814	0	13,769	13,769	0.00%	▲
Fair value adjustments to financial assets at fair value through profit or loss		0	0	0	0	0.00%	
Fair value adjustments to investment property		0	0	0	0	0.00%	
Share of net profit of associates and joint ventures accounted for using the equity method		0	0	0	0	0.00%	
		3,936,187	3,018,312	2,962,148	(56,164)	(1.86%)	
Expenditure from operating activities							
Employee costs		(1,914,703)	(637,385)	(726,531)	(89,146)	(13.99%)	▼
Materials and contracts		(1,387,703)	(555,078)	(427,854)	127,224	22.92%	▲
Utility charges		(251,190)	(76,506)	(45,405)	31,101	40.65%	▲
Depreciation		(1,953,425)	(648,767)	(654,881)	(6,114)	(0.94%)	▼
Finance costs		(19,189)	(7,777)	(7,982)	(205)	(2.64%)	
Insurance		(165,012)	(165,012)	(168,910)	(3,898)	(2.36%)	
Other expenditure		(25,100)	(33)	(16,885)	(16,852)	(51066.67%)	▼
Loss on asset disposals	6	(9,782)	0	(1,809)	(1,809)	0.00%	
Loss on revaluation of non-current assets		0	0	0	0	0.00%	
Reversal of prior year loss on revaluation of assets		0	0	0	0	0.00%	
		(5,726,104)	(2,090,558)	(2,050,257)	40,301	1.93%	
Non-cash amounts excluded from operating activities	Note 2(b)	1,956,393	648,767	642,921	(5,846)	(0.90%)	▼
Amount attributable to operating activities		166,476	1,576,521	1,554,812	(21,709)	(1.38%)	
INVESTING ACTIVITIES							
Inflows from investing activities							
Proceeds from capital grants, subsidies and contributions	14	723,437	3,300	0	(3,300)	(100.00%)	▼
Proceeds from disposal of assets	6	60,500	25,500	46,196	20,696	81.16%	▲
Proceeds from financial assets at amortised cost - self supporting loans		17,693	8,772	8,772	0	0.00%	
Distributions from investments in associates		0	0	0	0	0.00%	
		801,630	37,572	54,968	17,396	46.30%	
Outflows from investing activities							
Payments for financial assets at amortised cost - self supporting loans		0	0	0	0	0.00%	
Payments for investments in associates		0	0	0	0	0.00%	
Payments for property, plant and equipment	5	(1,488,500)	(180,000)	(229,734)	(49,734)	(27.63%)	▼
Payments for construction of infrastructure	5	(1,391,293)	(3,000)	(25,205)	(22,205)	(740.18%)	▼
Payments for investment property	5	0	0	0	0	0.00%	
Payments for intangible assets	5	0	0	0	0	0.00%	
		(2,879,793)	(183,000)	(254,939)	(71,939)	(39.31%)	
Non-cash amounts excluded from investing activities	Note 2(b)	0	0	0	0	0.00%	
Amount attributable to investing activities		(2,078,163)	(145,428)	(199,971)	(54,543)	(37.51%)	
FINANCING ACTIVITIES							
Inflows from financing activities							
Proceeds from new debentures	11	0	0	0	0	0.00%	
Transfer from reserves	4	931,500	0	0	0	0.00%	
		931,500	0	0	0	0.00%	
Outflows from financing activities							
Repayment of borrowings	11	(75,989)	(25,904)	(25,904)	0	0.00%	
Payments for principal portion of lease liabilities		0	0	0	0	0.00%	
Transfer to reserves	4	(372,500)	0	(23,059)	(23,059)	(89.02%)	▼
		(448,489)	(25,904)	(48,963)	(23,059)	(89.02%)	
Amount attributable to financing activities		483,011	(25,904)	(48,963)	(23,059)	(89.02%)	
MOVEMENT IN SURPLUS OR DEFICIT							
Surplus or deficit at the start of the financial year		1,428,676	1,428,676	1,198,283	(230,393)	(16.13%)	▼
Amount attributable to operating activities		166,476	1,576,521	1,554,812	(21,709)	(1.38%)	▼
Amount attributable to investing activities		(2,078,163)	(145,428)	(199,971)	(54,543)	(37.51%)	▼
Amount attributable to financing activities		483,011	(25,904)	(48,963)	(23,059)	(89.02%)	▼
Surplus or deficit after imposition of general rates		0	2,833,865	2,504,161	(329,704)	(11.63%)	▼

KEY INFORMATION

▲▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold.

* Refer to Note 3 for an explanation of the reasons for the variance.

This statement is to be read in conjunction with the accompanying Financial Statements and Notes.

SHIRE OF WILLIAMS
STATEMENT OF FINANCIAL POSITION
FOR THE PERIOD ENDED 31 OCTOBER 2023

	Supplementary Information	30 June 2022	31 October 2023
		\$	\$
CURRENT ASSETS			
Cash and cash equivalents	3	3,390,001	4,362,747
Trade and other receivables		139,127	604,280
Other financial assets		22,693	11,421
Inventories	8	21,068	24,855
Contract assets	8	0	0
Other assets	8	0	0
Assets classified as held for sale		0	0
TOTAL CURRENT ASSETS		3,572,889	5,003,303
NON-CURRENT ASSETS			
Trade and other receivables		0	0
Other financial assets		207,701	207,701
Inventories		0	0
Investment in associate		0	0
Property, plant and equipment		17,295,266	17,351,067
Infrastructure		66,457,278	65,967,298
Right-of-use assets		0	0
Investment property		61,117	61,117
Intangible assets		0	0
TOTAL NON-CURRENT ASSETS		84,021,362	83,587,183
TOTAL ASSETS		87,594,251	88,590,486
CURRENT LIABILITIES			
Trade and other payables	9	291,300	130,592
Other liabilities	12	5,000	275,957
Lease liabilities		0	0
Borrowings	11	75,989	60,066
Employee related provisions	12	354,566	354,566
Other provisions	12	0	0
TOTAL CURRENT LIABILITIES		726,855	821,181
NON-CURRENT LIABILITIES			
Other liabilities		0	0
Lease liabilities		0	0
Borrowings	11	439,890	429,909
Employee related provisions		14,757	14,757
Other provisions		0	0
TOTAL NON-CURRENT LIABILITIES		454,647	444,666
TOTAL LIABILITIES		1,181,502	1,265,847
NET ASSETS		86,412,749	87,324,639
EQUITY			
Retained surplus		23,612,432	24,524,323
Reserve accounts	4	1,719,674	1,719,674
Revaluation surplus		61,080,642	61,080,642
TOTAL EQUITY		86,412,748	87,324,639

This statement is to be read in conjunction with the accompanying notes.

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 OCTOBER 2023

1 BASIS OF PREPARATION AND SIGNIFICANT ACCOUNTING POLICIES

BASIS OF PREPARATION

This prescribed financial report has been prepared in accordance with the *Local Government Act 1995* and accompanying regulations.

Local Government Act 1995 requirements

Section 6.4(2) of the *Local Government Act 1995* read with the *Local Government (Financial Management) Regulations 1996*, prescribe that the financial report be prepared in accordance with the *Local Government Act 1995* and, to the extent that they are not inconsistent with the Act, the Australian Accounting Standards. The Australian Accounting Standards (as they apply to local governments and not-for-profit entities) and Interpretations of the Australian Accounting Standards Board were applied where no inconsistencies exist.

The *Local Government (Financial Management) Regulations 1996* specify that vested land is a right-of-use asset to be measured at cost, and is considered a zero cost concessionary lease. All right-of-use assets under zero cost concessionary leases are measured at zero cost rather than at fair value, except for vested improvements on concessionary land leases such as roads, buildings or other infrastructure which continue to be reported at fair value, as opposed to the vested land which is measured at zero cost. The measurement of vested improvements at fair value is a departure from AASB 16 which would have required the Shire to measure any vested improvements at zero cost.

Local Government (Financial Management) Regulations 1996, regulation 34 prescribes contents of the financial report. Supporting information does not form part of the financial report.

Accounting policies which have been adopted in the preparation of this financial report have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the financial report has been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All funds through which the Shire controls resources to carry on its functions have been included in the financial statements forming part of this financial report.

All monies held in the Trust Fund are excluded from the financial statements. A separate statement of those monies appears at Note 15 to these financial statements.

Judgements and estimates

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses.

The estimates and associated assumptions are based on historical experience and various other factors believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

The balances, transactions and disclosures impacted by accounting estimates are as follows:

- estimated fair value of certain financial assets
- impairment of financial assets
- estimation of fair values of land and buildings, infrastructure and investment property
- estimation uncertainties made in relation to lease accounting
- estimated useful life of intangible assets

SIGNIFICANT ACCOUNTING POLICES

Significant accounting policies utilised in the preparation of these statements are as described within the 2023-24 Annual Budget. Please refer to the adopted budget document for details of these policies.

PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 09 November 2023

SHIRE OF WILLIAMS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2023

2 STATEMENT OF FINANCIAL ACTIVITY INFORMATION

	Supplementary Information	Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 31 October 2023
(a) Net current assets used in the Statement of Financial Activity				
Current assets				
Cash and cash equivalents	3	1,402,324	3,390,000	4,362,747
Trade and other receivables		139,128	139,127	604,279
Other financial assets		212,700	22,693	11,421
Inventories	8	21,068	21,068	24,855
Contract assets	8		0	0
Other assets	8		0	0
Assets classified as held for sale			0	0
		1,775,220	3,572,888	5,003,302
Less: current liabilities				
Trade and other payables	9	(291,301)	(291,301)	(130,592)
Other liabilities	12	(5,000)	(5,000)	(275,957)
Lease liabilities			0	0
Borrowings	11	(75,989)	(75,989)	(60,066)
Employee related provisions	12	(354,566)	(354,566)	(354,566)
Other provisions	12		0	0
		(726,856)	(726,856)	(821,181)
Net current assets		1,048,364	2,846,032	4,182,121
Less: Total adjustments to net current assets	Note 2(c)	(1,683,353)	(1,647,749)	(1,677,959)
Closing funding surplus / (deficit)		(634,989)	1,198,283	2,504,161

(b) Non-cash amounts excluded from operating activities

The following non-cash revenue and expenditure has been excluded from operating activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

	Adopted Budget	YTD Budget (a)	YTD Actual (b)
Non-cash amounts excluded from operating activities			
Adjustments to operating activities			
Less: Profit on asset disposals	6	(6,814)	0
Less: Reversal of prior year loss on revaluation of non-current assets		0	0
Less: Non-cash grants and contributions for assets			
Less: Movement in liabilities associated with restricted cash			
Less: Fair value adjustments to financial assets at amortised cost		0	0
Less: Fair value adjustments to investment property		0	0
Less: Share of associates net profit for the period		0	0
Add: Loss on asset disposals	6	9,782	0
Add: Loss on revaluation of non current assets		0	0
Add: Depreciation		1,953,425	648,767
Movement in contract liabilities (non-current)			0
Movement in current employee provisions associated with restricted cash			
Non-cash movements in non-current assets and liabilities:			
- Financial assets at amortised cost - term deposits			0
- Pensioner deferred rates			0
- Inventory			0
- Investment property			0
- Employee provisions			0
- Other provisions			0
Total non-cash amounts excluded from operating activities		1,956,393	648,767
			642,921

(b) Non-cash amounts excluded from investing activities

The following non-cash revenue and expenditure has been excluded from investing activities within the Statement of Financial Activity in accordance with *Financial Management Regulation 32*.

Adjustments to investing activities			
Movement in non current liabilities for transfers to acquire or construct non-financial assets to be controlled by the entity			0
Movement in non-current unspent capital grants liability			
Property, plant and equipment received for substantially less than fair value			
Infrastructure received for substantially less than fair value			
Movement in current unspent capital grants associated with restricted cash			
Movement in current other provision associated with restricted cash			
Movement in current liabilities for transfers to acquire or construct non-financial assets to be controlled by the entity associated with restricted cash			
Total non-cash amounts excluded from investing activities		0	0

(c) Current assets and liabilities excluded from budgeted deficiency

The following current assets and liabilities have been excluded from the net current assets used in the Statement of Financial Activity in accordance with *Financial Management Regulation 32* to agree to the surplus/(deficit) after imposition of general rates.

	Adopted Budget Opening 30 June 2023	Last Year Closing 30 June 2023	Year to Date 31 October 2023
Adjustments to net current assets			
Less: Reserve accounts	4	(1,719,674)	(1,742,733)
Less: Financial assets at amortised cost - self supporting loans	8		(22,693)
Less: Current assets not expected to be received at end of year:			
- Current financial assets at amortised cost - self supporting loans			(17,693)
- Land held for resale			
- Rates receivable			
- Other liabilities [describe]			
- Other liabilities [describe]			
Add: Current liabilities not expected to be cleared at the end of the year:			
- Current portion of borrowings	11	75,989	60,066
- Current portion of lease liabilities		0	0
- Current portion of contract liability held in reserve			
- Current portion of unspent capital grants held in reserve			
- Current portion of other provisions held in reserve			
- Current portion of employee benefit provisions held in reserve	4	36,322	36,322
- Current portion of user defined			
Total adjustments to net current assets	Note 2(a)	(1,683,352)	(1,647,749)
			(1,677,959)

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. Unless otherwise stated assets or liabilities are classified as current if expected to be settled within the next 12 months, being the Council's operational cycle.

SHIRE OF WILLIAMS
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 31 OCTOBER 2023

3 EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date actual materially.
The material variance adopted by Council for the 2023-24 year is \$5,000 or 5.00% whichever is the greater.

Description	Var. \$	Var. %	
	\$	%	
Revenue from operating activities			
Rates	0	0.00%	
Grants, subsidies and contributions	(141,874)	(37.37%)	▼
Timing Variance			
Fees and charges	49,162	13.94%	▲
Timing Variance			
Service charges	0	0.00%	
Interest revenue	20,409	76.06%	▲
Timing Variance			
Other revenue	3,749	23.63%	▲
Timing Variance			
Profit on asset disposals	13,769	0.00%	▲
Timing Variance			
Fair value adjustments to financial assets at fair value through profit or loss	0	0.00%	
Fair value adjustments to investment property	0	0.00%	
Share of net profit of associates and joint ventures accounted for using the equity method	0	0.00%	
Expenditure from operating activities			
Employee costs	(89,146)	(13.99%)	▼
Timing Variance			
Materials and contracts	127,224	22.92%	▲
Timing Variance			
Utility charges	31,101	40.65%	▲
Timing Variance			
Depreciation	(6,114)	(0.94%)	▼
Finance costs	0	0.00%	
Insurance	0	0.00%	
Other expenditure	(16,852)	(51066.67%)	▼
Timing Variance			
Loss on asset disposals	0	0.00%	
Loss on revaluation of non-current assets	0	0.00%	
Reversal of prior year loss on revaluation of assets	0	0.00%	
Non-cash amounts excluded from operating activities	(5,846)	(0.90%)	▼
Inflows from investing activities			
Proceeds from capital grants, subsidies and contributions	(3,300)	(100.00%)	▼
Timing Variance			
Proceeds from disposal of assets	20,696	81.16%	▲
Proceeds from financial assets at amortised cost - self supporting loans	0	0.00%	
Distributions from investments in associates	0	0.00%	
Outflows from investing activities			
Payments for financial assets at amortised cost - self supporting loans	0	0.00%	
Payments for investments in associates	0	0.00%	
Payments for property, plant and equipment	(49,734)	(27.63%)	▼
Timing Variance			
Payments for construction of infrastructure	(22,205)	(740.18%)	▼
Timing Variance			
Payments for investment property	0	0.00%	
Payments for intangible assets	0	0.00%	
Non-cash amounts excluded from investing activities	0	0.00%	
Inflows from financing activities			
Proceeds from new debentures	0	0.00%	
Transfer from reserves	0	0.00%	
Outflows from financing activities			
Repayment of borrowings	0	0.00%	
Payments for principal portion of lease liabilities	0	0.00%	
Transfer to reserves	(23,059)	0.00%	▼
Monthly OCDF Interest			
Surplus or deficit at the start of the financial year	(230,393)	(16.13%)	▼
Surplus or deficit after imposition of general rates	(329,704)	(11.63%)	▼
Due to variances described above			

8.2 Office of the Chief Executive Officer

8.2.1 Gifting of iPads to Retiring Councillors

File Reference	4.1.10
Statutory Ref.	Sections 3.58, 5.50 and 5.100A <i>Local Government Act 1995</i> ; r19A and r34AC <i>Local Government (Administration) Regulations 1996</i> and r30 <i>Local Government (Functions and General) Regulations 1996</i>
Author & Date	Geoff McKeown 21 October 2023
Attachments	Nil

Background

The Shire of Williams provides Councillors and some Senior Staff with an iPad/tablet for the term of their election or employment. Council has a Policy (C 3.3 iPads/Tablets – Provision for Councillors / Senior Staff Policy) that includes the following wording:

“The iPad/Tablet device and associated accessories that have been provided by the Shire, at all times, remain in the ownership of the Shire.”

and

“Council may, at its discretion, approve the gifting of an iPad/Tablet used by a Councillor or employee on their cessation of tenure or employment, as the case may be.”

Comment

It has been the practice to gift iPads to retiring Councillors. The terms for Moya Carne and Bob Baker concluded on the 21 October 2023. This item recommends the gifting of the iPads they used during their terms.

Regulation 34AC *Local Government (Administration) Regulations 1996* outlines the limits for a gift to a retiring council member. They must have served as least one full 4-year term of office, and the value is not to exceed \$100 for each year of service, up to a maximum of \$1,000.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

- 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

Each iPad has an estimated value under \$150.00.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council gift a second-hand iPad each to Moya Carne and Bob Baker on their retirement as a council member, acknowledging that the value of the gift is in accordance with r34AC *Local Government (Administration) Regulations 1996*.

Council Resolution

Moved: Cr Major / **Seconded:** Cr Price

That Council gift a second-hand iPad each to Moya Carne and Bob Baker on their retirement as a council member, acknowledging that the value of the gift is in accordance with r34AC Local Government (Administration) Regulations 1996.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 53/24

8.2.2 Development Assessment Panels – Local Government Nominations

File Reference	10.60.10
Statutory Ref.	<i>Planning and Development (Development Assessment Panels) Regulations 2011</i>
Author & Date	Geoff McKeown 23 October 2023
Attachments	Nil

Background

Following the local government elections held on 21 October 2023, Council is asked to consider its membership on a Development Assessment Panel (DAP).

The legislation establishing DAPs came into operation on 2011 and included provisions for four (4) elected members from local governments to be nominated as members of the DAP.

Existing local government DAP members are currently appointed for a term ending 26 January 2024. The Department of Planning, Lands and Heritage is requesting that prior to this expiry date, the local government nominate four (4) DAP members for appointment by the Minister for Planning. Nominations are required by Friday, 24 November 2023.

Comment

In 2021 the Shire of Williams nominated Councillors Major and Carne as members with Councillors Price and Logie as alternate members.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

CL 4.4 Monitor and ensure compliance with regulatory framework for local government business.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council nominate Councillors and as members with Councillors and as alternate members to represent the Shire of Williams on a Development Assessment Panel.

Council Resolution

Moved: Cr Macnamara / **Seconded:** Cr Panizza

That Council nominate Councillors Harding and Price as members with Councillors Major and Cowcher as alternate members to represent the Shire of Williams on a Development Assessment Panel.

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Carried 7/0

Against: Nil

Resolution 54/24

Cr Major declared an Impartiality Interest in the following Item 8.2.3 Reimbursement of Williams Golf Club Rates.

Cr Major remained in the meeting, took part in the discussion and voted on the item.

The nature of her interest relates to her being a member of the Williams Golf Club.

8.2.3 Reimbursement of Williams Golf Club Rates

File Reference	11.70.55
Statutory Ref.	Local government Act 1995, section 6.12
Author & Date	Geoff McKeown 24 October 2023
Attachments	Nil

Background

The Williams Golf Club is issued with a Rates Notice each year that includes land rates, ESL levy and rubbish charges.

Since 1982 the Club has had an agreement with the Shire that the component of the charges, relating to land rates and ESL levy, have been reimbursed to the Club, on raising an invoice to the Shire.

At the Ordinary Council Meeting held on the 26 September 2016 the following resolution was passed:

Cavanagh/Major

That Council approves the reimbursement of rates payable by the Williams Golf Club for the 2015/16 and 2016/17 year on receipt of an invoice from the Club. Further, Council agrees to continue the reimbursement of rates payable by the Club for the following five years at which time the arrangement will be reviewed.

Carried By Absolute Majority 6/0

Comment

The resolution from the 26 September 2016 Council Meeting effectively concluded the agreement in the 2021/2022 year.

Correspondence has been received from the Club asking if Council will continue the agreement and reimburse the Club for the 2022/2023 and 2023/2024 years.

The *Local Government Act 1995* includes powers for a Council to defer, grant a discount, waive or grant a concession, or write off debts. According to section 6.12(2) of the Act a concession cannot apply to an amount owing in respect of rates.

Therefore Council, as it has done in the past, can approve a contribution to the Club to effectively reimburse it for the value of these amounts.

The current Budget includes an expenditure allocation for sporting clubs and amenities that can accommodate a contribution, with the amounts for rates and ESL charges totalling \$1,298.60 in 2022/2023 and \$1,356.20 in 2023/2024.

The Club is also charged for a commercial rubbish service, which is not part of this request.

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

As described in the item.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council approves a contribution to the Williams Golf Club, to reimburse it for the cost of local government rates and ESL levy charges payable for the 2022/23 and 2023/24 financial years, on receipt of an invoice from the Club. Further, Council agrees to continue to contribute in the same manner for the following five (5) years, at which time the arrangement will be reviewed.

Council Resolution

Moved: Cr Macnamara / **Seconded:** Cr Cowcher

That Council approves a contribution to the Williams Golf Club, to reimburse it for the cost of local government rates and ESL levy charges payable for the 2022/23 and 2023/24 financial years, on receipt of an invoice from the Club. Further, Council agrees to continue to contribute in the same manner for the following five (5) years, at which time the arrangement will be reviewed.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 55/24

8.2.4 Election of Committee Representatives

File Reference	4.1.20
Statutory Ref.	Sections 5.8 – 5.18 <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 27 October 2023
Attachments	Nil

Background

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

Comment

Following the Local Government Elections, the Council routinely appoints elected members to a number of committees, although none of them exercise any powers or discharge any duties on behalf of the Council as mentioned above. It is appropriate to review the relevance of the committees and the nominated elected member representation. The most recent appointment of elected members and staff included the following:

1. WALGA Central Zone Delegates: Cr J Logie – Proxy: Cr M Carne
2. Narrogin Sub-Regional Road Group: Cr J Logie
3. Community and Staff Housing: Cr N Major, Cr T Price, and Sharon Wilkie (Staff)
4. Works and Plant Committee: Cr J Logie, Cr J Macnamara, Cr S Harding and Cr B Panizza
5. Audit Committee: Cr J Logie, Cr T Price, Cr S Harding and Cr B Panizza
6. Art Acquisition Committee: Cr M Carne, Cr T Price and two community members
7. 4WDL VROC: – Cr M Carne - Proxy: Cr N Major
8. Hotham Williams VROC: Cr N Major – Proxy: Cr T Price
9. South 32 Community Liaison Committee (CLC) for Boddington Bauxite Mine: Geoff McKeown (Staff) - Proxy: Cr M Carne
10. Newmont Boddington Gold CLC: – Geoff McKeown (Staff)
11. Citizen of the Year Committee: – Cr N Major and Cr B Baker
12. Live Local Love Local Committee: – Cr N Major, Cr C Cowcher and Cr T Price

At the September 2023 Ordinary Council Meeting a resolution was passed accepting an invitation to register as a RoadWise Council. To complete the registration process, the Shire is asked to nominate at least two personnel (Officers and/or Elected Members) to be the primary point of contact for road safety matters. This is a new Committee to add to the above list.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

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

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

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

Council Resolution

Moved: Cr Price / **Seconded:** Cr Cowcher

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

1. WALGA Central Zone Delegates: Cr J Logie – Proxy: Cr T Price
2. Narrogin Sub-Regional Road Group: Cr J Logie
3. Community and Staff Housing: Cr N Major, Cr C Cowcher, and Sharon Wilkie (Staff)
4. Plant and Road Infrastructure Committee: Cr J Logie, Cr J Macnamara, Cr S Harding and Cr B Panizza
5. Audit Committee: Cr J Logie, Cr T Price, Cr S Harding and Cr B Panizza
6. 4WDL VROC: Cr T Price - Proxy: Cr N Major
7. Hotham Williams VROC: Cr N Major – Proxy: Cr C Cowcher
8. South 32 Community Liaison Committee (CLC) for Boddington Bauxite Mine: Peter Stubbs (Staff) - Proxy: Cr J Macnamara
9. Newmont Boddington Gold CLC: Peter Stubbs (Staff) – Proxy: Cr J Macnamara
10. Citizen of the Year Committee: Cr N Major and Cr C Cowcher
11. Live Local Love Local Committee: Cr N Major, Cr C Cowcher and Cr T Price
12. Roadwise Council: Britt Logie (Staff), Cr N Major

Carried by Absolute Majority 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 56/24

8.2.5 Christmas/New Year Period – Shire Office Closure

File Reference	4.20.50
Statutory Ref.	Nil
Author & Date	Geoff McKeown 27 October 2023
Attachments	Nil

Background

In recent years the Shire Office has closed during the Christmas/New Year's period. This year Council is asked to approve a closure from 8.00am Wednesday, 27 December 2023 to reopen at 8.00am Tuesday, 2 January 2024. This period includes three working days.

Comment

The Public Holidays over the Christmas/New Year period are:

- Monday 25 December 2023
- Tuesday 26 December 2023
- Monday 1 January 2024

The three scheduled working days during the proposed closure period are Wednesday, 27 December 2023 to Friday, 29 December 2023.

If approved, the Administration Staff will take annual leave for these working days.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

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

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council approves the Shire Office closure from 8.00am Wednesday, 27 December 2023 and to reopen 8.00am Tuesday, 2 January 2024 and that the appropriate advertising of the closure be undertaken, and suitable emergency contacts be listed for the duration of the closure period.

Council Resolution

Moved: Cr Major / **Seconded:** Cr Harding

That Council approves the Shire Office closure from 8.00am Wednesday, 27 December 2023 and to reopen 8.00am Tuesday, 2 January 2024 and that the appropriate advertising of the closure be undertaken, and suitable emergency contacts be listed for the duration of the closure period.

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Carried 7/0

Against: Nil

Resolution 57/24

8.2.6 Proposed Outbuildings – Lot 191 (60) Lavender Street, Williams

File Reference	10.60.15
Statutory Ref.	Shire of Williams Town Planning Scheme No.2
Author & Date	Geoff McKeown 3 November 2023
Attachments	Nil

Background

Lot 191 is zoned ‘Rural Residential’ under the Shire of Williams Town Planning Scheme No 2 (‘the Scheme’).

The lot has an approximate area of 1,113m² and is vacant.



Location Plan

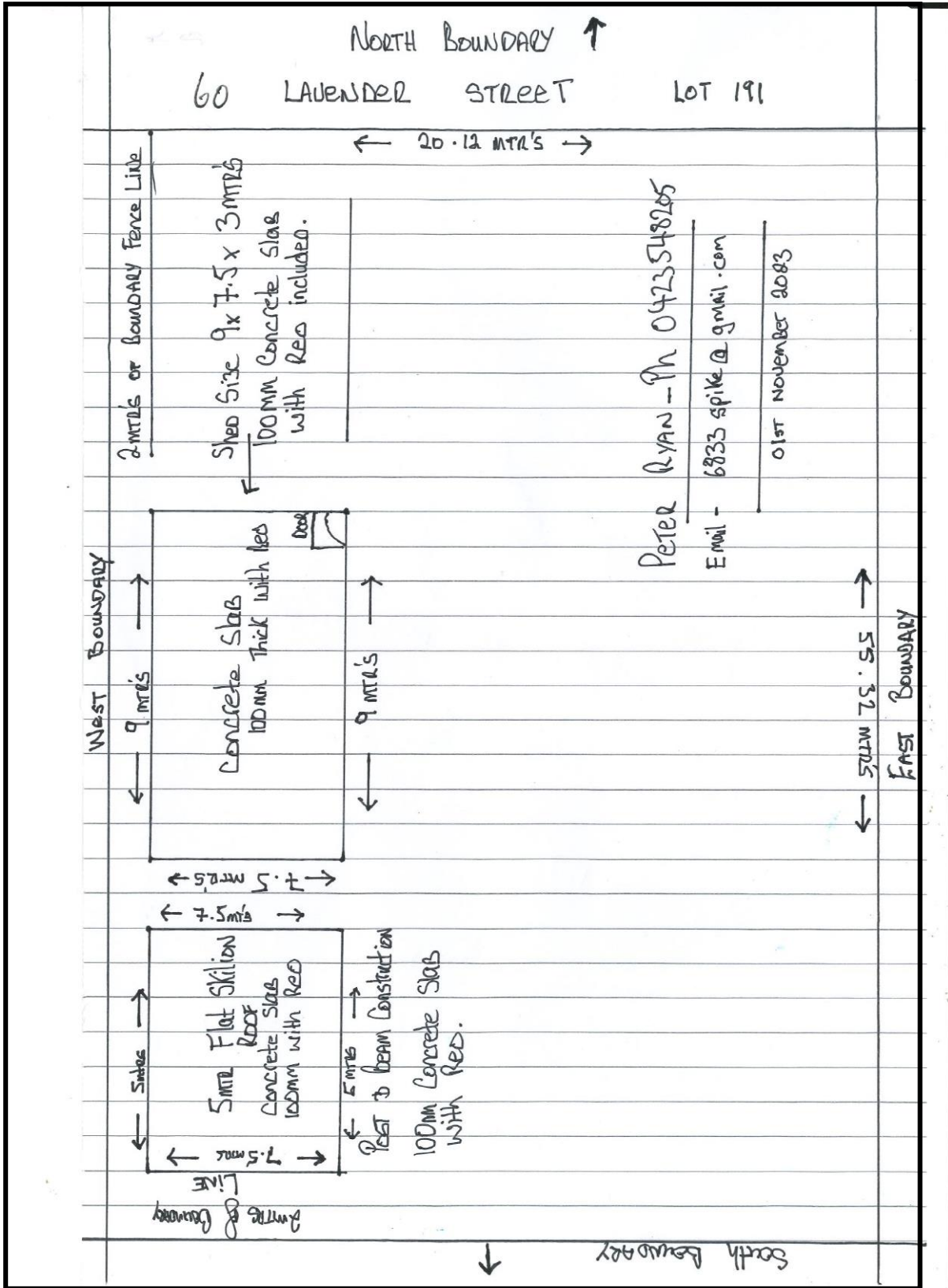
Comment

• **Proposed Development**

The owner has applied for an outbuilding (storage shed) which is proposed to measure 9.0 metres by 7.5 metres with a floor area of 67.5m². The proposed wall height is 3.0 metres and roof peak height is 3.48 metres. It is proposed to be located on the west side of the property and 2.0 metres from the adjoining boundary.

In addition, the owner is applying for a second outbuilding (open storage structure) which is proposed to measure 5.0 meters by 7.5 metres with a floor area of 37.5m². It will have a flat skillion roof at a height of 5.0 metres.

A site plan is shown on the following page.



The proposed elevations are included on the following page.

2015. These documents apply to all land identified as Bushfire Prone and are amended from time to time.

Mapping identifying Bushfire Prone Areas is available through the Department of Fire and Emergency Services website. A portion of the lot is within a declared bushfire prone area.

A Bushfire Attack Level (BAL) assessment report is not required as part of the planning application process where the lot size is 1,100m² or less. At that lot size it is recognised that planning can only play a limited role in reducing bushfire risk, and application of the appropriate construction standard at the building permit stage is the most appropriate instrument for reducing the bushfire risk for existing lots.

Although Lot 191 has an area of 1,113m², the structures are non-habitable. It is recommended that a Bushfire Attack Level assessment not be required to be submitted as part of this planning process.

LEGISLATIVE REQUIREMENTS:

Planning and Development (Local Planning Schemes) Regulations 2015

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

Clause 67 of the deemed provisions outlines 'matters to be considered by Council' including but not limited to orderly and proper planning, the compatibility of the development with its setting including the relationship to development on adjoining land, the amenity of the locality, the adequacy of proposed means of access to and from the site, the amount of traffic to be generated by the development, and any submission received.

Shire of Williams Town Planning Scheme No 2 (the Scheme) – Under Clause 4.6(2)(a) planning approval is required for all development in a Rural Residential zone.

Under Clause 4.6.2(f) Council shall have regard for the following:

- (i) the colour and texture of external building materials;
- (ii) building size, height, bulk, roof pitch;
- (iii) setback and location of the building on its lot;
- (iv) architectural style and design details of the building;
- (v) relationship to surrounding development; and
- (vi) other characteristics considered by the Shire to be relevant.

Consultation

Letters have been sent to neighbours adjoining Lot 191, on the western and southern boundaries, inviting comment on the proposed development. Submissions were invited up to and including Wednesday, 15 November 2023. As the timing of the consultation period overlaps Council's consideration of the application it is recommended that delegated authority be granted to the Chief Executive Officer to determine the application after the closing date for submissions, subject to no adverse submission being received.

Sustainability Implications

• Environment

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

• Economic

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

• 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 application attracts a development application fee.

Voting Requirements

Absolute Majority

Officer's (Consultant Planner) Recommendation

That Council

- A. Notes that the application has been advertised for comment to adjoining landowners until the 15 November 2023.
- B. Approve the application for outbuildings (storage shed and open storage structure) on Lot 191 (60) Lavender Street, Williams subject to the following conditions and footnotes:
 1. This approval is for outbuildings only. The outbuildings are not to be used for habitable purposes at any time.
 2. The plans (for the outbuildings only) lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.
 3. All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into a road reserve unless otherwise approved in writing by the Chief Executive Officer.
 4. If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.
- C. In accordance with Regulation 82 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* delegate authority to the Chief Executive Officer to determine the planning application for outbuildings on Lot 191 (60) Lavender Street, Williams.

Footnotes:

- (i) Planning consent is not an approval to commence construction. A building permit must be obtained for all work.
- (ii) Please be advised that the lot is partially within a designated bushfire prone area.

Council Resolution

Moved: Cr Harding / **Seconded:** Cr Major

That Council

- A. Notes that the application has been advertised for comment to adjoining landowners until the 15 November 2023.
- B. Approve the application for outbuildings (storage shed and open storage structure) on Lot 191 (60) Lavender Street, Williams subject to the following conditions and footnotes:
 - 1. This approval is for outbuildings only. The outbuildings are not to be used for habitable purposes at any time.
 - 2. The plans (for the outbuildings only) lodged with this application shall form part of this planning approval. All development shall generally be in accordance with the approved plans unless otherwise approved separately in writing by the Chief Executive Officer.
 - 3. All stormwater from roofed and paved areas shall be collected and disposed of on-site and any associated drains and soak wells shall be maintained in a clean and clear condition. All drainage to be fully contained within the property boundaries with no water discharge into a road reserve unless otherwise approved in writing by the Chief Executive Officer.
 - 4. If the development the subject of this approval is not substantially commenced within a period of 2 years, the approval shall lapse and be of no further effect.
- C. In accordance with Regulation 82 (1) of the *Planning and Development (Local Planning Schemes) Regulations 2015* delegate authority to the Chief Executive Officer to determine the planning application for outbuildings on Lot 191 (60) Lavender Street, Williams.

Footnotes:

- (i) Planning consent is not an approval to commence construction. A building permit must be obtained for all work.
- (ii) Please be advised that the lot is partially within a designated bushfire prone area.

Carried by Absolute Majority 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 58/24

8.2.7 MK & AL Iredell – Extractive Industry Annual Renewal, Lot 42 Bates Road

File Reference	10.64.20
Statutory Ref.	Shire of Williams Town Planning Scheme No.2
Author & Date	Geoff McKeown 7 November 2023
Attachments	Nil

Background

In August 2010, Urban and Rural Perspectives (URP), on behalf of landowners Mark and Agnes Iredell of Lot 10126 (now Lot 42) Bates Road, Williams, made an application for retrospective development approval for an Extractive Industry (gravel extraction) activity.

Extractive Industry is an 'AA' use in the Shire of Williams Town Planning Scheme No.2, which means that Council may, at its discretion, permit the use.

The land is zoned Rural and the gravel extraction has operated for quite some time.

In 2010 Council granted the Extractive Industry Licence for 12 months and charged the scheduled fee at the time.

Comment

Mr & Mrs Iredell have written seeking a further extension to the Extractive Industry Licence. The last approval granted by Council was for 24 months expiring in June 2023.

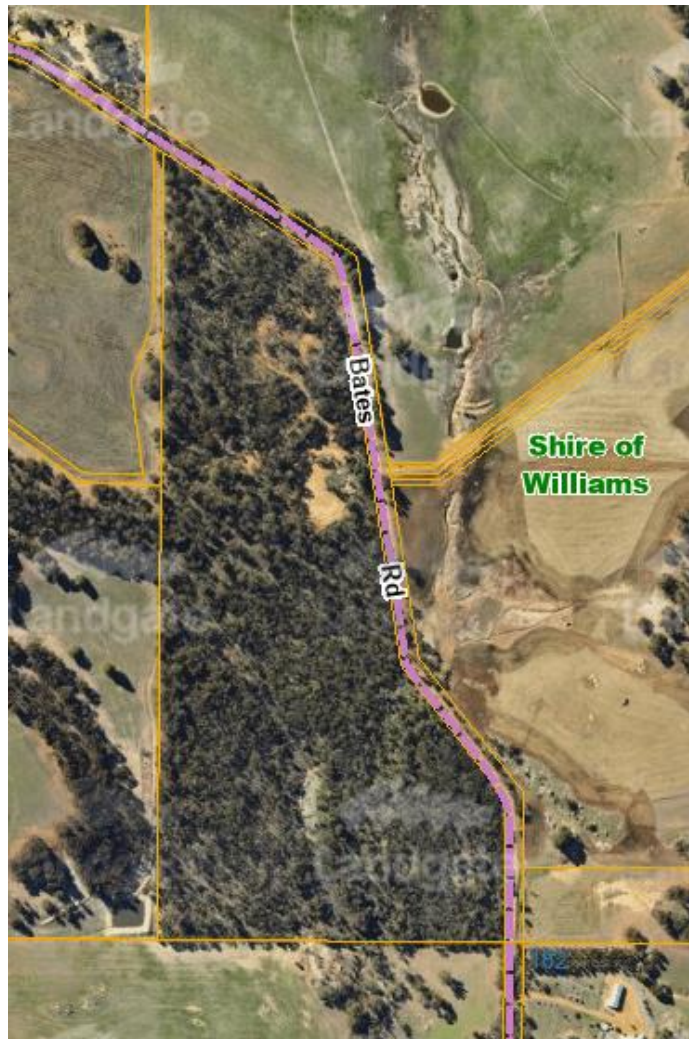
The initial approval granted at the August 2010 Council Meeting is outlined below:

"That Council grants approval for the continued use of part of lot 10126 Bates Rd Williams for the purpose of gravel extraction as per the application submitted by URP subject to:

- *The area to be mined is restricted to the area mentioned in the submission;*
- *Clearing of native vegetation is restricted as per the submission;*
- *Revegetation is to occur as per the submission;*
- *Gravel extraction is to be limited to supply within the Shire of Williams unless a further submission is made;*
- *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;*
- *The hours of operation be 6:00 am to 8:00 pm Monday to Saturday and other times subject to approval;*
- *Restoration and reinstatement of the excavation site and staging of such works to a maximum work area of 1 ha;*
- *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;*
- *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;*
- *Minimum setbacks to roads and other property (30 metres unless otherwise approved);*
- *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;*
- *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;

- Erection of signs in conjunction with the Shire Works Supervisor clearly indicating the access point to the site;
- No Blasting or Crushing to be carried out without prior approval from the Council;
- The permit is non-transferable unless written approval is granted by Council;
- 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."



There has been minimal activity at the site in recent years and it is recommended that approval continue. As the last approval expired on 30 June 2023 it is further recommended that a renewal cover the intervening period.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

ED 1.6 Advocate, promote and champion industrial development that will offer employment opportunities for our community.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council approves the extension of the Extractive Industry Licence for Lot 42 Bates Road, Williams for a 24 month period from the 1 July 2023 to 30 June 2025 under the same conditions as approved at the August 2010 Ordinary Council Meeting.

Council Resolution

Moved: *Cr Harding* / **Seconded:** *Cr Panizza*

That Council approves the extension of the Extractive Industry Licence for Lot 42 Bates Road, Williams for a 24 month period from the 1 July 2023 to 30 June 2025 under the same conditions as approved at the August 2010 Ordinary Council Meeting.

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Carried 7/0

Against: Nil

Resolution 59/24

8.2.8 Tender and Quote – 14,000ltr Water Truck

File Reference	12.37.05
Statutory Ref.	<i>Local Government Act 1995, sections 3.57(1) 5.23(2)(c)</i>
Author & Date	Geoff McKeown 7 November 2023
Attachments	Attachment 1 – Summary of Quotes and Tenders (Confidential)

Background

Included in the 2023/24 Budget is the purchase of a 14,000ltr Water Truck. It was expected that the cost of the vehicle will exceed the threshold of \$250,000, where tenders are required to be invited.

The Shire Administration invited quotes for the vehicle through the WALGA Preferred Supplier Program and the Chief Executive Officer invited tenders, exercising the delegation where there is an adopted budget for the proposed goods and services.

Comment

The WALGA Preferred Supplier Program includes truck suppliers but does not include fabricators that manufacture the water tank and fittings. Hence the reason to invite prices from the Preferred Supplier Program as well as via a tender. Both processes were held concurrently with a closing date of 8 November 2023.

In accordance with Section 5.23(2)(c) of the Local Government Act 1995 the meeting may be closed to members of the public where the matter to be dealt with involves a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

At the closing date the following tender was received:

- Welding Solutions – including an Isuzu FVZ 240/300 Truck

At the closing date the following quotes were received via the WALGA Preferred Supplier Program:

- South West Isuzu – including a Isuzu FVZ 240/300 Truck and Water Cart manufactured by ORH Truck Solutions
- Truck Centre WA – including a UD CW25 360 Truck and Water Cart manufactured by ORH Truck Solutions
- WA Hino Sales & Service – including a Hino 500SFM 2628 Truck and Water Cart manufactured by Welding Solutions.

WA Hino Sales & Service also provided alternative quotes for manufacture of the Water Cart from ORH Truck Solutions and Shermac Australia Pty Ltd.

A summary of the Tender and Quotes received is provided in Attachment 1 marked confidential.

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 2023/24 Budget includes a purchase price of the Water Truck at \$250,000. It also includes a trade-in value for the Shire's Isuzu Truck and fibreglass water tank with fittings at \$20,000. All prices submitted are above the purchase price of \$250,000. However, it is expected that the sale of the Shire's Isuzu Truck and fibreglass water tank with fittings will achieve a higher price at auction than has been included in the Budget.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Not accept the tender submitted by Welding Solutions for the supply of an Isuzu FVZ 240/300 Truck and 14,000ltr Water Cart.
2. Accept the quote from South West Isuzu for a Isuzu FVZ 240/300 Truck and 14,000ltr Water Cart manufactured by ORH Truck Solutions.

Council Resolution

Moved: Cr Macnamara / **Seconded:** Cr Major

That Council:

1. Not accept the tender submitted by Welding Solutions for the supply of an Isuzu FVZ 240/300 Truck and 14,000ltr Water Cart.
2. Accept the quote from South West Isuzu for a Isuzu FVZ 240/300 Truck and 14,000ltr Water Cart manufactured by ORH Truck Solutions.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 60/24

8.2.9 Proposed Amendment 20 to Shire of Williams Town Planning Scheme No.2

File Reference	14.25.26
Statutory Ref.	<i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
Author & Date	Liz Bushby, Town Planning Innovations (TPI) 7 November 2023
Attachments	Attachment 2 – draft Local Development Plan Attachment 3 – Table of Submissions

Background

Elders Rural Supply store operates from Lot 150 (No 36) Albany Highway, Williams. Business activities including the storage of goods associated with the existing Elders store have spilled into adjacent Lot 10 (No 1) New Street in Williams.



As Lot 10 is zoned Residential, Shire Administration encouraged the owners of the Elders store to pursue a scheme amendment to provide Council with discretion to consider a future development application for retrospective approval for existing storage uses on Lot 10.

The applicant has worked collaboratively with both TPI and the Shire, to achieve a Scheme Amendment and Draft Local Development Plan to address relevant planning considerations.

At the Ordinary Meeting held on the 26 July 2023, Council resolved to adopt Amendment 20 and a Local Development Plan for the purpose of commencing public advertising.

The Scheme Amendment was referred to the Environmental Protection Authority who confirmed that no environmental assessment was required.

Comment

• **Proposed Scheme Amendment**

The scheme amendment proposes to retain the existing Residential zone that applies to Lot 10, and list some ‘additional uses’ in the Scheme. The amendment will give Council discretion to approve future development applications for a range of additional uses on Lot 10.

The proposed new uses for Lot 10 (additional to uses that can already be considered in the Residential zone) are:

Land Use	New Definition to be included in Scheme
Bulky goods showroom	<p>(a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —</p> <ul style="list-style-type: none"> (i) automotive parts and accessories; (ii) camping, outdoor and recreation goods; (iii) electric light fittings; (iv) animal supplies including equestrian and pet goods; (v) floor and window coverings; (vi) furniture, bedding, furnishings, fabrics, manchester and homewares; (vii) household appliances, electrical goods and home entertainment goods; (viii) party supplies; (ix) office equipment and supplies; (x) babies’ and children’s goods, including play equipment and accessories; (xi) sporting, cycling, leisure, fitness goods and accessories; (xii) swimming pools; <p>or</p> <p>(b) used to sell by retail goods and accessories by retail if —</p> <ul style="list-style-type: none"> (i) a large area is required for the handling, display or storage of the goods; or (ii) vehicular access is required to the premises for the purpose of collection of purchased goods;
Car park	<p>means premises used primarily for parking vehicles whether open to the public or not but does not include —</p> <ul style="list-style-type: none"> (a) any part of a public road used for parking or for a taxi rank; or (b) any premises in which cars are displayed for sale;
Trade display	<p>means premises used for the display of trade goods and equipment for the purpose of advertisement;</p>
Trade supplies	<p>means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes</p>

	<p>including goods which may be assembled or manufactured off the premises —</p> <p>(a) automotive repairs and servicing;</p> <p>(b) building including repair and maintenance;</p> <p>(c) industry;</p> <p>(d) landscape gardening;</p> <p>(e) provision of medical services;</p> <p>(f) primary production;</p> <p>(g) use by government departments or agencies, including local government;</p>
Warehouse/storage	<p>means premises including indoor or outdoor facilities used for —</p> <p>(a) the storage of goods, equipment, plant or materials; or</p> <p>(b) the display or sale by wholesale of goods;</p>

The above will be new land use definitions inserted into the Scheme.

There is an existing Additional Use table listed under Schedule 5 of the Scheme:

No.	Particulars of Land	Permitted Uses	Development Standards/Conditions
1.	Lot 13 Adam St WILLIAMS	Transport Depot	Storage of goods to be temporary only (for goods in transit) and all storage to be under free-standing cover to Council' satisfaction. No other storage to be permitted.

The amendment will refine the existing table headings, and add additional use provisions to apply to Lot 10 (with changes shown in red) as follows:

No.	Particulars Description of Land	Permitted Additional Uses	Development Standards/Conditions
2.	Lot 10 New Street, Williams	<p>bulky goods showroom – AA</p> <p>car park – AA</p> <p>trade display – AA</p> <p>trade supplies – AA</p> <p>warehouse/storage – AA</p> <p>The symbols in this table have the same meaning as the correlating symbols in Clause 4.3.</p>	<p>1. The use of Lot 10 New Street, Williams is required to be incidental to the operation of the Rural Supply Store currently operating on Lot 150 Albany Highway, Williams.</p> <p>2. The additional uses are required to be developed generally in accordance with a Local Development Plan as approved by the local government.</p>

Note: Changes to the Additional use table headings are shown in red text for ease of reference

- **Advertising and Submissions**

Amendment 20 was advertised from the 25 September 2023 to the 6 November 2023. A total of 7 submissions were received. Six submissions expressed no objections to the amendment and were from government agencies and/or service providers – refer Attachment 3.

One submission was from a neighbour advising that they have experienced dust nuisance associated with trucks entering and egressing the lot. The neighbour has suggested that truck areas be sealed, which is a development issue.

The Draft Local Development Plan has a requirement for trafficable surfaces and storage areas to be treated with a 150mm bitumen.

TPI recommends that all submissions be noted and that no modifications be made to the amendment as a result of submissions.

- **Proposed Local Development Plan**

A Local Development Plan is a mechanism used to provide additional development controls for any future planning application.

TPI recommended that the applicant pursue a Local Development Plan to provide some parameters for future development and include some provisions to protect the residential amenity for the house to the east of Lot 10.

As both a Scheme Amendment and Local Development Plan require advertising, TPI encouraged the applicant to lodge the LDP prematurely so that it be advertised concurrently with the Scheme Amendment, to expedite the process.

Final approval of any LDP cannot occur until the Scheme Amendment is approved by the Minister for Planning and published in the Government Gazette. Final adoption of the LDP cannot pre-empt the Minister's decision on the Scheme Amendment.

The Scheme Amendment will provide Council with the discretion to consider new land uses on the property.

A Draft Local Development Plan is included as Attachment 2.

The Local Development Plan:

- a) Requires a 2 metre buffer and physical barrier to the residential lot to the immediate east;
- b) Ensures only the storage of general goods occurs on the eastern side of the lot;
- c) Chemicals have to be stored on the western side of the lot, so there is separation to the residential lot to the east;
- d) Includes a building inclusion area as a building envelop for any future development such as a warehouse/storage building or covered area;
- e) Limits any future building height to 6 metres;
- f) Requires the trafficable areas and storage areas to be sealed with 150mm bitumen;
- g) Includes maximum heights for stored material (for visual amenity); and
- h) Shows general access from New Street, the Laneway and Albany Highway but states that the Shire can require a truck movement plan as part of any future development application. It also recognizes that New Street and the Laneway are not approved RAV Routes.

The applicant is still liaising with the Shire over truck and RAV access issues.

Policy Requirements

There are no known local planning policy implications associated with this report.

Legislative Requirements

Planning and Development (Local Planning Schemes) Regulations 2015 -

The *Planning and Development (Local Planning Schemes) Regulations 2015* were gazetted on 25 August 2015, and became effective on 19 October 2015.

- *Model Provisions*

The Regulations include 'Model Provisions' that outline the recommended format for new and / or amended town planning schemes.

The 'Model Provisions' list the most modern and up to date land use terms to be used in town planning schemes and / or through scheme amendments.

This Amendment proposes to introduce new land use definitions into the Scheme for bulky goods showroom, car park, trade display, trade supplies and warehouse/storage. The definitions are based on those already contained in the Regulations.

- *Scheme Amendment Process*

The Regulations outline the process for any Scheme Amendment which is summarised below:

1. Amendment considered by Council for adoption (with or without modifications). Council can refuse to initiate a Scheme Amendment.
2. Any Amendment adopted by Council has to be referred to the Environmental Protection Authority (EPA). The EPA has to determine whether any environmental assessment is required. If the EPA advises that no environmental assessment is required then the amendment can be advertised.
3. Advertising of a standard amendment for a minimum of 42 days. Advertising should include letters to nearby landowners, a public notice on the Shire website, letters to relevant government authorities and service authorities, and may include an advertising sign erected on site (if feasible).
4. Any public submissions must be summarised in a table and each submission has to be considered.

After advertising a second report will be referred to Council to consider the public submissions, whether the amendment needs to be modified to address any issues raised in submissions, and whether to adopt the amendment for final approval (with or without modifications).

5. Once reconsidered by Council the amendment is lodged with the Western Australian Planning Commission for referral to the Minister for Planning who makes the final decision on the amendment. The Minister can refuse the amendment or approve the amendment (with or without modifications).
6. If the amendment is approved by the Minister, the decision has to be published in the Government Gazette.

This Scheme Amendment is at Step 4 of the process.

- *Local Development Plan*

Clause 47 of the Regulations requires a Local Development Plan where it is a requirement of a Scheme and / or both the Shire and the Western Australian Planning Commission (WAPC) agree it is needed for the purposes of orderly and proper planning.

The WAPC will need to be consulted about the proposed LDP to ascertain if they agree one is necessary to guide future development on Lot 10.

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

Strategic Implications (Consulting Planner)

The Scheme Amendment will provide Council with the discretion to consider a future Local Development Plan and planning application seeking retrospective approval for existing unauthorised development on Lot 10.

The proposed Local Development Plan proposes some limitations for existing and future development in terms of height, storage areas, future building envelopes and a 2 metre buffer to the existing residence to the east on adjacent Lot 11 (No 3) New Street, Williams.

Sustainability Implications

Environment

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

Economic

Increased flexibility for development associated with the Elders Store may have some local economic benefits.

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):

- ED 1.3 Promote land availability within the Shire for residential, industrial and commercial development
- 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. The application also attracts a development application fee.

Voting Requirements

Simple Majority

Officer's (Consultant Planner) Recommendation

That Council

- A. Note the submissions in Attachment 3 and resolve that no modifications be made to the Scheme Amendment as a result of submissions.
- B. In pursuance of Section 75 of the *Planning and Development Act 2005*, adopt Amendment No 20 to the Shire of Williams Town Planning Scheme No 2 (without modifications) by:
 - 1. In 'Schedule 2 – Interpretations', inserting the following definitions:
bulky goods showroom: means premises –
 - (a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —

- (i) automotive parts and accessories;
- (ii) camping, outdoor and recreation goods;
- (iii) electric light fittings;
- (iv) animal supplies including equestrian and pet goods;
- (v) floor and window coverings;
- (vi) furniture, bedding, furnishings, fabrics, manchester and homewares;
- (vii) household appliances, electrical goods and home entertainment goods;
- (viii) party supplies;
- (ix) office equipment and supplies;
- (x) babies' and children's goods, including play equipment and accessories;
- (xi) sporting, cycling, leisure, fitness goods and accessories;
- (xii) swimming pools.

Or

(b) used to sell by retail goods and accessories by retail if —

- (i) a large area is required for the handling, display or storage of the goods; or
- (ii) vehicular access is required to the premises for the purpose of collection of purchased goods.

car park: means premises used primarily for parking vehicles whether open to the public or not but does not include —

- (a) any part of a public road used for parking or for a taxi rank;
- or
- (b) any premises in which cars are displayed for sale.

trade display: means premises used for the display of trade goods and equipment for the purpose of advertisement.

trade supplies: means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises —

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary production;
- (g) use by government departments or agencies, including local government.

warehouse/storage: means premises including indoor or outdoor facilities used for —

- (a) the storage of goods, equipment, plant or materials; or

(b) the display or sale by wholesale of goods.

2. In 'Schedule 5 – Additional Uses', modifying the existing additional use table headings by:
- (a) Deleting reference to 'Particulars of Land' and inserting 'Description of Land';
 - (b) Deleting reference to 'Permitted Uses' and inserting 'Additional Uses'.
 - (c) Deleting 'Development Standards/'.

And inserting the following Additional Uses for Lot 10 New Street, Williams as follows:

No.	Description of Land	Additional Uses	Conditions
2.	Lot 10 New Street, Williams	bulky goods showroom – AA car park – AA trade display – AA trade supplies – AA warehouse/storage – AA	1. The use of Lot 10 New Street, Williams is required to be incidental to the operation of the Rural Supply Store currently operating on Lot 150 Albany Highway, Williams. 2. The additional uses are required to be developed generally in accordance with a Local Development Plan as approved by the local government.
		The symbols in this table have the same meaning as the correlating symbols in Clause 4.3.	

3. Amend the Scheme Map accordingly.

4. Resolve that Amendment No 20 is 'standard' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:

- (a) The amendment would have a minimal impact on land in the scheme area that is not the subject of the amendment; and
- (b) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

C. Authorise the Shire President and Chief Executive Officer to sign the Amendment No 20 document and affix the Shire Seal.

D. Authorise the Shire's Planning Consultant, Liz Bushby of Town Planning Innovations Pty Ltd to:

- (i) Lodge Scheme Amendment No 20 to the Western Australian Planning Commission to seek final approval of the Minister for Planning.
- (iii) Refer the Local Development Plan to the Western Australian Planning Commission to seek agreement that an LDP is required for the purpose of orderly and proper planning for Lot 10, in accordance with Clause 47 (d) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

E. Note that the Local Development Plan for Lot 10 New Street, Williams has been advertised for public comment, and cannot be considered for final approval until after Scheme Amendment 20 has been finalised.

F. Note that a second report on the Local Development Plan will be referred to a future Council meeting.

Council Resolution

Moved: Cr Major / **Seconded:** Cr Macnamara

That Council

A. Note the submissions in Attachment 3 and resolve that no modifications be made to the Scheme Amendment as a result of submissions.

B. In pursuance of Section 75 of the *Planning and Development Act 2005*, adopt Amendment No 20 to the Shire of Williams Town Planning Scheme No 2 (without modifications) by:

1. In 'Schedule 2 – Interpretations', inserting the following definitions:

bulky goods showroom: means premises –

(a) used to sell by retail any of the goods and accessories of the following types that are principally used for domestic purposes —

- (i) automotive parts and accessories;
- (ii) camping, outdoor and recreation goods;
- (iii) electric light fittings;
- (iv) animal supplies including equestrian and pet goods;
- (v) floor and window coverings;
- (vi) furniture, bedding, furnishings, fabrics, manchester and homewares;
- (vii) household appliances, electrical goods and home entertainment goods;
- (viii) party supplies;
- (ix) office equipment and supplies;
- (x) babies' and children's goods, including play equipment and accessories;
- (xi) sporting, cycling, leisure, fitness goods and accessories;
- (xii) swimming pools.

Or

(b) used to sell by retail goods and accessories by retail if —

- (i) a large area is required for the handling, display or storage of the goods; or
- (ii) vehicular access is required to the premises for the purpose of collection of purchased goods.

car park: means premises used primarily for parking vehicles whether open to the public or not but does not include —

(a) any part of a public road used for parking or for a taxi rank;

or

(b) any premises in which cars are displayed for sale.

trade display: means premises used for the display of trade goods and equipment for the purpose of advertisement.

trade supplies: means premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises —

- (a) automotive repairs and servicing;
- (b) building including repair and maintenance;
- (c) industry;
- (d) landscape gardening;
- (e) provision of medical services;
- (f) primary production;
- (g) use by government departments or agencies, including local government.

warehouse/storage: means premises including indoor or outdoor facilities used for —

- (a) the storage of goods, equipment, plant or materials; or
- (b) the display or sale by wholesale of goods.

2. In 'Schedule 5 – Additional Uses', modifying the existing additional use table headings by:
- (a) Deleting reference to 'Particulars of Land' and inserting 'Description of Land';
 - (b) Deleting reference to 'Permitted Uses' and inserting 'Additional Uses'.
 - (c) Deleting 'Development Standards/'.

And inserting the following Additional Uses for Lot 10 New Street, Williams as follows:

No.	Description of Land	Additional Uses	Conditions
2.	Lot 10 New Street, Williams	bulky goods showroom – AA car park – AA trade display – AA trade supplies – AA warehouse/storage – AA	1. The use of Lot 10 New Street, Williams is required to be incidental to the operation of the Rural Supply Store currently operating on Lot 150 Albany Highway, Williams.
		The symbols in this table have the same meaning as the correlating symbols in Clause 4.3.	2. The additional uses are required to be developed generally in accordance with a Local Development Plan as approved by the local government.

3. Amend the Scheme Map accordingly.
4. Resolve that Amendment No 20 is 'standard' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reasons:
- (a) The amendment would have a minimal impact on land in the scheme area that is not the subject of the amendment; and
 - (b) The amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.
- C. Authorise the Shire President and Chief Executive Officer to sign the Amendment No 20 document and affix the Shire Seal.
- D. Authorise the Shire's Planning Consultant, Liz Bushby of Town Planning Innovations Pty Ltd to:

- (i) Lodge Scheme Amendment No 20 to the Western Australian Planning Commission to seek final approval of the Minister for Planning.
- (iii) Refer the Local Development Plan to the Western Australian Planning Commission to seek agreement that an LDP is required for the purpose of orderly and proper planning for Lot 10, in accordance with Clause 47 (d) of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

E. Note that the Local Development Plan for Lot 10 New Street, Williams has been advertised for public comment, and cannot be considered for final approval until after Scheme Amendment 20 has been finalised.

F. Note that a second report on the Local Development Plan will be referred to a future Council meeting.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 61/24



Local Development Plan Provisions

This Local Development Plan (LDP) has been prepared pursuant to Schedule 2 Clause 52(1) of the *Planning and Development (Local Planning Schemes) Regulations 2015*. The provisions outlined in the LDP constitute provisions and standards of development under the Shire of Williams Town Planning Scheme No. 2 (TPS2).

Lot Boundary Setbacks:

1. No storage, parking, access or any other use or activity shall occur within the area marked as "2m Buffer Zone" adjacent to the eastern boundary.
2. The area marked as "Non-Hazardous Goods Storage" between 2m and 6m from the eastern side boundary shall only be used for the storage of dry goods, such as fencing and gates, water troughs and tanks for livestock purposes, poly pipe, work trailers and pallet storage.
3. Other general goods storage associated with the approved activities not categorised as Non-Hazardous Goods Storage may be permitted in the area marked as "General Goods Storage Area". General goods storage shall be set back a minimum of 6m from the eastern side boundary and 2m from all other boundaries. Non-Hazardous Goods Storage may be permitted in the General Goods Storage Area, subject to approval by the local government.
4. The "Non-Dangerous Goods Chemical Pad" for chemical storage shall be set back a minimum of 20m from the eastern side boundary, 2m from the western side boundary, 25m from the primary frontage to New Street and 13m from the secondary frontage to the right-of-way.
5. Development of buildings and other roofed structures shall be limited to the building inclusion area and shall be set back a minimum of 11m from the eastern side boundary, 2m from the western side boundary, 16.5m from the primary frontage to New Street and 10m from the secondary frontage to the right-of-way.

Building Height:

6. Development of buildings and other roofed structures shall be limited to a building height of 6.0m to the eaves.

Height of Stored Goods:

7. Non-Hazardous Goods Storage between 2m and 6m from the eastern side boundary shall be limited to a maximum height of 3m.
8. General goods storage and non-dangerous goods chemical storage (outside of the area marked as "Non-Hazardous Goods Storage") shall be limited to a maximum height of 4m.

Other:

9. Vehicular access to the site is from New Street to the south, the right-of-way to the north and from Lot 150 (No. 36) Albany Highway, Williams from the west, noting that New Street and the right-of-way do not form part of the approved Restricted Access Vehicle (RAV) route. The local government may require a truck movement plan at development application stage for heavier truck movements.
10. Any loading and unloading of vehicles shall occur within the boundaries of the site and shall not occur within 2m of the eastern and western side boundaries.
11. Trafficable surfaces and storage areas shall be treated with a 150mm bitumen profiling surface as a minimum standard.
12. A physical barrier to prevent access of vehicles within 2m of the eastern boundary is to be installed and maintained for the life of the development. This may include slim concrete battens inserted into the profilings with yellow painted top, or another physical barrier as agreed by the local government.
13. Development of buildings, sheds or other roofed structures shall be constructed with low reflective materials. The following colours or materials are not permitted as an external cladding: Zinalume; White; Silver; Metallic coatings; Galvanized or polished steel; and Aluminium.

Approval:

Pursuant to Schedule 2 Clause 52(1)(a) of the *Planning and Development (Local Planning Schemes) Regulations 2015*, this Local Development Plan is hereby Approved.

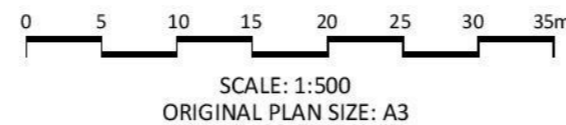
Chief Executive Officer:

Date:

LOCAL DEVELOPMENT PLAN

LOT 10 (No. 1) NEW STREET
WILLIAMS

SHIRE OF WILLIAMS



JOB CODE:
WHI NEW RZ

DATE:
29.05.2023



LEGEND:

- LOCAL DEVELOPMENT PLAN AREA -
- VEHICULAR ACCESS -
- NON-HAZARDOUS GOODS STORAGE -
- GENERAL GOODS STORAGE AREA -
- BUILDING INCLUSION AREA -
- NON-DANGEROUS GOODS CHEMICAL PAD -
- 2m BUFFER ZONE -



Allering & Associates

Town Planners, Advocates
and Subdivision Designers

SCHEDULE OF SUBMISSIONS – AMENDMENT 20

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
1. Water Corporation	<p>1a. The proposal is minor in nature and should not impact on Water Corporation infrastructure or planning.</p> <p>1b. It would be appreciated if you could advise the landowners that there is a 150mm diameter PVC gravity sewer pipe that runs along the property boundary. Any development over or near this sewer should be referred to the Corporation for advice regarding the required setback.</p>	<p>1a. Noted.</p> <p>1b. Noted. A copy of the submission was emailed to the applicant on the 7 November 2023.</p>	That the submission be noted however no modifications be made to the amendment.
2. DMIRS Department of Mines, Industry Regulation and Safety	<p>2a. This proposal raises no significant issues with respect to mineral and petroleum resources, geothermal energy, and basic raw materials.</p> <p>2b. DMIR lodges no objections.</p>	<p>2a. Noted.</p> <p>2b. Noted.</p>	That the submission be noted however no modifications be made to the amendment.
3. DPLH Department of Planning, Lands and Heritage	<p>3a. A review of the Aboriginal Cultural Heritage (ACH) Directory concludes that the land subject to the scheme amendment does not intersect any recorded ACH.</p> <p>3b. Any activities conducted from 1 July 2023 will need to be compliant with the <i>Aboriginal Cultural Heritage Act 2021</i> (ACH Act). Please refer to the attached ACH Management Code for more</p>	<p>3a. Noted.</p> <p>3b. Noted.</p>	That the submission be noted however no modifications be made to the amendment.

SCHEDULE OF SUBMISSIONS – AMENDMENT 20

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>information regarding any future developments.</p> <p>3c. As of 8 August 2023, the State Government has announced its intention to repeal the ACH Act and replace it with an amended version of the <i>Aboriginal Heritage Act 1972</i> (AHA). These changes have not yet taken effect. Therefore, any activities conducted during the transition period will need to be compliant with the ACH Act. For updates, please see our website</p>	<p>3c. Noted.</p>	
<p>4. DWER Department of Water and Environment Regulation</p>	<p>4a. The Department does not object to the proposal and has no comments.</p> <p>4b. In the event there are modifications to the proposal that may have implications on aspects of environment and/or water management, the Department should be notified to enable the implications to be assessed.</p>	<p>4a. Noted.</p> <p>4b. Noted.</p>	<p>That the submission be noted however no modifications be made to the amendment.</p>
<p>5. TELSTRA</p>	<p>5a. No objections to the amendment or LDP.</p>	<p>5a. Noted.</p>	<p>That the submission be noted however no modifications be made to the amendment.</p>
<p>6. Western Power</p>	<p>6a. Western Power does not have any objection at this time to the proposed development.</p>	<p>6a. Noted.</p>	<p>That the submission be noted however no modifications be made to the amendment.</p>

SCHEDULE OF SUBMISSIONS – AMENDMENT 20

Name/Address of Submitter	Summary of Submission	(Consultant) Officer Comment	Recommendation
	<p>6b. There is no Western Power infrastructure within are proposed development, if any works are to take place on the site the following should be considered prior to any works commencing on the site. If further information is required, a project will need to be submitted via our website to perform a detailed assessment.</p> <p>Note: Western Power has included advice on Dial Before You Dig and Working near powerlines.</p>	<p>6b. Noted.</p>	
<p>7. Starr Gillett 4 Brooking Street Williams</p>	<p>7a. With regards to the development plan for Elders Rural Suppliers Store. The only thing I would like to put forward is that it is a sealed area we're traffic comes through, for dust suppression. The dust is terrible in the dryer months. With the pool, shed and house I really notice it. I hope this will be taken into consideration.</p>	<p>7a. Noted. This is a development issue.</p>	<p>That the submission be noted however no modifications be made to the amendment.</p>

8.2.10 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 9 November 2023
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 meetings 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:

- **Granting of Building Permits – Delegation 2.1.1**

Delegation - Powers to grant or refuse to grant a building permit under the *Building Act 2011*. The Council may delegate its powers or duties as a permit authority under provisions of this Act.

Action – There was one Building Permit issued for the Month of October 2023:

Permit Number	Owner/Builder	Address	Description
511	Phoenix Sheds (Builder)	197 Richmond Street	Shed

- **Tender for Goods and Services – Delegation 1.1.16**

Delegation - Authority to call tenders where there is an adopted budget for the proposed goods and services.

Action – The Chief Executive Officer invited tenders for supply and delivery of a 14,000ltr Water Truck. The request for tender coincided with a request for quote issued through the WALGA Preferred Supplier Panel. The purchase of a 14,000ltr Water Truck is included in the 2023/24 Budget.

- **Payment from the Municipal or Trust Funds – Delegation 1.1.19**

Delegation - Authority to make payments from the municipal or trust funds with the authority limited to making payments subject to annual budget limitations.

Action - Payments from the Municipal Fund and Trust Fund are as per the payments listing 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

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council accept the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of October 2023.

Council Resolution

Moved: Cr Harding / **Seconded:** Cr Cowcher

That Council accept the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of October 2023.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 62/24

9.0 Elected Members' Motions of which Notice has been given

Nil

10.0 New Business of an Urgent Nature introduced by Decision of Meeting

10.1 Elected Members

Nil

10.2 Officers

The Chief Executive Officer sought Council approval to raise four additional items not included in the Agenda.

Council Resolution

Moved: Cr Price / **Seconded:** Cr Panizza

That the following four late items, to be presented by the CDO and CEO, be accepted for discussion.

Carried 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 63/24

The Community Development Officer, Britt Logie, joined the meeting at 4.35pm to present her report.

10.2.1 Fire Control Order

File Reference	5.10.2
Statutory Ref.	N/A
Author & Date	Britt Logie 7 th November 2023
Attachments	Attachment – Fire Control Order

Background

In October 2022, Council adopted the Shire of Williams Fire Control Order replacing the local law for firebreaks. The Fire Control Order is a fire prevention measure that must be adhered to, to reduce the risk of fires during the bushfire season.

Comment

During the recent property inspections, it was noted that the requirements for the townsite land, where the area exceeds half an acre (2,024m²), currently has no exemptions for stock or cropping this land. The current Fire Control Order states:

Townsite Land

- (1) Where the area of land is 2,024 square metres (or half an acre) or less, all flammable material is to be removed, and the grass is to be maintained to a height no greater than 10 centimetres.
- (2) Where the area of land exceeds 2,024 square metres (or half an acre), all flammable material likely to be conducive to an outbreak, spread or extension of fire is to be removed, and the grass is to be maintained to a height no greater than 10 centimetres.
- (3) All flammable material is to be removed from around buildings, fuel dumps and liquid fuel containers to a width of 20 metres.
- (4) All habitable buildings are to include a building protection zone of 20 metres in width.

The current Fire Control Order does not allow for any exemptions for the grass to be higher than 10cm. These paddocks are often in crop or have livestock maintaining them. It is proposed that these larger lots be required to have a firebreak. Also, the requirement to maintain grass to a height no greater than 10cms remains, however the Chief Executive Officer can grant an exemption. Typically, where the block is in crop, or the landowner is using it for the grazing of stock. The proposed new wording is highlighted in yellow below.

Townsite Land

- (1) Where the area of land is 2,024 square metres (or half an acre) or less, all flammable material is to be removed, and the grass is to be maintained to a height no greater than 10 centimetres.
- (2) Where the area of land exceeds 2,024 square metres (or half an acre), residents are required to:
 - i) Construct and maintain a 3m wide bare mineral earth unobstructed trafficable firebreak within 10metres of the boundary; and
 - ii) Grass is to be maintained to a height no greater than 10cm, unless an exemption is granted by the Chief Executive Officer.
- (3) All flammable material is to be removed from around buildings, fuel dumps and liquid fuel containers to a width of 20 metres.
- (4) All habitable buildings are to include a building protection zone of 20 metres in width.

Strategic Implications

This item aligns with the community’s vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 – 2032. Specifically, it relates to the following strategy(s):

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

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council accept and adopt the revised Fire Control Order including revised requirements for townsite land where the area of land exceeds 2,024m².

Council Resolution

Moved: Cr Cowcher / **Seconded:** Cr Price

That Council accept and adopt the revised Fire Control Order including revised requirements for townsite land where the area of land exceeds 2,024m².

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Carried 7/0

Against: Nil

Resolution 64/24

10.2.2 Live Local Love Local Community Chest Funding

File Reference	Nil
Statutory Ref.	Local Government Act 1995 – Part 6 Financial Management
Author & Date	Britt Logie 8 November 2023
Attachments	Community Chest Fund Applications

Background

The Shire of Williams began the live local love local community campaign in 2019. The idea of this campaign was to create community events, where the funds raised will be returned to the community. This is the third year that the community chest funding has been offered to the community. Funding is for undertaking projects and programs within the Shire of Williams or that provide benefit to residents and visitors of the Shire of Williams.

Successful projects should meet at least one defined priority area, listed below, or have clearly identified and evidenced the need for the project.

- Building capacity within local community groups, volunteers and residents.
- Supporting our young people.
- Supporting our older people.
- Providing opportunity to be healthy and promote wellbeing.
- Supporting and encouraging cultural diversity and inclusion.
- Developing and attracting art projects and increasing participation.
- Generally building the strength, engagement, and cohesion of the community.
- Encourage tourism and increase visitation.
- Activate local business and main streets; and
- Improve, conserve, and promote heritage.

Applications should be assessed according to:

- The level of community benefit.
- The level to which it addresses an evidenced need.
- Long term sustainability.
- Partnerships, collaborations, community engagement and involvement or other funding sources that have been secured.
- Capacity to deliver the project.

The following represents an overall assessment of each application.

1. Williams District Club

The Williams District Club wishes to further enhance the outdoor area by installing screening blinds to provide shelter from the sun in summer as well as a wind and rain break in winter. The Williams District Club invites community members to socialise and hold functions. Making this area more user friendly makes the area more attractive and more flexible for members, as well as providing protection from the elements and privacy.

ASSESSMENT CRITERIA
COMMUNITY BENEFIT: The Williams District is open for all community members on a membership basis. Providing screening blinds will ensure venue is more comfortable for members, providing them with protection from the elements and privacy

COMMUNITY NEED: The screening blind will create a more environmentally friendly atmosphere protecting members from the elements.	
LONG TERM SUSTAINABILITY: With regular cleaning and maintenance, the blinds will benefit the community for years to come.	
TOTAL PROJECT COST: \$1,500	FUNDING REQUESTED: \$1,500
Each blind has been priced at \$1,500.	

2. Williams Bowling Club

The Williams Bowling Club would like to enhance their outside area with an additional area to include storage and a BBQ area. In addition to this area, the Williams Bowling Club will install a ramp to ensure that this area will be inclusive to everyone.

ASSESSMENT CRITERIA	
COMMUNITY BENEFIT: The Williams Bowling Club has approximately 45 playing members. The Club holds several tournaments a year and provides excellent facilities to ensure that the Club provides not only the opportunity to play bowls but a wider social benefit of fellowship, togetherness, and support from fellow members.	
COMMUNITY NEED: The additional outdoor area will ensure that the area is accessible and inclusive to everyone. This will ensure that all members feel included and can continue to enjoy a day at the bowls even if they cannot participate in the sport.	
LONG TERM SUSTAINABILITY: The outdoor area will benefit the Williams Bowling club for many years to come.	
TOTAL PROJECT COST: \$30,000	FUNDING REQUESTED: \$3,000
The Club was successful in obtaining \$3,000 in funding from Newmont Boddington Gold. An additional \$3,000 will assist greatly toward this project.	

Comment

The third round of Community Chest Funding closed on the 10th November 2023. Two (2) applications were received. Applications are to be reviewed by Council with the Community Development Officers recommendations.

The Community Chest Funding has not been included in the 2023/2024 Budget. It is a requirement of the *Local Government Act 1995* that any expenditure incurred from the Municipal Fund, that is not included in the Annual Budget, is authorised by Council by absolute majority. Section 6.8 states:

6.8. Expenditure from municipal fund not included in annual budget

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
 - (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*; or*
 - (c) *is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

- (1a) *In subsection (1) —*

additional purpose means a purpose for which no expenditure estimate is included in the local government’s annual budget.

- (2) *Where expenditure has been incurred by a local government —*
 - (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 – 2032. Specifically, it relates to the following strategy(s):

- SCD 1.1 Provide, maintain and improve community infrastructure.
- ED 1.4 Encourage business and community groups' initiatives to promote the Shire as a place to live, work, play and invest.
- CL 2.1 Maximise and leverage grant funding opportunities to balance and support Council investment.

Financial Implications

An allocation of \$5,000 toward the Community Chest Funding will need to be included in the Budget.

Voting Requirements

Absolute Majority

Officer’s Recommendation

That Council review all applications received for Community Chest Funding and decide on the awarding of any funds in accordance with the defined priority areas. Further, that any funds awarded are approved expenditure in accordance with section 6.8(1)(b) of the *Local Government Act 1995*.

Council Resolution

Moved: Cr Macnamara / **Seconded:** Cr Cowcher

That the Williams District Club be allocated \$1,500, and the Williams Bowling Club be allocated \$3,000 according to their applications.

Carried by Absolute Majority 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 65/24

10.2.3 Newmont Community Assistance Funding – Williams Bowling Club

File Reference	11.70.30
Statutory Ref.	Local Government Act 1995 – Part 6 Financial Management
Author & Date	Britt Logie 8 November 2023
Attachments	Nil

Background

Newmont Boddington Gold Community Assistance Funding was released recently and the Shire made an application on behalf of the Williams Bowling Club. The Club requested \$6,000 to go towards a ramp for the new outdoor area. The Club was successful with a grant of \$3,000 for this project.

Comment

This project was not included in the 2023/2024 Budget as it was not known at the time of adopting the budget that the grant funding would be approved. It is a requirement of the *Local Government Act 1995* that any expenditure incurred from the Municipal Fund, that is not included in the Annual Budget, is authorised by Council by absolute majority. Section 6.8 states:

6.8. Expenditure from municipal fund not included in annual budget

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*;* or
 - (c) *is authorised in advance by the mayor or president in an emergency.*

* *Absolute majority required.*

- (1a) *In subsection (1) —*
additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.
- (2) *Where expenditure has been incurred by a local government —*
- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 – 2032. Specifically, it relates to the following strategy(s):

- SCD 1.1 Provide, maintain and improve community infrastructure.
- ED 1.4 Encourage business and community groups' initiatives to promote the Shire as a place to live, work, play and invest.
- CL 2.1 Maximise and leverage grant funding opportunities to balance and support Council investment.

Financial Implications

There will be no financial implications to the Shire as it is just being asked to auspice the grant from Newmont Boddington Gold on behalf of the Williams Bowling Club. The funds will be paid to the Club on receipt of an invoice and evidence of expenditure on the project.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council:

1. acknowledges the receipt of grant funding of \$3,000 from Newmont Boddington Gold for the Williams Bowling Club's proposed ramp incorporated in a new outdoor area; and
2. approves unbudgeted expenditure in accordance with section 6.8(1)(b) *Local Government Act 1995* in the 2023/2024 financial year to complete the project and acquit the grant.

Council Resolution

Moved: Cr Price / **Seconded:** Cr Major

That Council:

1. acknowledges the receipt of grant funding of \$3,000 from Newmont Boddington Gold for the Williams Bowling Club's proposed ramp incorporated in a new outdoor area; and
2. approves unbudgeted expenditure in accordance with section 6.8(1)(b) *Local Government Act 1995* in the 2023/2024 financial year to complete the project and acquit the grant.

Carried by Absolute Majority 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 66/24

Britt Logie left the Meeting at 4.52pm.

10.2.4 Williams Harness Racing Club – Boundary Fence Extension

File Reference	11.70.75
Statutory Ref.	Section 6.8 <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 13 November 2023
Attachments	Nil

Background

The Williams Harness Racing Club has received an end of season report from Racing and Wagering WA (RWWA) which highlights the fence on the northern end of the trotting track as a potential risk.

The Report notes:

“The fencing from the 400m tower in the back straight until the 200m has no mesh. On the opposite side is caravan parking and public parks. There is a risk of an animal getting onto the track through this section. It is recommended that this fencing should be covered to reduce this risk.”

The Club submitted a grant application to RWWA to complete this section of fence to the same standard that is adjacent to the Lions Park. The Shire has estimated the cost at approximately \$27,000 using black powder coated posts and mesh. Below are photos showing the new fence constructed alongside the Lions Park and old fence that exists on the northern end of the trotting track.



New Fence Adjacent to Lions Park



Old Fence Northern End of Trotting Track

Comment

The Club has now approached the Shire to progress this project, potentially before the next race meeting in early 2024. It has advised that the grant application to RWWA was successful. Based on the estimated cost, the breakup of contributions towards the project are:

1.	RWWA	17,244
2.	Shire of Williams	4,274
3.	Williams Harness Racing Club	<u>5,558</u>
		27,076

The Club has confirmed that it will cover any additional costs.

This project was not included in the 2023/2024 Budget as it was not known of at the time of adopting the budget. It is a requirement of the *Local Government Act 1995* that any expenditure incurred from the Municipal Fund, that is not included in the Annual Budget, is authorised by Council by absolute majority. Section 6.8 states:

6.8. Expenditure from municipal fund not included in annual budget

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*; or*
 - (c) *is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

- (1a) *In subsection (1) —*
additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.
- (2) *Where expenditure has been incurred by a local government —*
- (a) *pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and*
 - (b) *pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council.*

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):

SCD 1.1	Provide, maintain and improve community infrastructure
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

The Shire's contribution to the project is \$4,274. If approved, the entire cost of the project will be accepted by the Shire with contributions from RWWA and the Williams Harness Racing Club. The improvement to community infrastructure can be capitalised as its value exceeds the threshold of \$5,000.

Voting Requirements

Absolute Majority

Officer’s Recommendation

That Council:

1. agrees to contribute \$4,274, excluding GST, to install a new boundary fence on the northern end of the trotting track, and acknowledges contributions to the project from Racing and Wagering WA and the Williams Harness Racing Club; and
2. approves unbudgeted expenditure in accordance with section 6.8(1)(b) *Local Government Act 1995* in the 2023/2024 financial year, estimated at \$27,076, excluding GST, to complete the project.

Council Resolution

Moved: Cr Harding / **Seconded:** Cr Panizza

That Council:

1. agrees to contribute \$4,274, excluding GST, to install a new boundary fence on the northern end of the trotting track, and acknowledges contributions to the project from Racing and Wagering WA and the Williams Harness Racing Club; and
2. approves unbudgeted expenditure in accordance with section 6.8(1)(b) *Local Government Act 1995* in the 2023/2024 financial year, estimated at \$27,076, excluding GST, to complete the project.

Carried by Absolute Majority 7/0

For: Cr Cowcher, Cr Harding, Cr Logie, Cr Macnamara, Cr Major, Cr Panizza, Cr Price

Against: Nil

Resolution 67/24

11.0 Application for Leave of Absence

Nil

12.0 Closure of Meeting

There being no further business for discussion the President, Cr Logie, declared the Meeting closed at 4.58pm.