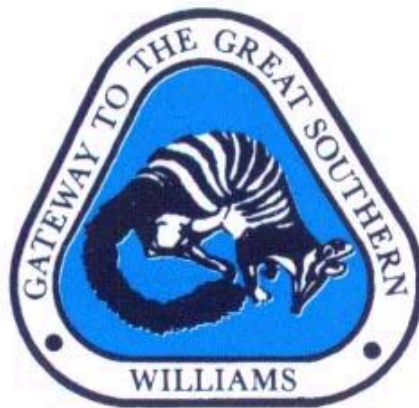


SHIRE OF WILLIAMS

***MINUTES ORDINARY MEETING HELD ON WEDNESDAY
16TH APRIL 2014***



COUNCIL DIARY

WEDNESDAY 16TH APRIL 2014

1.00pm

Ordinary Meeting

FRIDAY 25TH APRIL 2014

8.00am

ANZAC Ceremony

WEDNESDAY 21ST MAY 2014

1.00pm

Ordinary Meeting



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MINUTES – ORDINARY MEETING OF COUNCIL HELD 16TH APRIL 2014

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SEPARATE DOCUMENTS

1. Minutes
2. Appendices
3. Accounts for Payment
4. Financial Statements
5. Status Report
6. Info Statement



SHIRE OF WILLIAMS

BROOKING STREET, WILLIAMS, WESTERN AUSTRALIA.

OFFICE HOURS: MONDAY TO FRIDAY: 8.30 a.m. to 5.00 p.m.

TELEPHONE (08) 9885 1005 FACSIMILE (08) 9885 1020 EMAIL shire@williams.wa.gov.au

All communications to be addressed to the Chief Executive Officer, P.O. Box 96, Williams, W.A. 6391.

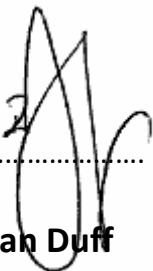
Your Ref:

Our Ref:

NOTICE OF MEETING

You are respectfully advised that the next ordinary meeting of Council will be held in the Council Chambers at 1.00pm on Wednesday 16th of April 2014.

Yours faithfully



.....

Ryan Duff
Chief Executive Officer



DISCLAIMER

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

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



AGENDA

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President declared the meeting open at 1.06pm.

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

(PREVIOUSLY APPROVED)

Cr John Cowcher President
 Cr Greg Cavanagh
 Cr Richard Johnstone
 Cr Natalie Major (from 1.13pm)
 Cr Jarrad Logie
 Cr Peter Paterson
 Cr Moya Carne

Ryan Duff Chief Executive Officer
 Cara Ryan Manager of Finance
 Steve Friend Environmental Health Officer/Building Surveyor (1.59pm to
 2.16pm)

Apologies

Cr David Earnshaw Deputy President
 Cr Gilbert Medlen

 Tony Kett Works Supervisor
 Heidi Cowcher Economic Development Officer

3.0 PUBLIC QUESTION TIME

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

5.0 DECLARATIONS OF INTEREST

| DECLARATION OF INTEREST | |
|-------------------------|--|
| Name / Position | Jarrad Logie / Councillor |
| Item No. / Subject | 8.4.1 / Narrogin Earthmoving and Concrete – Proposed Business Start-Up |
| Type of Interest | Proximity |



6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 26TH MARCH 2014

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held on 26th March 2014, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Cavanagh/Paterson

That the Minutes of the Ordinary Meeting of Council held on 26th March 2014, as previously circulated, be confirmed as a true and accurate record.

**Carried 6/0
Resolution 187/14**

6.2 4WDL VROC MEETING – HELD 8TH APRIL 2014

Officer's Recommendation

That the Minutes of the 4WDL VROC Meeting held on 8th April 2014, as previously circulated, be received.

The Minutes for the "4WDL VROC" meeting held 8th April 2014 were unavailable for this meeting.

6.3 SPORT & RECREATION ADVISORY COMMITTEE MEETING HELD 14TH APRIL 2014

Officer's Recommendation

That the Minutes of the Sport & Recreation Advisory Committee Meeting held on 14th April 2014, as previously circulated, be received.

Council Resolution

Cavanagh/Carne

That the Minutes of the Sport & Recreation Advisory Committee Meeting held on 14th April 2014, as previously circulated, be received.

**Carried 6/0
Resolution 188/14**

Cr Major entered the meeting at 1.13pm



7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.0 REPORTS



8.1 ECONOMIC DEVELOPMENT OFFICER'S REPORT

8.1.1 WILLIAMS RECREATION GROUND PROJECT - UPDATE

| | | |
|----------------------------|-----------------|-----------------------------|
| File Reference | 12.15.39 | |
| Statutory Reference | N/A | |
| Author & Date | Heidi Cowcher | 10 th April 2014 |

Background

The project was originally estimated at \$621,434 based on cost estimates provided by Kim Donovan in late 2012. Since then, the Williams Sport and Recreation Upgrade project has secured the following commitments from funding, sporting clubs and the Shire:

| | | |
|-------------------------------------|---------------------|---------------------------------|
| Country Local Government Fund | \$260,104 | (to be spent by April 2014) |
| CSRFF | \$40,633 | (to be spent by June 2014) |
| National Court Rebate Scheme | \$10,000 | (claimed retrospectively) |
| BHP Worsley | \$30,000 | (paid in two \$15k instalments) |
| Newmont | \$30,000 | (paid in two \$15k instalments) |
| Williams Hockey Club | \$20,000 | (cash) |
| Williams Tennis Club | \$20,000 | (cash) |
| Williams Netball Club | \$10,000 | (cash) |
| Williams Hockey Club/Shire Williams | \$121,390 | (in-kind) |
| Williams Tennis Club | \$10,000 | (in-kind) |
| Shire of Williams | \$85,386.98 | (cash) |
| TOTAL | \$637,513.98 | |

Comment

1. Pavillion Kitchen

Kitchen is operational with all kitchen equipment, cupboards, benches, lighting, skylights installed as per specifications. Cool room, open cupboards and cleaners cupboard were the final items being installed. There is minor work to be completed after Expo to finalise the project.

2. Tennis Court Lighting

Lighting has been installed and is operational. A minor change is to be made to the power board to put switches on the outside of the box for the lights to avoid the accidental turning off of the clubhouse power.

3. Tennis Court resurfacing

Project is complete. The final CSRFF payment and the National Court Rebate Scheme funding have been requested now that this component is complete.

4. Ram Shed resurfacing

Project is complete. Both junior basketball and senior netball have trained on the surface and have commended the project. The Expo Sheep Show will be using it at the weekend and feedback will



be sought at the Sport & Recreation Advisory Committee meeting to be held Monday 14th April.

5. New rectangular field

Sand has been carted in and organic matter laid. Fencing/retaining walls are currently being researched and considered by the Club and the Shire. Reticulation components have been ordered and it is anticipated that this will commence sometime after Expo. The final components will be the turf and then the lighting. It is anticipated that these will be completed in the second half of 2014.

Funding Update

Cr Cowcher and Cr Cavanagh met with representatives of the Williams Football Club on Friday 4th April to discuss a possible cash contribution by the Club to the project. The Club were to consider their options at their meeting on the 9th April and advise the Shire in due course.

The quarterly report on the CLGF expenditure to 31st March 2014 has been completed. The final expenditure of the funding is due by 20th April 2014, following which a final report and audited financial acquittal will be required within 3 months of the completion of the project.

Financial Implications

Shire of Williams cash contribution is currently estimated at \$85,386.98. Council has budgeted an allocation of \$120,000. The reduction is as a result of the additional funding secured.

Voting Requirements

Simple Majority

Officers Recommendation

For information.

8.1.2 4WDL WELL AGED HOUSING PROJECT

| | | |
|----------------------------|------------------|-----------------------------|
| File Reference | EDO Files | |
| Statutory Reference | N/A | |
| Author & Date | Heidi Cowcher | 10 th April 2014 |

Background

The Shire of Williams, as lead agency on behalf of the 4WDL/Kent Regional Group, has secured to date the following funding:

- CLGF Regional Funding 2011/12 (complete construction of 10 units)
 - \$1,972,409 (\$273,960.97 remains to be spent)
- R4R Regional Community Services Funding (construction of 14 units)
 - \$5,023,646 (\$4,217,509.76 remains to be spent)
- CLGF Regional Funding 2012/13 (construction of 7 units)
 - \$1,972,409



The Williams allocations from these funding sources are as follows:

- | | | |
|-------------------|---------------------------|---------|
| ➤ 2011/12 funding | \$389,449 (plus interest) | 2 units |
| ➤ RCSF funding | \$715,000 (plus interest) | 2 units |
| ➤ 2012/13 funding | \$183,162 (plus interest) | 1 unit |

Comment

The 2011/12 CLGFR funding is due for completion 20th June 2014.

The RDC funding is due for completion 10th May 2015. The second instalment of the funding (\$2,009,458) is to be released when 30% construction is complete – which is relatively close. The final instalment is to be released at 70% construction and before 30th June 2014, however these two are unlikely to correlate, so an application has been made for the final instalment (\$1,507,094) to be transferred to the 14/15 financial year.

The 2012/13 CLGFR funding is due for completion 11th February 2016.

Williams has 5 units under construction currently – two funded by CLGF 10/11-11/12 and two funded by RCSF and one funded by CLGF 12/13.

Audit

The Well-Aged Housing project was selected by the Department to be independently audited by an external audit firm BDO. The Department needed reassurance that the project was being properly governed and managed and had the necessary information back up for the effective and efficient management of the funding.

The auditors spent three days at the Shire of Williams. The process was an extremely comprehensive one and was focused on governance, record keeping, policies and procedures in relation to release of funding. The information requested was significant in volume and very detailed.

The final report on the audit will not be available for some weeks, however the interim advice that was received at the completion of the audit was that the project was being managed very well. Two small areas were identified as possible areas that record keeping could be improved. One was in relation to declarations of interest for shire reports and one was in relation to email correspondence from Shires in relation to progress on the project.

Financial Implications

The Shire of Williams has committed \$150,000 to the project in 2013/14.

Voting Requirements

Simple Majority

Officers Recommendation

For information only



Heidi Cowcher
Economic Development Officer
10th April 2014

8.1.3 EDO REPORT ACCEPTANCE

Voting Requirements
Simple Majority

Officers Recommendation

That the EDO's report as tabled be received.

Council Resolution

Carne/Paterson

That the EDO'S report as tabled be received

Carried 7/0
Resolution 189/14



8.2 WORKS SUPERVISOR'S REPORT

File Reference **12.15.36**
 Statutory Reference N/A
 Author & Date Tony Kett 8th April 2014

8.2.1 MAINTENANCE GRADING ACTIVITY

| Road Name | Length Graded (kms) |
|-----------------------------------|---------------------|
| Bates Rd | 3.25 |
| Old Soldiers Rd | 3.9 |
| Marling Rd | 7.14 |
| Zilko Rd | 19.31 |
| Total Length for the Month | 33.5km |

8.2.2 ROAD MAINTENANCE WORKS

- Fixed blow out on Clayton Rd

8.2.3 UPCOMING WORKS & ITEMS ON ROAD CONSTRUCTION PROGRAM

| Road Name (Road Length) | Description of Work | Start SLK | End SLK | Total | Status | Comment |
|--|--|-----------|---------|-------|---|---|
| Darkan-Quindanning Rd (For Boddington Shire) (30.3km) | Reconstruct, widen and seal to 7m | 0.00 | 3.7 | 3.7 | | Completed |
| York-Williams Rd (19.50km) | Shoulder widening and Seal from 6m to 7m | 4.60 | 11.60 | 7.00 | Graded up spoil. Ready to pick up for 7km | Picking up spoil. Putting in a new culvert. |
| Culbin-Boraning (19.31km) | Gravel Sheeting | 7.00 | 10.20 | 3.20 | Not Started | |
| Tarwonga-Dardadine (21.50km) | Clearing, gravel sheeting | 7.60 | 10.60 | 3.00 | Not Started | |
| Hardie Rd | Replacement of Bridge | | | | Putting in culvert | Completed |
| Aged Homes | Sandpad | | | | Unit 13 sand pad | Completed |
| New Hockey Oval | Sand carted in and levelled | | | | | |



8.2.4 MECHANICAL REPORT

| Plant Description | | Driver | Date Purchased | Hours/Kms January 2014 | Works Completed this month |
|--------------------------------------|------------------------|------------------|----------------|------------------------|---|
| Ford FG G6E Sedan | Light Vehicles | Ryan Duff | July 2011 | 82,349 km | |
| Ford FG G6E Sedan | | Cara Ryan | 1 Jul 09 | 101,352 km | |
| Holden Rodeo Dual Cab Utility | | Maintenance | 5-Nov-04 | 235,504 km | |
| Ford Ranger Dual Cab Utility | | Tony Kett | 1-Jul-09 | 161,345 km | |
| Kia 2 Tonne Truck | | Jeff Cowan | 9-Oct-07 | 49,043km | |
| Holden Rodeo Crew Cab Utility | | Andrew Wood | 15-Nov-06 | 249,609 km | |
| Holden Rodeo Single Cab Utility | | James Lenehan | 20-Nov-06 | 86,500 km | |
| Mitsubishi Triton Single Cab Utility | | Stewart Cowcher | 22-Sep-99 | 212,720 km | |
| Multipac Multi-Tyre Road Roller | Construction Equipment | Ray Scobie | 21-Oct-04 | 5,215 hr | |
| Vibromax Roller | | | 29-Sep-04 | 3,343hr | |
| Caterpillar 12M Grader | | Andrew Wood | Dec 2011 | 1,822 hr | |
| Volvo G930 Road Grader | | Richard Hewitt | 20-Oct-06 | 6,904 hr | Injectors reconditioned. New tail shaft put in. |
| 721E Case Loader | | Roger Gillett | May 2012 | 3,426 hr | |
| Volvo EC210BLC Excavator | | Phil Reed | 18-Jul-07 | 4,925 hr | |
| John Deere 315SE4 Backhoe | | Trevor Palframan | 17-Sep-01 | 1,587 hr | New steering arm put in. |
| John Deere MFWD Tractor | | Works | 21-Oct-97 | 10,545 hr | |
| Toro Reelmaster SP mower | Works | Aug-09 | 531 hr | | |
| Toro Z597 Ride on Mower | Parks & Gardens | Jeff Cowan | 1-Oct-06 | 1,328 hr | Mower including deck serviced in Perth. |
| Toro Z400 Kholer Ride on Mower | | Jeff Cowan | 8-Aug-05 | 519 hr | Mower including deck serviced in Perth. |
| Honda TRX Four Wheel M/Cycle | | Jeff Cowan | 20-Mar-00 | 1,269 hr | |
| Toyota DA115 Tip Truck (Water Truck) | | James Lenehan | 24-Aug-94 | 232,408 km | |
| Isuzu FVZ1400 Tip Truck | Trucks & Trailers | Steven Stewart | 31-Dec-03 | 245,908 km | |
| Mercedes Benz Actross Prime Mover | | Phil Reed | 21-Dec-05 | 232,510 km | |
| | | | | | |



| | | | | | |
|---------------------------|--|----------------|-----------|------------|--|
| Isuzu Giga CXZ Tip Truck | | Justin Murdock | 10-Dec-08 | 145,100km | |
| Isuzu NPR 300 Truck | | Ray Scobie | 21-Jan-13 | 21,831km | |
| SFM Side Tipping Trailer | | Works | 21-Dec-05 | 102,567 km | |
| Howard Porter Low Loader | | Works | 31-Aug-07 | 101,064 km | |
| Howard Porter Pig Trailer | | Justin Murdock | 10-Dec-08 | 101,345 km | |

8.2.5 STAFF

- Nil to report

8.2.6 TOWN AND FACILITIES REPORT

- New hockey oval: sand carted in and levelled.

8.2.7 PRIVATE WORKS

- Nil

8.2.8 WORKS SUPERVISOR REPORT ACCEPTANCE

Voting Requirements

Simple Majority Required

Officers Recommendation

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

Council Resolution

Johnstone/Logie

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

**Carried 7/0
Resolution 190/14**



8.3 ENVIRONMENTAL HEALTH / BUILDING SURVEYOR'S REPORT

Environmental Health Officer/Building Surveyor Steve Friend attended the meeting at 1.59pm to discuss his report.

8.3.1 BUILDING PERMITS

File Reference 13.34.10
Statutory Reference N/A
Author & Date Steve Friend 9th April 2014

Comment

The following building licenses have been issued under delegation by the EHO/BS:

| | | | |
|------|----------------|---------------------------|---------------------|
| #339 | Beary/Anderson | Lot 13312 Williams Street | Fibro Clad Dwelling |
| #340 | J Shaw | Lot 105 Richmond Street | Carport |

Financial Implication

Fees: Shire \$1093.40 (includes septic tank fee \$226); BSL \$259.14; BCF \$485.87

Voting Requirements

Simple Majority Required

Officers Recommendation

That Building Permits issued by the EHO/BS as listed above be endorsed by Council.

Council Resolution

Paterson/Cavanagh

That Building Permits issued by the EHO/BS as listed above be endorsed by Council.

Carried 7/0
Resolution 191/14

8.3.2 FOOD PREMISES INSPECTION

File Reference 7.40.41
Statutory Reference N/A
Author & Date Steve Friend 9th April 2014

Comment

Williams Hotel – Cleanly maintained. No issues to report.

Quindanning Inne – Kitchen walls and ceiling require cleaning. Rooms and bar area well maintained. The matter of the leach drains at the rear has not entirely gone away as there has been some evidence that they have leaked onto the property next door. This has been taken up with the management and is being monitored.



Voting Requirements

Simple Majority Required

Officers Recommendation

That the Food Premises Inspection report be endorsed by Council.

Council Resolution

Logie/Johnstone

That the Food Premises Inspection report be endorsed by Council.

**Carried 7/0
Resolution 192/14**

8.3.3 SWIMMING POOL SAMPLES

| | |
|----------------------------|--|
| File Reference | 11.20.20 |
| Statutory Reference | Health Act 1911; Health (Aquatic Facilities) Regulations |
| Author & Date | Steve Friend 9 th April 2014 |

Background

It is a requirement of the Code of Practice for Aquatic Facilities that class 1 Public Swimming Pools are sampled on a monthly basis.

Comment

The swimming pool was sampled on Wednesday 19th March. At the time of writing that report, the sample results were unavailable.

The results did come in and were found to be unacceptable. The pool operator was contacted and he personally came down and super chlorinated the pool – the operational requirement when a high coliform count is found.

The pool is now closed for the year.

Financial Implications

N/A

Voting Requirements

Simple Majority

Officers Recommendation

That Council endorses the actions of the EHO/BS with respect to water sampling and the remedial measures taken at the Williams swimming pool.



Council Resolution

Major/Logie

That Council endorses the actions of the EHO/BS with respect to water sampling and the remedial measures taken at the Williams swimming pool.

**Carried 7/0
Resolution 193/14**

8.3.4 EHO REPORT ACCEPTANCE

Voting Requirements

Simple Majority

Officers Recommendation

That the EHO's report as tabled be received.

Council Resolution

Carne/Major

That the EHO's report as tabled be received.

**Carried 7/0
Resolution 194/14**

Mr Steve Friend left the meeting at 2.18pm



8.4 CHIEF EXECUTIVE OFFICER'S REPORT

Cr Logie declared an interest in this item and left the meeting at 2.20pm.

8.4.1 NARROGIN EARTHMOVING AND CONCRETE – PROPOSED BUSINESS START-UP

| | |
|----------------------------|--|
| File Reference | 10.64.20 |
| Statutory Reference | N/A |
| Author & Date | R.N. Duff 10 th April 2014 |

Background

The Chief Executive Officer has received enquiries from Narrogin Earthmoving and Concrete regarding purchasing land in the Marjidin Way Industrial Estate with the view of eventually setting up a concrete batching plant.

Narrogin Earthmoving are currently negotiating with Landcorp on the purchase of Lot 401 Marjidin Way which is the largest block being 6,000m².

An interim planning application has been lodged to Council with the applicant wanting Council's in principle planning support prior to purchasing any land.

Comment

Advice has been sought from Council's Planning Consultant regarding the tentative planning application from Narrogin Earthmoving and Concrete. The advice is based on a preliminary report prepared by Liz Bushby and is included below:

| | |
|----------------------|--|
| Report Reference: | |
| Subject: | Preliminary report – proposed concrete batching plant – Lot 401 Marjidin Way, Williams |
| File Reference: | |
| Statutory Reference: | |
| Author & Date: | Liz Bushby, Gray & Lewis Landuse Planners : 8 April 2014 |

Background

Zoning

Lot 401 forms part of the new Industrial estate being created by the Shire. The land is zoned 'Industrial' under the Shire of Williams Town Planning Scheme No 2 ('the Scheme').

The objectives of the Industrial zone are:

- To encourage industrial developments and particularly those which may provide employment opportunities and benefits to the local district.
- To cater for a range of industrial uses and encourage good quality development.



Comment

Description of Proposal

Full details of the proposed development will not be known until such time as a formal planning application is lodged and pursued.

This is a preliminary report advising Council that Narrogin Earthmoving and Concrete are seeking some preliminary support so they can confidently purchase Lot 401 Marjidin Way in Williams with the view of establishing a concrete batching plant on the land.

The company currently operates a concrete batching plant within the Shire of Narrogin. Details of the proposal have not yet been provided however concrete batching typically entails using raw materials such as blue metal, sand and other raw materials to produce concrete. This may involve bulk storage of raw materials, processing on site, and silo storage of concrete.

Landuse Permissibility

The proposed development will be fully assessed on lodgement of a planning application, however based on a general understanding of concrete batching the proposed use is likely to be construed as a 'general industry' which is an 'AA' use in 'Table 1- Zoning Table' of the Scheme which '*means that the Council may, at its discretion, permit the use*'.

Industrial uses, such as concrete batching, are encouraged in the Industrial zone in line with the zone objectives to cater for, and encourage, industrial uses.

Officer Assessment

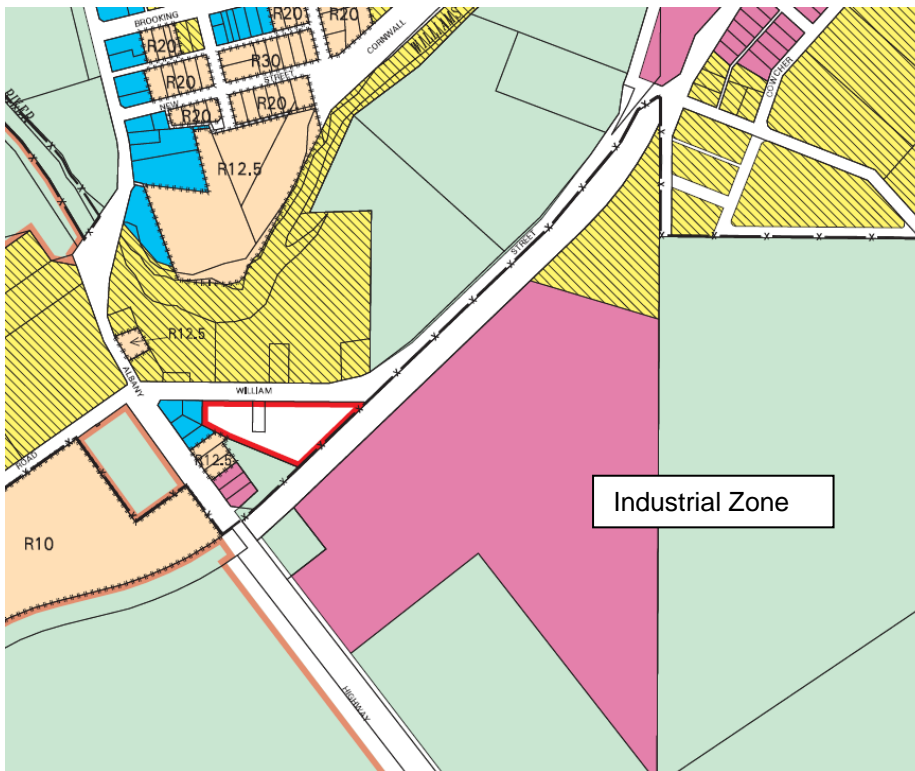
A full assessment has to be conducted on receipt of a formal planning application with details on how the proposed landuse and business will operate.

Generally applicants would provide information such as type of storage (bulk raw materials, concrete & chemicals), wastewater disposal, anticipated truck movements / numbers, tonnage of concrete to be produced annually, loading areas, dust management etc.

Landuse Buffers

The Environmental Protection Guidelines which outline '*separation distances between Industrial and Sensitive landuses*' recommend a buffer of 300-500 metres between concrete mixing / processing and any sensitive landuse (includes any residential dwellings) where the premises mixes up to 5000 tonnes per year, and that buffer increases as tonnage increases.

The Industrial zone has separation between established residential areas located in the main Williams townsite to the north, and is mainly surrounded by the Rural zone and Public Purpose reservations.



There is a Residential and Rural Residential zone to the south west however it is over 500 metres away and separated from the Industrial zone by Albany highway. Council is also currently assessing a building license for a house some 160m from this site.

Registration / Works licence

The Environmental Protection Authority (EPA) can require either registration of the new premises or a formal works approval however it will depend on the scale / capacity and operation of the proposed development.

The EPA has Environmental Protection (Concrete Batching and Cement Manufacturing) Regulations 1998 ('Concrete Batching Regulations'). Any licence required by the EPA is in addition to, and separate from any planning approval issued by the Shire. Potential emissions such as dust and noise can likely be managed through operation in accordance with the Concrete Batching Regulations.

Officer Comment

Whilst further details of the business operation will be needed to do a full planning assessment, at this preliminary stage Gray & Lewis does not foresee any major impediments to the development.

From a planning perspective, there is no such ability for any 'in principle' support, however it is recommended that the company be encouraged to pursue the development and that Council 'advise Narrogin Earthmoving and Concrete Pty Ltd that the Shire recognises that whilst a formal



planning application with further details needs to be lodged, the proposed development is industrial by its very nature and would be most appropriate to locate within an Industrial zone’.

POLICY REQUIREMENTS

N/A

LEGISLATIVE REQUIREMENTS

Shire of Williams Town Planning Scheme No 2 (‘the Scheme’): The main Scheme requirements are discussed in the body of this report however a full planning assessment will be undertaken on receipt of a formal and detailed planning application.

STRATEGIC IMPLICATIONS

Establishment of industrial uses in the Industrial Zone is consistent with the Shire of Williams Townsite Strategy.

SUSTAINABILITY IMPLICATIONS

Environment

There are no known significant environmental implications associated with this proposal. As explained in this report a separate EPA works approval may be required depending on the scale of development.

Economic

The proposed development has potential to increase employment and business opportunities within the town which could have positive economic implications.

Social

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

Financial Implications

The Shire pays consultancy fees to Gray & Lewis Landuse Planners for advice.

Voting Requirements

Simple Majority



Officer's Recommendation

1. That Council advise Narrogin Earthmoving and Concrete Pty Ltd that the Shire recognises that whilst a formal planning application with further details needs to be lodged, the proposed development is industrial by its very nature and would be most appropriate to locate within an Industrial zone and;
2. That regulatory controls for the Industrial Zone within the Shire of Williams Town Planning Scheme No. 2 be noted by the applicant

Council Resolution

Cavanagh/Johnstone

1. That Council advise Narrogin Earthmoving and Concrete Pty Ltd that the Shire recognises that whilst a formal planning application with further details needs to be lodged, the proposed development is industrial by its very nature and would be most appropriate to locate within an Industrial zone and;
2. That regulatory controls for the Industrial Zone within the Shire of Williams Town Planning Scheme No. 2 be noted by the applicant.

**Carried 6/0
Resolution 195/14**

Cr Logie returned to the meeting at 2.35pm



8.4.2 BUNGE GRAIN ROUTES – PINJARRA WILLIAMS RD

| | |
|----------------------------|---------------------------------------|
| File Reference | 12.50.10 |
| Statutory Reference | N/A |
| Author & Date | Ryan Duff 10 th April 2014 |

Background

Recent discussions were held at the 4WDL VROC meeting regarding transport routes for the new Bunge Grain Facility at the Bunbury Port.

The issue was raised about the ramifications to the grain freight network and in particular to road safety, resulting from the development by Bunge Agribusiness Australia of a facility to export grain through the Bunbury Port.

The State Government has approved 500,000 tonnes of grain to pass through the facility in its first two years of operation and the company expects this to rise to 1,000,000 tonnes in the near future.

Bunge has indicated that it plans to attract grain from an area from Brookton to Lake King to Albany and also expects about 20% of its grain to come from the northern Wheatbelt. The company plans to truck 100% of its grain to port. Bunge has stated that it will work with local councils and the State Government to try to coordinate the logistics to minimise the impact on roads and in particular the road users as much as possible.

Comment

Initial indications were that most of the grain freight would be through Arthur River and along the Lake King Roelands Highway and through the towns of Wagin and more so Darkan. The section from Darkan to Collie is very undulating and without any passing lanes there would be road safety issues through limited passing opportunities.

The 4WDL Group discussed writing to Main Roads to request that the Pinjarra/Williams and Collie/Williams Rd be altered from a RAV Network 3 to RAV Network 4 in an attempt to disperse the amount of Bunge Freight Traffic needed to go to Arthur River.

The Shire of Williams may or may not be supportive of this due to the increased traffic through Williams and the potential for heavy vehicles using our road network to access the Pinjarra/Williams Rd to get to the Bunbury Port.

This has somewhat been taken out of our hands by way of Main Roads Heavy Vehicle Operations having already carried out an assessment of this route to move the Pinjarra/Williams and Collie/Williams to a RAV Network 4 road.

The Shire of Williams may wish to make comment on this matter and request Bunge Agribusiness to provide our Council with information as has been done with West Arthur and Wagin Councils.



Financial implications

Nil.

The increase in heavy freight traffic will have a long term effect on the Shire road network and the Shire of Williams should remain vigilant in its planning for this traffic. The 10 year road program should be continually review by Council and the appropriate funds set aside to carry out maintenance on the road network.

Voting Requirements

Simple Majority

Officer's Recommendation

For Council Information

Council Resolution

Cavanagh/Logie

1. That the Chief Executive Officer write to the Minister for Transport and Local Member of Parliament expression concern over the limited passing opportunities on the Collie/Williams Rd and the Pinjarra/Williams Rd in light on the new Bunge Port Facilities at Bunbury.
2. The Council also request passing lanes or pull off lanes be installed on both the T using this road to get to the Bunbury Port.

**Carried 7/0
Resolution 196/14**



8.4.3 NEW STREET TRAFFIC COUNTS

| | |
|----------------------------|--------------------------------------|
| File Reference | 12.15.37 |
| Statutory Reference | N/A |
| Author & Date | Ryan Duff 9 th April 2014 |

Background

Correspondence was presented to the March Council meeting from concerned residents along New Street regarding the speed in which vehicles travel on this road.

The speed limit for the road is 50km/h.

Comment

The Works Supervisor has gathered traffic data over an 11 day period from the 27th March to 8th April.

In summary 1,933 vehicles used the road at an average of 175 vehicles per day. Vehicles speeds were also recorded as follows:

| Km/h | % |
|-------|-------|
| 10-20 | 2.2% |
| 20-30 | 7.8% |
| 30-40 | 25.7% |
| 40-50 | 38.5% |
| 50-60 | 21.1% |
| 60-70 | 4.5% |
| 70-80 | 0.2% |
| 80-90 | 0.1% |

The traffic counts show that the majority of vehicles do travel at or below the speed limit however the street is reasonable busy at 175 vehicles per day. The full traffic data is attached at **APPENDIX 1**.

Financial implications

Nil.

Voting Requirements

Simple Majority

Officer's Recommendation

That the traffic data is passed on to the concerned New St residents and that no further action is taken at this point. Additional traffic counts will also be taken to compare with the initial traffic count data at a future time to ensure vehicle speeds have not increased.



Council Resolution

Major/Paterson

That the traffic data is passed on to the concerned New St residents and that no further action is taken at this point. Additional traffic counts will also be taken to compare with the initial traffic count data at a future time to ensure vehicle speeds have not increased.

**Carried 7/0
Resolution 197/14**

8.4.4 WILLIAMS FREE WiFi

| | | |
|----------------------------|------------------|------------------------|
| File Reference | 4.21.05 | |
| Statutory Reference | N/A | |
| Author & Date | R.N. Duff | 15th April 2014 |

Background

The Shire of Boddington through the Supertown Project has implemented and number of projects within Boddington and the Shire of Wandering and Williams. One of the projects was to implement Free Wi-Fi in the Boddington Town Centre as indicated in the Supertowns Business plan below:

The Boddington District Economic Development Implementation project focuses on key areas for growth potential with emerging employment sectors. These being, services to the resource sector, green technologies, tourism, value adding to agriculture, such as food processing, including fine food; and a range of personal, creative and community services.

Priority/Action Initiative

Commence an Innovation Index

Key Activity

Identify use of advanced technology or innovation

Outcome

Free WiFi in main street of Boddington. Promotion of technology wherever possible (ie. iPad apps)

Comment

Upon recommendation to the Boddington by Council by the Director of Economic Development the following resolution was made:

That Council authorise expenditure of \$14,000 under the SuperTowns Economic Development Agreement to the Hotham Williams Economic Development Alliance for the purpose of acquiring, constructing and maintaining to December 2014 a free WiFi service for the main tourist precinct of the Shire of Williams.



The Director of Economic Development has proceeded to engage Empower ICT to investigate the installation of a free Wi-Fi service at certain locations within the Williams Town site. Empower ICT have made the following recommendation which basically services the Woolshed area and the Williams CRC.

Email 1.

As discussed, my recommendation for Williams is to mount an access point on the back of the Woolsheds building and one on the Daycare centre building.

Please note that this will provide coverage outside the buildings but not inside.

I would also recommend to put the ADSL connection inside the Daycare centre building as this will be in the middle of all future locations you may wish to cover.

Are you able to organise for an ADSL connection to be run into their building?

We will also require a GPO to be installed in the roof space of each building for the POE transformer, is this something you can organise with a local electrician?

If you can advise when these tasks will be complete so I can schedule our antenna installers and our team to come and set it all up.

Email 2

Essentially we currently have approval (and have ordered) two access points. The original locations for these access points were the Woolsheds building and the Daycare Centre.

Each access point is aprox \$1900 ex GST each. I've attached the current invoice which shows the components that make up the original solution.

The cost to maintain the solution is based on the number of access points, in the original solution with two access points the yearly fee is \$418, comprised of 2x \$209.

This figure is only for the captive portal (the system which authenticates users) - this doesn't include any additional hardware maintenance etc that may need to be performed.

The access points cover a distance of 300m line of sight, so as long as we can provide a clear line of sight between the access points we can keep adding additional ones and populating certain areas within your town with the WiFi.

The only other additional cost is the license upgrade if you go over 6 AP's, currently you have a license to run 1 – 6 AP's if you go over 6 there is a once off license upgrade and it's roughly \$1,000.

Issues

Impact on Williams Community Resource Centre

In discussion with the Manager of the CRC it is thought that there may be some impact on the internet hire revenue but it was felt that this would be minimal because most people that use the internet at the CRC require documents to be printed.



The CRC is still investigating the provision of a limited free Wi-Fi service (using existing infrastructure) within the RSL Car park area which would serve the same purpose as the Empower ICT proposal without giving any comparative advantage to some businesses and not others.

Comment was also made that CRC internet use has also reduced due to a increasing number of people have access to the internet via their smartphones.

Non-Service to other Williams Businesses

To fully service the Brookton St and Albany Highway Businesses further infrastructure would have to be provided adding costs to the project. To get coverage to the BP would require an additional 3-4 antennas increasing the annual services costs to over \$1,000.

Financial Implications

Cost of Infrastructure

2 Services \$14,000 paid by Boddington Supertown Project

Additional Services paid by Shire of Williams

Operating costs

2 services \$418 paid by Shire of Williams

Voting Requirements

Simple Majority

Officer's Recommendation

That the Shire of Williams thank the Shire of Boddington for their kind offer of assisting to set up a Free Wi-Fi service in Williams however decline the offer on the grounds that the currently proposal does not affect the majority of our Tourist Businesses in Williams and that the ongoing costs of operation, although minimal, are not warranted given the services already available to visitors seeking a Wi-Fi connection.

Council Resolution

Major/Johnstone

That the Shire of Williams thank the Shire of Boddington for their kind offer of assisting to set up a Free Wi-Fi service in Williams however decline the offer on the grounds that the currently proposal does not affect the majority of our Tourist Businesses in Williams and that the ongoing costs of operation, although minimal, are not warranted given the services already available to visitors seeking a Wi-Fi connection.

**Carried 7/0
Resolution 198/14**

Afternoon Tea

Council adjourned for afternoon tea at 3.05pm and resumed the meeting at 3.38pm.



8.4.5 QUESTUS PROPOSAL – WILLIAMS AGED PERSONS HOUSING

| | |
|----------------------------|---|
| File Reference | 9.10.20 |
| Statutory Reference | N/A |
| Author & Date | R.N. Duff 9 th April 2014 |

Background

The Shire of Williams is currently constructing five aged person units in New St with completion due before the end of the year. The units will be rented to aged persons and will be managed by the Shire of Williams.

The Chief Executive Officer and Economic Development Officer recently meet with Questus a National Rental Affordability Scheme provider to discuss the NRAS and how it might benefit Williams and the 4WDL overall.

Information copied from the Questus website:

ROUND 5 NRAS APPLICATIONS

Questus have been active in pursuing further NRAS allocations under the recently closed Round 5 application process. Again, partnering with major developers and Community Housing Providers, Questus has participated in applications in Western Australia, South Australia, Victoria, New South Wales, Queensland and Tasmania.

The National Rental Affordability Scheme (NRAS)

A Federal Government initiative to encourage the construction of new housing in Australia

NRAS OVERVIEW

NRAS is a long term commitment by the Australian Government to invest in affordable rental housing. The Scheme seeks to address the shortage of affordable rental housing by offering financial incentives to build and rent dwellings to low and moderate income households at least 20% below market rates for ten years.

The primary focus of NRAS is to:

- *increase the supply of affordable rental dwellings;*
- *reduce rental costs for low to moderate income households; and*
- *encourage large scale investment and delivery of affordable housing.*

HOW IT WORKS

Investors agree to rent an Approved NRAS Property to an Eligible Tenant at least 20% below the market rate for a period of 10 years or 40% for certain approved properties in the Western Australian North West.



HOW YOU BENEFIT

The Federal and State Government will contribute tax free incentives, available each year for 10 years, to owners of Approved NRAS Properties. The Government Incentives for the 2013/2014 NRAS year are \$10,350.

SECURITY OF REAL PROPERTY

Your Approved NRAS Property may be a house and land package or a completed apartment or townhouse not previously resided in. Questus have approved NRAS properties available for sale and participation in the Questus Residential Investment Fund.

INCREASE IN VALUE OF PROPERTY

The value of many asset classes and investments may fluctuate over time. Investments in direct property have generally showed consistent returns and have demonstrated to be less volatile than other asset classes and investments such as listed equities. As your underlying investment is direct real property, you will benefit in any capital growth.

NO PROPERTY MANAGEMENT HASSLES

There is no need for you to worry about rent collection or tenancy management, as Questus will appoint an approved Property and Tenancy Manager in order to maintain compliance with NRAS.

OTHER TAXATION BENEFITS

A significant taxation benefit of an Approved NRAS Property is that the Government Incentives are a refundable tax offset (RTO) and non assessable non exempt income (NANE), which means the income is tax free. All property investments enable the investor the ability to deduct associated costs with managing their property, including but not limited to property management fees, insurances, rates, interest costs, as well as specific taxation benefits such as depreciation. By owning an Approved NRAS Property all these taxation benefits are available to you. However, recent taxation rulings have determined that expenses associated with deriving the NANE are non-deductible. As a result, the portion of expenses able to be claimed by an investor is limited to the proportion of assessable income. You should seek your own independent tax advice to find out what tax benefits are available to you.

The National Rental Affordability Scheme (NRAS)

The Federal Government has committed to pay owners of NRAS Properties, over \$10,000 PER YEAR, FOR 10 YEARS

2013/2014 NRAS Incentives

For the 2013/2014 NRAS year, which runs from 1 May to 30 April, the Government Incentives are \$10,350 per annum. Incentives are indexed annually to the rental component of the Housing Group Consumer Price Index.



THE QUESTUS RESIDENTIAL INVESTMENT FUND

Key Features

- *The Questus Residential Investment Fund has been structured to allow investors who want to invest in new residential housing, to also access the Government Incentives available through NRAS. ~*
- *Hassle free investment as your Approved NRAS Property will be managed on your behalf to ensure compliance with the NRAS legislation and regulations.*
- *Government Incentives are indexed annually and available for a period of ten years for each Approved NRAS Property.*
- *The Federal Government Incentives are a refundable tax offset. This means that the offset will reduce the amount of tax you are required to pay in any year. This amount is required to be claimed through your Income Tax Return. ~*
- *The State Government Incentives are non assessable non exempt income (NANE). This means that the amount is not included in your income tax return (no tax payable). This amount is paid by the respective State or Territory generally in the last quarter of the calendar year. ATO rulings have determined that expenditure associated with deriving the NANE is non-deductible.*
- *~Approved NRAS Property managed by professional property and tenancy managers (Property and Tenancy Managers).~*
- *NRAS has allocated over \$1 billion over the next four years to create up to 50,000 high quality new affordable rental properties across Australia.*

This is a summary of the Key Features of the Questus Residential Investment Fund. You should read the entire Product Disclosure Statement and seek your own independent advice before deciding to invest.

Further information on the NRAS is available at **APPENDIX 2**.

Comment

The five units that the Shire is currently building will have to be for rental accommodation as the Financial Assistance Agreement with the Department of Regional Development stipulates that the assets cannot be sold for a period of at least 5 years.

Financial Implications

Essentially, there is an opportunity for up to \$10,350 per annum per unit where units are rented at 20% or more below the average rental. The commitment from the NRAS is for 10 years but Council can withdraw at any time.



| | Per annum | Per week |
|---|---------------------|--------------------|
| Assessed Rent | \$ 10,400.00 | \$ 200.00 |
| less 20% | \$ 2,080.00 | \$ 40.00 |
| Rental | \$ 8,320.00 | \$ 160.00 |
| NRAS payment | | |
| \$10,000 pa | \$ 10,350.00 | \$ 199.04 |
| Actual Unit Income | \$ 18,670.00 | \$ 359.04 |
| Five units | \$ 93,350.00 | \$ 1,795.19 |
| | | |
| | | |
| | | |
| Current Joint Venture Housing Rental | | |
| Sandalwood Court - Minimum | | \$ 117.00 |
| Sandalwood Court - Maximum | | \$ 155.00 |
| Wandoo Cottages - Minimum | | \$ 117.00 |
| Wandoo Cottages - Maximum | | \$ 155.00 |
| Community Homes | | \$ 77.50 |

Voting Requirements

Simple Majority

Officer's Recommendation

That the Chief Executive Officer commences negotiations with Questus to secure 5 National Rental Affordability Scheme Packages for the New St Aged Units currently under construction.

Council Resolution

Cavanagh/Paterson

That the Chief Executive Officer commences negotiations with Questus to secure 5 National Rental Affordability Scheme Packages for the New St Aged Units currently under construction.

**Carried 7/0
Resolution 199/14**



8.4.6 REGULATION 17 – RISK MANAGEMENT

| | |
|----------------------------|--|
| File Reference | 11.60.20 |
| Statutory Reference | N/A |
| Author & Date | R.N. Duff 10 th April 2014 |

Background

Recent amendments to the Local Government Audit Regulations require CEOs to review and report to their Audit Committee and Council, at least once every two years, on the appropriateness and effectiveness of systems and procedures in relation to:

- risk management
- internal controls, and
- legislative compliance

With a deadline of December 2014, CEOs will need to demonstrate through culture and documentary evidence that they have solid foundations in place for the ongoing management of risks and controls.

Comment

The questions to be asked to determine the risk maturity for the Shire of Williams are:

- Do you have a risk management policy?
- Do you have a documented framework for managing & reviewing risks?
- Are your material risks documented?
- Do you measure the effectiveness of your internal controls?
- Do you have a Business Continuity Program?
- Do you have documented risk appetite or tolerances in place?
- Are you aware of, and do you meet your legislative and regulatory responsibilities?
- Is there clear segregation of duties in place to protect against fraud and misconduct?

To assist in answering these questions and formulate a risk strategy Local Government Insurance Services have offered their services to assist the 4WDL VROC. Their proposal document is attached at **APPENDIX 3**.

Legislative Requirements

LOCAL GOVERNMENT (AUDIT) REGULATIONS 1996 - REG 17

17 . CEO to review certain systems and procedures

(1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —

(a) risk management; and

(b) internal control; and



(c) legislative compliance.

(2) The review may relate to any or all of the matters referred to in sub regulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.

(3) The CEO is to report to the audit committee the results of that review.

[Regulation 17 inserted in Gazette 8 Feb 2013 p. 868.]

Financial Implications

\$5,350.43 per Shire (Inc. GST) included in the 2014/15 Budget.

Voting Requirements

Simple Majority

Officer's Recommendation

That the Shire of Williams participates in the 4WDL Embedding Risk Management Foundations Project Proposal from LGISWA.

Council Resolution

Major/Paterson

That the Shire of Williams participates in the 4WDL Embedding Risk Management Foundations Project Proposal from LGISWA.

**Carried 7/0
Resolution 200/14**



8.5 MANAGER OF FINANCE'S REPORT

8.5.1 ACCOUNTS FOR PAYMENT

| | | |
|----------------------------|----------------|----------------------------|
| File Reference | 4.23.15 | |
| Statutory Reference | N/A | |
| Author & Date | Cara Ryan | 9 th April 2014 |

Background

That the Chief Executive Officer be authorised to make payments from Councils Municipal Fund, Trust and Reserve Accounts to a maximum of \$100,000 for payment of:

- Refunds of overpayment, deposits and bonds.
- Postage
- Salaries and Wages
- Petty cash recoup
- Payment of creditors where a discount or penalty applies
- Council vehicle licenses
- Special emergency payments as authorised
- Loan Repayments
- Police Licensing, receipts.
- Credit Card purchases up to \$5,000 for items contained in the Budget
- Progress payments for tender contracts

Comment

The list of account for payment is a separate attachment to this agenda.

Financial Implications

As listed in the recommendation below.

Voting Requirements

Simple Majority

Officers Recommendation

That Municipal Fund cheques 104123 -104134, EFT Transfers and Direct Debits totalling \$216,140.31, CLGF Regional Funding EFT transfers totalling \$169,482.61 approved for payment by the Chief Executive Officer be endorsed and that Municipal Fund cheques 104135 - 104144 totalling \$5,554.07 and Municipal Fund EFT Transfers totalling \$446,659.06 be approved for payment.



Council Resolution

Johnstone/Carne

That Municipal Fund cheques 104123 -104134, EFT Transfers and Direct Debits totalling \$216,140.31, CLGF Regional Funding EFT transfers totalling \$169,482.61 approved for payment by the Chief Executive Officer be endorsed and that Municipal Fund cheques 104135 - 104144 totalling \$5,554.07 and Municipal Fund EFT Transfers totalling \$446,659.06 be approved for payment.

**Carried 7/0
Resolution 201/14**



8.5.2 FINANCIAL STATEMENTS

| | | |
|----------------------------|----------------|----------------------------|
| File Reference | 4.23.15 | |
| Statutory Reference | N/A | |
| Author & Date | Cara Ryan | 9 th April 2014 |

Background

A statement of financial activity must be produced monthly and presented to Council. In accordance with the Local Government Act 1995, a statement of financial activity must be presented to each Council meeting, including a comparison to the budget and variance from it. It must also include explanations of any variances.

Statutory Implications

Local Government (Financial Management) Regulations 1996, reg 34.

Comment

The financial statements are a separate attachment to this agenda.

Financial Implications

As disclosed in the financial statements.

Voting Requirements

Simple Majority

Officers Recommendation:

That the financial statements presented for the period ending 31st March 2014 be received.

Officers Recommendation

That the financial statements presented for the period ending 31st March 2014 be received.

Council Resolution

Johnstone/Carne

That the financial statements presented for the period ending 31st March 2014 be received.

**Carried 7/0
Resolution 202/14**



8.6 COUNCILLORS' REPORTS

Cr Cavanagh attended a meeting with the Forestry Products Commission

Cr Cowcher and Cavanagh meet with representatives from the Williams Football Club

Cr Cavanagh attended the Hotham Williams Economic Development Alliance (HWEDA) meeting.

Shire of Bruce Rock delegates visited Williams on their Southwest tour and meet with Cr Cowcher and Cr Carne.

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN.

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

Council Resolution

Cavanagh/Major

That Council discuss the matter regarding a potential move from the Wheatbelt Development Commission to the Peel Development Commission as raised by Cr Cavanagh.

**Carried 7/0
Resolution 203/14**

Council Resolution

Cavanagh/Major

That Council requests that the Chief Executive Officer approach the Peel Development Commission on whether they would consider accepting the Shire of Williams as part of their Development Commission jurisdiction.

**Carried 7/0
Resolution 204/14**

10.1 ELECTED MEMBERS.

10.2 OFFICERS.



11.0 APPLICATION FOR LEAVE OF ABSENCE

Cr Carne requested leave for the Ordinary Council Meeting scheduled for the 16th July 2014.

Council Resolution

Johnstone/Logie

That Cr Carne is granted leave for the Ordinary Council Meeting scheduled for the 16th July 2014.

Carried 7/0

Resolution 205/14

12.0 INFORMATION SESSION

13.0 CLOSURE OF MEETING

There being no further business for discussion the President declared the meeting closed at 5.13pm.