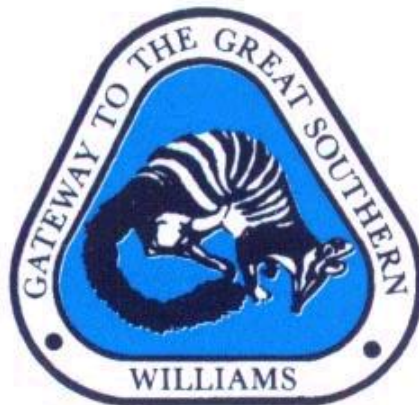


SHIRE OF WILLIAMS

***MINUTES ORDINARY MEETING HELD ON WEDNESDAY
28TH SEPTEMBER 2016***



COUNCIL DIARY

WEDNESDAY 28TH SEPTEMBER 2016

1.00pm

Ordinary Meeting

2.45 pm

Visit by the new Williams Police OIC Sgt Stephen
Stingemore

WEDNESDAY 12TH OCTOBER 2016

4.00pm

LEMC Meeting

WEDNESDAY 12TH OCTOBER 2016

6.00pm

Williams BFB AGM

WEDNESDAY 19TH OCTOBER 2016

1.00pm



MINUTES – ORDINARY MEETING OF COUNCIL HELD 28TH SEPTEMBER 2016

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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, 28th September 2016.

Yours faithfully

Geoff McKeown
Chief Executive Officer



DISCLAIMER

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

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



AGENDA

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President, Cr John Cowcher declared the meeting open at 1.01 pm.

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

(PREVIOUSLY APPROVED)

Cr John Cowcher President

Cr Greg Cavanagh Deputy President

Cr David Earnshaw

Cr Natalie Major

Cr Peter Paterson

Cr Moya Carne

Geoff McKeown Chief Executive Officer

Heidi Cowcher Economic Development Officer (1.01pm to 1.17pm) and
(1.44pm to 2.21pm) and (3.52pm to 4.28pm)

Tony Kett Works Supervisor (2.22pm to 2.38pm)

Gordon Tester Environ. Health Officer/Building Surveyor (2.39pm to 2.52pm)

Apologies

Cr Richard Johnstone

Cr Gilbert Medlen

Cr Jarrad Logie

Cara Ryan Manager of Finance

Visitors

Mr Graham Prowse (1.01pm to 1.17pm) and (3.14pm to 3.19pm) and
(3.55pm to 4.28pm)

Sgt Stephen Stingemore (3.10pm to 3.28pm)

Mr Neal Brown (3.22pm to 3.28pm)

Mrs Kelsey Brown (3.22pm to 3.28pm)

Mr David Phelps (3.55pm to 4.28pm)

3.0 PUBLIC QUESTION TIME

Mr Graham Prowse

Question 1

Is Council aware of the rubbish that is accumulating on the blocks near the CBH facility?



The Chief Executive Officer responded – That he was aware of some of the properties referred to and intends to follow up with individual property owners to request they clean up their blocks.

Question 2

Can the Shire deliver and spread a few loads of gravel on the Lions Park Carpark to remove the potholes.

The President responded – The Shire will attend to this when it has the opportunity.

Question 3

Will the Shire consider the matters contained in the letter sent from the Friends of the Medical Centre which asks Council to give support to the newly established Williams Pharmacy?

The President responded – It is difficult for local government to directly support individual businesses but will encourage as many residents as possible to take advantage of the service provided.

The Chief Executive Officer responded – That he had spoken with the Pharmacist and extended an offer of support if it was needed.

Mr Graham Prowse and Mrs Heidi Cowcher left the meeting at 1.17pm.

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

3.00pm – OIC Williams Police – Sergeant Stephen Stingemore.

3.30pm - The President announced that members of the Williams Bowling Club will be attending the meeting to discuss the Synthetic Green Upgrade Project.

5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	Moya Carne / Councillor
Item No. / Subject	8.4.5 / Williams Bowling Club – Synthetic Green Upgrade
Type of Interest	Impartiality



6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 17TH AUGUST 2016

Officer's Recommendation

That the Minutes of the Ordinary Meeting held on 17th August 2016, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Cavanagh/Carne

That the Minutes of the Ordinary Meeting held on 17th August 2016, as previously circulated, be confirmed as a true and accurate record.

**Carried 6/0
Resolution 51/17**

6.2 SPECIAL COUNCIL MEETING HELD 24TH AUGUST 2016

Officer's Recommendation

That the Minutes of the Special Council Meeting held on 24th August 2016, as previously circulated, be confirmed as a true and correct record.

Council Resolution

Major/Earnshaw

That the Minutes of the Special Council Meeting held on 24th August 2016, as previously circulated, be confirmed as a true and correct record.

**Carried 6/0
Resolution 52/17**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.0 REPORTS

8.1 ECONOMIC DEVELOPMENT OFFICER'S REPORT

The Economic Development Officer, Heidi Cowcher, entered the meeting at 1.44pm to discuss her report.

8.1.1 4WDL WELL AGED HOUSING PROJECT

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 21 st September 2016

Background

The Shire of Williams, as lead agency on behalf of the 4WDL Regional Group, has secured funding to construct a total of up to 50 units across seven local governments from various sources since 2010. To date five separate funding streams have financed the construction, four of which are now complete. The final funding stream (SII) is underway and due for completion 2018.

Comment

Funding totalling \$5,023,648 has been secured to construct an additional 14 units across 6 shires. Confirmation has been received that additional units are being built, which will bring the total to 18. These are being funded in part by the SII funding, and the balance by contributions from the Wagin Cottage Homes (in Wagin) and Shires respectively through loan and reserve funds. An approval for a project variation for the additional units to be has been granted. In each Shire the project is progressing reasonably well. An annual report has been completed for the 2015/16 year and been audited by the Shire's auditors with no adverse findings.

Promotional signage for the project was proposed at the August 4WDL meeting. The Williams CRC designed and had printed new promotional banners which were displayed at the Newdegate Field Days in early September. The banners are currently on display at the Shire offices (Williams) and will be made available to the shires when wishing to promote the 4WDL Well Aged Housing Project.





Summary of claims processed to date:

Shire	Total Funded	Total claimed to 21.09.16
West Arthur (3 units)	\$717,664 (+ interest) 2 units	\$230,787.16
Williams (2 units)	\$717,664 (+ interest) 2 units	\$295,464.61
Wagin (4 units)	\$1,076,496 (+ interest) 3 units	\$247,660.59
Dumbleyung (3 units)	\$717,664 (+ interest) 2 units	\$6,011.01
Lake Grace (3 units)	\$1,076,496 (+ interest) 3 units	\$269,004.44
Woodanilling (3 units)	\$717,664 (+ interest) 2 units	\$370,364.94
TOTAL (18 units)	\$5,023,648 (14 units)	\$1,419,292.75

Financial Implications

Project Management and Audit expenses attributed to this project are funded from the interest earned on the investment of the funding. The Shire of Williams does not incur any additional expenditure on this project that is not funded from the project interest.

Voting Requirements

Simple Majority

Officer's Recommendation

The report on progress of the 4WDL Well Aged Housing Project is received.

Council Resolution

Earnshaw/Paterson

The report on progress of the 4WDL Well Aged Housing Project is received.

**Carried 6/0
Resolution 53/17**

8.1.2 GENERAL PROJECTS UPDATE

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 21 st September 2016

Background

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

Comment

Williams Aged Units – Lots 67 & 68 New Street

Construction is progressing well, with three claims from the builder made to date. The frames and brickwork is complete, together with some of the cladding. The roof is on and internal works are underway.



HWEDA

A Project Plan for the Marradong Country Self-Drive Trail has been completed in support of funding applications that will enable this project to be implemented. The Project Plan is attached (without appendices) for Council's interest. Funding applications have been submitted to the Wheatbelt and Peel Development Commission's Community Chest Fund for \$15,000 respectively and Worsley/South32 for \$30,000. The outcome of these requests is not likely to be known until early 2017.

DSR Community Pool Revitalisation Program

The 2016/17 funding round closed at the end of August. An application for \$32,000 was submitted that, if successful, will see the installation of heat pumps at the Williams Swimming Pool to heat the water utilising some of the power generated by the solar panels that were installed this season. The pool will open mid-October. The earlier opening date has been negotiated with Contract Aquatic offering maintenance work at cost, with the additional benefit of swimmers being able to use the pool 2 weeks earlier than the traditional season opening of 1st November.

LGIS & Sponsors Inter-Municipal Golf Day 2016

As reported previously, the Shire of Williams won this event when they attended in Bruce Rock in 2015. This gave the Shire and the Williams Golf Club the opportunity to host the event in Williams in 2016. The event was very successful, with the Shire, Club and organisers congratulated on a job well done. The Shire of Peppermint Grove won the day and have offered the opportunity for the Shire of Irwin (Dongara) to host the event in 2017.

Financial Implications

Project based, budgeted for as appropriate.

Voting Requirements

Simple Majority

Officer's Recommendation

That the General Projects update be received.

Council Resolution

Cavanagh/Major

That the General Projects update be received.

**Carried 6/0
Resolution 54/17**

Ms Cowcher left the meeting at 2.21pm.



8.2 WORKS SUPERVISOR'S REPORT

Works Supervisor Tony Kett attended the meeting at 2.22pm to discuss his report.

File Reference 12.15.36
 Statutory Reference N/A
 Author & Date Tony Kett 19th September 2016

8.2.1 MAINTENANCE GRADING ACTIVITY

Road Name	Length Graded (km)
Yarrabin Rd	4.5
Westmere Rd	5.1
Zilko Rd	19.3
Mundays Rd	8.7
Culbin-Boraning Rd	17.7
Higham Rd	3.1
Bullied Rd	1.6
Playle Rd	3.7
McKenzie Rd	5.4
Plank Rd	4.7
Total Length for the Month	73.8 Km

8.2.2 ROAD MAINTENANCE WORKS

- Culverts cleaned on Pingelly Rd, Fourteen Mile Brook Rd, York-Williams Rd, Yarrabin Rd, Playle Rd, Clayton Rd, and Congelin-Narrogin Rd.

8.2.3 2015/16 ROAD CONSTRUCTION PROGRAM

Road Construction Program 2016-17								
Road No	Road Name (Road Length)	Description of Work	Start SLK	End SLK	Total	Start Date	Finish Date	Comments
128	Williams-Darkan Rd	Reseal	22.52	25.52	3 km			
9	Dardadine Road	Seal	00	2.00	2 km			
10	Pingelly Road	Seal to 7m	0.05	3.50	3 km			
1	York-Williams	Reseal	0.0	3.00	3 km			



7	Clayton Road	Widen Shoulders	0.0	2.00	3 km			
11	Marradong Road	Clear vegetation, drainage and repair failures	Various slks					
12	Zilko Road	Clear vegetation and gravel sheet	Various slks					Completed
2	Darkan-Quindanning	Tree trimming south end	Cross roads to Boundary		15kms			9 km both sides of the road completed
54	Kennedy Road	Gravel sheet	0.00	2.74	2.74km			Gravel in and spreading gravel.
88	Curteis Road	Clear sections and gravel sheet 1km.			1 km			
99	Wilkie road	Reconstruct culvert floodway						
5	Fourteen Mile Brook Road	Reconstruct culvert floodway.						

8.2.4 MECHANICAL REPORT

Plant Description		Driver	Date Purchased	Hours/Kms July 2016	Works Completed this month	
Mazda CX5 WL 16	Light Vehicles	Cara Ryan	23 Sep 15	32,156 km		
Toyota Kluger 16 WL		Geoff McKeown	10 Sep 14	53,000 km		
Holden Rodeo Dual Cab Utility WL5499		Maintenance	5-Nov-04	234,466 km		
Isuzu D-Max WL 19		Tony Kett	9-Sep 14	60,245 km	Serviced	
Kia 2 Tonne Truck WL 5414		Jeff Cowan	9-Oct-07	136,312 km		
Holden Colorado Crew Cab Ute WL 742		Andrew Wood	5-Oct 15	190,142 km		
Holden Rodeo Crew Cab Utility WL842		Outside staff	15-Nov-06	299,130 km	Blown motor	
Holden Rodeo Single Cab Utility WL 826		James Lenehan	20-Nov-06	113,149 km		
Mitsubishi Triton Single Cab Utility WL 430		Stewart Cowcher	22-Sep-99	227,032 km		
Skid Steer Track Loader. 1EV.V725		Equipment	Outside works crew.	Sep 2015	274 hr	



Multipac Multi-Tyre Road Roller WL49	Parks & Gardens	Ray Scobie	21-Oct-04	6,223 hr	
Vibromax Roller WL 126			29-Sep-04	4,094 hr	
Caterpillar 12M Grader WL61		Richard Hewitt	Dec 2011	4,300 hr	
Caterpillar 12m Grader WL361		Andrew Wood	15-10-2014	1,560 hr	
721E Case Loader WL 5639		Roger Gillett	May 2012	5,767 hr	
Volvo EC210BLC Excavator WL 499		Phil Reed	18-Jul-07	6,640 hr	Two new batteries
John Deere 315SE4 Backhoe WL 745		Trevor Palframan	17-Sep-01	2,560 hr	
Toro Reelmaster SP mower WL5502		Works	Aug-09	953 hr	
Kubota Generator		Refuse Site		3201 hr	
Toro Z597 Ride on Mower WL 731	Trucks & Trailers	Jeff Cowan	1-Oct-06	1,1782 hr	New hub assembly
Toro Z400 Kholer Ride on Mower WL5302		Jeff Cowan	8-Aug-05	583 hr	
Honda TRX Four Wheel M/Cycle WL 429		Jeff Cowan	20-Mar-00	1,367 hr	
Toyota DA115 Tip Truck (Water Truck) WL 595		James Lenehan	24-Aug-94	235,100 km	
Isuzu FVZ1400 Tip Truck WL 093			31-Dec-03	291,920 km	
Mercedes Benz Actross Prime Mover WL91		Phil Reed	21-Dec-05	297,080 km	
Isuzu Giga CXZ Tip Truck WL 128		Justin Murdock	10-Dec-08	200,853 km	
Isuzu NPR 300 Truck WL 016		Ray Scobie	21-Jan-13	66,006 km	Serviced
SFM Side Tipping Trailer WL 3730		Works	21-Dec-05	135,500 km	Serviced
Howard Porter Low Loader WL ITIF 238	Works	31-Aug-07	128,500km		
Howard Porter Pig Trailer WL3792	Justin Murdock	10-Dec-08	140,300 km		
Nissan Patrol Fire Ute 1CXV788	BFB Fast attack	23- Feb 2016	167,500 km		

8.2.5 STAFF

- Nil to report

8.2.6 TOWN AND FACILITIES REPORT

- Nil to report



8.2.7 PRIVATE WORKS

- Nil to report

8.2.8 WORKS SUPERVISOR REPORT ACCEPTANCE

Voting Requirements

Simple Majority Required

Officer's Recommendation

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

Council Resolution

Paterson/Earnshaw

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

**Carried 6/0
Resolution 55/17**

Mr Kett left the meeting at 2.38pm.

8.3 ENVIRONMENTAL HEALTH / BUILDING SURVEYOR'S REPORT

The newly appointed Environmental Health Officer/Building Surveyor, Mr Gordon Tester, attended the meeting at 2.39pm.

The President welcomed Mr Tester to the meeting and congratulated him on his appointment to the Shire of Wagin and Shire of Williams.

Gordon Tester gave a brief summary of his background in local government and the areas that he will focus on in his new role.

Mr Tester left the meeting at 2.52pm.



8.4 CHIEF EXECUTIVE OFFICER'S REPORT

8.4.1 CHIEF EXECUTIVE OFFICER'S GENERAL REPORT

File Reference	4.1.20
Statutory Reference	N/A
Author & Date	Geoff McKeown 22 nd September 2016
Attachment	Nil

Background

The Chief Executive Officer's General Report provides Council with an update on the activities of the CEO and other matters that do not necessarily require a decision of Council.

Comment

The CEO General Report is provided to Council as a separate document.

Financial implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That the Chief Executive Officer's General Report for September 2016 be received by Council.

Council Resolution

Earnshaw/Paterson

That the Chief Executive Officer's General Report for September 2016 be received.

**Carried 6/0
Resolution 56/17**

Sgt Stephen Stingemore attended the meeting at 3.10pm.

The President welcomed Sgt Stingemore to Williams and to the Council Meeting.

Sgt Stingemore outlined his background in the Police Service and localities where he has worked. He commented on the challenges of working in regional areas and how he will undertake his new role in Williams.

Graham Prowse entered the meeting at 3.14pm and then left at 3.19pm.

Neal and Kelsey Brown attended the meeting at 3.22pm.

The President adjourned the order of the meeting to attend to 8.4.6 - Development Application – Lot 148 Richmond Street, Williams

8.4.6 DEVELOPMENT APPLICATION – LOT 148 RICHMOND STREET, WILLIAMS

File Reference	10.60.15
Statutory Reference	Shire of Williams Town Planning Scheme No.2
Author & Date	Geoff McKeown 22 nd September 2016
Attachment	Nil

Background

Application

A Development Application has been lodged by the owner of Lot 148 (47) Richmond Street, Williams to be able to erect a 12m x 6m shed on the property.

The application does not comply with the Residential Design Codes (R Codes) and as such requires Council approval to proceed.

Comment

Description of Application

The application is for a 12 metre wide, 6 metre deep shed to be built in the northwest corner of the property. There is an existing shed of 9.2m x 3.2m (29.44m²) on the property.

The subject lot is zoned 'Residential R5' under the Shire of Williams Town Planning Scheme No 2 ('the Scheme') and has an area of 1,012m².

The applicant wishes to build the second shed and also have a zero setback to an unmade road reserve to the north of the property. The following plan shows the existing buildings, including some smaller sheds in the northwest corner that will be removed to accommodate the new shed.



The application states that the reason for asking to have a zero setback to the unmade road reserve is to avoid cutting down well established plum trees and alter an existing chook pen.



The applicant has advised that shire representatives have previously indicated that it is unlikely that the gazetted road reserve will be used in the future for a road.

Voting Requirements

Simple Majority Required

Officer's Recommendation

That Council grants Development Approval to the owner of Lot 148 Richmond Street, Williams to be able to erect a second shed, being 12m x 6m in size, in the northwest corner of the property adjacent to the unmade road reserve with a zero setback, subject to:

1. The issue of a Building Permit;
2. The development being undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council.

Advice Notes

The development shall be substantially completed within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Williams having first been sought and obtained.

Council Resolution

Earnshaw/Paterson

That Council grants Development Approval to the owner of Lot 148 Richmond Street, Williams to be able to erect a second shed, being 12m x 6m in size, in the northwest corner of the property adjacent to the unmade road reserve with a zero setback, subject to:

1. The issue of a Building Permit;
2. The development being undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council.

Advice Notes

The development shall be substantially completed within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Williams having first been sought and obtained.

**Carried 6/0
Resolution 57/17**

Neal and Kelsey Brown left the meeting at 3.28pm.

Sgt Stephen Stingemore left the meeting at 3.28pm.



Afternoon Tea

The President adjourned the meeting for afternoon tea at 3.28pm and invited Sgt Stingemore to join the councillors during the break.

The meeting resumed at 3.52pm.

Heidi Cowcher attended the meeting 3.52pm.

Graham Prowse attended the meeting 3.55pm.

David Phelps attended the meeting at 3.56pm.

The President welcomed the members of the Williams Bowling Club, Mr Prowse and Mr Phelps.

Mr David Phelps commenced his presentation by outlining the reasons for the Club's decision not to support the proposal for the Deed of Guarantee being required for the Self Supporting Loan to fund the installation of a synthetic green.

Mr Phelps talked about the Williams Bowling Club raising its own funds for maintenance and upgrading of the bowling greens in the past. He provided costings of the current maintenance and commented that when the synthetic green goes in it will generate savings that can be put to the loan repayment. He outlined other components of the overall project that will be funded by the Club. He asked Council to reconsider its requirement for the Deed of Guarantee and for Councillors to recognise that if members sign up to be guarantors the potential liability transfers to their estate if they were to pass away.

The President advised that the Club should be aware that the Shire was not doing something unusual with this request and that it was common for local government to seek guarantors for self-supporting loans.

Mr Prowse indicated that he hoped there would be a solution to this impasse.

The President advised that it was possible that Council would not make a decision in response to the Club's position at this meeting, given there were a number of councillors absent and it was essential that a matter of this importance had a full complement of councillors present to make the decision. It will also give councillors and Club members more time to consider the issue.

The President thanked Mr Phelps and Mr Prowse for attending the meeting.

Mr Phelps and Mr Prowse left the meeting at 4.28pm.



The order of the Ordinary meeting resumed at 8.4.2 – Development Application – Lot 21 Pinjarra Williams Rd, Quindanning.

8.4.2 DEVELOPMENT APPLICATION – LOT 21 PINJARRA WILLIAMS ROAD, QUINDANNING

File Reference	10.60.15
Statutory Reference	Shire of Williams Town Planning Scheme No.2 and <i>Local Government (Administration) Regulations 1996</i>
Author and Date	Steve Friend and Geoff McKeown 22 nd September 2016
Attachment	Nil

Background

At the August Ordinary Meeting a development application was lodged by the owner of Lot 21 (21) Pinjarra Williams Road, Quindanning, seeking approval to erect a 10m x 6m x 2.7m skillion roofed shed on the property.

The application was referred to Council as the proposal did not comply with the Residential Design Codes (R Codes) in the following areas:

1. The lot is required to have 80% open space (Table 1);
2. Outbuildings should collectively not exceed 60m² or be more than 10% of the property size (5.4.3); and
3. Outbuildings should not exceed a wall height of 2.4m (5.4.3).

The Building Inspector recommended that Council support the application considering the size of the property, relative remoteness, and that it is sometimes better to house a person's possessions in a shed rather than fill up a backyard.

In determining the application the Council resolved as follows:

Council Resolution

Medlen/Johnstone

That Council grants Development Approval to the owner of Lot 21 Pinjarra Williams Road, Quindanning to be able to erect a Colorbond clad, zinc roofed 10m x 6m x 2.7m skillion roofed shed at the rear of the property, subject to:

1. The issue of a Building Permit;
2. The development being undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council.

Advice Notes

The development shall be substantially completed within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Williams having first been sought and obtained.

Carried 5/2



Comment

The applicant has now approached the Shire to request a modification to the size of the shed he wishes to build. The depth of the shed at 6m will not fit the vehicle he wishes to house in it. He would like approval to extend the depth to 7m and if possible the width to 11m. This enlarges it shed by 17m².

The applicant advises that the Shed will still fit on the block to be at least 1m from the property boundary and 7.5m from the existing shed.

Where Council wishes to revoke or change a resolution it must follow the provisions contained in Regulation 10 of the *Local Government (Administration) Regulations 1996*.

If Council is in support of this request to change the size of the shed, it will not be a significant variation to the previous resolution. The regulations do not apply unless the effect of the change would become substantially different. This proposed change is not substantially different.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council amend its Resolution 37/17 made at the August 2016 Ordinary Meeting and grants Development Approval to the owner of Lot 21 Pinjarra Williams Road, Quindanning to be able to erect a Colorbond clad, zinc roofed 11m x 7m x 2.7m skillion roofed shed at the rear of the property, subject to:

1. The issue of a Building Permit;
2. The development being undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council.

Advice Notes

The development shall be substantially completed within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Williams having first been sought and obtained.

Council Resolution

Cavanagh/Paterson

That Council amend its Resolution 37/17 made at the August 2016 Ordinary Meeting and grants Development Approval to the owner of Lot 21 Pinjarra Williams Road, Quindanning to be able to erect a Colorbond clad, zinc roofed 11m x 7m x 2.7m skillion roofed shed at the rear of the property, subject to:

1. The issue of a Building Permit;



2. The development being undertaken in a manner consistent with the information and plans submitted in support of the application unless otherwise approved by Council.

Advice Notes

The development shall be substantially completed within a period of two (2) years from the date of this approval. If the development is not substantially commenced within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Williams having first been sought and obtained.

**Carried 6/0
Resolution 58/17**



8.4.3 PROPOSED LOCATION FOR WILLIAMS MEN'S SHED

File Reference	11.30.30	
Statutory Reference	Nil	
Author & Date	Geoff McKeown	22 nd September 2016
Attachment	Nil	

Background

The Williams Men's Shed has written to the Shire proposing a site to establish a permanent location for its activities.

The Williams Men's Shed has previously approached the Shire with a number of sites being considered. During the period from August to October 2015 there were a number of deputations from the Group as it developed the proposal of a suitable site.

At the Ordinary Meeting held in September 2015 the Council passed the following resolution:

Council Resolution

Medlen/Logie

That the Shire of Williams supports the establishment of the Williams Men's Shed at the Sport and Recreation Ground and in doing so:

1. Agrees to provide land between the bowling club and tennis club.
2. Investigates the power supply capacity of the site.
3. Consults with the various community groups who use the site.
4. Supports a funding application being made for the establishment of a Men's Shed.

**Carried 8/0
Resolution 78/16**

Since that time the Williams Men's Shed has considered alternative sites.

Comment

The letter received from the Williams Men's Shed states:

"The Williams Men's Shed has now been operating for one year in a shed owned by W.E. Gillett in Richardson Street, Williams. We have spent considerable time evaluating sites for a permanent shed over this year.

The Shire kindly offered us a site at the Sports Grounds. However our preferred site is the old Caravan Park Lot 30/40 Brooking Street for a number of reasons:

1. *It will give us our individual autonomy to enable us to seek funding etc independently.*
2. *It is close to the retirement village improving access for older members.*
3. *There is already power, water and deep sewerage on the block.*

We are now an incorporated organisation as part of the W.A. Men's Shed Association and have developed a business plan.

The Men's Shed would appreciate the Shire giving due consideration to the above site as a lease or freehold arrangement.

Please do not hesitate to contact the men's Shed if you require further information."

The following site plan was included with its letter:



Proposed site for Mens Shed.

Imagery ©2016 CNES / Astrium, Map data ©2016 Google 20 m

In August 2015, the then Chief Executive Officer provided information on a number of possible sites, including the Old Caravan Park. Information in the Agenda at the time included:



Land tenure – Freehold – Shire of Williams



Power – No meter, power runs past. Water – No meter, power runs past. Sewerage – adjacent.

Supporting the Williams Men's Shed to have access to this site is likely to close off or make it difficult for any other uses being made of this property. At this time it is not known if the Community or Council has other thoughts on the future development of the land.

Before Council formally considers the request it would be appropriate to invite the public to comment.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council undertake public consultation on the proposal by the Williams Men's Shed to utilise the Old Caravan Park site on Brooking Street as a permanent location for its activities and seek comment on the appropriateness of the site for this purpose or any other potential uses of the land.

Council Resolution

Carne/Major

That Council does not support the proposal by the Williams Men's Shed to utilise the Old Caravan Park site on Brooking Street as a permanent location for its activities.

**Carried 6/0
Resolution 59/17**

The resolution differed from the recommendation as Council does not support the Old Caravan Park site on Brooking Street being the site for the Williams Men's Shed facility.



8.4.4 REIMBURSEMENT OF WILLIAMS GOLF CLUB RATES

File Reference	11.70.55
Statutory Reference	<i>Local Government Act 1995</i> , Section 6.12
Author & Date	Geoff McKeown 22 nd September 2016
Attachment	Nil

Background

For quite a number of years the Williams Golf Club has been issued with a Rates Notice that includes land rates, ESL levy and a rubbish charge.

Under an arrangement with the Club the component relating to land rates has been reimbursed on the raising of an invoice from the Club to the Shire.

Comment

The Club inadvertently did not raise an invoice to the Shire for the 2015/16 rates and has now combined it in an invoice for reimbursement of the 2016/17 rates. The combined total is \$2,373.46.

The original decision to grant this reimbursement was made by Council in September 1982 when the following resolution was passed:

“On the motion of Crs Cowcher and Lefroy it was agreed to donate the Golf Club an amount equal to the rates payable by that Club”

Given that the decision was made such a long time ago and a new Local Government Act has come into force, it is appropriate revisit this decision to ensure compliance with the current legislation.

The *Local Government Act 1995* includes powers for the Council to defer, grant a discount, waive or grant a concession, or write off debts. In this situation it can be considered that Council is granting a concession by reimbursing the rates.

Section 6.12 of the *Local Government Act 1995* states:

6.12. Power to defer, grant discounts, waive or write off debts

- (1) *Subject to subsection (2) and any other written law, a local government may —*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) *waive or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money, which is owed to the local government.*

Council is asked to confirm the continuation of the concession.



Financial Implications

The reimbursement of the rates amounts to \$1,146.60 for the 2015/16 year and \$1,226.86 for the 2016/17 year.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council approves the reimbursement of rates payable by the Williams Golf Club on an annual basis on receipt of an invoice from the Club for the amount payable.

Council Resolution

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
Resolution 60/17**

The resolution differed from the recommendation as Council wished to include a review of the arrangement in five years' time.



Cr Carne declared an impartiality interest for the following item 8.4.5 Williams Bowling Club – Synthetic Green Upgrade. The nature of her interest relates to her current involvement as a member of the Williams Bowling Club.

8.4.5 WILLIAMS BOWLING CLUB - SYNTHETIC GREEN UPGRADE

File Reference	11.70.30
Statutory Reference	Nil
Author & Date	Geoff McKeown 22 nd September 2016
Attachment	Nil

Background

The Williams Bowling Club is proposing the installation of a seven rink synthetic surface to replace one of the grass bowling greens at the Club.

At the July 2016 Ordinary Meeting the Council agreed to invite tenders for the project. This was followed by the consideration of the tenders received at the August 2016 Ordinary Meeting. At that Meeting the Council passed the following resolution:

Council Resolution

Major/Medlen

That Council accepts the tender submitted by Evergreen Synthetic Grass for the installation of an Ultra Plus Synthetic Surface, replacing the seven rink grass surface at the Williams Bowling Club, subject to:

1. a self-supporting loan agreement being entered into with the Williams Bowling Club; and
2. a deed of guarantee and indemnity being entered into with the Williams Bowling Club for half the value of the self-supporting loan.

**Carried 6/1
Resolution 41/17**

Comment

The detail of this decision was communicated in writing to the Club. In addition, a draft Deed of Guarantee and Indemnity was provided for its consideration.

The Club has responded to Council’s decision in a letter that reads:

“Thank you for your letter of the 19 August’16 outlining the Council’s decision regarding funding support for a Synthetic green.

For approval of the Synthetic green, Council now requests that the Bowling Club members be asked to act as Guarantors for 50% of the Self Supporting Loan. Our club has had two meetings to discuss this matter: (1) General meeting 8 September’16 & (2) Committee meeting 13 September’16. Members at both meetings expressed disappointment at the Council’s decision to require personal guarantors from the Club members for a project which would enhance the facility for current and future embers.



We are well aware that the loan is significant and we would honour all payments as per Schedule, however our committee has instructed that we inform you that if Council will not accept full responsibility of the loan, the Williams Bowling Club will have to withdraw from the project. We will need to re-apply for another Sport & Recreation grant to replace "A" green with synthetic which will entail the Shire redrafting the Master Plan.

As mentioned in our previous letter dated 6th July'16 we again ask Council's consideration for continued support in assisting with the maintenance of both A & B greens.

In conclusion the Bowling Club wishes to have a deputation at the Council meeting 28 September to discuss this funding issue."

Given the position taken by the Club, the awarding of the contract to Evergreen Synthetic Grass cannot occur.

An option for the Shire is to accept the Club's position and not proceed with the project. Alternatively, Council may wish to relax the requirement for a deed of guarantee and indemnity. It is noted that representatives of the Williams Bowling Club wish to attend the Council meeting to discuss this issue.

Where Council wishes to revoke or change a resolution it must follow the provisions contained in Regulation 10 of the *Local Government (Administration) Regulations 1996*.

If Council proposes to revoke its earlier decision that conditionally accepted the tender to install the synthetic green, the regulations require in the first instance at least one third of elected members of the Council, inclusive of the mover, support a notice of motion to revoke the decision. The notice of motion must be signed by those elected members. If this is achieved any decision by Council to revoke first-mentioned decision must be made by an absolute majority.

The regulations do not apply if the proposed change to the first-mentioned decision is not substantially different. This would be the case if Council just wishes to remove the condition requiring the deed of guarantee and indemnity, as the principal intent of the decision was to accept a tender for the work.

Financial Implications

The indicative self-supporting loan amount is \$168,000 which requires biannual repayments of \$9,545.83 based on an interest rate 2.5%.

Voting Requirements

Simple Majority



Officer's Recommendation

That Council amend the conditions included in its Resolution 41/17 from the August Ordinary Meeting to remove the requirement for a deed of guarantee and indemnity to be entered into with the Williams Bowling Club that forms part of the arrangements for the self-supporting loan.

Voting Requirements

Absolute Majority

Officer's Alternative Recommendation

That Council revoke its decision from the August Ordinary Meeting, being Resolution 41/17, and not accept any tenders for the installation of a synthetic green at the Williams Bowling Club.

Note: To progress the Officer's Alternative Recommendation will require in the first instance at least one third of elected members of the Council, inclusive of the mover, to support a notice of motion to revoke the decision. The notice of motion must be signed by those elected members.

Council Resolution

Major/Paterson

That Council agree that the matter lay on the table for further consideration at the next Ordinary Council Meeting.

**Carried 6/0
Resolution 61/17**

The resolution differed to the recommendation as Council wished to have additional time to consider the matter and for all councillors to have input into the decision.



8.4.7 USE OF THE COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY

File Reference	4.50.60
Statutory Reference	Sections 5.42 and 9.49A <i>Local Government 1996</i>
Author & Date	Geoff McKeown 22 nd September 2016
Attachment	Nil

Background

The purpose of this Agenda Item is to report to Council for information, the use of the Common Seal and actions performed under delegated authority requiring referral to Council.

Council approved the updated Delegations Register at the December 2015 Ordinary Council Meeting. The procedure associated with the register is to report to Council the activities or actions that have been performed under the delegated authority. A report will be completed for Council at each meeting that identifies: (1) use of the Common Seal, and (2) actions performed under the delegated authority requiring referral to Council as per the Shire of Williams Delegations Register.

Comment

Actions performed under delegation during the month of August 2016 are provided below:

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

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

Action - The Chief Executive Officer approved a transfer of:

1. \$300,000 from the Municipal Fund to the Municipal Cash Management Account to invest surplus funds; and
2. \$1,000,000 from the 4WDL VROC Term Deposit to the 4WDL VROC Trust Account to meet ongoing expenses.

Financial Implications

Payments from the Municipal Fund and Trust Fund have been approved in the 2016/17 Annual Budget or by separate resolution of Council.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council accepts the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of August 2016.



Council Resolution

Cavanagh/Earnshaw

That Council accepts the report “Use of Common Seal and Actions Performed under Delegated Authority” for the month of August 2016.

**Carried 6/0
Resolution 62/17**



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	19 th September 2016

Background

That the Chief Executive Officer be authorised to make payments from Councils Municipal Fund, Trust and Reserve Accounts 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

Officer's Recommendation

That Municipal Fund cheques 104559 -104570, EFT, BPAY, and Direct Debits totalling \$459,017.32, Trust Cheque 1159 totalling \$340.00, SII Funding EFT payments totalling \$178,281.40 approved for payment by the Chief Executive Officer be endorsed.

Council did not consider this item pending clarification of information supplied to be tabled at the Ordinary Meeting of Council scheduled for the 19th October 2016.



8.5.2 FINANCIAL STATEMENTS

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	19 th September 2016

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

Officer's Recommendation

That the financial statements presented for the period ending 31st August 2016 be received.

Council Resolution

Earnshaw/Paterson

That the financial statements presented for the period ending 31st August 2016 be received.

Carried 6/0
Resolution 63/17



8.6 COUNCILLORS' REPORTS

- Cr Cavanagh attended and discussed the Bauxite Community Liaison Committee Meeting on the 25th August 2016.
- Cr Cavanagh and Cr Carne attended a Development Assessment Panel training session.
- Cr Carne attended a presentation on the proposed redevelopment of the Narrogin Regional Hospital.
- Cr Carne and Cr Cowcher attended a presentation of proposed upgrade of the Williams Health Centre on the 5th September 2016.
- Cr Carne and Cr Cowcher attended a 4WDL Meeting on the 13th September 2016.

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

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

10.1 ELECTED MEMBERS

10.2 OFFICERS

11.0 APPLICATION FOR LEAVE OF ABSENCE

12.0 INFORMATION SESSION

13.0 CLOSURE OF MEETING

There being no further business for discussion the President declared the meeting closed at 6.10pm.