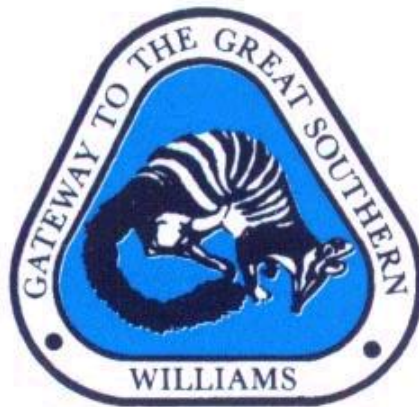


SHIRE OF WILLIAMS

***MINUTES ORDINARY MEETING HELD ON WEDNESDAY
21ST DECEMBER 2016***



COUNCIL DIARY

WEDNESDAY 21ST DECEMBER 2016

12pm

Audit Committee Meeting

1.00pm

Ordinary Meeting

THURSDAY 26TH JANUARY 2017

8.00am

Australia Day Breakfast / Citizen of the Year Presentation

WEDNESDAY 15TH FEBRUARY 2017

1.00pm

Ordinary Meeting

FRIDAY 24TH FEBRUARY 2017

10.30am

Official Opening of (all seven) Jam Tree Lane Units



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Separate Documents

1. Minutes – Council, HWEDA
2. Appendices - CEO General Report, EHO
3. Payment Listing
4. Financial Statements
5. Municipal Bank Reconciliation
6. Status Report
7. Info Statement



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 1.00pm.

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

(PREVIOUSLY APPROVED)

Cr John Cowcher President

Cr Greg Cavanagh Deputy President

Cr David Earnshaw

Cr Richard Johnstone

Cr Natalie Major

Cr Peter Paterson

Cr Moya Carne

Geoff McKeown Chief Executive Officer

Cara Ryan Manager of Finance

Heidi Cowcher Economic Development Officer (1.06pm to 1.42pm)

Tony Kett Works Supervisor (1.43pm to 1.57pm)

Gordon Tester Environ. Health Officer/Building Surveyor (3.35pm to 4.01pm)

Apologies

Cr Gilbert Medlen

Cr Jarrad Logie

3.0 PUBLIC QUESTION TIME

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

2.00pm – Stephen Cole and Craig Turley from Newmont Boddington Gold



5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	Moya Carne / Councillor
Item No. / Subject	8.4.6 / Lease of Vacant Shire Land – Lot 9000 Albany Highway
Type of Interest	Impartiality

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 16TH NOVEMBER 2016

Officer's Recommendation

That the Minutes of the Ordinary Meeting held on 16th November 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 16th November 2016, as previously circulated, be confirmed as a true and accurate record.

Carried 7/0
Resolution 114/17

6.2 HWEDA MEETING HELD 13TH DECEMBER 2016

Officer's Recommendation

That the Minutes of the HWEDA Meeting held on 13th December 2016, as previously circulated, be received.

Council Resolution

Cavanagh/Paterson

That the Minutes of the HWEDA Meeting held on 13th December 2016, as previously circulated, be received.

Carried 7/0
Resolution 115/17



6.3 AUDIT COMMITTEE MEETING HELD 21ST DECEMBER 2016

Officer's Recommendation

That the Minutes of the Audit Committee Meeting held on 21st December 2016, as previously circulated, be received.

Council Resolution

Paterson/Earnshaw

That the Minutes of the Audit Committee Meeting held on 21st December 2016, as previously circulated, be received.

**Carried 7/0
Resolution 116/17**

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 1.06pm to discuss her report.

8.1.1 4WDL WELL AGED HOUSING PROJECT

File Reference	EDO Files	
Statutory Reference	N/A	
Author & Date	Heidi Cowcher	15 th December 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. In each Shire the project is progressing reasonably well.

Summary of claims processed to date (none processed this last month):

Shire	Total Funded	Total claimed to 14.10.16
West Arthur (3 units)	\$717,664 (+ interest) 2 units	\$416,021.23
Williams (2 units)	\$717,664 (+ interest) 2 units	\$529,541.52
Wagin (4 units)	\$1,076,496 (+ interest) 3 units	\$613,642.70
Dumbleyung (3 units)	\$717,664 (+ interest) 2 units	\$256,551.47
Lake Grace (3 units)	\$1,076,496 (+ interest) 3 units	\$385,437.31
Woodanilling (3 units)	\$717,664 (+ interest) 2 units	\$407,653.25
TOTAL (18 units)	\$5,023,648 (14 units)	\$2,608,847.48

As the project has now reached 50% expenditure overall, a request for the drawdown of the final instalment of \$1,523,648 has been made. These funds were received last week. The interest component will be the last remaining drawdown that will be made in 2017.

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 7/0
Resolution 117/17**

8.1.2 GENERAL PROJECTS UPDATE

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 15 th December 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 reached practical completion on the 8th December 2016. The architect inspected the units with the builder, and has made a number of recommendations of areas of improvement required to be undertaken by the builder in anticipation of formal handover.



Kitchen splashback in one of the new units

Fencing has commenced, with the installation of the colourbond fencing on the New Street side. The posts for the slatted fencing have been installed, with the balance of the fencing materials to be supplied mid-January when the fencing will be completed.



Landscaping is being undertaken by Leon Bertuola, who has visited the site and made a number of recommendations. These will be brought to the housing committee for their consideration once received.

Additional paving as requested by the housing committee will be undertaken in January.

An official opening of the units has been confirmed for Friday, 24th February 2017 at 10:30am, with the official duties to be undertaken by Terry Waldron MLA prior to his retirement from politics at the March State Election. An invite list is currently being finalised, with invitations to be sent out mid-January. This function will serve as an official opening of all 7 units, together with the public open space.

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. 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.

A short powerpoint presentation was prepared for the HWEDA meeting and will be shown to Council if time permits at the meeting. It showcases what has been achieved by the Group in the 2 years since it has been operating independent of the Shire of Boddington and the Supertown funding.

Financial Implications

Project based, budgeted for as appropriate.

Voting Requirements

Simple Majority

Officer's Recommendation

That the General Projects update be received.

Council Resolution

Paterson/Johnstone

That the General Projects update be received.

**Carried 7/0
Resolution 118/17**



8.1.3 WILLIAMS LIONS PARK REDEVELOPMENT - BUILDING BETTER REGIONS FUND

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 15 th December 2016
Attachment	Williams Lions Park Masterplan Final Drawings

Background

The Shire applied to the Wheatbelt Development Commission’s Community Chest Funding in December 2014 for \$20,000 to assist with the engagement of a suitably qualified professional to provide assistance and design guidance on the proposed redevelopment of the Williams Lions Park. The funding was approved in March 2015 and in April 2015 appointed UDLA to complete the work. The project was completed in February 2016 and the Plan was endorsed by Council at that meeting.

Comment

Council’s resolution at the February meeting was as follows:

Council Resolution

Major/Earnshaw

That Council accepts the Final Masterplan and Short Report for the Williams Lions Park redevelopment.

**Carried 9/0
Resolution 159/16**

At the time, Council discussed various funding sources, however resolved not to pursue any until such time as Main Roads made a more definitive determination on when the proposed bridge replacement works would be undertaken.

The CEO, Works Supervisor and I met with Main Roads representatives on the 17th November to discuss the proposed works program, and a brief report on this meeting is included in the CEO’s General Report. In short, the proposed replacement of Bridge 25 is due to take place during 2018/19.

The Federal Government has recently announced the new funding stream *Building Better Regions Fund Infrastructure Projects Stream* with applications due to open 18th January 2017 and closes 28th February 2017. Projects that are investment ready and have secured co-funding and can demonstrate robust planning are encouraged to apply.

Council has completed its Master Planning on the proposed redevelopment and could consider submitting an application in this first round. Council would need to make a resolution that it would commit the co-funding required for the project to commence once a grant agreement is executed. Council’s contribution could be a mix of cash and in-kind.



The outcome of the funding is not likely to be known for at least 4-6 months post submission, which will give staff time to prepare and submit applications for funding from other sources (e.g.: Lotterywest) which will further subsidise Council's contribution, as well as give time for the project to be considered in the 2017/18 Annual Budget deliberations.

To be competitive, the following merit criteria will need to be addressed:

1. Economic benefit
The economic benefit the project will deliver to the region during and beyond the construction phase;
2. Social benefit
The social benefit the project will deliver to the region during and beyond the construction phase;
3. Value for money
The value for money offered by the project; and
4. Project delivery
The capacity, capability and resources the organisation has to deliver the project

The CEO and I have a teleconference booked with Juliet Grist from Regional Development Australia Wheatbelt on Tuesday 20th December. The details of this teleconference will be provided verbally at the Council meeting.

In anticipation of an application, the CEO endorsed sourcing external assistance from RPS Australia to provide the economic and social impact evaluation (merit criteria 1 & 2) for the proposed project. RPS has extensive experience in analysing and distilling the key competitive drivers of local economies and industries, in assessing the impacts of investment in major enabling infrastructure and in the identification of practical initiatives and actions for implementation.

Fortunately, RPS has also recently worked on the development of the Business Case to support the upgrades of the two bridges in Williams and the pavement improvements proposed for between the two bridges in their work for Main Roads. They see only significant value in the proposed redevelopment of the Williams Lions Park and see the project as being an important investment consideration for Council to encourage more stopovers and longer stopovers that will serve to support local businesses and the growth of the Williams economy. The project will also have considerable social value as it will connect the townsite to the recreational precinct. The upgrade will only be further improved by the bridge replacements. RPS has indicated that they will be able to provide a draft report within 3 weeks of engagement, and this is anticipated for early January 2017.

It is envisaged that merit criteria 3 & 4 will be reasonably straightforward to address as part of the development of a Business Case that will support the application. I have also fortunately secured a copy of the Shire of Kellerberrin's successful NSRF application for the redevelopment of Centenary Park in their main street. This is a similar project to the Williams Lions Park redevelopment and these documents will assist in ensuring that we address the information level required for consideration of Federal Government support.



Financial Implications

\$5,000 committed to the Social and Economic Analyses currently being conducted by RPS Australia. This was not budgeted for, but will provide much needed background information that will strengthen our application (independent advice on these criterion is a significant consideration in reviewing the robustness of the project).

A desktop review of the total estimated cost of the proposed redevelopment has indicated that there are components that at this stage will need to be removed from the project as they may be part of the Main Roads work and/or would need to be done at a later stage.

The following components will be the basis of the BBRF application:

Stage 1

Project Preliminaries	\$62,500
General POS Amenity	\$343,325
Play Area 1	\$349,675
Play Area 2	<u>\$161,050</u>
TOTAL	\$916,550

The balance of the project would be considered during the bridge replacement program:

Stage 2

River Park & Carpark	\$406,100
Albany Highway streetscape	\$34,225
Brooking St & Albany Highway connection	<u>\$162,550</u>
TOTAL	\$602,875

If Council supports the proposed delineation of the overall project scope, and commits to Stage 1, I would recommend an application to Building Better Regions for \$450,000 and the Shire commit a cash/in-kind contribution of \$466,550. I would then endeavour to actively source additional funding to offset this commitment, including (but not limited to):

Lotterywest	\$200,000
Project Numbat	\$15,000 (yet to be confirmed)
Newmont (via Project Numbat)	\$5,000-\$10,000 (yet to be confirmed)
?Other sources not yet identified	

This has the potential to reduce the Shire’s cash/in-kind contribution to \$241,550 with the final actual cash contribution to be determined once all funding sources secured and confirmed and what in-kind contribution will be foreseen in the implementation of the project.

Voting Requirements

Simple majority



Officer's Recommendation

That Council supports the submission of an application to the Building Better Regions Fund and commits the co-funding to the project to \$466,550, subject to sourcing additional funding to assist with off-setting this contribution.

Council Resolution

Major/Johnstone

That Council supports the submission of an application to the Building Better Regions Fund and commits the co-funding to the project to \$466,550, subject to sourcing additional funding to assist with off-setting this contribution.

**Carried 7/0
Resolution 119/17**

8.1.4 COMMUNITY POOL REVITALISATION SCHEME FUNDING – HEAT PUMPS

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 15 th December 2016

Background

In 2014, the Department of Sport and Recreation launched a new funding program that granted up to \$30,000 (increased incrementally to \$32,000 in subsequent years) to regional swimming pools to assist regional local governments with the cost of maintaining and upgrading aquatic centres. Williams was successfully granted \$30,000 in 2014/15 for general maintenance and \$32,000 in 2015/16 for the installation of solar power and general maintenance.

Comment

In August 2016 the 2016/17 round opened, and the Shire applied for \$32,000 for the installation of a heat pump that will heat the pool in a cost effective, sustainable manner. Quotes at the time were sourced from a supplier dealing directly with Contract Aquatic Services (Sigma). Indicative estimates were that the project would be in the vicinity of \$30,000 to \$35,000 including installation, freight and GST.


The Shire was successful in being awarded \$32,000 towards the installation of heat pumps at the Williams Swimming Pool in season 2016/17.

The Shire accepted the quote provided by Sigma totalling \$31,140 including installation and freight of the heat pumps direct to Williams. The heat pumps will require a power supply and this cost will be additional. Quotes for this are currently being sought.

At the time of the inspection, advice has been received from the installers that the most suitable location is where the two current small garden sheds are located adjacent to the main pump room

sheds. The larger of the two contains a liquid chlorine tank that is no longer used (the contractor now uses dry chlorine as this is safer and more cost effective) and the smaller of the two sheds is used for storage. It is proposed that these two sheds will be dismantled and removed and the infrastructure within removed. This will leave a concrete pad on which the heat pumps will be located. Contract Aquatic has offered to supply a couple of panels of colourbond fencing to fence on the pool side and the Shire will erect a mesh fence similar to the current perimeter fence on the carpark and roadside.



 Remove storage sheds and install heat pumps. New colourbond fence on pool side; mesh fence on carpark and road side.

Financial Implications

Funding secured totalling \$32,000 plus GST. Indicative funding allocation is \$30,000 for the heat pumps and \$2,000 for general maintenance (and contingency for any cost over runs in the installation of the heat pumps).

Voting Requirements

Simple Majority



Officer's Recommendation

That Council supports the installation of 2 x heat pumps at the Williams Swimming Pool in the identified location.

Council Resolution

Johnstone/Carne

That Council supports the installation of 2 x heat pumps at the Williams Swimming Pool in the identified location.

**Carried 7/0
Resolution 120/17**

Ms Cowcher left the meeting at 1.42pm



8.2 WORKS SUPERVISOR'S REPORT

Works Supervisor Tony Kett attended the meeting at 1.43pm to discuss his report.

File Reference	12.15.36	
Statutory Reference	N/A	
Author & Date	Tony Kett	12 th December 2016

8.2.1 MAINTENANCE GRADING ACTIVITY – WINTER GRADING

Road Name	Length Graded (km)
Plank Rd	4.7
Darkan-Quindanning Rd	14.2
English Rd	6.5
Culbin-Boraning Rd	17.7
Dardadine Rd	21.5
Sattler Rd	5.4
Medlen Rd	8.2
Wangeling Gully Rd	8.8
Nash Rd	5.8
Gillett Rd	1.1
Old Soldiers Rd	3.9
Zilko Rd	19.3
Cowcher Rd	4.4
Pingelly Rd	4.2
Congelin-Narrogin Rd	6.1
Westmere-Yarrabin Rd	9.6
Total Length for the Month	116 Km

8.2.2 ROAD MAINTENANCE WORKS

- Patching on York-Williams Rd
- Contractor Wayne Hegarty, Wagin Earthmoving, is tree trimming on Marradong Rd
- Patching 14 Mile Brook Rd



8.2.3 2016/17 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			Completed
1	York-Williams	Reseal	0.0	3.00	3 km			
7	Clayton Road	Widen Shoulders	0.0	2.00	2 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		15km			Completed
54	Kennedy Road	Gravel sheet	0.00	2.74	2.74km			Completed
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/Km December 2016	Works completed this month
Mazda CX5 WL 16	Light Vehicles	Cara Ryan	23 Sep 15	48,254 km	Vehicles, hours and kilometres have been updated in December, however nil to report regarding works or services.
Toyota Prado 16 WL		Geoff McKeown	10 Sep 16	1,800 km	
Holden Rodeo Dual Cab Utility WL 5499		Outside staff	5-Nov-04	241,197 km	
Isuzu D-Max WL 19		Tony Kett	9 –Sep 14	75,000 km	
Kia 2 Tonne Truck WL 5414		Jeff Cowan	9-Oct-07	143,300 km	
Holden Colorado Crew Cab Ute WL 742		Andrew Wood	5-Oct 15	204,566 km	
Isuzu 4x2 Single Cab Ute WL 916		Maintenance	25-Nov-2016	42 km	
Holden Rodeo Single Cab Utility WL 826		Outside works crew	20-Nov-06	116,987 km	
Isuzu 4x2 Single Cab Ute WL 915		James Lenehan	25 Nov 2016	154 Km	
Skid Steer Track Loader 1EVV725		Construction Equipment	Outside works crew	Sep 2015	
Multipack Multi-Tyre Road Roller WL 49	Outside works crew		21-Oct-04	6,377 hr	
Vibromax Roller WL 126	Outside crew		29-Sep-04	4,203 hr	
Caterpillar 12M Grader WL 61	Richard Hewitt		Dec 2011	4,735 hr	
Caterpillar 12M Grader WL 361	Andrew Wood		15-10-2014	1,875 hr	
721E Case Loader WL 5639	Roger Gillett		May 2012	5,879 hr	
Volvo EC210BLC Excavator WL 499	Phil Reed		18-Jul-07	6,811 hr	
John Deere 315SE4 Backhoe WL 745	Trevor Palframan		17-Sep-01	2,697 hr	
Toro Reelmaster SP Mower WL 5502	Works		Aug-09	1,010 hr	
Kubota Generator	Refuse Site			3,477 hr	
Toro Z597 Ride on Mower WL 731	Parks & Gardens	Jeff Cowan	1-Oct-06	1,943 hr	
Toro Z400 Kholer Ride on Mower WL 5302		Jeff Cowan	8-Aug-05	594 hr	
Honda TRX Four Wheel M/cycle WL 429		Jeff Cowan	20-Mar-00	1,392 hr	
Toyota DA115 Tip Truck (Water Truck) WL 595		James Lenehan	24-Aug-94	235,800 km	



Isuzu FVZ1400 Tip Truck WL 093	Trucks & Trailers		31-Dec-03	293,382 km	
Mercedes Benz Actross Prime Mover WL 91		Phil Reed	21-Dec-05	308,626 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	74,662 km	
SFM Side Tipping Trailer WL 3730		Works	21-Dec-05	140,500 km	
Howard Porter Low Loader WL ITIF 238		Works	31-Aug-07	132,500km	
Howard Porter Pig Trailer WL 3792		Justin Murdock	10-Dec-08	1405,300 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

Cavanagh/Johnstone

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

**Carried 7/0
Resolution 121/17**

Mr Kett left the meeting at 1.57pm.



Mr Stephen Cole and Mr Craig Turley from Newmont Boddington Gold attended the meeting at 2.04pm.

Ms Heidi Cowcher, Economic Development Officer attended the meeting at 2.04pm

The President welcomed Mr Cole and Mr Turley to the meeting and invited them to make their presentation to Council.

Mr Stephen Cole commenced by giving Council a run down on the history of Newmont and overview on the Boddington Gold Mine's operations. Mr Craig Turley followed by providing Council with information on the mine's social responsibilities, which includes environmental and communities.

The presentation concluded at 3.00pm.

Afternoon Tea

The President adjourned the meeting for afternoon tea at 3.01pm and invited Mr Cole and Mr Turley to join the Councillors during the break.

Mr Stephen Cole, Mr Craig Turley and Ms Heidi Cowcher left the meeting at 3.01pm.

The meeting resumed at 3.35pm.



8.3 ENVIRONMENTAL HEALTH / BUILDING SURVEYOR'S REPORT

The Environmental Health Officer/Building Surveyor, Mr Gordon Tester attended the meeting at 3.35pm.

8.3.1 BUILDING PERMITS

File Reference	13.34.10
Statutory Reference	<i>Building Act 2011, Building Regulations 2012</i>
Author & Date	Gordon Tester 13 December 2016

Comment

Nil return for building permits in November 2016.

Reporting to Australian Bureau of Statistics on Building Activity is slowly being phased out and replaced with more comprehensive reporting direct to the Building Commission in Western Australia who in turn then relay the information to the ABS.

This change is being considered for adoption by all other States in Australia.

Voting Requirements

Simple Majority

Officer's Recommendation

That Building report as presented above be endorsed by Council.

8.3.2 WILLIAMS PUBLIC SWIMMING POOL

File Reference	11.20.20
Statutory Reference	<i>Health (Aquatic Facilities) Regulations 2007</i>
Author & Date	Gordon Tester 13 December 2016

Comment

Test results forwarded to Council on 7 December 2016 indicated acceptable water quality within the pool facility.

Voting Requirements

Simple Majority

Officer's Recommendation

That the Williams Public Swimming Pool report be endorsed by Council.



Council Resolution

Earnshaw/Paterson

That the Williams Public Swimming Pool report be endorsed by Council.

**Carried 7/0
Resolution 122/17**

8.3.3 ASBESTOS COMPLAINT

File Reference	7.10.20
Statutory Reference	<i>Health (Asbestos) Regulations 1992</i>
Author and Date	Gordon Tester 13 December 2016
Attachment	Nil

Comment

A complaint that broken asbestos sheeting was littering the surface of the ground on a lot within the Williams Townsite was forwarded to the administration.

The complaint was subsequently investigated and samples obtained and forwarded to a testing laboratory for examination to determine whether or not the material was in fact asbestos and not cellulose cement sheeting particles.

The material appears to have been on site for a long period of time, possibly from an earlier demolition of a residence on this now vacant land.

It is suspected that original use of this material was for the purpose of fencing.

The results confirmed that the samples did contain asbestos.

The material presents a low level of risk as the asbestos fibre is bonded to a cement matrix and if not disturbed should not be releasing asbestos fibres.

However, it is undesirable to not arrange for the removal of the material as there is potential for vehicles to further crush the material in its present location.

Quotes are being obtained from licenced asbestos removal contractors to safely remove this material from within the town site.

Voting Requirements

Simple Majority



Officer's Recommendation

Council endorses the actions of Staff in addressing the issue of asbestos on a vacant block in the Williams Townsite.

Council Resolution

Johnstone/Earnshaw

Council endorses the actions of Staff in addressing the issue of asbestos on a vacant block in the Williams Townsite.

**Carried 7/0
Resolution 123/17**

8.3.4 FOOD HANDLING PREMISES – REGISTRATION

File Reference	7.10.20	
Statutory Reference	<i>Food Act 2008</i>	
Author and Date	Gordon Tester	13 December 2016
Attachment	Nil	

Comment

During the month of November all food handling premises in the Williams Townsite were visited and assessed for compliance with registration obligations under the provisions of the *Food Act 2008*.

Of the ten premises assessed nine were found to be unregistered.

All unregistered premises were issued with Food Business Notification Forms and requested that the forms be completed and returned to the Shire of Williams administration office.

As it is an offence to not notify the Local Authority of the conducting of a Food premises this situation will be monitored until such time as all food premises are registered with the Shire of Williams.

Voting Requirements

Simple Majority

Officer's Recommendation

That the Food Premises Registration Status report be received by Council.

Council Resolution

Paterson/Earnshaw

That the Food Premises Registration Status report be received by Council.

**Carried 7/0
Resolution 124/17**



8.3.5 PROPOSED TOWN PLANNING SCHEME NO2 SCHEME CONVERSION

File Reference	14.25.26
Statutory Reference	<i>Town Planning and Development Act 2005</i>
Author & Date	Gordon Tester 13 December 2016
Attachments	Correspondence from Planning Commission Modified Scheme Text Example

Background

The *Planning and Development (Local Planning Schemes) Regulations 2015* (the Regulations) were gazetted on 25 August 2015 and became operational on 19 October 2015. The Regulations are a significant part of Western Australia's planning reform agenda, affecting arrangements for local planning strategies, schemes and amendments.

This has resulted in the need for many textural changes to existing Town Planning Schemes in Western Australia including the Shire of Williams Town Planning Scheme No2.

Comment

The Shire of Williams Town Planning Scheme No2 is very basic and lacking in some areas, for example no setbacks and no zone objectives. The Department of Planning will do a scheme conversion for free (see attached letter) and as part of that Council could make some simple but substantial improvements to the text.

Attached is an example of a scheme conversion done for Narembeen.

Financial Implications

It is the Author's opinion that it would be well worthwhile to take advantage of the service whilst it is available at no cost.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council direct staff to request that the Department of Planning proceed with a scheme conversion to the Shire of Williams Town Planning Scheme No2 to incorporate the *Planning and Development (Local Planning Schemes) Regulations 2015* where considered necessary by the Department.



Council Resolution

Carne/Major

That Council direct staff to request that the Department of Planning proceed with a scheme conversion to the Shire of Williams Town Planning Scheme No2 to incorporate the *Planning and Development (Local Planning Schemes) Regulations 2015* where considered necessary by the Department.

**Carried 7/0
Resolution 125/17**

Mr Tester left the meeting at 4.01pm



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	15 th December 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 December 2016 be received by Council.

Cr Major left the meeting at 4.33pm returned at 4.38pm.

Council Resolution

Paterson/Johnstone

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

Carried 7/0
Resolution 126/17



8.4.2 2017 – COUNCIL MEETING DATES

File Reference	4.1.20
Statutory Reference	Section 5.25(g) - <i>Local Government Act 1995</i>
Author and Date	Geoff McKeown 5 th December 2016
Attachment	Nil

Background

To provide suggested dates for Council approval for meeting dates in 2017 to enable public advertising as required by the *Local Government Act 1995*.

Comment

Below is a draft schedule of proposed dates for Council Meetings for 2017 which are set for the third Wednesday of each month, except January:

Wednesday - 15th February
Wednesday - 15th March
Wednesday - 19th April
Wednesday - 17th May
Wednesday - 21st June
Wednesday - 19th July
Wednesday - 16th August
Wednesday - 20th September
Wednesday - 18th October
Wednesday - 15th November
Wednesday - 20th December

Section 5.25(g) of the *Local Government Act 1995* stipulates that regulations may make provision in relation to the giving of public notice of the date and agenda for Council or committee meetings. The *Local Government (Administration) Regulations 1996* states:

12. Meetings, public notice of (Acts. 5.25(1)(g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public,are to be held in the next 12 months.

Voting Requirements

Simple Majority



Financial Implications

Nil

Officer's Recommendation

That Council:

1. Adopts the meeting schedule for the period January 2017 to December 2017 as listed; and
2. Advertise the meeting dates in accordance with Section 5.25 of the *Local Government Act 1995* and Regulation 12(1) of the *Local Government (Administration) Regulations 1996*.

Council Resolution

Major/Earnshaw

That Council:

1. Adopts the meeting schedule for the period January 2017 to December 2017 as listed; and
2. Advertise the meeting dates in accordance with Section 5.25 of the *Local Government Act 1995* and Regulation 12(1) of the *Local Government (Administration) Regulations 1996*.

**Carried 7/0
Resolution 127/17**

8.4.3 REVIEW OF ELECTED MEMBER REPRESENTATION

File Reference	4.1.20
Statutory Reference	Schedule 2.2 <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 5 th December 2016
Attachment	Nil

Background

The Shire of Williams does not have a wards system and as such is not required to carry out regular reviews under the provisions of Schedule 2.2 of the *Local Government Act 1995*. However, it can choose to undertake an assessment of the number of elected members and the no wards system, to explore whether change is desirable.

Comment

Before conducting such a review a local government is to give local public notice that a review is to be carried out. The notice period is to be at least six weeks from the date of the first notice and local government should develop a range of alternatives to the current situation so that all options can be considered.

In considering any change to the status quo, the Council will need to complete the review before the beginning of March 2017 and submit a proposal to the Local Government Advisory Board, if it is to be implemented in time for the 2017 Ordinary Election.



Statutory Implications

Clause 6 of Schedule 2.2 of the *Local Government Act 1995* states:

6. Local government with wards to review periodically

- (1) A local government the district of which is divided into wards is to carry out reviews of —
 - (a) its ward boundaries; and
 - (b) the number of offices of councillor for each ward,from time to time so that not more than 8 years elapse between successive reviews.
- (2) A local government the district of which is not divided into wards may carry out reviews as to —
 - (a) whether or not the district should be divided into wards; and
 - (b) if so —
 - (i) what the ward boundaries should be; and
 - (ii) the number of offices of councillor there should be for each ward,from time to time so that not more than 8 years elapse between successive reviews.

Financial Implications

Variation in Governance costs based on the number of elected members.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council initiate a review of the no wards system and number of elected members for the Shire of Williams and release a discussion paper for consideration, seeking submissions during a six week public notice period.

Officer's Alternative Recommendation

That Council, having given consideration to the no wards system and number of elected members for the Shire of Williams, proposed that no changes are needed to the current arrangements.

Mr Geoff McKeown left the meeting at 4.57pm and returned at 5.00pm.

Council Resolution

Major/Cavanagh

That Council, having given consideration to the no wards system and number of elected members for the Shire of Williams, proposed that no changes are needed to the current arrangements.

Carried 7/0
Resolution 128/17



8.4.4 DEVELOPMENT APPLICATION – LOT 169 CHANNON STREET, WILLIAMS

File Reference	10.60.15
Statutory Reference	Town Planning Scheme No.2
Author & Date	Geoff McKeown 5 th December 2016
Attachment	Nil

Background

At the August 2016 Ordinary Meeting, Council considered a development application submitted by Mr Michael Eastwood for the construction of a dwelling on Lot 169 Channon Street, Williams. Council granted conditional approval for the development and Mr Eastwood is now asking for a review of one of the conditions.

Comment

In approving the original application the Council endorsed the following resolution imposing a number of conditions:

That Council grants Planning Approval to the owner of Lot 169 Channon Street, Williams to erect a Hardieplank and zinc roofed dwelling on the property, with a side setback of 1.12m on the side of the house facing southwest, subject to:

- 1. The applicant contributing 50% of the cost of constructing Channon Street to a rural road standard to service Lot 169 and Lot 3;*
- 2. The applicant obtaining a Building Permit prior to construction of the dwelling; and*
- 3. 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.

Mr Eastwood is asking Council to review the first condition that requests a contribution of 50% towards the cost of constructing a section of Channon Street to a rural road standard to service Lot 169 and Lot 3.

Earlier in February 2015, Council considered an application submitted to the Western Australian Planning Commission (WAPC) by Mr Eastwood for the amalgamation of Lots 169, 3 and 333 Channon Street, Williams. The Council resolution supported application with no recommended conditions.

The WAPC granted approval with two conditions being:

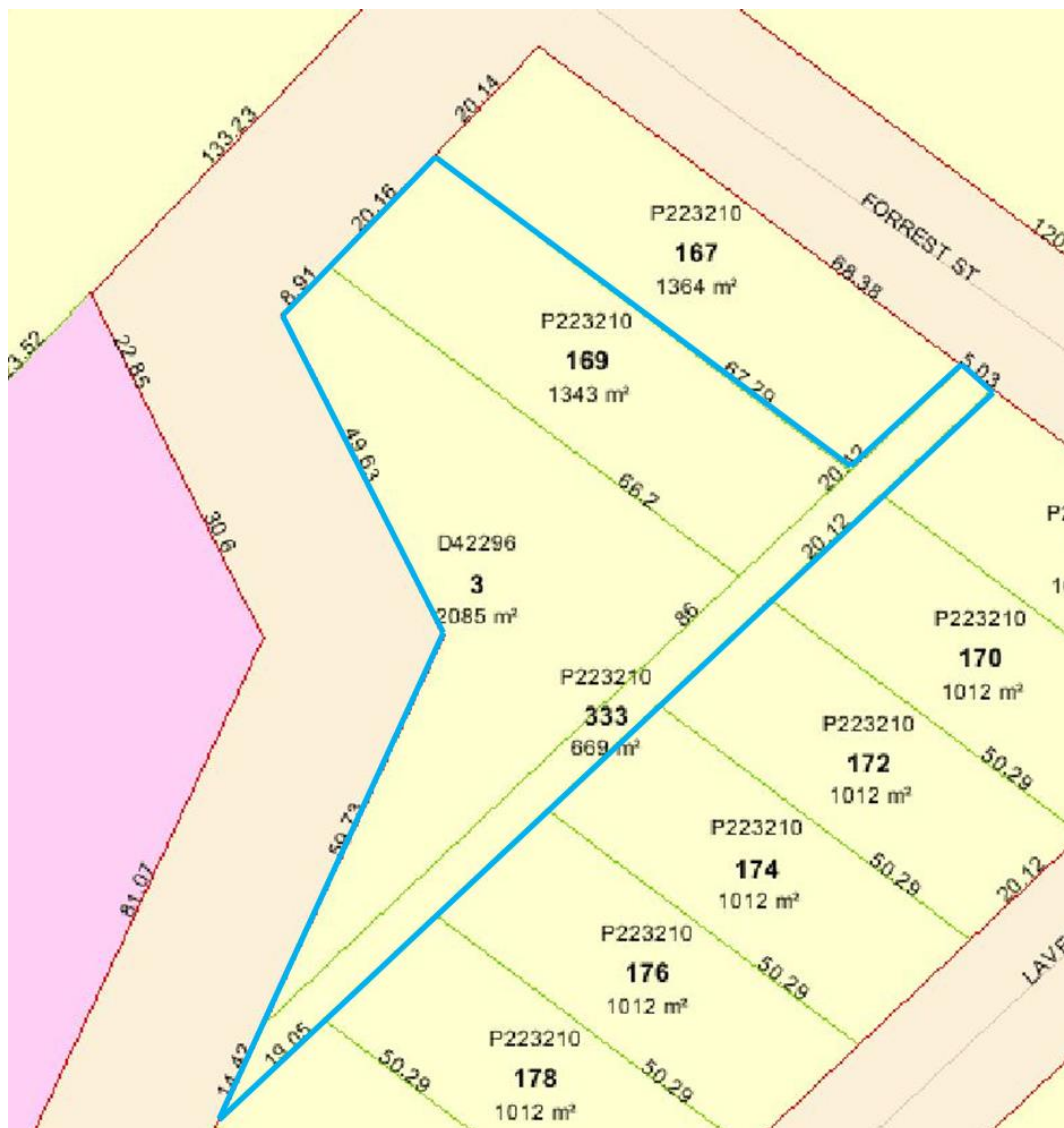
1. Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision (Local Government)



2. Arrangements being made to the satisfaction of the Western Australian Planning Commission and to the specification of Western Power for the provision of an underground electricity supply to the lot(s) shown on the approved plan of subdivision (Western Power)

Mr Eastwood was faced with a significant cost to meet the Western Power condition. It is understood that further representation to Western Power and the WAPC to remove this condition was unsuccessful. Therefore the amalgamation of lots has not proceeded at this time.

The three lots that are the subject of this item are shown on the map below:



Lot 333 currently has a 5 metre frontage to Forrest Street, which is a constructed road. The Council decision from the August 2016 Ordinary Meeting was to seek a contribution towards the construction of a section of Channon Street to service Lots 169 and 3. It would have entailed the



construction of approximately 50m of road with a suitable intersection with Forrest Street and a crossover to Lot 169 where the house is to be constructed.

This work may not be necessary if Council is agreeable to Lot 333 being used to provide access to the property.

In seeking a review of the conditions imposed on his development, Mr Eastwood has written to Council giving several reasons why it should reconsider. They are summarised as follows:

- The blocks have been undeveloped since they were purchased in 2008. Rates have been paid on them since that time but no services have been provided by the Shire;
- The request to pay half the cost of the road construction will provide a benefit to owners of adjacent lots who will ultimately use to road without having to contribute; and
- Lot 333 was purchased for the purpose of access to lots 169 & 3. It can be developed to a standard suitable for a driveway.

The 5 metre width of Lot 333, where it meets Forrest Street, is sufficient for a driveway access.

The WAPC's Development Control Policy 2.2 - Residential Subdivision states that access legs to battleaxe lots should be a minimum of 4 metres in width to allow for a constructed driveway and the necessary public utility services. It also states that driveways are required to be constructed and drained in accordance with the specification of the local government, if it is a condition of subdivision approval.

Given that this proposal includes an access leg one metre wider than the WAPC Policy, Council can have confidence that it is wide enough to construct a driveway.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Remove its condition requesting the applicant contribute 50% of the cost of constructing Channon Street to a rural road standard to service Lot 169 and Lot 3, as per the Council Resolution 38/17 adopted at the August 2016 Ordinary Meeting;
2. Include a condition on the development approval supporting Lot 333 being an access leg to Lot 169 and Lot 3; and
3. The access leg and crossover to Forrest Street being constructed to Council's satisfaction.

Cr Johnstone left the meeting at 5.03pm and returned at 5.04pm.



Council Resolution

Paterson/Carne

That Council:

1. Remove its condition requesting the applicant contribute 50% of the cost of constructing Channon Street to a rural road standard to service Lot 169 and Lot 3, as per the Council Resolution 38/17 adopted at the August 2016 Ordinary Meeting;
2. Include a condition on the development approval supporting Lot 333 being an access leg to Lot 169 and Lot 3; and
3. The access leg and crossover to Forrest Street being constructed to Council's satisfaction.

**Carried 7/0
Resolution 129/17**

Council Resolution

Johnstone/Cavanagh

That Council contact Mr Michael Eastwood to offer to advocate for the removal of the condition placed on his proposed amalgamation of Lots 169, 3 and 333 Channon Street that requires the installation on underground power before the amalgamation can proceed. Further, Council lobby the Western Australian Planning Commission (WAPC) and/or Department of Planning to ensure that future amalgamation of lots in the Lavender Street rural residential area are not impeded by the inclusion of a condition requiring installation of underground power.

**Carried 7/0
Resolution 130/17**

The additional resolution was passed, as Council wished to support the amalgamation of lots in the Lavender Street rural residential area and the inclusion of a condition requiring underground power was an impediment to this occurring.

8.4.5 RENTAL VALUATION – NEW AGED PERSONS UNITS – LOTS 67 & 68 NEW STREET

File Reference	9.20.85
Statutory Reference	Section 3.58 <i>Local Government Act 1995</i> and Clause 30 <i>Local Government (Functions and General) Regulations 1996</i>
Author & Date	Geoff McKeown 12 th December 2016
Attachment	Nil

Background

The new aged person units being constructed on Lots 67 & 68 New Street are nearing completion. This item seeks Council approval to proceed to lease the units and determine a rental charge.



Comment

In the coming weeks the Shire will sign off on practical completion with the Builder. Work will progress on fencing and landscaping which is the Shire's responsibility. It is anticipated that the units will be ready for occupancy in January or February next year.

At this time Council has not set the rent to apply to these units. A valuation will be obtained but it is possible that it will not be available before Council meets for the final time this year. Prospective tenants may want to occupy the units before Council next meets in February 2017. Therefore direction is sought on the rent to be charged to avoid a delay in their lease arrangements.

The leasing of property owned by a local government is governed by provisions contained in the *Local Government Act 1995* and *Local Government (Function and General) Regulations 1996*. To lease property to an individual outside a public tender involves a process where the public can make submissions and the detail of the disposition is publicised. However the regulations do allow for the disposition of property to a person where the lease is of residential property. An extract of the relevant section of Clause 30 of the Regulations follows:

30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
 - (g) it is the leasing of residential property to a person.

Financial Implications

The 2016/17 Budget does not include rent for the newly constructed New Street Units

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council grants delegated authority to the Chief Executive Officer to proceed to lease the new aged persons units on Lot 67 & 68 New Street with the rent charge set in accordance with the rental valuation to be obtained.

Council Resolution

Cavanagh/Major

That Council grants delegated authority to the Chief Executive Officer to proceed to lease the new aged persons units on Lot 67 & 68 New Street with the rent charge set in accordance with the rental valuation to be obtained.

**Carried by Absolute Majority 7/0
Resolution 131/17**



Cr Carne declared an impartiality interest for the following item 8.4.6 Lease of Vacant Shire Land – Lot 9000 Albany Highway. The nature of her interest relates to her current involvement as a member of the Williams Bowling Club.

8.4.6 LEASE OF VACANT SHIRE LAND – LOT 9000 ALBANY HIGHWAY

File Reference	11.70.30
Statutory Reference	Section 3.58 <i>Local Government Act 1995</i> and Clause 30 <i>Local Government (Functions and General) Regulations 1996</i>
Author & Date	Geoff McKeown 12 th December 2016
Attachment	Nil

Background

The Williams Bowling Club has written to the Shire asking Council to give consideration to the Club having access to the vacant land at Lot 9000 Albany Highway for cropping purposes to assist with fundraising to be put towards its proposed self-supporting loan. The Club has requested access to the land for 3 years.

Comment

In recent months the Shire has had discussions with the Williams Bowling Club regarding arrangements for the self-supporting loan to fund the synthetic green project. Council is supportive of the Club being in a strong financial position to meet its repayments. However it would be appropriate to call for expressions of interest from any other interested community groups to ensure that they have the opportunity to be considered. Once the applications are received Council can assess each on their merits and award the lease for fundraising purposes.

It is important to note that the leasing of property owned by a local government is governed by provisions contained in the *Local Government Act 1995* and *Local Government (Function and General) Regulations 1996*. To lease property to an individual outside a public tender involves a process where the public can make submissions and the detail of the disposition is publicised. However the regulations do allow for the disposition of property to a recreational or sporting organisation without going through this process. An extract of the relevant section of Clause 30 of the Regulations follows:

30. Dispositions of property excluded from Act s. 3.58

- (1) A disposition that is described in this regulation as an exempt disposition is excluded from the application of section 3.58 of the Act.
- (2) A disposition of land is an exempt disposition if —
 - (b) the land is disposed of to a body, whether incorporated or not —
 - (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and

- (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

In calling for expressions of interest, Council needs to be mindful that it currently has an informal arrangement with the previous owner of Lot 9000, David Carter, which allows him to graze the property. The Chief Executive Officer has spoken with Mr Carter about the possibility of the land being used for cropping. He acknowledged this and made comment about the amount of arable land.

A plan highlighting Lot 9000 is shown below. Interestingly the internal fenced areas do not accurately follow the property boundary. This has not been an issue to date under the informal grazing arrangement with Mr Carter. There is also an area of unallocated crown land on the corner of Albany Highway and the Narrogin Road, which cannot be included in a potential lease arrangement. It is identified as Lot 12074 with an area of 5,850m².





Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

- 1) Seek expressions of interest from sporting clubs and community groups to lease Lot 9000 Albany Highway for period of three years.
- 2) Advise interested sporting clubs and community groups that:
 - (i) the successful lessee will recognise the Shire of Williams as a contributor to or sponsor for its fundraising effort; and
 - (ii) should the land be required for development by the Shire during the period of the lease, the land will be returned without any commitment or obligation to provide compensation for cancellation of the lease.

Council Resolution

Major/Johnstone

That Council:

- 1) Seek expressions of interest from sporting clubs and community groups to lease Lot 9000 Albany Highway for period of three years.
- 2) Advise interested sporting clubs and community groups that:
 - (i) the successful lessee will recognise the Shire of Williams as a contributor to or sponsor for its fundraising effort; and
 - (ii) should the land be required for development by the Shire during the period of the lease, the land will be returned without any commitment or obligation to provide compensation for cancellation of the lease; and
 - (iii) there will be a requirement to establish boundary fencing to the property, to formalise the area available for cropping.

**Carried 5/2
Resolution 132/17**

The resolution differed from the recommendation as Council wished to include that there will be a requirement to establish the boundary fences on their correct alignment to accurately identify the area to be leased.



8.4.7 RETENTION OR DISPOSAL – 14 ADAM STREET, WILLIAMS

File Reference 9.10.20
Statutory Reference Section 3.58 *Local Government Act 1995*
Author & Date Geoff McKeown 14th December 2016
Attachment Nil

Background

The Shire’s house at 14 Adam Street is currently unoccupied and at the time Council was considering the 2016/17 Budget it discussed whether it should be retained or sold.

Comment

At the moment the house is not required for staff housing. A number of maintenance items were noted by the Building Committee during its last inspection. These included:

- Roof repair or replacement
- Gutter replacement
- Rear patio repair or replacement
- Upgrade kitchen cupboards
- Replace garage door and awning
- Upgrade bathroom
- Interior painting
- Painting eaves and exterior wood work

Quotes have been obtained for some of these items and estimates made for others. A summary of the indicative costs follows:

Item	Cost
Roof Repair	4,000
Gutter Replacement	3,900
Rear Patio Repair	2,500
Upgrade Kitchen	5,800
Replace Garage Door and Awning	2,000
Upgrade Bathroom	10,000
Interior Painting	6,000
Painting Eaves and Exterior Woodwork	1,800
Total	\$36,000

An estimate of the market value of the property has been obtained.

If Council chooses to retain the house a decision needs to be made to prioritise the maintenance list with available funding. The 2016/17 Budget does not include an allocation for this work.

The following photos highlight the work that needs to be done to maintain the standard of the house:



High pressure water clean, reseal all ridges & hips, replace broken or fretted tiles



Gutter replacement



Rear patio repair



Upgrade kitchen



Replace garage door and awning



Upgrade bathroom



Painting eaves and exterior woodwork



Aerial view of Lot 3 (14) Adam Street

The option to dispose of property is governed by Section 3.58 of the *Local Government Act 1995*.

3.58. Disposing of property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.



-
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
- (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
- and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

As outlined in the Act, a disposal can occur through the process of a public auction or public tender. If the property is listed with a real estate agent, the sale to a prospective buyer will need to follow the process outlined in Section 3.58(3) where the details are publicised and consideration given to public submissions received.

If retained the property can be rented privately and held pending it being needed for staff housing. Again the maintenance items will have to be attended to so the standard of the house is maintained.



Financial Implications

If the property is retained a decision needs to be made to carryout maintenance and the cost of the work approved as unbudgeted expenditure. The sale of the property will result in unbudgeted income and a subsequent decision to transfer the funds to a reserve account.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council retain the property at 14 Adam Street, Williams and proceed to undertake necessary maintenance as listed, with the incurring of expenditure for the work being the subject of separate approval as unbudgeted expenditure.

Officer's Alternative Recommendation

That Council proceed to offer the property at 14 Adam Street, Williams for sale by listing it with a local real estate agent, and on receipt of an offer that in the opinion of Council is acceptable, follow the provisions of Section 3.58(3) of the *Local Government Act 1995* to dispose of the property.

Council Resolution

Cavanagh/Paterson

That Council proceed to offer the property at 14 Adam Street, Williams for sale by listing it with a local real estate agent, and on receipt of an offer that in the opinion of Council is acceptable, follow the provisions of Section 3.58(3) of the *Local Government Act 1995* to dispose of the property.

Carried 7/0
Resolution 133/17

8.4.8 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 14 th December 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. \$100,000 from the Municipal Cash Management Account to the Municipal Fund to meet scheduled payments.

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 November 2016.

Council Resolution

Earnshaw/Paterson

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

**Carried 7/0
Resolution 134/17**



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	13 th December 2016

Background

That the Chief Executive Officer be authorised to make payments from Council's 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 EFT, BPAY, Direct Debits and Cheques 104590 - 104593 totalling \$499,072.79, and SII Funding EFT payments totalling \$610,668.58 approved by the Chief Executive Officer be endorsed.

Council Resolution

Earnshaw/Johnstone

That Municipal Fund EFT, BPAY, Direct Debits and Cheques 104590 - 104593 totalling \$499,072.79, and SII Funding EFT payments totalling \$610,668.58 approved by the Chief Executive Officer be endorsed.

Carried 7/0
Resolution 135/17



8.5.2 FINANCIAL STATEMENTS

File Reference	4.23.15
Statutory Reference	<i>Local Government Act 1995</i>
Author & Date	Cara Ryan 13 th December 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, Regulation 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 30th November 2016 be received.

Council Resolution

Johnstone/Cavanagh

That the financial statements presented for the period ending 30th November 2016 be received.

Carried 7/0
Resolution 136/17

8.5.3 RISK MANAGEMENT FRAMEWORK & POLICY

File Reference	4.22.00
Statutory Reference	<i>Local Government Act 1995</i> <i>Local Government (Audit) Regulations 1996</i>
Author & Date	Cara Ryan 14 th December 2016
Attachments	Risk Management Governance Framework



Purpose

The purpose of this item is to consider and adopt the revised Risk Management Framework, encompassing the Risk Management Policy and Risk Management Procedures as recommended by the Audit Committee.

Background

An amendment to the *Local Government (Audit) Regulations 1996* was gazetted on 8th February 2013, which extended the role of the Audit Committee. The Chief Executive Officer is to review and report on the appropriateness and effectiveness of systems and procedures relating to: Risk Management, Internal Control, and Legislative Compliance. The results of the review of Risk Management are to be presented to the Audit Committee biennially. The initial review of Risk Management occurred on the 17th December 2014.

Once again Local Government Insurance Services (LGIS) has assisted the Shire in the process of reviewing the Risk Management Framework. The Framework includes the establishment of a Risk Management Policy, which meets the principles and standards of the AS/NZS ISO 31000:2009 Risk Management.

Statutory Environment

Local Government (Audit) Regulations 1996 Regulation 17 states:

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.

Comment

The Risk Management Policy includes one substantial change and this is under the heading "Roles, Responsibilities and Accountabilities". This now includes Council's role to –

- Review and approve the Shire's Risk Management Policy and Risk Assessment & Acceptance Criteria.
- Appoint / Engage External Auditors to report on financial statements annually.
- Establish and maintain an Audit Committee in terms of the Local Government Act.



There has also been a change to the Risk Themes, which are as follows:

1. Asset Sustainability Practices
2. Business & Community Disruption
3. Failure to Fulfil Compliance Requirements
4. Document Management Processes
5. Employment Practices
6. Engagement Practices
7. Environment Management
8. Error's, Omissions, Delays
9. External Theft & Fraud (incl Cyber Crime)
10. Management of Facilities / Venues / Events
11. IT & Communications Systems and Infrastructure
12. Misconduct
13. Project / Change Management
14. Safety and Security Practices
15. Supplier / Contract Management

In accordance with the requirements for the CEO to review the systems and procedures with risk, control and compliance, it is essential that as part of the biennial review the Risk Management Framework is reassessed to ensure that the policy and procedures remain relevant. This ensures that we continue to have strong corporate governance, compliance with relevant legislation, regulations and internal policies.

Consultation

Local Government Insurance Services (LGIS) and the Chief Executive Officer.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council adopts the Risk Management Framework, including the Risk Management Policy as recommended by the Audit Committee.

Council Resolution

Earnshaw/Paterson

That Council adopts the Risk Management Framework, including the Risk Management Policy as recommended by the Audit Committee.

Carried 7/0
Resolution 137/17



8.5.4 CEO RISK MANAGEMENT REVIEW

File Reference	4.22.00
Statutory Reference	<i>Local Government Act 1995 and Local Government (Audit) Regulations 1996</i>
Author & Date	Geoff McKeown 15 th December 2016
Attachments	Shire of Williams Risk Report

Purpose

To review and endorse the CEO's Risk Report on the systems and procedures in relation to Risk Management, as presented to the Audit Committee.

Background

On the 6th and 8th December 2016 the Chief Executive Officer and Manager of Finance undertook a review of risk, control and compliance utilising the reviewed Risk Management Framework and profiling tools. Once again Local Government Insurance Services (LGIS) assisted with the review. From the review a Risk Report has been developed comprising a dashboard report along with the individual risk profiles. The Risk Report assessed the fifteen themed areas, being:

1. Asset Sustainability practices
2. Business & Community disruption
3. Failure to fulfil Compliance requirements
4. Document Management Processes
5. Employment practices
6. Engagement practices
7. Environment management.
8. Errors, Omissions, Delays
9. External theft & fraud (incl. Cyber Crime)
10. Management of Facilities / Venues / Events
11. IT & Communications Systems and Infrastructure
12. Misconduct
13. Project / change Management
14. Safety and Security practices
15. Supplier / Contract Management

Statutory Environment

Local Government (Audit) Regulations 1996 Regulation 17 states:

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.

Comment

Since the last report in December 2014, the appropriateness and effectiveness of systems and procedures relating to: Risk Management, Internal Controls and Legislative Compliance, and our approach to risk management has matured substantially. The risk profiling and reporting framework now includes a control assurance monitoring schedule, which sets out the control owner and activities. The review of these controls will be monitored and an overall risk review report will be produced six (6) monthly.

The attached Risk Report summaries the review of the fifteen themed areas. A rating is made for Risk and Control. There are no areas that have been assessed in the 'high' or 'extreme' category.

The Risk Report also identifies current issues, actions and treatments. These have been prioritised with a due date and assigned to an Officer.

Consultation

Local Government Insurance Services (LGIS).

Financial Implications

Where possible actions will be included within the existing budget and considered in future budget adoption.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. Acknowledges the actions undertaken with Regulation 17, of the *Local Government (Audit) Regulations 1996*; and
2. Receives the Risk Report as recommended by the Audit Committee.

Council Resolution

Earnshaw/Major

That Council:

1. Acknowledges the actions undertaken with Regulation 17, of the Local Government (Audit) Regulations 1996; and
2. Receives the Risk Report as recommended by the Audit Committee.

Carried 7/0
Resolution 138/17



8.6 COUNCILLORS' REPORTS

Cr Cavanagh advised that he was not able to attend the Boddington Bauxite Community Liaison Committee Annual General Meeting, which was held on the 24th November 2016. However he discussed items from the meeting record, including his nomination as President of the group.

Cr Cowcher attended and discussed the WALGA Central Country Zone meeting hosted by the Shire of Lake Grace on the 2nd December 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 6.06pm.