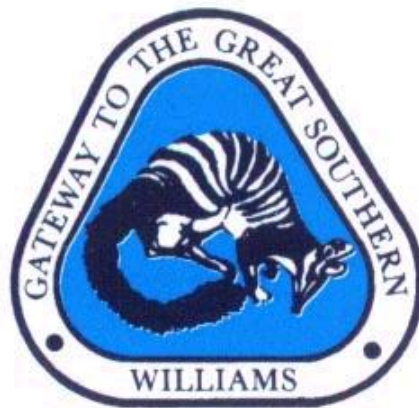


SHIRE OF WILLIAMS

***MINUTES ORDINARY MEETING HELD ON
WEDNESDAY 15TH NOVEMBER 2017***



COUNCIL DIARY

WEDNESDAY 15TH NOVEMBER 2017

1.00pm

Ordinary Meeting,

preceded by Swearing-In of new Councillors

6.00pm

Annual Electors Meeting

WEDNESDAY 20TH DECEMBER 2017

1.00pm

Ordinary Meeting



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MINUTES – ORDINARY MEETING OF COUNCIL HELD 15TH NOVEMBER 2017

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Separate Documents

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9. Info Statement



DISCLAIMER

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Swearing of Councillors commenced at 12.59pm.

DECLARATION BY ELECTED MEMBER

File Reference	4.1.40
Subject	Declaration by Elected Member
Statutory Reference	<i>Local Government Act 1995 s 2.29(1) and Local Government (Constitution) Regulations 1998</i>
Author & Date	Geoff McKeown 10 th November 2017

Background

The *Local Government Act 1995* states in section 2.29(1):

2.29. Declaration

- (1) *A person elected as an elector mayor or president or as a councillor has to make a declaration in the prescribed form before acting in the office.*

Comment

President, Cr John Cowcher, will perform the formal duty of receiving the declaration by newly Elected Members.

The Elected Members to make their declaration are:

1. Cr Jarrad Logie
2. Cr Simon Harding
3. Cr Alex Watt
4. Cr Robert Baker

Cr Jarrad Logie, Cr Simon Harding, Cr Alex Watt and Cr Robert Baker made a declaration of office in the presence of the President, Cr Cowcher.



AGENDA

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member, Cr John Cowcher declared the meeting open at 1.13pm.

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

(PREVIOUSLY APPROVED)

Cr John Cowcher Presiding Member

Cr Greg Cavanagh

Cr Jarrad Logie

Cr Moya Carne

Cr Gilbert Medlen

Cr Natalie Major

Cr Simon Harding

Cr Alex Watt

Cr Bob Baker

Geoff McKeown Chief Executive Officer

Cara Ryan Manager of Finance

Heidi Cowcher Economic Development Officer (1.13pm – 2.04pm)

Tony Kett Works Supervisor (2.05pm – 2.23pm)

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

ELECTION OF PRESIDENT

File Reference	4.1.40
Subject	Election of Shire President
Statutory Reference	<i>Local Government Act 1995</i> (Sections 2.11 to 2.15 and Schedules 2.3 and 4.1) and <i>Local Government (Constitution) Regulations 1998</i>
Author & Date	Geoff McKeown 10 th November 2017

Background

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



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

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

2.29. Declaration

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

Comment

At the time of preparing the Agenda no nominations had been received.

The Chief Executive Officer received two written nominations, those nominations being for Cr Cavanagh and Cr Cowcher. The Chief Executive Officer called for any further nominations. No further nominations were received.

Cr Cavanagh and Cr Cowcher accepted their nominations for the position of President and the Chief Executive Officer announced that a secret ballot will be conducted.



Geoff McKeown and Cara Ryan left the chambers at 1.17pm to prepare the ballot papers for the election and returned at 1.21pm. A secret ballot was then conducted, with Councillors voting using the “first past the post” method as specified in clause 4(6) of Schedule 2.3 of the Local Government Act 1995.

Cr Cowcher was duly elected as Shire President for a two (2) year term and made a declaration of office in the presence of Chief Executive Officer, Geoff McKeown.

Cr Cowcher assumed the chair.

ELECTION OF DEPUTY PRESIDENT

File Reference	4.1.40
Subject	Election of Deputy Shire President
Statutory Reference	<i>Local Government Act 1995</i> (Sections 2.11 to 2.15 and Schedules 2.3 and 4.1) and <i>Local Government (Constitution) Regulations 1998</i>
Author & Date	Geoff McKeown 10 th November 2017

Background

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

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

2.29. Declaration

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

Comment

At the time of preparing the Agenda no nominations had been received.

The Chief Executive Officer received one written nomination, that nomination being for Cr Logie. The President called for further nominations. No further nominations were received.

Cr Logie accepted the nomination and was duly elected as Deputy Shire President for a two (2) year term. Cr Logie then made a declaration of office in the presence of the President, Cr Cowcher.



3.0 PUBLIC QUESTION TIME

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	Cr Logie / Councillor
Item No. / Subject	8.4.8 / Lease Industrial Unit – Lot 440 Marjidin Way
Type of Interest	Proximity Interest

DECLARATION OF INTEREST	
Name / Position	Cr Watt / Councillor
Item No. / Subject	8.4.8 / Lease Industrial Unit – Lot 440 Marjidin Way
Type of Interest	Proximity Interest

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 19TH OCTOBER 2017

Officer’s Recommendation

That the Minutes of the Ordinary Meeting held on 19th October 2017, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Cr Logie/Carne

That the Minutes of the Ordinary Meeting held on 19th October 2017, as previously circulated, be confirmed as a true and accurate record.

**Carried 9/0
Resolution 80/18**



6.2 LEMC MEETING HELD 7TH NOVEMBER 2017

Officer's Recommendation

That the Minutes of the LEMC meeting held on 7th November 2017, as previously circulated, be received.

Council Resolution

Major/Medlen

That the Minutes of the LEMC meeting held on 7th November 2017, as previously circulated, be received.

**Carried 9/0
Resolution 81/18**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.0 REPORTS



8.1 ECONOMIC DEVELOPMENT OFFICER'S REPORT

The Economic Development Officer, Mrs Heidi Cowcher, commenced discussion of her report at 1.29pm.

8.1.1 4WDL WELL AGED HOUSING PROJECT

File Reference	EDO Files	
Statutory Reference	N/A	
Author & Date	Heidi Cowcher	10 th November 2017

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 Royalties for Regions funding programs 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 in 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:

Shire	Total Funded	Total claimed to 11.10.17
West Arthur (3 units)	\$717,664 (+ interest) 2 units	\$722,824.36
Williams (2 units)	\$717,664 (+ interest) 2 units	\$722,824.36
Wagin (4 units)	\$1,076,496 (+ interest) 3 units	\$1,062,714.93
Dumbleyung (3 units)	\$717,664 (+ interest) 2 units	\$722,824.36
Lake Grace (3 units)	\$1,076,496 (+ interest) 3 units	\$1,084,609.91
Woodanilling (3 units)	\$717,664 (+ interest) 2 units	\$722,824.36
TOTAL (18 units)	\$5,023,648 (14 units)	\$5,038,622.28

The project will be completed by the end of 2017, approximately 6 months ahead of schedule. The Final Report will be prepared early in the new-year.

Strategic Implications

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

- ED 2.1 Plan and develop relevant aged housing suitable to meet needs of growing population.
- ED 2.3 Promote and support the availability of accommodation suitable for young people, families and retirees.
- CL 2.1 Maximise and leverage grant funding opportunities to balance and support Council investment



- CL 3.1 Participate in, and actively collaborate with, the 4WDL Voluntary Regional Organisation of Councils on resource sharing opportunities.
- CL 3.2 Foster, nurture and develop strategic alliances with local governments, major industry and government agencies.

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. All audit expenses, bank fees and other related project management expenses are claimed from the interest.

Voting Requirements

Simple Majority

Officer's Recommendation

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

Council Resolution

Logie/Medlen

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

**Carried 9/0
Resolution 82/18**

8.1.2 GENERAL PROJECTS UPDATE

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 10 th November 2017

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 Swimming Pool

The new heat pumps have been connected and are due to be turned 'on' next week. The temperature of the pool can be set and we anticipate that it will be between 26-28 degrees. The temperature can be adjusted based on the weather forecast and can be set warmer for the cooler days and cooler on the warmer days. The new thermal blankets have been ordered and will arrive mid-December. Once the new blankets arrive and are installed, the temperature should be relatively stable and retained overnight with the blankets in situ. It is expected that the total draw on power supplies will be reduced with the new blankets as they will retain the heat in the water



lessening the necessity for power to be drawn overnight (when we get charged) and using the solar power during the day to generate the power to run the heat pumps.

Contract Aquatic Services have secured a donation of second-hand lane ropes for the Williams Pool from the City of Melville. A letter of appreciation has been forwarded to the City of Melville for this generous donation.

The pool shut day has been changed to Wednesday this season to accommodate the establishment of swimming training in Williams. The Boddington Swimming Club has a number of Williams members, and this season the opportunity for training to be held twice a week in Williams (Tuesday and Thursday) was extended to the Shire and the Williams Pool. Training commenced this week and the pool had over 100 people through the gates on Tuesday and 80 on Thursday. This is a fantastic outcome for the pool and we look forward to working collaboratively with the Boddington Swimming Club to continue this Williams based training initiative. The new (second-hand) lane ropes will be an asset to this training as well.

Williams Bowling Club

A total of three (3) funding applications have been submitted for the new shade structures at the Williams Bowling Club. The total cost of the project is \$15,000 for 3 new shade structures. Funding has been secured from Newmont Boddington Gold (\$4,000) and CBH (\$3,000). The Stronger Communities Program funding has progressed to Stage 2, with \$4,000 recommended, the outcome of which is still not confirmed.

Solar Power – Williams CRC and Childcare Centre

The Shire has submitted an EOI to the Stronger Communities Program (Rick Wilson Federal MP funding) Round 3. Total cost for the project is \$17,809 (incl. GST). Funding of \$7,555 has been recommended. The outcome has still not been confirmed.

Strategic Implications

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

- ED 1.5 Encourage business and community groups' initiatives to promote the Shire has a place to live, work, play and invest.
- SCD 1.1 Provide, maintain and improve community infrastructure.
- SCD 1.5 Continue to support and develop tourism opportunities for the Shire.
- SCD 2.4 Continue to promote community events, initiatives and programs.
- LUE 2.1 Provide quality amenities and accessible public open spaces for the community.
- LUE 2.2 Ensure townsite amenities are maintained and improved where required.
- LUE 3.1 Undertake energy audits and investigate alternatives energy solutions for Shire owned facilities.
- CL 2.1 Maximise and leverage grant funding opportunities to balance and support Council investment.
- CL 2.2 Maintain accountability, transparency and financial responsibility
- CL 3.2 Foster, nurture and develop strategic alliances with local government, major industry and government agencies.



Financial Implications

Project based, budgeted for as appropriate.

Voting Requirements

Simple Majority

Officer's Recommendation

That the General Projects update be received.

Council Resolution

Carne/Major

That the General Projects update be received.

**Carried 9/0
Resolution 83/18**

8.1.3 WILLIAMS TOWN HALL PARK DRAFT CONCEPT PLAN

File Reference	11.30.30
Statutory Reference	N/A
Author & Date	Heidi Cowcher 10 th November 2017
Attachments	Williams Town Hall Park Draft Concept Plan

Background

Last year, a proposal was brought to Council for consideration of the redevelopment of the town playground adjacent to the Shire hall. At the time, Council requested the community members to identify what it was that they would like to see for the area, and an approximate cost.

At the March 2017 Council meeting, a presentation was made for Council's consideration for the proposed redevelopment. The community members indicated a desire to see the park areas and the skatepark to be redeveloped into a vibrant park area that catered to the needs of a wide range of ages.

Council's resolution in March 2017 was as follows:

Council Resolution

Johnstone/Cavanagh

That Council is supportive of the parent representative group's vision for the Williams Town Hall Park precinct and will consider prioritising the project as part of the Strategic Community Plan Review.

**Carried 9/0
Resolution 165/17**



Council considered this project as part of the development of the Strategic Community Plan and then during the 2017/18 Budget deliberations.

At the September 2017 Council meeting, Council considered quotes from landscape architects to prepare the concept plan for the redevelopment of the park.

Council's resolution in September 2017 was as follows:

Council Resolution

Major/Medlen

1. That Council endorses the selection of 'Ecoscape' for the concept planning for the Town Hall Playground.
2. That Council determines that Cullen Park is not to be included in the proposed planning.
3. That Council consider the removal of the right-of-way access to the internal roadway between the skatepark and the main playground.

**Carried 9/0
Resolution 45/18**

Comment

Shire staff and the community representatives met with the landscape architect from Ecoscape on 19th October 2017 to discuss ideas for the proposed redevelopment and enhancement of the Williams Town Hall playground, together with the skatepark.

A draft concept plan is presented for comment by Council. The opportunity to provide input has been extended to the wider community as well. Comments and input are invited and need to be submitted by Monday 26th November. After this, all input will be collated and provided to Ecoscape for the final re-draft. At the completion of this stage and 'option of probable cost' will be provided in support of the master plan and these will then be used to actively seek funding for future implementation. It is possible that the project could also be staged and then implemented as and when funds become available, given that there is a master plan.

Strategic Implications

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

- SCD 1.1 Provide, maintain and improve community infrastructure.
- SCD 1.5 Continue to support and develop tourism opportunities for the Shire.
- SCD 1.6 Investigate the feasibility for the redevelopment of the Town Park, Skatepark and Cullen Park (*nb. Council has removed Cullen Park from this at its meeting in September 2017*)
- SCD 3.1 Advocate and support initiatives that will develop and celebrate the cultural heritage of the Shire.
- LUE 2.1 Provide quality amenities and accessible public open spaces for the community.
- LUE 2.2 Ensure townsite amenities are maintained and improved where required.
- CL 2.1 Maximise and leverage grant funding opportunities to balance and support Council investment.



Financial Implications

Council has included the potential redevelopment of the Williams Hall Park in its Corporate Business Plan for 2019/2020 and it will be subject to securing suitable funding.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council provide feedback on the draft concept plan.

Council Resolution

Major/Logie

That Council provide feedback on the draft concept plan.

**Carried 9/0
Resolution 84/18**

Heidi Cowcher left the meeting at 2.04pm.



8.2 WORKS SUPERVISOR'S REPORT

The Works Supervisor, Mr Tony Kett, attended the meeting at 2.05pm to discuss his report.

File Reference	12.15.36	
Statutory Reference	N/A	
Author & Date	Tony Kett	10 th November 2017

8.2.1 MAINTENANCE GRADING ACTIVITY

Road Name	Length Graded (km)
Pingelly Rd	4.5
Congelin-Narrogin Rd	6.1
Total Length for the Month	10.6 km

8.2.2 ROAD MAINTENANCE WORKS

- Completed flood damage on Fourteen Mile Brook Rd and Marradong Rd
- New culvert completed on Major Rd, culvert repaired on Carne Rd
- Completed work on flood damage on York-Williams Rd
- Mundays Rd floodway has new signs and white posts on it
- Fourteen Mile Brook Rd floodway has new 'Floodway' and warning signs
- Patching Quindanning-Darkan Rd
- Repaired a wet spot on Hurley Rd

8.2.3 2017/18 ROAD CONSTRUCTION PROGRAM

Road Construction Program 2017-2018								
Road No	Road Name (Road Length)	Description of Work	Start SLK	End SLK	Total	Start Date	Finish Date	Comments
128	Williams-Darkan Rd	Pavement stabilisation	Various SLKS					
10	Pingelly Road	Seal to 7m	3.50	5.0	1.5 km			
1	York-Williams	Reseal	3.10	6.10	3 km			
7	Clayton Road	Seal Shoulders	0.0	2.00	2 km			
7	Clayton Road	Widen Shoulders	2.00	4.00	2km			Tree clearing completed.



11	Marradong Road	Seal 600m. Install drainage and repair pavement failures for a further 600m.	Various slks					
12	Zilko Road	Drainage and Seal 300 Metres over culvert	14.0	14.3	300m			
9	Dardadine Road	Tree Trimming			4 km			
15	Glenfield Road	Tree Trimming			4 km			
	2017 Flood Damage	Road and Culvert Repairs	Various Roads in Shire.					Started.

8.2.4 MECHANICAL REPORT

Plant Description		Driver	Date Purchased	Hours/Km June 2017	Works Completed this month
Mazda CX5 WL 16	Light Vehicles	Cara Ryan	23 Sep 15	69,474 km	
Toyota Prado 16 WL		Geoff McKeown	10 Sep 16	32,700 km	
Holden Rodeo Dual Cab Utility WL 5499		Outside staff	5-Nov-04	247,040 km	
Holden Colorado Dual Cab WL 19		Tony Kett	11-Sep-17	200 km	1,000 km service
Kia 2 Tonne Truck WL 954		Jeff Cowan	9-Oct-07	150,363 km	
Isuzu D-Max WL 5802		Andrew Wood	5-Nov-14	100,500 km	
Isuzu 4x2 Single Cab Ute WL 916		Maintenance	25-Nov-2016	6,225 km	
Holden Rodeo Single Cab Utility WL 826		Outside works crew	20-Nov-06	119,486 km	Serviced fogger
Isuzu 4x2 Single Cab Ute WL 915		James Lenehan	25 Nov 2016	5,230 Km	
Skid Steer Track Loader 1EVL725		Construction Equipment	Outside works crew	Sep 2015	465 hr
Multipack Multi-Tyre Road Roller WL 49	Outside works crew		21-Oct-04	6,519 hr	
Vibromax Roller WL 126	Outside crew		29-Sep-04	4,343 hr	Serviced roller drum
Caterpillar 12M Grader WL 61	Richard Hewitt		Dec 2011	5,228 hr	



Caterpillar 12M Grader WL 361	Parks & Gardens	Andrew Wood	15-10-2014	2,184 hr	
721E Case Loader WL 5639		Roger Gillett	May 2012	6,269 hr	
Volvo EC210BLC Excavator WL 499		Phil Reed	18-Jul-07	7,104 hr	
John Deere 315SE4 Backhoe WL 745		Trevor Palframan	17-Sep-01	2,814 hr	
Toro Reelmaster SP Mower WL 5502		Works	Aug-09	1,097hr	
Kubota Generator		Refuse Site		3,852 hr	
Toro Groundmaster 360 WL 917	Parks & Gardens	Jeff Cowan	Nov 2016	31 hr	
Toro Z400 Kholer Ride on Mower WL 5302		Jeff Cowan	8-Aug-05	622 hr	
Honda TRX Four Wheel M/cycle WL 429		Jeff Cowan	20-Mar-00	1,419 hr	
Toyota DA115 Tip Truck (Water Truck) WL 595		James Lenehan	24-Aug-94	236,010 km	
Isuzu FVZ1400 Tip Truck WL 093			31-Dec-03	298,267 km	Serviced and repaired water tank
Mercedes Benz Actross Prime Mover WL 91		Phil Reed	21-Dec-05	322,986 km	
Isuzu Giga CXZ Tip Truck WL 128	Trucks & Trailers	Justin Murdock	10-Dec-08	217,127 km	Serviced
Isuzu NPR 300 Truck WL 016		David Munday	21-Jan-13	85,064 km	
SFM Side Tipping Trailer WL 3730		Works	21-Dec-05	144,500 km	
Howard Porter Low Loader WL ITIF 238		Works	31-Aug-07	136,500km	
Howard Porter Pig Trailer WL 3792		Justin Murdock	10-Dec-08	143,500 km	
Nissan Patrol Fire Ute 1CXV788		BFB Fast attack	2008 Received 23- Feb 2016	167,500 km ?	

8.2.5 STAFF

- Nil to report

8.2.6 TOWN AND FACILITIES REPORT

- Cleaned up at the cemetery
- Topped up mulch at Resource Centre
- Re-established garden after completion of drainage works at Jamtree Lane
- Emptied sand out of playground at Willi Wag Tails, put in cracker dust ready for soft fall



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

Harding/Medlen

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

**Carried 9/0
Resolution 85/18**

Tony Kett left the meeting at 2.23pm.



8.3 ENVIRONMENTAL HEALTH / BUILDING SURVEYOR'S REPORT

8.3.1 APPLICATION FOR DEVELOPMENT –HOUSE AND SHED – LOT 501, 32 LAVENDER STREET

File Reference	10.60.15
Statutory Reference	Town Planning and Development Act 2005
Author & Date	Gordon Tester 11 September 2017
Attachments	Appendix 1 – BAL Assessment Report, Lot 501 Lavender St

Summary

Mr Gareth Jones has lodged a development application with Council seeking Council's approval to undertake a shed and house development on Lot 501 Lavender Street. This will entail the construction of a steel framed Colorbond clad shed and the construction of a concrete floored, Colorbond clad house. The two buildings are designed to match each other. A 110,000 litre water tank is also part of the proposed development.

Background

This matter is referred to Council as the proposed development is in the Rural Residential zone requiring development approval.

On 27 September 2017, Mr Gareth Jones owner of Lot 501,32 Lavender Street, made application to Council for a Residential Development on his lot consisting of a Colorbond Clad shed and house and a 110,000 litre water supply tank.

This lot is zoned Rural Residential, 2,000 m² in area and is currently vacant.

A Bushfire Attack Level Assessment (BAL) has been undertaken with the initial assessment returning the highest level of flame zone due to the large amount of wild oats in existence on this lot at the time of the assessment.

Conversations with the assessor have indicated that the permanent removal of this hazard will facilitate a more reasonable BAL level of 19 which has less construction requirements.

Statutory Implications

Shire of Williams Town Planning scheme No2 Clause 4.6 (2)

In considering an application for development approval for a proposed development (including additions and alterations to existing development)

Council have regard to the following:

- (1) The colour and texture of external building materials,
- (2) Building size, height, bulk roof pitch,
- (3) Setback and location of the building on its lot,
- (4) Architectural style and design details of the building ,
- (5) Relationship to surrounding development, and
- (6) Other characteristics considered by Council to be relevant.



Policy Implications

Council's outbuilding policy does not apply to Rural Residential zones.

Council will only reimburse 50% of the cost of one crossover, this development proposes to have one single cross over and one double crossover.

Comment

This is a well-designed development that blends in well in this rural residential subdivision.

This trend needs to be encouraged in this area as this particular block features dimensions that easily fits a house, shed, large capacity water tank and onsite effluent disposal system.

The applicant is intending to develop this lot by constructing the shed and the house at the same time.

Conversations with the applicant have indicated a desire to start this project as soon as possible hence it is felt that there is little grounds for concern that the shed will be constructed without the house being built soon after the shed.

It is noted however, that a number of blocks in this area have sheds constructed upon them without the need to construct a house.

The development also features more than one cross over from Stan Gillett Street.

As this lot is subject to a Bushfire Attack level assessment that requires the lot to be maintained in accordance with the provisions of the Bushfire Act 1954 by keeping the fuel loads on this block at an absolute minimum, Council may wish to consider including the fuel load reduction requirement in its planning conditions.

Officer's Recommendation

That Council approve the construction of a shed and a house on Lot 501, 32 Lavender Street owned by Mr Gareth Jones subject to the following conditions:

1. Upon notification of completion of the development the proponent is to provide written confirmation from the Bush Fire Attack Level Assessor that the lot is being maintained in a manner that is in accordance with BAL 19.
2. Lot 501 Lavender Street is to be maintained with reduced fuel loads in accordance with the Bushfire Act of 1954.
3. The proponent must obtain approval for an onsite effluent disposal system.
4. Crossovers to be installed to Council's satisfaction in regards to the installation of verge drainage and subject to the provisions of Council's Crossover policy.
5. Development to be undertaken strictly in accordance with approved plans presented to Council and any statutory requirement applicable to the development.



Council Resolution

Logie/Watt

That Council approve the construction of a shed and a house on Lot 501, 32 Lavender Street owned by Mr Gareth Jones subject to the following conditions:

1. Upon notification of completion of the development the proponent is to provide written confirmation from the Bush Fire Attack Level Assessor that the lot is being maintained in a manner that is in accordance with BAL 19.
2. Lot 501 Lavender Street is to be maintained with reduced fuel loads in accordance with the Bushfire Act of 1954.
3. The proponent must obtain approval for an onsite effluent disposal system.
4. Crossovers to be installed to Council's satisfaction in regards to the installation of verge drainage and subject to the provisions of Council's Crossover policy.
5. Development to be undertaken strictly in accordance with approved plans presented to Council and any statutory requirement applicable to the development.

Carried 9/0
Resolution 86/18



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 10 th November 2017
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.

Strategic Implications

This item aligns with the community's vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):
CL 2.2 Maintain accountability, transparency and financial responsibility.

Financial implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That the Chief Executive Officer's General Report for November 2017 be received by Council.

Council Resolution

Major/Medlen

That the Chief Executive Officer's General Report for November 2017 be received by Council.

Carried 9/0
Resolution 87/18

Afternoon Tea

The President adjourned the meeting for afternoon tea at 3.08pm and the meeting resumed at 3.33pm.



8.4.2 ELECTION OF COMMITTEES REPRESENTATIVES

File Reference	4.1.20
Statutory Reference	<i>Local Government Act 1995</i> section 5.8-5.18
Author & Date	Geoff McKeown 8 th November 2017
Attachments	Nil

Background

A local government may establish committees of 3 or more persons to assist the Council and to exercise the powers and discharge the duties of the local government that can be delegated to committees. A committee established under the legislation to exercise any powers and discharge duties is to be formed by a resolution of Council requiring a decision by absolute majority.

Comment

Following the Local Government Elections the Council normally appoints elected members to a number of committees, none of which exercise any powers or discharge any duties on behalf of the Council. It is appropriate to review the relevance of the committees and the nominated elected member representation. Current members are:

1. Williams Community Resource Centre Management Committee: Cr N Major
2. Central Zone (WALGA) Delegates: Crs JES Cowcher, DS Earnshaw and M Carne (Proxy)
3. Narrogin Sub-Regional Road Group: Cr RF Johnstone
4. Heritage Inventory Review: Cr JES Cowcher
5. Williams Landcare Inc.: Cr GH Medlen
6. Community Housing Group: Cr M Carne and Sharon Wilkie (Staff)
7. Recreation Advisory Committee: Cr GM Cavanagh
8. Works and Plant Committee: Crs JES Cowcher, DS Earnshaw, RF Johnstone, Cr J Logie
9. Audit Committee: Crs JES Cowcher, Cr GH Medlen, P Paterson
10. Art Acquisition Committee: Crs P Paterson, M Carne and two community members
11. Aged Housing Committee: Crs P Paterson, M Carne, N Major
12. Hotham Williams Economic Development Alliance: Cr Cavanagh – Proxy Cr Major
13. South 32 Community Liaison Committee (CLC) for Boddington Bauxite Mine – Cr Cavanagh, Proxy: Cr Major
14. Newmont Boddington Gold Community Liaison Committee – Heidi Cowcher
15. 4WDL VROC – Cr DS Earnshaw
16. Regional Waste Group – Cr N Major

Strategic Implications

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

- CL 1.2 Ensure the community remains well informed, well connected and engaged and has the opportunity to actively participate.
- CL 3.1 Participate in, and actively collaborate with, the 4WDL VROC on resource sharing opportunities.



- CL 3.2 Foster, nurture and develop strategic alliances with local government, major industry and government agencies.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

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

Council Resolution

Carne/Medlen

That the following Council Committee appointments be made:

1. Central Zone (WALGA) Delegates: Cr J Cowcher, Cr J Logie – Proxy: Cr M Carne
2. Narrogin Sub-Regional Road Group: Cr J Logie
3. Heritage Inventory Review: Cr J Cowcher
4. Williams Landcare Inc.: Cr G Medlen
5. Community Housing Group: Cr M Carne, Cr N Major and Sharon Wilkie (Staff)
6. Works and Plant Committee: Cr J Cowcher, Cr J Logie, Cr A Watt, Cr S Harding
7. Audit Committee: Cr J Cowcher, Cr G Medlen, Cr S Harding, Cr B Baker
8. Art Acquisition Committee: Cr M Carne, Cr N Major and two community members
9. Hotham Williams Economic Alliance: Cr Cavanagh – Proxy: Cr J Cowcher
10. Worsley's Community Liaison Committee (CLC) for Boddington Bauxite Mine: Cr G Cavanagh - Proxy: Cr M Carne
11. Newmont Gold CLC – Heidi Cowcher (Staff) - Proxy: Geoff McKeown (Staff)
12. 4WDL VROC – Cr M Carne, Cr N Major
13. Development Assessment Panel – Cr M Carne, Cr G Cavanagh - Proxy: Cr N Major, Cr J Logie
14. Premier's Australia Day Active Citizenship – Cr N Major, Cr B Baker

**Carried 9/0
Resolution 88/18**



8.4.3 NEW EMPLOYMENT CONTRACT – WORKS SUPERVISOR

File Reference	4.20.15
Statutory Reference	Section 5.37 <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 8 th November 2017
Attachment	Nil

Background

Mr Tony Kett is currently employed as the Works Supervisor on a 3 year contract that commenced in January 2015. The current contract will expire on the 31st December 2017.

In June 2017 the Chief Executive Officer raised with Council that Mr Kett wished to enter into a new contract when his current contract expires. There was general discussion regarding the performance criteria contained in the contract. Subsequently meetings were held between the Works Supervisor and Chief Executive Officer to discuss these issues.

Comment

Discussion has recently been held between Mr Kett and the Chief Executive Officer on the terms of the new contract. It is not proposed to make any significant changes and the new contract will largely reflect the new term of employment from the 1st January 2018 expiring on the 31st December 2021.

Strategic Implications

This item aligns with the community’s vision and aspirations as contained in the Shire of Williams Strategic Community Plan 2017 to 2032. Specifically, it relates to the following strategy(s):
CL 2.2 Maintain accountability, transparency and financial responsibility.

Financial Implications

The Works Supervisor’s remuneration package will be included in the Annual Budget and Long Term Financial Plan.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council accepts the Chief Executive Officer’s recommendation for the Shire of Williams to enter into a new three year contract of employment with Mr Tony Kett for the position of Works Supervisor.

Council Resolution

Cavanagh/Carne

That Council accepts the Chief Executive Officer’s recommendation for the Shire of Williams to enter into a new three year contract of employment with Mr Tony Kett for the position of Works Supervisor.

**Carried 7/2
Resolution 89/18**



8.4.4 DEVELOPMENT ASSESSMENT PANEL

File Reference	10.60.10
Statutory Reference	<i>Planning and Development (Development Assessment Panels) Regulations 2011</i>
Author & Date	Geoff McKeown 8 th November 2017
Attachments	Nil

Background

Advice has been received from the Department of Planning reminding local governments that, if there has been any change to elected members from the recent local government election, it may be necessary to revise the representation on the Development Assessment Panel (DAP)

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

Comment

There are nine DAPs across the State with six in the Metropolitan area and three in regional areas. The Shire of Williams is included in a DAP covering the Mid-West/Wheatbelt Region.

The legislation dictates the type of application that will be considered by DAPs. It also sets limits where the applicant can opt to have their development application considered by a DAP and where it is mandatory to do so.

In February 2016 the Council reviewed its membership and passed the following resolution:

Council Resolution

Medlen/Logie

That Council nominate Councillors Cavanagh and Carne as members with Councillors Major and Cowcher as proxy members to sit on a Development Assessment Panel to represent the Shire of Williams.

**Carried 9/0
Resolution 173/16**

If Council wishes to change its representation it has an opportunity to do so now.

Strategic Implications

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

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

Financial Implications

Nil



Voting Requirements

Simple Majority

Officer’s Recommendation

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

The nomination of panel members for the Development Assessment Panel was resolved as part of item 8.4.2 Election of Committee Representatives.

8.4.5 CHRISTMAS/NEW YEAR PERIOD – OFFICE CLOSURE

File Reference	4.20.50	
Statutory Reference	Nil	
Author & Date	Geoff McKeown	7 th November 2017
Attachment	Nil	

Background

Since December 2012 the Shire Office has closed during the Christmas/New Year’s period. This year the Administration Staff are seeking Council approval close from 5.00pm, Friday 22nd December 2017 to reopen at 8.00am Tuesday 2nd January 2018. This period includes three working days.

Comment

The Public Holidays are:

- Monday 25th December 2017 (Christmas Day Public Holiday)
- Tuesday 26th December 2017 (Boxing Day Public Holiday)
- Monday 1st January 2018 (New Year’s Day Additional Holiday)

Scheduled working days are:

- Wednesday 27th December 2017
- Thursday 28th December 2017
- Friday 29th December 2017

If approved, the Administration Staff will be required to have sufficient leave for this period.

Strategic Implications

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

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



Voting Requirements

Simple Majority

Officer's Recommendation

That Council approves the Shire Office closure from 5.00pm, Friday 22nd December 2017 and to reopen 8.00am, Tuesday 2nd January 2018 and that the appropriate advertising of the closure be undertaken and suitable emergency contacts be listed for the duration of the closure period.

Council Resolution

Cavanagh/Major

That Council approves the Shire Office closure from 5.00pm, Friday 22nd December 2017 and to reopen 8.00am, Tuesday 2nd January 2018 and that the appropriate advertising of the closure be undertaken and suitable emergency contacts be listed for the duration of the closure period.

**Carried 9/0
Resolution 90/18**

8.4.6 CITIZEN OF THE YEAR AWARD

File Reference	4.11.30
Statutory Reference	N/A
Author & Date	Geoff McKeown 7 th November 2017
Attachment	Nil

Background

For many years the Shire has participated in the Premier's Australia Day Active Citizenship Awards program and will call for nominations for inspiring community members or groups to be considered for the Awards, presented at the Australia Day Ceremony on the 26th January 2018. The awards highlight active citizenship, outstanding contribution to the local community and Australian pride and spirit. Nominations will close 15th December 2017.

The Shire has previously appointed a committee consisting of Cr Carne, the Chief Executive Officer and Economic Development Officer to oversee the selection of the Award recipient(s).

Comment

The Award(s) will be presented at the Australia Day Breakfast which will be organised by the Administration Staff.

Financial Implications

There is a budget allocation for the Australia Day Breakfast.

Strategic Implications

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



- SCD 2.4 Continue to promote community events, initiatives and programs
CL 1.2 Ensure the community remains well informed, well connected and engaged and has the opportunity to actively participate.

Voting Requirements

Simple Majority

Officer's Recommendation

That Cr Carne, the Chief Executive Officer and Economic Development Officer are appointed to oversee the Premier's Australia Day Active Citizenship Award selection.

The nomination of appointments to oversee the Premier's Australia Day Active Citizenship Award was resolved as part of item 8.4.2 Election of Committee Representatives.

8.4.7 WILLIAMS PRIMARY SCHOOL EXCELLENCE AWARD

File Reference	6.20.70
Statutory Reference	N/A
Author & Date	Geoff McKeown 7 th November 2017
Attachment	Nil

Background

Correspondence has been received from Ms Catherine Gordon, Principal, Williams Primary School stating:

"Over the past many years the Shire of Williams has sponsored the Excellence Award at our School which is presented to a chosen Year 6 student at the end of year awards night. Previously this award has carried funding of \$150 to be used to support the recipient's future education.

We would be most appreciative if the Shire was able to continue their support and we look forward to hearing from you concerning this sponsorship.

I warmly extend an invitation to the Shire President, his fellow Councillors, yourself and families to join us for the Presentation Night on Tuesday 12th December 2017 from 6:30pm in the Shire of Williams Town Hall. In previous years the Shire President has presented the award on the Council's behalf. Can you please inform the school if this is your intention this year.

I thank you in anticipation of a positive response and look forward to seeing you and the Councillors on the night."



Comment

The Shire allocates funds for this Award and arranges an Elected Member to present it at the Presentation Night.

Strategic Implications

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

SCD 2.4 Continue to promote community events, initiatives and programs

SCD 3.1 Advocate and support initiatives that will develop and celebrate the cultural heritage of the Shire

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

Financial Implications

An allowance is made in the Annual Budget for this award.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council supports the Williams Primary School Excellence Award by agreeing to contribute \$150 for a selected Year 6 Student and that a Council Representative will present the award at the School's Presentation Night.

Council Resolution

Cavanagh/Major

That Council supports the Williams Primary School Excellence Award by agreeing to contribute \$150 for a selected Year 6 Student and that a Council Representative will present the award at the School's Presentation Night.

**Carried 9/0
Resolution 91/18**

Cr Logie and Cr Watt declared a Proximity Interest for the following item, 8.4.8 Lease Industrial Unit – Lot 440 Marjidin Way. The nature of their interest relates to being the owner of land that is adjacent to Lot 441 Marjidin Way.

Cr Logie and Cr Watt left the meeting at 4.28pm.



8.4.8 LEASE INDUSTRIAL UNIT – LOT 440 MARJIDIN WAY

File Reference	13.60.55
Statutory Reference	Section 3.58 <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 11 th October 2017
Attachment	Nil

Background

In 2014, the Shire of Williams constructed the first industrial unit to be made available for lease in the newly established Marjidin Way Industrial Estate.

The first tenant of the unit was Prime Ag Services and they are about to conclude the initial three year term of their lease. The lease includes a further three-year term commencing on the 1st December 2017. Moving to the further term triggers a review of the market rent for the premises.

An independent market rental valuation was obtained from LMW based in Bunbury. LMW were made aware of the requirement for a market review as outlined in the current lease. LMW noted that there are a limited number of industrial properties in Williams and the current tenants are well suited to the premises in this location. The valuation report also provided evidence that the current rent being paid is below the market rent as evidenced by a review of similar premises in the region. The report also contained the following comment:

“The front improved section of the property was occupied at the date of inspection. Due to the modern building improvements, it would be expected that this component of the property would continue to have a good occupancy rate. I consider the undeveloped rear yard would have appeal to most tenants that occupy the front component of the property as this front section has minimal yard area.

The current rent is below market rent. There is an element of risk in negotiations with tenants when bringing rental levels back to market rent. There is a risk of the tenant vacating. Rents may need to increase in stages of fixed increases above CPI until the rent reverts back to market rent.”

At the time of obtaining the rental valuation, Prime Ag Services had enquired about expanding the leased area to include the entire lot. It also expressed an interest if the property became available for purchase.

At the August 2017 Ordinary Meeting, Council passed a resolution that refers to the market rent increase, an offer to lease the expanded area comprising the entire lot, and an offer to negotiate the purchase of the property.

The resolution passed at that meeting follows:



Council Resolution

Major/Johnstone

That Council:

1. Advise Prime Ag Services that a market review of the rent for the current leased area of Lot 440 Marjidin Way has been completed and that the Shire will implement the recommended increased rental amount, plus CPI movements, equally over the first two years of the lease agreement;
2. Offer Prime Ag Services an extension of its leased area, comprising the whole of Lot 440 Marjidin Way, for the remaining period of the lease agreement, incorporating the market rental valuation obtained for the rear hardstand area in the total rental amount;
3. Proceed to purchase an additional lot being Lot 403 Marjidin Way Industrial Estate with funds deriving from the budget allocation for the construction of an additional industrial unit as contained in the 2017/18 Budget; and
4. Offer Prime Ag Services the option to negotiate the purchase of Lot 440 Marjidin Way, subject to the Shire meeting its legislative requirements in accordance with Section 3.58 of the Local Government Act 1995.

**Carried 6/0
Resolution 36/18**

Comment

Prime Ag Services have formally responded to the Shire in relation to the offer to purchase and accepting the further term contained in the lease. In its letter it states:

“Firstly thank you for the opportunity to lease or purchase the property at Lot 440 Marjidin Way, Williams. As discussed, Prime Ag Services would like to take the option to lease the property for another three year term at the market rental valuation of \$35,913pa. We would ask the following works are conducted by the shire to offset the steep rise in rent.

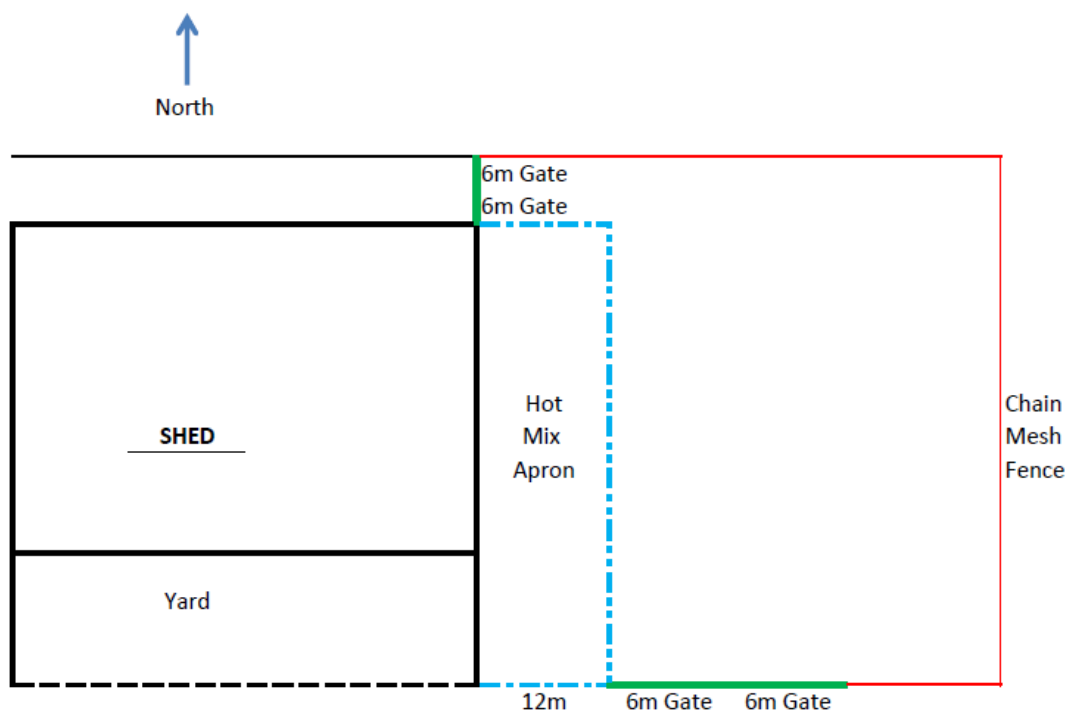
Work to be conducted

- *Rear of block to be graded to fall slightly away to the east*
- *Chain mesh fence around the perimeter of the yard (same as existing fence)*
- *Gates; 2 X 6m gates on the south facing side of the block.*
- *Gates; 2 X 6m gates off the existing shed facing north.*
- *Hotmix apron 12m X length of block heading east.*
- *Chain mesh fence removed between yard and hotmix apron.*

A diagram has been attached for illustration purposes.

These works will ensure the business remains secure and allow delivery trucks to safely enter and exit the premises. If the shire is unable to deliver on these requests, we ask the shire to step the raise in rent of the period of the next three year term. Could the following please be considered/tabled at the next meeting.”

The diagram referred to in the letter is as follows:



The letter from Prime Ag Services mentions that if the Shire is unable to meet the request for additional works, then it requests a staged rent increase over the next three year term of the lease. The resolution passed by Council in August 2017 states that the Shire will implement the recommended increased rental amount, plus CPI movements, equally over the first two years of the lease agreement.

Implementing the new rental amount as per the Council resolution, including the expanded area to encompass the entire lot, will generate an additional \$7,490 in calendar year 2018 and a further \$7,490 in the following year. This does not include any CPI movement.

An estimate based on previous costings has been calculated, indicating that extending the asphalt could cost approximately \$7,200 and the fencing \$5,800. This is assuming the work is done in conjunction with similar planned work for the new industrial unit at Lot 403, where economies of scale can be achieved.

Overall the proposed works will absorb the majority of the proposed rent increase.

There is no allocation in the Budget for this financial year to undertake any capital improvements to Lot 440 Marjidin Way. Therefore, if Council wishes to accede to the request it will have to comply with the requirements of the *Local Government Act 1995*.

The *Local Government Act 1995* states that any expenditure incurred from the Municipal Fund, that is not included in the Annual Budget, is authorised by Council by absolute majority. Section 6.8 states:



6.8. Expenditure from municipal fund not included in annual budget

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

* Absolute majority required.

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

Strategic Implications

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

- ED 1.1 Develop and promote the Marjidin Industrial Estate to offer affordable and appropriately serviced lots
- ED 1.6 Advocate, promote and champion industrial development that will offer employment opportunities for our community

Financial Implications

No funds have been included in the 2017/18 Budget for capital improvements at Lot 440 Marjidin Way.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council reaffirms its previous resolution that the Shire will implement the recommended increased rental amount, plus CPI movements, equally over the first two years of the further term of the lease agreement for Lot 440 Marjidin Way, Williams. Further, Council agrees to undertake the proposed asphalt and fencing works on the property in accordance with the lessee's request.



Council Resolution

Major/Cavanagh

That Council reaffirms its previous resolution that the Shire will implement the recommended increased rental amount, plus CPI movements, equally over the first two years of the further term of the lease agreement for Lot 440 Marjidin Way, Williams. Further, Council agrees to consider asphalt and fencing works on the property in accordance with the lessee’s request in the 2018/2019 Budget.

**Carried 7/0
Resolution 92/18**

The resolution differed from the recommendation as Council wished for the request for the asphalt and fencing works to be considered in next financial year’s Budget (2018/2019), as the current Budget has not allowed for the costs of these works.

Crs Logie and Watt returned to the meeting at 4.52pm.

8.4.9 FINANCIAL ASSISTANCE – UPPER GREAT SOUTHERN HOCKEY ASSOCIATION INC.

File Reference	4.11.60	
Statutory Reference	Nil	
Author & Date	Geoff McKeown	10 th November 2017
Attachment	Nil	

Background

The Upper Great Southern Hockey Association has written to the Shire of Williams seeking financial support to host two international hockey matches in Narrogin.

The Williams Hockey Club is a member of the Association.

Comment

In its letter the Association states:

“The Upper Great Southern Hockey Association is extremely likely to be hosting two men’s international hockey matches in Narrogin on the 27 and 28 January, 2018. These matches will see our Kookaburra’s take on the Netherlands.

This is a massive coup for the Upper Great Southern Hockey Association, but even more so the entire Great Southern Region. We are expecting crowds of up to 2,600 for each of the games, and no doubt this will include people from your shire. The benefits of hosting such a match in regional WA are also widespread, and do not fall solely on Narrogin itself.

However, hosting such an event has significant cost attached. Therefore any financial support that you could commit to the running of this momentous event would be greatly



appreciated. If you require more details, please contact the UGSHA President, Mark Reagan, on 0417 188 440.”

The Upper Great Southern Hockey Association hosted a similar event on May 2016, where it has an expenditure budget in excess of \$100k. The Shire of Williams contributed \$500 towards that event.

Strategic Implications

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

SCD 2.4 Continue to promote community events, initiatives and programs

Financial Implications

The Shire has a budget for Public Relations which is not fully expended this financial year, if the Council wishes to make a contribution.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council approves a contribution of \$500 to the Upper Great Southern Hockey Association to assist it with the cost of hosting two international hockey games in Narrogin on the 27th and 28th January 2018.

The motion lapsed for want of a Mover and a Secunder.

8.4.10 UNNAMED ROAD – OFF PIG GULLY ROAD

File Reference	12.15.36
Statutory Reference	Nil
Author & Date	Geoff McKeown 10 th November 2017
Attachment	Nil

Background

Correspondence has been received from William Higham concerning an unnamed road that is used to provide access to his property. In his letter he writes:

“I am writing to seek the possibility of getting English Road western section, a surveyed road, (see accompanying map) either closed so we can maintain it, or maintained by the shire.



We recently graded the road but it has come to our attention that we are now liable if someone was to have an accident on it. Tradesmen (plumbers, electricians, etc.) shearers, boom-spray operators and truckies use it to access 'Georgelands' off Pig Gully Road.

Of greater concern Google maps shows English Road running from Pig Gully Road to the Williams-Darkan Road and there have been instances of people cutting through our farm trying to get to the Hillman skydivers. Our farm 'Georgelands', (previously Sue and Greg Hogg's) is between the six-kilometre English Road section which is maintained by the shire and the surveyed western end connecting with Pig Gully Road. Georgelands is private property with gates at either end of our farm laneway. No Through Road signage is needed at Pig Gully Road.

The surveyed road is used several times a day. There are two residences as well as sheds and silos and it is used daily in the course of farm operations. Furthermore we need to take heavy machinery down this road with the most important being large trucks at harvest.

It was our thinking to see if we could get the road closed and in doing so we would place gates at the end of Pig Gully Road with signs indicating it is a private road. Obviously maintenance of the road would then become our responsibility.

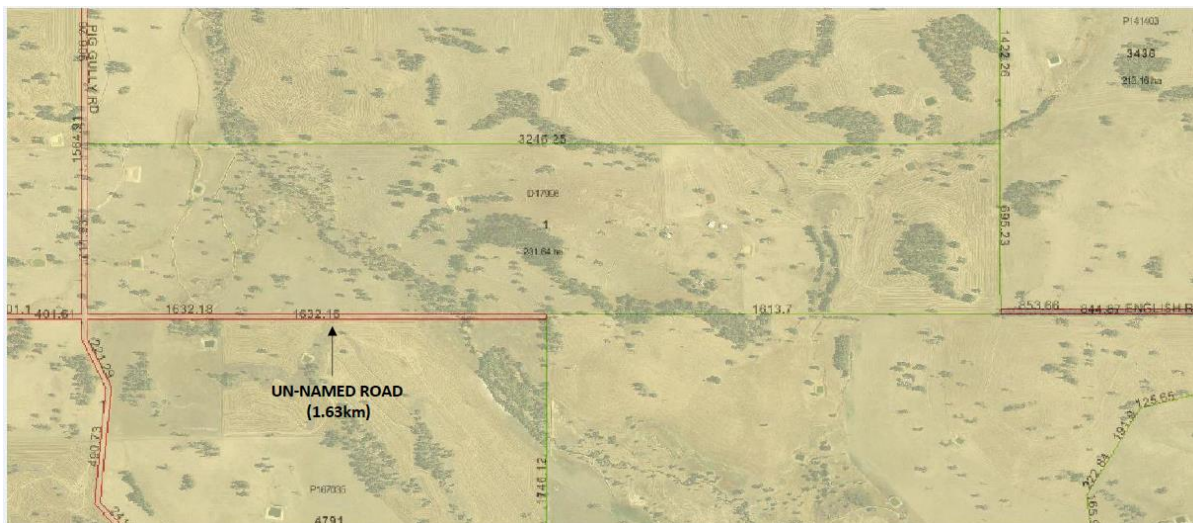
Alternatively we ask for the road to be incorporated into the shire's existing grading and maintenance program. There are three waterways which need upgrading; one is minor and would only require pipes, the other has pipes but requires excavation and filling with rubble to fix seep holes for the larger trucks and the third requires a culvert as Wild Horse Creek flows across, not all year round but often impassable to 2WD drive vehicles during winter.

I look forward to hearing from you"

Comment

The Chief Executive Officer and the Works Supervisor visited the location and reviewed the condition of the road. They concur with the comments in William Higham's letter. At the moment the road is in good condition, having been graded recently. The lower part of the road does need upgrading as access during wetter periods would be challenging.

The section of unnamed road reserve is approximately 1.62km long, as shown on the following plan:



A number of options can be considered in order to deal with this request.

The applicant has raised the possibility of having the road closed. This can be instigated by the Shire and through the process the adjoining owners are invited to purchase the crown land from the State Government. Generally a formal road closure will not be supported if the effect is to isolate a lot or location. A review of the nearby lots shows that all existing lots will retain access to a gazetted road reserve if this section of road is closed.

An option for the applicant is the installation of gate across the road where it intersects with Pig Gully Road. Schedule 9.1 of *Local Government Act 1995* gives authority to a local government to issue approval to a person to have a gate across a public thoroughfare, which is under its control or management, to enable motor traffic to pass and prevent the straying of livestock. As this road is used for normal farming operations and regular movement of vehicles, it is unlikely that this option would be of benefit. It also does not prevent someone who wants to go down the road from doing so, as long as they close the gate.

The final option is to include the road in the Shire’s maintenance program. The road at the moment is in good condition and could be easily added to the annual grading program. Some work needs to be done in the low lying areas to ensure all weather access. There are culverts in the road at the moment but it is not known who installed them and when. One section requires pipes and the formation lifted with suitable sub-base and base course material.

Strategic Implications

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

- LUE 4.1 Strive for high-quality, well-constructed and maintained local road network
- LUE 4.2 Ensure adequate and appropriate drainage is considered in all road upgrades and maintenance for both town and rural roads



Financial Implications

Adding additional roads the overall network will increase the cost of maintenance and renewal. This is partially offset by road grants based on the extent of the road network.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council:

1. accept responsibility for the future maintenance and renewal of an unnamed section of road reserve, extending in an easterly direction from Pig Gully Road for approximately 1.63km;
2. install a 'No Through Road' sign at the commencement of the road; and
3. initiate a process to have the road named and included on the Shire's road inventory.

Officer's Alternative Recommendation

That Council initiate the permanent closure of a section of unnamed road reserve, extending in an easterly direction from Pig Gully Road for approximately 1.63km, subject to support for the action being obtained from landowners with property adjacent to the road reserve.

Council Resolution

Cavanagh/Medlen

That Council initiate the permanent closure of a section of unnamed road reserve, extending in an easterly direction from Pig Gully Road for approximately 1.63km, subject to support for the action being obtained from landowners with property adjacent to the road reserve.

**Carried 9/0
Resolution 93/18**

8.4.11 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 1995</i>
Author & Date	Geoff McKeown 10 th November 2017
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 February 2017 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 preceding month are provided below:

- **Common Seal – Delegation LGA7**

Delegation - The Chief Executive Officer has delegated authority to affix the common seal of the Shire of Williams to any document which requires the affixing of the common seal to be validly executed.

Action - The President and Chief Executive Officer affixed the common seal to the Transfer of Land for sale of Lot 100 on DP 66070 New Street, Williams.

Action - The President and Chief Executive Officer affixed the common seal to the Agreement for the Provision of Financial Management Service between the Shire of Williams and the Shire of Wandering.

- **Payment of Creditors – Delegation FMR1**

Delegation - Under section 5.42 of the *Local Government Act 1995*, the Chief Executive Officer is delegated to exercise the powers or discharge the duties of the Council under Regulation 12 of the *Local Government (Financial Management) Regulations 1996*, in regard to the making of payments from the municipal and trust funds.

Action - Payments from the Municipal Fund and Trust Fund as per financial report attached at 8.5.1 of this Agenda.

Strategic Implications

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

CL 2.2 Maintain accountability, transparency and financial responsibility.

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

Financial Implications

Payments from the Municipal Fund and Trust Fund have been approved in the 2017/18 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 October 2017.

Council Resolution

Carne/Medlen

That Council accepts the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of October 2017.

**Carried 9/0
Resolution 94/18**

LATE ITEM

The Chief Executive Officer asked if Council would agree to consider a late item of correspondence received from the Officer in Charge of the Williams Police.

Council Resolution

Medlen/Logie

That the Chief Executive Officer be permitted to raise a late item of correspondence received from the Officer in Charge of the Williams Police.

**Carried 9/0
Resolution 95/18**

The Chief Executive Officer explained that the proprietors of the Williams Hotel are seeking a variation to their Liquor Licence to hold a specific event at the premises. The Williams Police intend to make a submission to the Liquor Commission of Western Australia and invite the Shire to make a submission on the variation if it chooses.

The Council considered the detail and nature of the event and resolved not make a submission to the Liquor Commission of Western Australia.



8.5 MANAGER OF FINANCE’S REPORT

8.5.1 ACCOUNTS FOR PAYMENT

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	9 th November 2017

Background

It is a requirement of the Local Government (Financial Management) Regulation 1996 to produce a list of payments made from Councils Municipal Fund and Trust Fund bank accounts to be presented to the Council in the following month.

Further, in accordance with the Delegation adopted by Council in December 2015 the Chief Executive Officer has the delegated authority to make payments from the Municipal Fund and Trust Fund. The Chief Executive Officer in exercising his authority is required to produce a list of accounts recorded in monthly Council meeting minutes.

Statutory Implications

LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996 – REG 13

(1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared –

- (a) the payee’s name; and*
- (b) the amount of the payment; and*
- (c) the date of the payment; and*
- (d) sufficient information to identify the transaction.*

Comment

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

Financial Implications

As listed in the recommendation below.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104655 – 104660 totalling \$206,782.07 and SII Funding payments totalling \$68,092.74 approved by the Chief Executive Officer be endorsed.



Council Resolution

Medlen/Logie

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104655 – 104660 totalling \$206,782.07 and SII Funding payments totalling \$68,092.74 approved by the Chief Executive Officer be endorsed.

**Carried 9/0
Resolution 96/18**

8.5.2 FINANCIAL STATEMENTS

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	9 th November 2017

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 monthly financial report and municipal bank reconciliation are separate attachments 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 periods ending 30th September and 31st October 2017 be received.

Council Resolution

Logie/Harding

That the financial statements presented for the periods ending 30th September and 31st October 2017 be received.

**Carried 9/0
Resolution 97/18**



8.5.3 FEE FOR COMMERCIAL BULK RECYCLING

File Reference	10.10.20
Statutory Reference	<i>Waste Avoidance and Resource Recovery Act 2007</i> <i>Local Government Act 1995 – Section 6.16</i>
Author & Date	Cara Ryan 10 th November 2017

Purpose

To amend the 2017/2018 fee and charge for the collection of commercial bulk recycling.

Background

Currently the Shire of Williams offers commercial bulk recycling services to privately owned businesses, which is charged on an annual basis on the Annual Rates notice. Avon Waste provides the waste recovery services to the Shire of Williams. The current charge for this service to the businesses is \$632.00 per annum and is for the provision of a 3.0m³ bin. Avon Waste has now made available 4.5m³ bins, which has been delivered to the BP Roadhouse and the Williams Woolshed. The cost for the provision of this service is an extra \$262.72 per annum.

The *Waste Avoidance and Resource Recovery Act 2017* allows local government to impose an annual charge per waste receptacle in respect of premises provided with a waste service by the local government. Further, the charge imposed is for the recovery of the waste collection costs levied on the local government.

Statutory Implications

WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2017 – Section 67 and Section 68

LOCAL GOVERNMENT ACT 1995 - SECTION 6.16

6.16 . Imposition of fees and charges.

(1) A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

(3) Fees and charges are to be imposed when adopting the annual budget but may be —

(a) imposed during a financial year; and*

(b) amended from time to time during a financial year.*

** Absolute majority required.*



LOCAL GOVERNMENT ACT 1995 – SECTION 6.19

6.19 Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of –

- (a) its intention to do so; and*
- (b) the date from which it is proposed the fees or charges will be imposed.*

Comment

Both businesses have been made aware that there may be an additional cost for the provision of a larger bin of 4.5m³, which will be imposed at the time the bins were delivered. The Shire of Williams fees and charges as set at the time of adopting the 2017/2018 budget has a charge for a Commercial Bulk Recycling Bin for \$632.00 per annum. As this charge does not detail the size of the bin and has been calculated based on a 3.0m³ bin, it is recommended that Council amend the current charge to be split to the following:

- Commercial Bulk Recycling Bin (3.0m³) at \$632 per annum
- Commercial Bulk Recycling Bin (4.5m³) at \$895 per annum

Strategic Implications

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

- LUE 3.3 Investigate measures for bulk rubbish pick-up for town based residents (on a fee for service basis).
- CL 2.2 Maintain accountability, transparency and financial responsibility.

Financial Implications

There will be no impact on the 30th June 2018 closing funds, as the additional charge for the 4.5m³ bin from Avon Waste will be on-charged to the businesses who have this service.

Voting Requirements

Absolute Majority

Officer's Recommendation

- 1 That Council amend the 2017/2018 fee and charge for Commercial Bulk Recycling Bin at \$632 per annum to the following:
 - Commercial Bulk Recycling Bin (3.0m³) at \$632 per annum
 - Commercial Bulk Recycling Bin (4.5m³) at \$895 per annum.
- 2 That the amended fee and charge for Commercial Bulk Recycling Bin's is advertised in accordance with the Local Government Act 1995, Section 6.19.



Council Resolution

Medlen/Watt

- 1 That Council amend the 2017/2018 fee and charge for Commercial Bulk Recycling Bin at \$632 per annum to the following:
 - Commercial Bulk Recycling Bin (3.0m³) at \$632 per annum
 - Commercial Bulk Recycling Bin (4.5m³) at \$895 per annum.
- 2 That the amended fee and charge for Commercial Bulk Recycling Bin's is advertised in accordance with the Local Government Act 1995, Section 6.19.

**Carried by Absolute Majority 9/0
Resolution 98/18**

8.6 COUNCILLORS' REPORTS

No Councillors' reports received.

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 5.33pm.