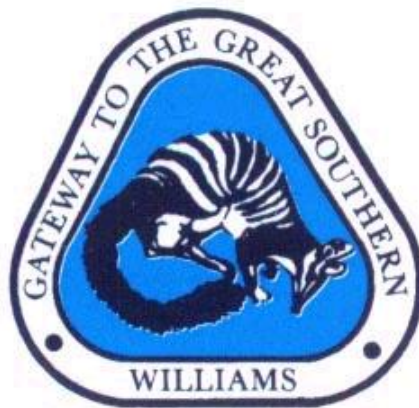


SHIRE OF WILLIAMS

***MINUTES ORDINARY MEETING HELD ON WEDNESDAY
20TH JUNE 2018***



COUNCIL DIARY

WEDNESDAY 20TH JUNE 2018

9.00

Budget Meeting

1.00pm

Ordinary Meeting

WEDNESDAY 18TH JULY 2018

1.00pm

Ordinary Meeting



TABLE OF CONTENTS

Item	Subject	Page
	DISCLAIMER	4
1.0	Declaration of Opening / Announcement of Visitors	5
2.0	Record of Attendance / Apologies / Leave of Absence (previously approved).....	5
3.0	Public Question Time	5
4.0	Petitions / Deputations / Presentations	5
5.0	Declarations of Interest	5
6.0	Confirmation of Minutes of Previous Meetings	6
6.1	Ordinary Council Meeting Held 16th May 2018.....	6
6.2	HWEDA MEETING Held 12th June 2018	6
7.0	Announcements by Presiding Member without discussion.....	7
8.0	Reports	7
8.1	Economic Development Officer’s Report.....	8
8.1.1	General Projects Update	8
8.1.2	Shire of Williams’ Policy Manual Review.....	11
8.1.3	Shire of Williams Townsite Aerial Photos.....	12
8.2	Works Supervisor’s Report	13
8.2.1	Maintenance Grading Activity	13
8.2.2	Road Maintenance Works	14
8.2.3	2017/18 Road Construction Program.....	14
8.2.4	Mechanical Report.....	15
8.2.5	Staff.....	16
8.2.6	Town and Facilities Report	16
8.2.7	Private Works	16
8.2.8	Works Supervisor Report Acceptance	16
8.3	Environmental Health / Building Surveyor’s Report	17
8.3.1	Building Permits.....	17
8.4	Chief Executive Officer’s Report.....	18
8.4.1	Chief Executive Officer’s General Report	18
8.4.2	Amalgamation – Lots 16, 17, 18 and 200 Albany Highway	20
8.4.3	MK & AL Iredell – Extractive Industry Annual Renewal, Lot 42 Bates Rd.....	23



MINUTES – ORDINARY MEETING OF COUNCIL HELD 20TH JUNE 2018

8.4.4	Hotham Williams Economic Development Alliance Contribution.....	26
8.4.5	Williams Bowling Club Lease	29
8.4.6	Industrial Shed Lease – Lot 403 (6) Marjidin Way, Williams	33
8.4.7	Salaries and Allowances Tribunal Determination for Elected Members.....	39
8.4.8	Use of the Common Seal and Actions Performed Under Delegated Authority	43
8.5	Manager of Finance’s Report	45
8.5.1	Accounts for Payment	45
8.5.2	Financial Statements	46
8.6	Councillors’ Reports.....	47
9.0	Elected Members Motions of which Notice has been given	47
10.0	New Business of an Urgent Nature introduced by Decision of Meeting	47
10.1	Elected Members	47
10.2	Officers	48
11.0	Application for Leave of Absence.....	48
12.0	Information Session.....	48
13.0	Closure of Meeting	48

Separate Documents

1. Minutes – Council; 4WDL, HWEDA
2. CEO General Report
3. Appendices to CEO General Report
4. Appendices to CEO Report
5. Appendices to EDO Report
6. Payment Listing
7. Monthly Financial Report
8. Municipal Bank Reconciliation
9. Status Report
10. Info Statement



DISCLAIMER

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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 Jarrad Logie	Deputy President
Cr Moya Carne	
Cr Gilbert Medlen	
Cr Natalie Major	
Cr Greg Cavanagh	
Cr Simon Harding	
Cr Alex Watt	
Cr Bob Baker	
Geoff McKeown	Chief Executive Officer
Cara Ryan	Manager of Finance (4.52pm to 5.01pm)
Heidi Cowcher	Economic Development Officer (1.12pm to 2.27pm)
Tony Kett	Works Supervisor (2.28pm to 2.42pm)
Gordon Tester	Environmental Health Officer/Building Surveyor (2.44pm to 2.49pm)
Manuela Lenehan	Minute Taker

3.0 PUBLIC QUESTION TIME

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	Cr Carne / Councillor
Item No. / Subject	8.4.5 Williams Bowling Club Lease
Type of Interest	Impartiality



DECLARATION OF INTEREST	
Name / Position	Cr Watt / Councillor
Item No. / Subject	8.4.6 Industrial Shed Lease
Type of Interest	Proximity

DECLARATION OF INTEREST	
Name / Position	Cr Cowcher / Councillor
Item No. / Subject	8.4.7 Salaries and Allowances Tribunal Determination
Type of Interest	Financial

6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 16TH MAY 2018

Officer's Recommendation

That the Minutes of the Ordinary Meeting held on 16th May 2018, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Carne/Watt

That the Minutes of the Ordinary Meeting held on 16th May 2018, as previously circulated, be confirmed as a true and accurate record.

**Carried 9/0
Resolution 207/18**

6.2 HWEDA MEETING HELD 12TH JUNE 2018

Officer's Recommendation

That the Minutes of the HWEDA Meeting held on 12th June 2018, as previously circulated, be received.



Council Resolution

Cavanagh/Logie

That the Minutes of the HWEDA Meeting held on 12th June 2018, as previously circulated, be received.

**Carried 9/0
Resolution 208/18**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.0 REPORTS

The Economic Development Officer, Mrs Heidi Cowcher, attended the meeting at 1.12pm to discuss her report.



8.1 ECONOMIC DEVELOPMENT OFFICER'S REPORT

8.1.1 GENERAL PROJECTS UPDATE

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 13 th June 2018
Attachment	1. Waterwise Aquatic Centre: Water Management Plan

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 Bowling Club

The Williams Bowling Club is still to complete the third shade structure, which once completed, funding acquittals will be able to be completed and submitted. Due to the delays in the completion of this project, a variation extension was requested of the Stronger Communities Funding. It is anticipated that the work should be completed by June 30th 2018. I have been working with the Treasurer Jim Epiro to complete these acquittals.

Williams Police: Community Crime Prevention Funding

Advice was received on 24th May 2018 that this project was not successful in its funding request. I have advised Sgt Stingemore accordingly.

Willi Wag Tails Childcare Centre – Sustainability Funding

The current sustainability funding of approximately \$50,000 per year ceases as at 30th June 2018. A new funding program 'Community Childcare Fund' (CCCF) was introduced in its place, and was an open, competitive fund Australia-wide. Up to \$50 million was available nationally per year. The Shire has been awarded \$55,000 for 2018/19. The funding agreement has been received and needs to be completed and signed by end June 2018 to ensure that the payments can commence from the 2nd July 2018.

The funding will enable the centre to remain open 5 days a week, however consideration may need to be given to transitioning to a more sustainable 4 days per week for the following year (when the funding is reduced to \$44,000).

Transition to REED (Regional Early Education and Development) will be considered once a proposition has been offered to Willi Wag Tails/Shire of Williams after they have completed a due diligence assessment across the Wheatbelt region. The new regional model proposes a single governance model, with a centralised management system. A Regional Manager has been



employed (Kylie Helgesen) and 3 'cluster' managers, together with administration and finance staff will be employed shortly.

Williams Swimming Pool

The Shire has been working with LIWA and the Water Corporation to prepare a 'Waterwise Aquatic Centre: Water Management Plan' over the last 6 months. LIWA appointed a Waterwise Auditor (Geoff Diver) and he conducted an audit of the facility and its water usage. The Final Report is attached (Appendix 1) for Council's interest. Waterwise accreditation has been granted, and we have signage and advertising paraphernalia to be displayed at the pool when it re-opens in November 2018. With this accreditation, the Shire will be required to provide an annual report on progress on outcomes and deliverables.

Williams Lions Park Redevelopment

The project is progressing well and is currently on target to be completed in early to mid-July 2018. Phase 3 have been an excellent contractor to work with making the delivery of the project relatively seamless. The DPAW Interpretive signage that was initially to be provided by DPAW has now been outsourced to Phase 3 and their graphic designer to produce and this will result in a cash contribution of \$30,000 to the Shire for the signage (nil cost to the Shire of Williams). I am currently working with Brad Melchiorre for a quote on plumbing improvements at the toilets and will seek a further quote to do some basic maintenance (painting, tiling, and new toilet doors) to give the toilets a facelift.

Williams LEMC – Annual Preparedness Survey

The Annual Preparedness Survey has been completed and submitted. This survey reports on the local government and community's preparedness for emergencies as well as capabilities to manage an emergency should it arise. It is a lengthy survey, and is collated across a region and then across the state into a report presented to Government.

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 1.2 Develop and invest in the redevelopment of the Williams Lions Park.
- SCD 1.1 Provide, maintain and improve community infrastructure.
- SCD 1.3 Maintain a safe and secure environment for the community.
- SCD 1.4 Implement strategies that will support increased usage of the Williams Recreation Ground facilities (including swimming pool).
- 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 1.2 Ensure the community remains well informed, well connected and engaged and has the opportunity to actively participate.



- CL 2.1 Maximise and leverage grant funding opportunities to balance and support Council investment.
- CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

Project based, budgeted for as appropriate. Funding identified and secured where appropriate.

Voting Requirements

Simple Majority

Officer's Recommendation

That the General Projects update be received.

Council Resolution

Logie/Cavanagh

That the General Projects update be received.

**Carried 9/0
Resolution 209/18**



8.1.2 SHIRE OF WILLIAMS’ POLICY MANUAL REVIEW

File Reference	Shire of Williams Policy Manual
Statutory Reference	N/A
Author & Date	Heidi Cowcher 13 th June 2018
Attachment	2. Extract from Policy Manual – Sections 2 & 3

Background

The Shire should review its policy manual annually to ensure that it remains relevant, current and up to date. The last substantial review was completed in 2015, although individual policies have been revised, updated and/or introduced since this time.

Comment

At the April 2018 Council meeting, the review of the Shire’s Policy Manual was discussed. It was a recommendation of Council that the review be a staged process. As a result, the review will be presented to Council over three months.

The new policy manual will be divided into three parts – Operational, Staff and Council – and has been substantially reviewed to ensure currency and relevancy. The Operational section includes all policies in relation to the day to day running of the Shire. The Staff section includes all policies in relation to employees (to be presented to June meeting). The Council section includes all policies in relation to elected members (to be presented to June meeting). It is anticipated that once all three sections have been considered and revised that Council will endorse and adopt the revised manual in its complete form and this date and resolution number will be recorded at the front of the document (July 2018).

Council is presented with the draft ‘Staff’ and ‘Council’ policies for consideration (Appendix 2).

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:

- CL 1.3 Maintain, review and ensure relevance of Council’s policies, local laws and operational plans.
- CL 2.2 Maintain accountability, transparency and financial responsibility

Financial Implications

Where applicable

Voting Requirements

Simple Majority

Officer’s Recommendation
That Council consider the draft ‘Staff & Council’ policies.



Council Resolution

Major/Medlen

That Council considered the draft ‘Staff & Council’ policies and supported the revised policies subject to the amended wording being included in the final policy document that will be submitted to Council for final endorsement at a later date.

**Carried 8/1
Resolution 211/18**

The resolution differed from the Officer’s recommendation as Council wished to include in the recommendation that the amended wording be included in the final document that it will consider and endorse at a later date.

8.1.3 SHIRE OF WILLIAMS TOWNSITE AERIAL PHOTOS

File Reference	Shire of Williams Policy Manual	
Statutory Reference	N/A	
Author & Date	Heidi Cowcher	13 th June 2018

Background

The Shire of Williams has an aerial photo in the Council Chambers that is very old and outdated in regards to development that has been undertaken in the area. The Shire also has a stock of aerial photos that were taken over 10 years ago that it uses for marketing and promotional purposes.

Comment

Consideration is requested to engage a contractor to take aerial photos that can be used to print a new aerial photo for the Council Chambers and also for marketing and promotional purposes.

Quotes have been sourced as follows:

Aerial Resolutions Australia	\$650 + GST (using a drone – 6 + photos)
Lomax	\$710 + GST (using a drone – 12 photos)
SkyHi Productions	\$500 + GST (using a drone – only one photo taken)
Wings Photography	\$1560 + GST (using a plane – 25 photos)
AirImages	\$1700 + GST (using a plane – 60 photos)

Once a photo has been selected, to print onto canvas would cost an estimated \$200.

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:

- CL 1.1 Promote a positive image of Council through appropriate marketing activities and high standards of customer service.



Financial Implications

Quotes have been sourced. Council funds would be required to fund the project.

Voting Requirements

Simple Majority

Officer’s Recommendation

That Council supports the engagement of a contractor to undertake aerial photography of the Shire of Williams townsite and a selected photo printed on canvas for the Council Chambers.

Council Resolution

Major/Logie

That Council supports the engagement of a contractor to undertake aerial photography of the Shire of Williams townsite and a selected photo printed on canvas for the Council Chambers.

**Carried 9/0
Resolution 210/18**

Heidi Cowcher left the meeting at 2.27pm.

The Works Supervisor, Mr Tony Kett, attended the meeting at 2.28pm to discuss his report.

8.2 WORKS SUPERVISOR’S REPORT

File Reference	12.15.36
Statutory Reference	N/A
Author & Date	Tony Kett 8 th June 2018

8.2.1 MAINTENANCE GRADING ACTIVITY

Road Name	Length Graded (km)
Dardadine Rd	21.5
Darkan-Quindanning	14.0
Plank Rd	4.7
Munthoola Rd	2.0
McKenzie Rd	5.4
Wangeling Gully Rd	8.8
Total Length for the Month	56.4 km



8.2.2 ROAD MAINTENANCE WORKS

- Patching various areas on Williams-Darkan Road.
- Cleaned up trees after storm throughout Shire.
- Doing shoulders and drains on Williams-Darkan Road.

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					Completed
10	Pingelly Road	Seal to 7m	3.50	5.0	1.5 km			Completed
1	York-Williams	Reseal	3.10	6.10	3 km			Completed
7	Clayton Road	Seal Shoulders	0.0	2.00	2 km			Completed
7	Clayton Road	Widen Shoulders	2.00	4.00	2km			Completed
11	Marradong Road	Seal 600m. Install drainage and repair pavement failures for a further 600m.	Various slks					Started Drainage
12	Zilko Road	Drainage and Seal 300 Metres over culvert	14.0	14.3	300m			
9	Dardadine Road	Tree Trimming			4 km			Completed
15	Glenfield Road	Tree Trimming			4 km			Completed
	2017 Flood Damage	Road and Culvert Repairs	Various Roads in Shire.					



8.2.4 MECHANICAL REPORT

Plant Description		Driver	Date Purchased	Hours/Km MAY 22 2018	Works Completed this month
Mazda CX5 WL 16	Light Vehicles	Cara Ryan	23 Sep 15	94,296 km	
Toyota Prado 16 WL		Geoff McKeown	10 Sep 16	62,000 km	
Holden Rodeo Dual Cab Utility WL 5499		Outside staff	5-Nov-04	258,565 km	
Holden Colorado Dual Cab WL 19		Tony Kett	11-Sep-17	29,345 km	
Kia 2 Tonne Truck WL 954		Jeff Cowan	9-Oct-07	161,170 km	Service. New steering wheel.
Isuzu D-Max WL 5802		Andrew Wood	5-Nov-14	119,403 km	New Brake pads. Had a wheel alignment.
Isuzu 4x2 Single Cab Ute WL 916		Maintenance	25-Nov-2016	18,627 km	
Holden Rodeo Single Cab Utility WL 826		Outside works crew	20-Nov-06	124,448 km	
Isuzu 4x2 Single Cab Ute WL 915		James Lenehan	25 Nov 2016	13,829 Km	
Skid Steer Track Loader 1EVL725		Construction Equipment	Outside works crew	Sep 2015	727 hr
Multipack Multi-Tyre Road Roller WL 49	Outside works crew		21-Oct-04	6,973 hr	Serviced
Vibromax Roller WL 126	Outside crew		29-Sep-04	4,590hr	New vibe control switch. Replaced steering arm ends and pins.
Caterpillar 12M Grader WL 61	Richard Hewitt		Dec 2011	6000 hr	Serviced. 6000 hr
Caterpillar 12M Grader WL 361	Andrew Wood		15-10-2014	3000 hr	Serviced. 3000 hr
721E Case Loader WL 5639	Roger Gillett		May 2012	6,527 hr	Serviced. New glass door. Ordered a new radiator.
Volvo EC210BLC Excavator WL 499	Phil Reed		18-Jul-07	7,576 hr	
John Deere 315SE4 Backhoe WL 745	Trevor Palframan		17-Sep-01	3,070 hr	Fitted reversing beeper. New alternator.
Toro Reelmaster SP Mower WL 5502	Works		Aug-09	1,254hr	
Kubota Generator	Refuse Site			4,512 hr	
Toro Groundmaster 360 WL 917	Parks & Gardens	Jeff Cowan	Nov 2016	177 hr	New belt pulley.
Toro Z400 Kholer Ride on Mower WL 5302		Jeff Cowan	8-Aug-05	661hr	



Honda TRX Four Wheel M/cycle WL 429		Jeff Cowan	20-Mar-00	1,482 hr	
Toyota DA115 Tip Truck (Water Truck) WL 595		James Lenehan	24-Aug-94	237,320km	New pump mounts on water pump.
Isuzu FVZ1400 Tip Truck WL 093	Trucks & Trailers		31-Dec-03	310,893km	
Mercedes Benz Actross Prime Mover WL 91		Phil Reed	21-Dec-05	348,108 km	New exhaust pipe, 2 new batteries.
Isuzu Giga CXZ Tip Truck WL 128		Justin Murdock	10-Dec-08	237,626 km	
Isuzu NPR 300 Truck WL 016		David Munday	21-Jan-13	99,733 km	
SFM Side Tipping Trailer WL 3730		Works	21-Dec-05	161,500 km	
Howard Porter Low Loader WL ITIF 238		Works	31-Aug-07	153,550km	
Howard Porter Pig Trailer WL 3792		Justin Murdock	10-Dec-08	160,600 km	New tow hitch.
Nissan Patrol Fire Ute 1CXV788		BFB Fast attack	2008 Received 23- Feb 2016	167,500 km ?	

8.2.5 STAFF

- Appointed Craig Prideaux to the new gardener's position.
- Will be advertising for the position on the outside crew as Richard Hewitt had resigned.

8.2.6 TOWN AND FACILITIES REPORT

- Erected a NO-THROUGH sign on William St.
- Finished off Industrial block pad.

8.2.7 PRIVATE WORKS

- Nil

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.



<p>Council Resolution Logie/Major That the Works Supervisor's Report as tabled be received.</p>	<p>Carried 9/0 Resolution 212/18</p>
---	---

Tony Kett left the meeting at 2.42pm.

The Environmental Health Officer/Building Surveyor, Mr Gordon Tester, attended the meeting at 2.44pm to discuss his report.

8.3 ENVIRONMENTAL HEALTH / BUILDING SURVEYOR'S REPORT

8.3.1 BUILDING PERMITS

File Reference	13.34.10
Statutory Reference	Building Act 2011, <i>Building Regulations 2012</i>
Author & Date	Gordon Tester 13 June 2018
Attachment	Nil

Comment

Nil

Permit Number	Owner	Address	Description
408	Jeremy Genders	Lot 12,13 No 17,19 Richardson Street, Williams	Steel Framed and Clad Patio / Verandah Addition to Existing Shed.
409	Shire of Williams	Lot 1311 No 12753 Pinjarra-Williams Road, Williams	Lions Park Public Shade Shelters

An Occupancy Certificate was issued to Mr Alex Watt to occupy the Class 8 Industrial Shed intended to be used for the Manufacture and Repair of Agricultural Implements situated at Lot 441 No3 Marjidin Way Williams.

Voting Requirements

Simple Majority

<p>Officer's Recommendation That Building Report as presented be endorsed.</p>
--



Council Resolution

Major/Medlen

That Building Report as presented be endorsed.

**Carried 9/0
Resolution 213/18**

Gordon Tester left the meeting at 2.49pm.

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	14 th June 2018
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 June 2018 be received by Council.

There was discussion on an item contained in the Report relating to the future use of the old Medical Centre building.



Council Resolution

Carne/Medlen

That the WA Country Health Service be thanked for the opportunity to consider a community use for the old Williams Medical Centre and be advised that the Shire of Williams will decline the offer to take management of the facility.

**Carried 9/0
Resolution 214/18**

There was discussion on an item contained in the Report relating to a request from the Williams Community Resource Centre for support for a community project involving the creation of 10 sculptures by local residents.

Council Resolution

Carne/Medlen

That the Williams Community Resource Centre be advised the Shire of Williams will support the proposed sculpture project with a letter of support for the funding application and access to the refuse site for materials to be used in the creation of the sculptures. Further, the Shire seeks more information on the installation and maintenance of the sculptures, and their proposed location before committing to support those components of the project.

**Carried 9/0
Resolution 215/18**

Council Resolution

Major/Watt

That the Chief Executive Officer's General Report for June 2018 be received by Council.

**Carried 9/0
Resolution 216/18**

Afternoon Tea

The President adjourned the meeting for afternoon tea at 3.32pm and the meeting resumed at 3.59pm.



8.4.2 AMALGAMATION – LOTS 16, 17, 18 AND 200 ALBANY HIGHWAY

File Reference	10.64.20
Statutory Reference	Shire of Williams Town Planning Scheme No.2
Author & Date	Geoff McKeown 28 th May 2018
Attachment	Nil

Background

An application has been lodged with the Western Australian Planning Commission (WAPC) seeking planning approval to amalgamate Lots 16, 17, 18 and 200 Albany Highway, Williams. The WAPC has referred the application to the Shire of Williams for comment (by 26 June 2018).

In February 2015 a similar application was presented to Council by the then owner Paul Phillis. The Agenda for the February 2015 Council Meeting included the following information:

The application seeks to amalgamate 4 lots into one single lot on the corner of the Albany Highway and the Williams-Kondinin Rd.

The land concerned has recently been rezoned to Light Industrial and the applicants have had extensive dialogue with Council on the proposed development of the lot.

At that Meeting the Council passed the following resolution:

Medlen/Major

That the Shire of Williams advise the Western Australian Planning Commission that they support application 151241 for the amalgamation of Lot 16,17,18,200 Albany Highway.

**Carried 9/0
Resolution 162/15**

That application was approved by the WAPC with conditional approval granted on the 16th March 2015.

In May 2015 a separate application was received from new owners Barry, Marion, Jonathon and Tracey Price. It proposed the amalgamation of Lots 17, 18 and 200 Albany Highway. Lot 16 was not included in the proposal. This application was considered at the May 2015 Council Meeting where the following resolution was passed:

Logie/Paterson

That the Shire of Williams advise the Western Australian Planning Commission that it supports application 151881 for the amalgamation of Lot 17,18 & 200 Albany Highway Williams.

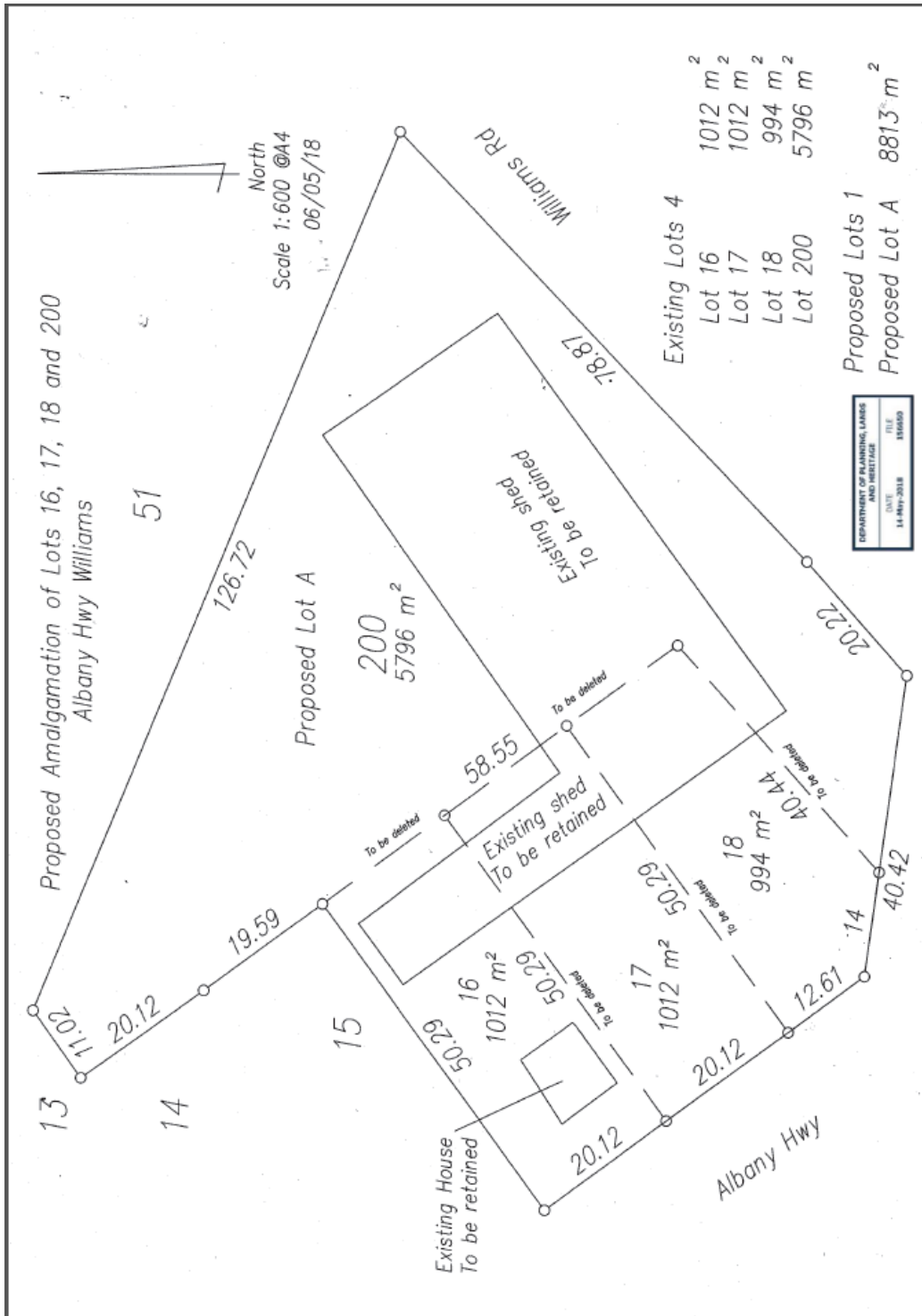
**Carried 8/0
Resolution 238/15**

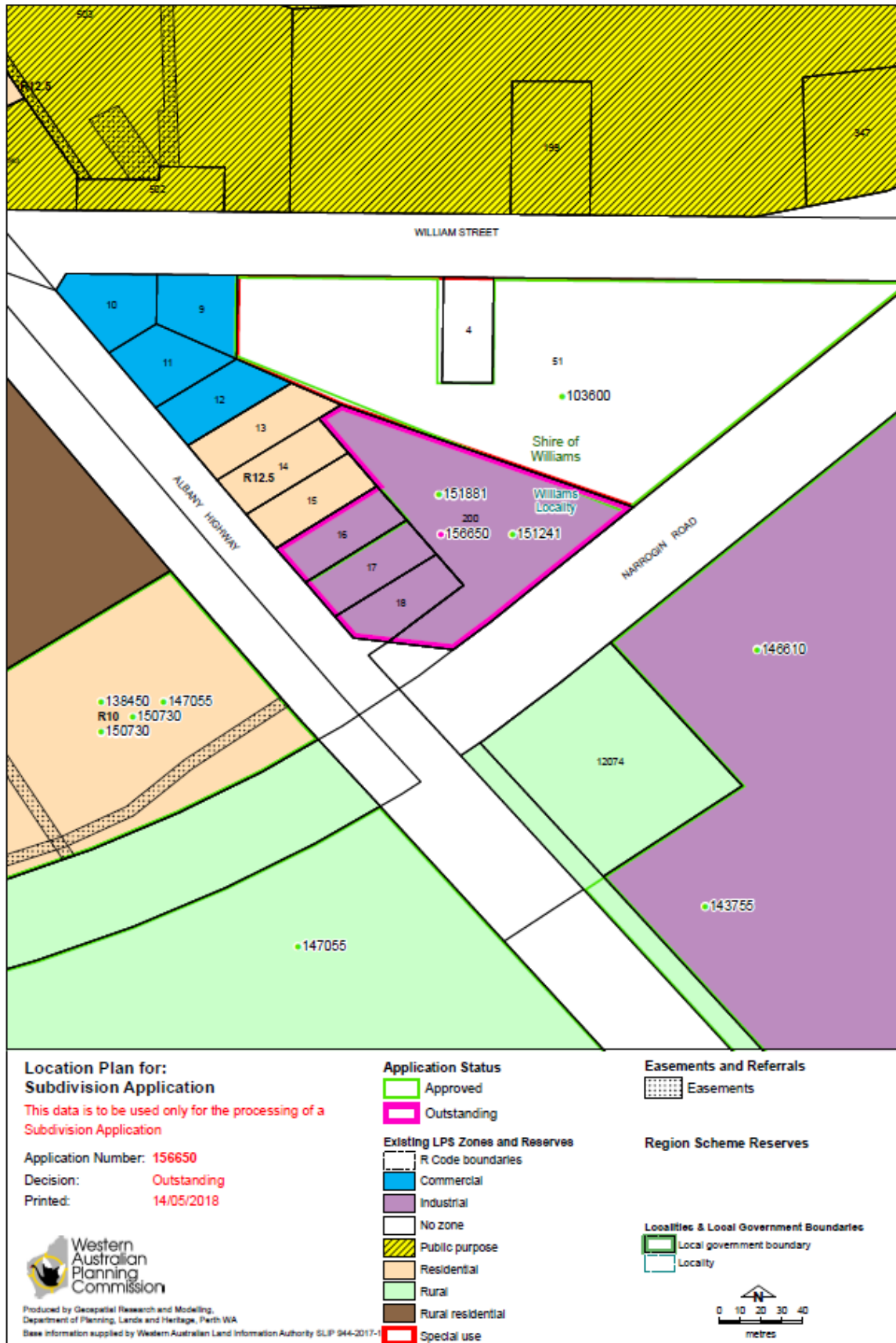


That application was approved by the WAPC with conditional approval granted on the 4th July 2015. The applicants were given three (3) years to complete the process.

Comment

The latest application is essentially the same as the first proposal in February 2015. A plan of the amalgamation follows:







Given that the Shire has previously supported the amalgamation of these lots without conditions, it is recommended that similar support is given to this latest proposal. It is superior to the previous application in that it also includes Lot 16 and removes the issue of the existing shed being built across a boundary.

Strategic Implications

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

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

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council advise the Western Australian Planning Commission that the Shire of Williams supports the proposed amalgamation of Lot 16, 17, 18 & 200 Albany Highway, Williams, the subject of Application No.156650.

Council Resolution

Medlen/Major

That Council advise the Western Australian Planning Commission that the Shire of Williams supports the proposed amalgamation of Lot 16, 17, 18 & 200 Albany Highway, Williams, the subject of Application No.156650.

**Carried 9/0
Resolution 217/18**

8.4.3 MK & AL IREDELL – EXTRACTIVE INDUSTRY ANNUAL RENEWAL, LOT 42 BATES RD

File Reference	10.64.20
Statutory Reference	Shire of Williams Town Planning Scheme No.2
Author & Date	Geoff McKeown 30 th May 2018
Attachment	Nil

Background

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



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

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

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

Comment

Mr & Mrs Iredell have written to the Shire seeking a further extension to the Extractive Industry Licence for Lot 42 Bates Road, as they have done since the initial approval was granted.

The Council approval from the August 2010 Meeting is outlined below:

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

- *The area to be mined is restricted to the area mentioned in the submission;*
- *Clearing of native vegetation is restricted as per the submission;*
- *Revegetation is to occur as per the submission;*
- *Gravel extraction is to be limited to supply within the Shire of Williams unless a further submission is made;*
- *Approval is for a 12 month period, renewable on the 1st July each year subject to an application being submitted. No fee will be charged for renewal;*
- *The hours of operation be 6:00 am to 8:00 pm Monday to Saturday and other times subject to approval;*
- *Restoration and reinstatement of the excavation site and staging of such works to a maximum work area of 1 ha;*
- *Except where the local government approves otherwise the applicant must drain and keep drained to the local government's satisfaction any excavation to which the license applies so as to prevent the accumulation of water;*
- *Council will not permit the dumping of any material, such as building material or metal objects, on extractive industry sites or any other sites that is incompatible with the planned future use of the land. Council will only permit the fill of extractive industry sites with clean material that is specified in the approved rehabilitation plan;*
- *Minimum setbacks to roads and other property (30 metres unless otherwise approved);*
- *The amenity of the locality by reason of the emission of dust, noise, vibration, waste production, smoke, odour or otherwise shall not be affected, any complaint will be investigated and this permit may be revoked;*
- *Transportation of material from the site shall not occur during school bus hours or during or after significant rain. The applicant is to ensure that all efforts are made not to adversely affect the roads because of their activities. Should the road be damaged other than fair wear and tear then renewal of the permit may not be granted;*
- *Erection of signs in conjunction with the Shire Works Supervisor clearly indicating the access point to the site;*



- *No Blasting or Crushing to be carried out without prior approval from the Council;*
- *The permit is non-transferable unless written approval is granted by Council;*
- *Council reserves the right to cancel an extractive industry approval at any time without redress where it is of the view that any of the above conditions are not being complied with."*

Strategic Implications

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

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

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council approves the extension of the Extractive Industry Licence for Lot 42 Bates Road for a further 12 months from the 1st July 2018 under the same conditions as previously approved.

Council Resolution

Major/Medlen

That Council approves the extension of the Extractive Industry Licence for Lot 42 Bates Road for a further 12 months from the 1st July 2018 under the same conditions as previously approved.

Carried 9/0
Resolution 218/18



8.4.4 HOTHAM WILLIAMS ECONOMIC DEVELOPMENT ALLIANCE CONTRIBUTION

File Reference

Statutory Reference

Nil

Author & Date

Geoff McKeown 30th May 2018

Attachment

Nil

Background

The Shire of Williams has financially supported the Hotham Williams Economic Development Alliance (HWEDA) since its inception. Membership of the organisation has expanded recently with Newmont Boddington Gold and South 32 becoming financial members. HWEDA has written to the Shire seeking an ongoing contribution for the 2018/19 financial year.

Council can consider a contribution with the preparation for the 2018/19 Annual Budget which will be adopted in July 2018. It may choose to hold confirmation of a contribution until that process is concluded.

Comment

HWEDA's letter states:

"At HWEDA's April Board meeting, it was resolved to maintain the membership fee for 2018/19 at \$7,500. While the membership fee is to be formally endorsed at HWEDA's upcoming Annual General Meeting (14 August 2018 in Wandering), it is timely that a formal request is made now to enable members to consider this financial contribution as part of their budgetary process.

An outline of actual expenditure for 2017/18 and a draft budget for 2018/19 has been attached (attachment 1) for you as a financial member, to highlight that your continued support and investment into HWEDA is worthwhile.

HWEDA was established through the Boddington Super Town project, as an Economic Alliance working collaboratively together to achieve regional economic development benefits for the sub-region comprising the Shires of Boddington, Wandering and Williams. The Alliance's activities, supported by the Director of Economic Development at the Shire of Boddington, was financially supported until the end of 2014. Since 2014, HWEDA has been financially supported by the three Shires, Newmont, South32 and grant funding.

2017/18 has been a significant year for HWEDA with the commencement of the Marradong Country Self-Drive Trails Project, the expansion of financial membership contributions and the successful recruitment of an external Executive Officer.

Consultancy firm 'Moo Marketing' were engaged by HWEDA in July 2017 to undertake the delivery of the Marradong Country Self-Drive Trails project, which is anticipated to take 18 months to complete. To date, Moo Marketing have proposed a series of five trails throughout the HWEDA region, undertaken a stakeholder engagement and communication review and



reported that a series of spin off projects have been initiated by small businesses who want to be involved in this project.

HWEDA's financial membership formally expanded for 2017/18 to include Industry representation from Newmont Boddington Gold and South32. Both Newmont and South32's representation is of significant value to HWEDA and their financial commitment highlights that they view HWEDA as a sound investment.

Mrs Pip Gooding of SHIELDS-GOODING Enterprises was selected as the Executive Officer for HWEDA on a 12 month contract that commenced in November 2017. Mrs Gooding brings a wealth of experience to this role having worked previously in regional development for the Wheatbelt Development Commission (WDC), before establishing SHIELDS-GOODING Enterprises in 2016 to provide professional business services to private and public organisations. Mrs Gooding will continue the exceptional work by Shire of Williams Economic Development Officer, Heidi Cowcher, who directed HWEDA through our strategic planning review and commenced the implementation of our Flagship Projects.

The Executive Officer plays a key role to HWEDA ensuring economic opportunities are identified, projects managed and Board supported. In 2018/19 HWEDA will continue to deliver on its Economic Development Implementation Plan and Strategic Plan initiatives and while external funding will be sought, a contribution from our financial members will ensure HWEDA can continue to deliver.

We trust that HWEDA's financial membership request for 2018/19 will be considered favourable and we look forward to hearing the outcome post budgetary processes.

Should you have any further queries, please contact Chairperson Greg Cavanagh or Executive Officer Pip Gooding, at admin@marradongcountry.org.au."

The HWEDA Executive Officer had provided a proposed budget for the organisation for the 2018/19 financial year. It includes a contribution of \$7,500 from the Shire of Williams. This is the same amount as last financial year. The contribution amount has been requested of all financial members.

The proposed budget is highlighted below:



ATTACHMENT 1

Hotham-Williams Economic Development Alliance Inc
Draft Budget for the 2018/19 Financial Year

Budget for consideration

Current Financial Year 2017/18 Income/Expenditure YTD and 2018/19 Proposed Budget

INCOME		
Actual 2017/18 YTD	Description	Budget 2018/19
\$ 7,500.00	Shire of Williams HWEDA membership	\$ 7,500.00
\$ 5,000.00	Shire of Wandering HWEDA membership	\$ 7,500.00
\$ 7,500.00	Shire of Boddington HWEDA membership	\$ 7,500.00
\$ 7,500.00	South32 membership	\$ 7,500.00
\$ 7,500.00	Newmont membership	\$ 7,500.00
\$ 20,545.99	HWEDA carryover funds 2016/17 (unspent funds)	\$ -
\$ -	HWEDA carryover funds 2017/18 (unspent funds based on average expenditure)	\$ 82,067.76
\$ 55,545.99	HWEDA Sub-Total	\$ 119,567.76
\$ 70,000.00	Self Drive Trail Sub-Total	\$-
\$ 125,545.99	TOTAL INCOME	\$ 119,567.76
EXPENSES		
Actual 2017/18 YTD	Description	Budget 2018/19
	Executive Officer Services	
\$ 13,703.00	-Contract (Forecast \$50 x 720 hours : 15 hours/week)	\$ 36,000.00
\$ 904.86	-Travel (Forecast \$0.66/km x 340km x 12 trips)	\$ 2,692.80
\$ 412.04	-Phone, Internet, Postage, General Office Expenses	\$ 1,500.00
\$ 1,510.00	HWEDA Professional Indemnity Insurance (Country Wide Insurance)	\$ 1,510.00
	Information Technology (website platform and email domain)	\$ 300.00
\$ 16,529.90	HWEDA Sub-Total	\$ 42,002.80
\$ 22,500.00	Self Drive Trail Sub-Total	\$ 63,468.00
\$ 39,029.90	TOTAL EXPENSES	\$ 105,470.80
	<i>ANITICPATED HWEDA CARRYOVER 2019/20 (based on 2017/18 average expenditure)</i>	\$ 14,096.96

Net Cash at Bank Balance as at 9 April 2018 \$ 94,281.73



Strategic Implications

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

- ED 1.6 Advocate, promote and champion industrial development that will offer employment opportunities for our community.
- CL 3.2 Foster, nurture and develop strategic alliances with local government, major industry and government agencies.

Financial Implications

Consideration of a contribution of \$7,500 to the ongoing operation of HWEDA.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council consider the inclusion of a contribution of \$7,500 to the Hotham Williams Economic Development Alliance Inc. in the 2018/19 Annual Budget.

Council Resolution

Major/Harding

That Council consider the inclusion of a contribution of \$7,500 to the Hotham Williams Economic Development Alliance Inc. in the 2018/19 Annual Budget.

**Carried 8/1
Resolution 219/18**

Cr Carne declared an impartiality interest for the following Item '8.4.5 Williams Bowling Club Lease' and remained in the chamber. The nature of Cr Carne's interest relates to the item dealing with a community group of which she is a member.

8.4.5 WILLIAMS BOWLING CLUB LEASE

File Reference	11.70.30
Statutory Reference	Section 3.58 <i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 7 th June 2018
Attachment	Appendix 1: Draft Lease Agreement

Background

The Williams Bowling Club has written to the Shire asking that it consider an agreement between the parties. In its letter it stated:



“On behalf of the Williams Bowling Club Management Committee we would like to have a MOU with the Shire of Williams Council in regard to future maintenance & repairs of the Bowling Club building and surrounds.

We acknowledge and are very grateful of all the support we have received from Council in previous years and currently, especially in respect to our new green which is proving to be a huge asset to our Club.

With our commitment to repay the new green and to have a replacement fund in place, future work on the Clubhouse will stretch our current Members fund raising abilities.

We are aware that all Local Government Budgets are being stretched but look forward to learning what Council’s plan & thoughts are towards future spending towards maintenance of Shire owned facilities.”

Comment

Currently there is no formal agreement between the Shire and the Club, other than the commitment relating to the self-supporting loan. The obligation to fund future maintenance or upgrade to the building and surrounds is unclear. Over time much of this work has been undertaken by the Club.

A lease is the preferred method of agreement. Essentially the Club has exclusive access to this facility for its activities. It hires the venue occasionally for functions and the Shire has not been involved in this. This is unlike other areas of the recreation precinct where multiple users access the facilities.

A lease will outline responsibilities for the ongoing maintenance, insurances, financial arrangements, usage, etc. A recent public liability claim highlighted the need to clearly define areas of responsibility.

A draft lease document has been prepared and provided to the Club for comment. It is also presented for Council’s consideration. The main points for noting, as listed in the lease Schedule, include:

Item 1 Land and Premises

Land

Lot 14748 on Diagram 147868 being the whole of the land comprised in Certificate of Title Volume 1057 Folio 645.

Premises

That part of the Land depicted on the plan annexed hereto as Annexure 1, including all buildings, structures, alterations, additions and improvements on that part of the Land, or erected on that part of the Land during the Term.



Item 2 Term

10 years commencing on 1 July 2018 and expiring on 30 June 2028.

Item 3 Further Term

Not applicable

Item 4 Commencement Date

1 July 2018

Item 5 Rent

\$1 per annum

Item 6 Rent Review

Not applicable

Item 7 Permitted purpose

Lawn Bowling club and uses reasonably ancillary thereto.

Item 8 Public liability insurance

Twenty million dollars (\$20,000,000.00).

Item 9 Additional terms and covenants

Not applicable

It is important to note that under the terms of the lease the Club is required to have insurance for:

- (a) public liability;
- (b) insurance against risks, including plate glass windows, doors and display show cases forming part of or within the Premises;
- (c) insurance to cover the Club's fixtures, fittings, equipment and stock against loss or damage by fire, fusion, smoke, lightning, flood, storm, tempest, earthquake, sprinkler leakage, water damage and other usual risks against which the Club can and does ordinarily insure in their full replacement value, and loss from theft or burglary;
- (d) employers' indemnity insurance including workers' compensation insurance in respect of all employees of the Lessee employed in, about or on the Premises; and
- (e) any other policy of insurance which the Shire may reasonably require or specify from time to time.

The Shire is required to keep insurance to the full insurable value on a replacement or reinstatement value basis of the Premises.

Disposing of property, which includes sale or lease, is governed by Section 3.58 *Local Government Act 1995*. The legislation outlines the procedures that must be adhered to. There is an exemption from following this procedure where the property is being disposed of to an organisation which operates for recreational purposes. An extract of the relevant wording in the legislation 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 —
 - (a) the land is disposed of to an owner of adjoining land (in this paragraph called the *transferee*) and —
 - (i) its market value is less than \$5 000; and
 - (ii) the local government does not consider that ownership of the land would be of significant benefit to anyone other than the transferee;
 - or
 - (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;

Strategic Implications

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

SCD 1.1 Provide, maintain and improve community infrastructure.

LUE 2.2 Ensure townsite amenities are maintained and improved where required.

Financial Implications

Nil

Voting Requirements

Simple Majority

Officer's Recommendation

That Council agrees to enter into a lease with the Williams Bowling Club Inc. for Premises situated on Lot 14748 for a ten (10) year period commencing on 1st July 2018. Further, in accordance with Clause 12.1 of the lease document the Shire of Williams gives approval for the consumption of alcohol on the Premises in accordance with a valid licence or permit granted under the *Liquor Control Act 1988*.

Council Resolution

Major/Medlen

That Council defer making a decision on Item 8.5.4 Williams Bowling Club Lease to allow more time for the parties to the agreement to review the content of the lease document.

**Carried 9/0
Resolution 220/18**



The resolution differed from the recommendation as Council wished to have more time to consider the lease document and receive feedback from the Williams Bowling Club.

Cr Watt declared a proximity interest for the following item, 8.4.6 Industrial Shed Lease – Marjidin Industrial Estate – Lot 403 (6) -Marjidin Way, Williams. The nature of his interest relates to being the owner of land that is adjacent to the Lot 403 Marjidin Way. Cr Watt left the Meeting at 4.36pm.

8.4.6 INDUSTRIAL SHED LEASE – LOT 403 (6) MARJIDIN WAY, WILLIAMS

File Reference	13.60.55
Statutory Reference	Section 3.58 <i>Local Government Act 1995</i>
Author and Date	Geoff McKeown 7 th June 2018
Attachment	Nil

Background

Construction of a new industrial shed on Lot 403 (6) Marjidin Way is complete. Ancillary site works including, security fencing, paving along the front of the building and spreading of aggregate at the side and rear of the building will be undertaken in coming weeks.

The entrances, carpark and landscaping will be added to the capital program for the new financial year and an amount included in the draft 2018/19 Budget.

The Shire can now consider a lease for the premises. The project to construct the new shed was initiated following a request from a local business that wished to expand its business.

Comment:

In order to lease property for commercial purposes a local government must adhere to legislation contained in Section 3.58 *Local Government Act 1995*. An extract of the relevant wording in the legislation follows:

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 legislation, a disposal can occur through the process of a public auction or public tender. If Council wishes to negotiate a disposal other than by these methods it will need to follow the process outlined in Section 3.58(3), where the details are publicised and consideration given to public submissions received.

A market rental valuation has been obtained and is contained in a report prepared by a Certified Practising Valuer. The market rental value has been assessed at **\$23,760** per annum, excluding GST.

The prospective tenant for the premises, Andrew Martin, Great Southern 4x4 and Mechanical, has formally written to the Shire expressing an interest in leasing the premises. Mr Martin had been provided with detail of the rental valuation determination. In his letter Mr Martin states:

"I, Andrew Martin, proprietor of Great Southern 4x4 & Mechanical, am writing this letter to you to express my interest in leasing your commercial property located at Lot 403, 6 Marjidin Way, Williams. Upon discussions with Shire members in early 2017, I stated that I would be able to afford between \$380 - \$420 per week inc GST. Since then, my business has grown, and I am able to increase that amount somewhat. I have now received the rental valuation for the property, but the valuation of \$23,760 per annum + GST and outgoings, at this point in time, is still more than I am able to safely afford. I have come up with a proposal for your consideration, which although would have been out of reach 12 months ago, is now achievable for my business, and ultimately will result in the lease amount matching that of the valuation.

What I would like to propose is as follows:

A 3 year lease with the option of a further 3 years.

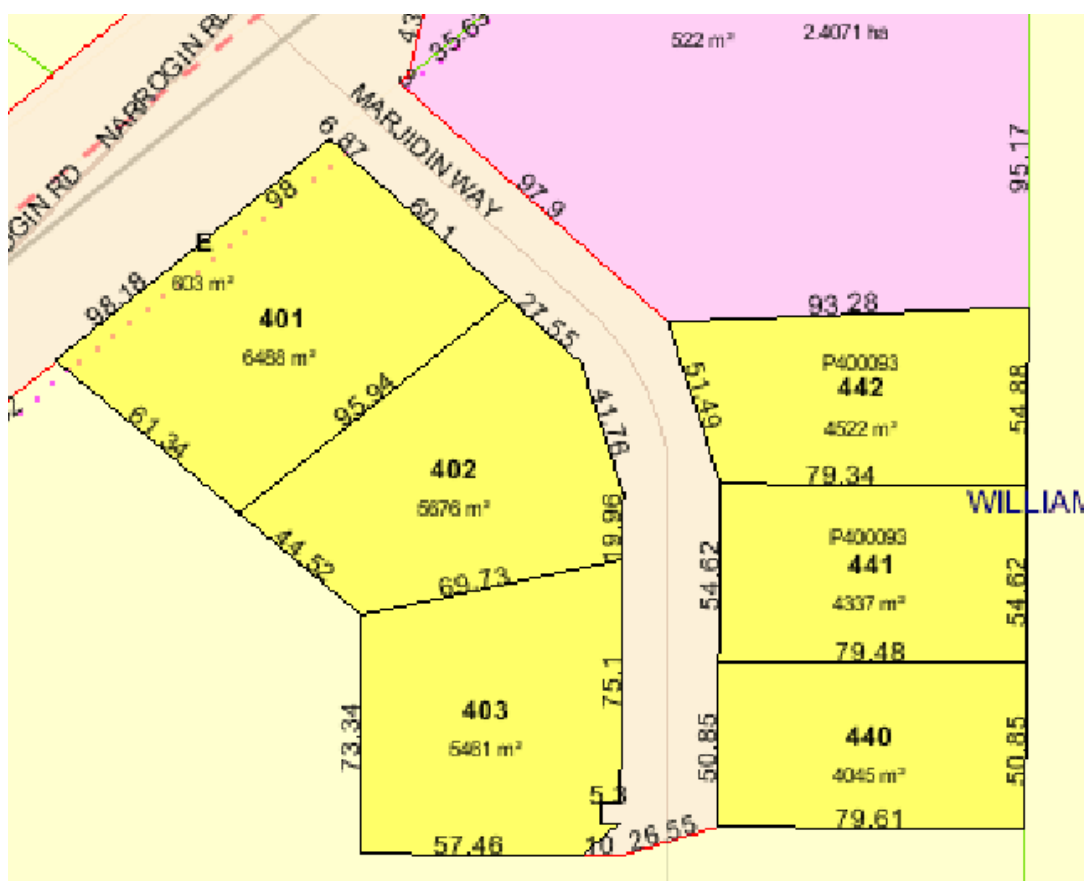
A lease amount of \$20,800 from the 1st of July 2018 to the 30th of June 2019.

An increase to \$21,600 from the 1st of July 2019 to the 30th of June 2020.

From the 1st of July 2020, an increase to the current market value of \$23,760.

I hope that you will consider this, and I look forward to hearing from you."

The Shire of Williams Strategic Community Plan 2017 to 2032 includes reference to sustainable growth and progress, with a specific objective to develop and promote the Marjidin Industrial Estate to offer affordable and appropriately serviced lots.



With regard to the potential of granting a concession on the rent charged for the premises, Council can consider the Williams Incentive for Investment Policy which aims to encourage business investment opportunities that increase economic development, strengthen the local economy, improve employment and enhance the overall quality of life for all residents of the Shire. The Policy refers to access to reasonably priced industrial and commercial land. This could be interpreted to include industrial premises. The wording from the policy is highlighted in the following extract:

4.5 Financial Assistance with purchase of land and/or premises construction

Council will also offer (where appropriate):

- Access to reasonably priced industrial and commercial land (for the location of the proposed business);
- Access to reasonably priced residential land (for employee housing);
- Financial assistance with costs associated to construct industrial/commercial premises (ie: self-supporting low interest loans).

Subject to Council agreeing to progress the lease, the following advertisement will be published in the Narrogin Observer and The Williams.



**SHIRE OF WILLIAMS
PROPOSAL TO DISPOSE OF PROPERTY**

Pursuant to section 3.58 of the *Local Government Act 1995*, local public notice is hereby given that the Shire of Williams intends to lease portion of the property situated at Lot 403 (6) Marjidin Way, Williams to Andrew Martin. The Lessee will pay annual rent calculated at:

- (1) \$20,800, excluding GST in the first year;
- (2) \$21,600, excluding GST in the second year;
- (3) \$23,760, excluding GST in the third year;
- (4) \$23,760, excluding GST, plus movement in the Consumer Price Index for the remaining period of the lease.

The rental market value was assessed at \$23,760 per annum, excluding GST on the 18th May 2018. Members of the public are invited to make submissions in relation to the proposal.

Submissions should be made to the Shire of Williams, 9 Brooking Street, Williams WA 6391 by Thursday, 12th July 2018.

Geoff McKeown
Chief Executive Officer

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 1.5 Encourage business and community groups' initiatives to promote the Shire as a place to live, work, play and invest.

Financial Implications

An approved rental amount will be charged from the commencement of the lease with the income reflected in the 2018/19 Budget.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council:

1. Pursuant to section 3.58 *Local Government Act 1995*, agrees to lease part of Lot 403 (6) Marjidin Way, Williams to Andrew Martin, Great Southern 4x4 and Mechanical under the following terms:
 - (a) the lease period being three (3) years with a three (3) year option;
 - (b) a staged rental amount of \$20,800, excluding GST in the first year, \$21,600, excluding GST in the second year and \$23,760, excluding GST in the third year;
 - (c) rental amount in the three (3) year option period being calculated on commencement at \$23,760, excluding GST, plus movement in the Consumer Price Index;
2. Advertise the proposed lease in accordance with the *Local Government Act 1995* inviting public submissions; and



3. Subject to no adverse submissions being received by the due date, authorise the Common Seal to be affixed to the lease document and endorsement by the President and Chief Executive Officer.

Council Resolution

Cavanagh/Medlen

That Council:

1. Pursuant to section 3.58 *Local Government Act 1995*, agrees to lease part of Lot 403 (6) Marjidin Way, Williams to Andrew Martin, Great Southern 4x4 and Mechanical under the following terms:
 - (a) the lease period being three (3) years with a three (3) year option;
 - (b) a staged rental amount of \$20,800, excluding GST in the first year, \$21,600, excluding GST in the second year and \$23,760, excluding GST in the third year;
 - (c) rental amount in the three (3) year option period being calculated on commencement at \$23,760, excluding GST, plus movement in the Consumer Price Index;
2. Advertise the proposed lease in accordance with the *Local Government Act 1995* inviting public submissions; and
3. Subject to no adverse submissions being received by the due date, authorise the Common Seal to be affixed to the lease document and endorsement by the President and Chief Executive Officer.

**Carried by Absolute Majority 7/1
Resolution 221/18**

Cr Watt returned to the meeting at 4.42pm.

The President Cr Cowcher declared a financial interest in the following Item '8.4.7 Salaries and Allowances Tribunal Determination for Elected Members' and left the meeting at 4.44pm.

The Deputy President Cr Jarrad Logie assumed the Chair.



8.4.7 SALARIES AND ALLOWANCES TRIBUNAL DETERMINATION FOR ELECTED MEMBERS

File Reference	4.1.60
Statutory Reference	<i>Local Government Act 1995</i>
Author & Date	Geoff McKeown 8 th June 2018
Attachment	Appendix 2: Determination of the Salaries and Allowances Tribunal

Background

In April 2018 the Salaries and Allowances Tribunal (SAT) completed a review of fees, allowances and expenses for local government elected members in Western Australia. In doing so it has determined there will be no increase to the fees, expenses or allowances ranges within the bands.

Council can now adopt a position on the payment of fees and allowances, and provision for reimbursement of expenses that will apply from the 1st July 2018.

Comment

The *Local Government Act 1995* confers entitlement for elected members to claim fees, expenses and allowances.

In recognition that local governments differ in size and levels of responsibility, all councils have been placed in a Band Range of 1 through to 4. The Shire of Williams is included in Band 4. These bands are also in place for the determination made by SAT each year on the salary package range for Chief Executive Officers.

Council needs to make a decision on the amount elected members will be paid for council meeting attendance and committee meeting attendance. Table 1 below shows the minimum and maximum range for council meeting attendance as determined by SAT to be used from the 1st July 2017.

Table 1: Council meeting fees per meeting – local governments

Band	For the council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$609	\$785	\$609	\$1,177
2	\$369	\$576	\$369	\$772
3	\$191	\$406	\$191	\$628
4	\$90	\$236	\$90	\$485

Table 2 shows the fee range for committee meeting attendance. This includes, but is not limited to, the Audit Committee, and meetings where elected members are representing the Shire of Williams such as WALGA Central Country Zone, Regional Road Group, 4WDL VROC, HWEDA, etc. and meetings with a Minister of the Crown.



Table 2: Committee meeting and prescribed meeting fees per meeting – local governments

For a council member (including the mayor or president)		
Band	Minimum	Maximum
1	\$305	\$392
2	\$184	\$288
3	\$96	\$203
4	\$45	\$118

Council also has the option of paying elected members an annual fee in lieu of a council or committee meeting fees. Table 3 below shows the minimum and maximum annual fees that can be applied.

Table 3: Annual attendance fees in lieu of council meeting and committee meeting attendance fee - local governments

Band	For the council member other than the mayor or president		For a council member who holds the office of mayor or president	
	Minimum	Maximum	Minimum	Maximum
1	\$24,360	\$31,364	\$24,360	\$47,406
2	\$14,718	\$23,000	\$14,718	\$30,841
3	\$7,612	\$16,205	\$7,612	\$25,091
4	\$3,553	\$9,410	\$3,553	\$19,341

The final consideration for Council is the allowance to be paid to the President. Although the Shire of Williams has not previously paid an allowance to the Deputy President, this is also included in the SAT determination.

The allowance recognises the additional tasks undertaken by the President and Deputy President, including the following:

- (a) the leadership role of the President;
- (b) the statutory functions for which the President is accountable;
- (c) the ceremonial and civic duties required of the President, including local government business related entertainment;
- (d) the responsibilities of the Deputy President when deputising;

The maximum annual allowance for the President shall not exceed the maximum shown in the table below, or 0.2 per cent of the local government's operating revenue, whichever is the lesser.

Further, the allowance for the Deputy President, if endorsed by Council to be paid, will be 25% of the amount paid to the President.



Table 8: Annual allowance for a mayor or president of a local government

For a mayor or president		
Band	Minimum	Maximum
1	\$50,750	\$88,864
2	\$15,225	\$62,727
3	\$1,015	\$36,591
4	\$508	\$19,864

At the Council Meeting held on the 21st June 2017 the following resolution was endorsed:

Council Resolution

Carne/Major

That Council adopts the following arrangements for the payment of elected member fees and allowances from the 1st July 2017:

1. *A meeting fee of \$136.00 for elected members and \$266.00 for the President, for attendance at a council meeting;*
2. *A meeting fee of \$71.00 for elected members and \$111.00 for the President, for attendance at a committee meeting or (at the request of the local government) a meeting of a type prescribed in regulation 30(3A) of the Local Government (Administration) Regulations 1996; and*
3. *A President's Allowance of \$4,304.00.*

Further, with regard to properly incurred out of pocket expenses, elected members will be reimbursed in full.

***Carried by Absolute Majority 8/0
Resolution 217/17***

Now that the determination has been handed down by SAT, Council can review the level of fees to be paid from the 1st July 2018. While the decision of SAT makes no increase in the band levels this Shire remains within the minimum and maximum limits. A decision on this matter will require a resolution by absolute majority.

The recommendation includes an increase on the previous year that averages just under 3%.

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

For inclusion in the 2018/19 Budget deliberation.



Voting Requirements

Absolute Majority

Officer's Recommendation

That Council adopts the following arrangements for the payment of elected member fees and allowances from the 1st July 2018:

1. A meeting fee of \$140.00 for elected members and \$274.00 for the President, for attendance at a council meeting;
2. A meeting fee of \$73.00 for elected members and \$114.00 for the President, for attendance at a committee meeting or (at the request of the local government) a meeting of a type prescribed in regulation 30(3A) of the *Local Government (Administration) Regulations 1996*; and
3. A President's Allowance of \$4,433.00.

Further, with regard to properly incurred out of pocket expenses, elected members will be reimbursed in full.

Council Resolution

Medlen/Harding

That Council adopts the following arrangements for the payment of elected member fees and allowances from the 1st July 2018:

1. A meeting fee of \$138.00 for elected members and \$271.00 for the President, for attendance at a council meeting;
2. A meeting fee of \$72.00 for elected members and \$113.00 for the President, for attendance at a committee meeting or (at the request of the local government) a meeting of a type prescribed in regulation 30(3A) of the *Local Government (Administration) Regulations 1996*; and
3. A President's Allowance of \$4,385.00.

Further, with regard to properly incurred out of pocket expenses, elected members will be reimbursed in full.

**Carried by Absolute Majority 7/1
Resolution 222/18**

The resolution differed from the recommendation as Council wished to apply an approximate 1.9% increase to the previous elected member fees and allowances.

The President Cr John Cowcher returned to the meeting at 4.46pm and resumed the chair.



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 1995</i>
Author & Date	Geoff McKeown 14 th June 2018
Attachment	Nil

Background

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

There is a requirement under the *Local Government Act 1995* that the Delegations Register is reviewed annually by Council. A procedure included in the Delegations Register is to report to Council the activities or actions that have been performed under delegated authority. A report will be completed for Council at 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 Delegations Register.

Comment

Actions performed under delegation during the preceding month 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. \$150,000.00 from the Municipal Cash Management Account to the Municipal Fund to meet upcoming expenses.

- **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 May 2018.

Council Resolution

Cavanagh/Logie

That Council accepts the report "Use of Common Seal and Actions Performed under Delegated Authority" for the month of May 2018.

**Carried 9/0
Resolution 223/18**

The Manager of Finance, Mrs Cara Ryan, attended the meeting at 4.52pm to discuss her report.



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	12 th June 2018

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 104691 – 104694 totalling \$263,548.64 approved by the Chief Executive Officer be endorsed.



Council Resolution

Harding/Watt

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104691 – 104694 totalling \$263,548.64 approved by the Chief Executive Officer be endorsed.

**Carried 9/0
Resolution 224/18**

8.5.2 FINANCIAL STATEMENTS

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	12 th June 2018

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 period ending 31st May 2018 be received.

Council Resolution

Cavanagh/Logie

That the financial statements presented for the period ending 31st May 2018 be received.

**Carried 9/0
Resolution 225/18**



Cara Ryan left the meeting at 5.01pm.

8.6 COUNCILLORS' REPORTS

Cr Cowcher reported on his attendance at the WALGA Central Country Zone Meeting held at the Shire of West Arthur on the 5 May 2018.

Cr Cavanagh reported on a South 32 Community Liaison Committee Meeting he attended at the Boddington Bauxite Mine on the 31 May 2018. Cr Cavanagh also raised several matters discussed that the recent HWEDA Meeting held on the 12 June 2018.

The Chief Executive Officer provided an update on matters concerning the Williams Cemetery, including the project to install a plinth and plaque on unmarked graves. He also outlined different options being considered for construction of a new niche wall.

The Chief Executive Officer advised that Primedia Pty Ltd had responded to Council's decision concerning the advertising signage on Reserve 31309 Albany Highway, stating it wishes to further consider the original proposal from the Shire that could allow the sign to remain on the site.

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

Cr Major asked for an update on the development application approved for the Georgiou Group for the extraction of gravel and transportation to the Narrakine CBH construction site. The Chief Executive Officer advised that the Georgiou Group had explored the possibility of a temporary access permit to use Playle Road with Restricted Access Vehicles. This had been denied by Main Roads. It was exploring the possibility of an alternative site for gravel, but no further information had been received. The Georgiou Group has provided a traffic management plan for the use of Playle Road by an unlicensed water cart. The Shire responded that the use of this vehicle and the proposed access point to the CBH dam was not supported. The Georgiou Group intended to provide more information on the water cart but to date it had not been received.



Cr Baker asked if the Shire had received any information on a proposed new service station/roadhouse on the Albany Highway. The Chief Executive Officer responded to say that apart from receipt of a concept plan identifying a proposed site, no further information has been received.

10.2 OFFICERS

11.0 APPLICATION FOR LEAVE OF ABSENCE

Cr Watt requested leave of absence for the meeting scheduled on the 15 August 2018.

Council noted that it has already endorsed leave of absence requests for Cr Medlen for July and August 2018 Council Meetings and Cr Carne for the August 2018 Council Meeting.

12.0 INFORMATION SESSION

13.0 CLOSURE OF MEETING

There being no further business for discussion the President declared the meeting closed at 5.31pm.