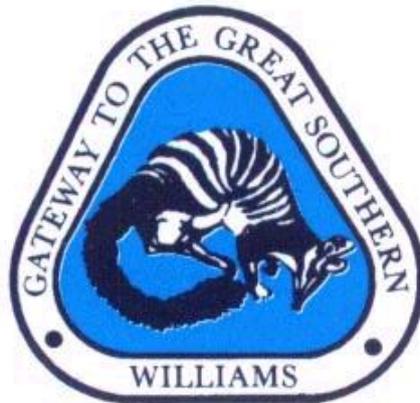


SHIRE OF WILLIAMS

**MINUTES ORDINARY MEETING HELD ON
WEDNESDAY 20TH SEPTEMBER 2017**



COUNCIL DIARY

TUESDAY 19TH SEPTEMBER 2017

3.30pm to 5.30pm

WA LG Grants Commission – Public Hearing

WEDNESDAY 20TH SEPTEMBER 2017

1.00pm

Ordinary Meeting

THURSDAY 28TH SEPTEMBER 2017

6.00pm

Williams Bridges CRG Meeting

WEDNESDAY 11TH OCTOBER 2017

5.30pm

Williams BFB AGM

WEDNESDAY 18TH OCTOBER 2017

1.00pm

Ordinary Meeting

SATURDAY 21ST OCTOBER 2017

Local Government Elections



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MINUTES – ORDINARY MEETING OF COUNCIL HELD 20TH SEPTEMBER 2017

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Separate Documents

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8. Status Report
9. Info Statement



DISCLAIMER

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

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



AGENDA

1.0 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The President, Cr John Cowcher declared the meeting open at 1.00pm.

2.0 RECORD OF ATTENDANCE / APOLOGIES / LEAVE OF ABSENCE

(PREVIOUSLY APPROVED)

Cr John Cowcher	President
Cr Greg Cavanagh	Deputy President
Cr David Earnshaw	
Cr Richard Johnstone	
Cr Gilbert Medlen	
Cr Natalie Major	(from 1.02pm)
Cr Jarrad Logie	
Cr Peter Paterson	
Cr Moya Carne	
Geoff McKeown	Chief Executive Officer
Cara Ryan	Manager of Finance
Heidi Cowcher	Economic Development Officer (1.03pm to 2.01pm)
Tony Kett	Works Supervisor (2.02pm to 2.35pm)
Gordon Tester	Environ. Health Officer/Building Surveyor (2.35pm to 2.53pm)

3.0 PUBLIC QUESTION TIME

4.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

5.0 DECLARATIONS OF INTEREST

DECLARATION OF INTEREST	
Name / Position	
Item No. / Subject	
Type of Interest	



6.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 ORDINARY COUNCIL MEETING HELD 16TH AUGUST 2017

Officer's Recommendation

That the Minutes of the Ordinary Meeting held on 16th August 2017, as previously circulated, be confirmed as a true and accurate record.

Council Resolution

Johnstone/Earnshaw

That the Minutes of the Ordinary Meeting held on 16th August 2017, as previously circulated, be confirmed as a true and accurate record.

**Carried 8/0
Resolution 41/18**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

8.0 REPORTS

Cr Major entered the meeting at 1.02pm.



8.1 ECONOMIC DEVELOPMENT OFFICER'S REPORT

The Economic Development Officer, Mrs Heidi Cowcher, commenced discussion of her report at 1.03pm.

8.1.1 4WDL WELL AGED HOUSING PROJECT

File Reference	EDO Files	
Statutory Reference	N/A	
Author & Date	Heidi Cowcher	13 th September 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 14.08.17
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	\$1,061,075.23
Dumbleyung (3 units)	\$717,664 (+ interest) 2 units	\$722,824.36
Lake Grace (3 units)	\$1,076,496 (+ interest) 3 units	\$988,973.00
Woodanilling (3 units)	\$717,664 (+ interest) 2 units	\$722,824.36
TOTAL (18 units)	\$5,023,648 (14 units)	\$4,864,777.16

The Audited Annual Report 2016/17 has been completed and submitted to the Department. It is anticipated that the project will be completed by the end of 2017, approximately 6 months ahead of schedule.

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

Paterson/Logie

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

**Carried 9/0
Resolution 42/18**

8.1.2 GENERAL PROJECTS UPDATE

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 13 th September 2017
Attachments	Appendix 1: Lot 403 Marjidin Way Industrial Shed Concept Plan – For Tender

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

HWEDA – Marradong Country Self-Drive Trail

The project continues to progress, with a progress report due on the 30th September. The Working Group plan to meet with the consultant prior to the next HWEDA meeting scheduled for the 10th October 2017.

HWEDA have also advertised for an Executive Officer, with applications due to close on the 22nd September. There has been strong interest in the position. It is anticipated that a recommendation



will be made to the Board at their meeting on the 10th October, with the new EO to commence in the role on the 1st November.

Williams Bowling Club

The application to Newmont Boddington Gold was successful with \$4,000 being approved for the fabrication of new purpose built shade structures at the Club. The total cost of the project is \$15,000 for 3 new shade structures.

The Club submitted an EOI to the Stronger Communities Program Round 3 (Rick Wilson Federal MP funding) on the 11th August. The Williams Bowling Club have been recommended to proceed to full application by Rick Wilson, with full applications closing on the 28th September. The outcome may be known before Christmas, or early in 2018. The Club is seeking funding of \$4,000 towards their new shade structure project.

CBH funding closed on the 31st August, with an application requesting \$4,000 submitted for consideration. The outcome should be known around 4 weeks after the close of applications.

Regional Bicycle Network – Albany Highway

The Shire submitted an Expression of Interest (EOI) for funding from the RBN to assist with costs associated with a new concrete shared use path on Albany Highway from just north of the Coalling Creek Bridge to the Rustik Rainbow. This path will be the construction of a new path (approximately 324m) and the replacement of the existing paved pathway (approximately 406m). The pathway from Rustik to the Williams River Bridge is to be included in MRWA plans and costings (with the creation of islands for the safe passage of pedestrians across the front of the hotel and roadhouse).

The Shire was granted approval to progress to full application, with applications due 13th October 2017. The approval, however, was conditional on funding *only* requested for the construction of new pathways and not replacing existing. This means that the Shire is only eligible to request funding for the 324m new pathway and not any replacement of the paved pathway that is already in existence. If the Shire chose to undertake this section for continuity reasons, then the funding for the paved section would need to be sourced from shire contributions.

Total cost for the construction of the 324m path is approximately \$60,720, with the funding request \$30,360.

However, in light of MRWA not having secured the funding required for the bridge works and the pavement upgrade, and a timeline for this works not being confirmed at this stage, it was considered a significant risk to make an application for the new footpath when the actual construction could be delayed by any delay with MRWA progress. This, together with the proposed redevelopment of the Caltex Roadhouse, and the impact that this could have if a new footpath was constructed at the front of the business when redevelopment was taking place (potential damage risk), it was decided to request a deferment of approval to continue to full application [*footnote: the Commonwealth funding for the bridges was confirmed 14th September, however the State*



Government matching funds is not yet confirmed, so timeline is still unknown, but construction not likely to commence until 2018/19].

Contact was made with the WA Bicycle Network Grants Team to discuss the issue, and advice was received that we can request deferral of the approval to progress to full application in October 2018. If funding is approved, it will mean the footpath will be constructed in 2019/20. This should then align with the MRWA works program.

Solar Power – Williams CRC and Childcare Centre

The Shire has submitted an Expression of Interest to the Stronger Communities Program (Rick Wilson Federal MP funding) Round 3. Total cost for the project is \$17,809 (inc GST). Quotes for the installation of solar power are as follows:

Williams CRC	\$9,991
Williams Childcare Centre	\$6,991
Bidirectional meter installation	\$552 (Western Power)
Project Management	\$275

The outcome of the EOI is anticipated early next week with full applications to be submitted by 28th September 2017.

Willi Wag Tails Child Care Centre – Sustainability Funding

The Childcare Centre has been funded by a Federal Sustainability Fund *Community Support Program* since the centre opened in 2012. This funding has equated to a contribution of approximately \$50,000 per annum and has assisted with ensuring that the long term sustainability of the centre was maintained. This funding program is ceasing effective 30th June 2018 with the implementation of the new child care package (new funding regime).

Services have been encouraged to review their service's current business model with a view of making changes that will improve sustainability and viability over the coming years. Eligible services are able to apply for funding under the *Community Child Care Fund (CCCF)*. This funding is designed to provide assistance to centres experiencing viability issues.

To access the previous sustainability funding, the centre was required to be operational 5 days per week, 48 weeks a year and for at least 8 hours per day. Hence the model that it has operated under for the last 5 years. With this funding ceasing, there is opportunity to re-visit and re-consider opening days as a way of ensuring sustainability and viability. If the demand increased in the future, then the days open could be reviewed.

The new funding – the CCCF – is an open, competitive grants program that is intended to support eligible child care services to transition to and operate viably under the new child care system. The funding element that the Shire will be submitting an application to is the 'sustainability support' – designed to help eligible child care services operating in areas of limited supply improve the viability and sustainability of their service. The main source of income for child care services is expected to be fee income, with any grants offered under this opportunity primarily intended to



be supplementary, and are not intended to be used to cover core or ongoing costs associated with running the service.

The actual amount that the service can apply is currently being considered, but it is estimated that the average grant amount will be around \$25,000, with the minimum being \$10,000. Grant agreements will be for between one and three years. It is expected that for most recipients, reliance on supplementary funding under the CCCF will reduce over time, as services build capacity and viability under the new child care system. Applications close on the 5th October 2017 with the outcome to be advised at the end of April 2018.

Other sustainability measures are also currently being considered, such as reducing the centre's operational days from 5 to 4. This would need to be considered and decided once forward estimates on enrolments can be considered, together with staffing availability. The Narrogin Regional Childcare model is still being considered, and has been used as a guiding principal in developing this application.

Industrial Shed – Lot 403 Marjidin Way

The tender documentation has been completed, together with a Concept Plan for the development of Lot 403 Marjidin Way (showing the potential for up to 3 industrial sheds being constructed – long term plan). The Concept Plan is attached at Appendix 1. Tenders will be invited and will close Wednesday 11th October 2017 at 10:00am.

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 1.1 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 has a place to live, work, play and invest.
- ED 1.6 Advocate, promote and champion industrial development that will offer employment opportunities for our community.
- 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.
- SCD 2.7 Support implementation of initiatives identified in Disability Access and Inclusion Plan, Williams Local Bike Plan, Local Emergency Management Arrangements and other related Plans for 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.
- 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 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/Paterson

That the General Projects update be received.

**Carried 9/0
Resolution 43/18**

8.1.3 WILLIAMS LIONS PARK REDEVELOPMENT

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 13 th September 2017
Attachment	Appendix 2: Williams Lions Park Final Drawings – for Tender

Background

The redevelopment of the Williams Lions Park project has been the subject of recent applications for funding from a number of potential project partners to assist with the costs associated with the redevelopment plans. It was originally anticipated that the proposed redevelopment of the Williams Lions Park would be completed alongside MRWA and their proposed works for the replacement of the Williams River Bridge. This may now no longer be the case as MRWA do not have a definitive timeline for implementation for their project. The announcement of the Federal funding having been secured is the first step in the project commencing.

Earlier this year funding applications were submitted to the *Building Better Regions Fund*, *Lotterywest*, *Newmont* and *South32*.

Comment

The Shire has received advice that almost all its funding submissions have been successful, with the following secured to date:

<i>Building Better Regions</i>	\$360,000
<i>Lotterywest</i>	\$200,000
<i>South32</i>	\$20,000 **



** We have been advised by South32 that there was incorrect approval granted for this project, and the amount that they are able to fund is \$20,000 (not \$50,400 as was requested). The funding will be offered in two instalments - \$10,000 in 2017/18 and \$10,000 in 2018/19.

The application to Newmont is still pending, with a request of \$50,000 submitted. Should this not be successful, then this cost will be transferred to the Shire cash contribution to the project.

In-Kind support was offered from the Department of Biodiversity, Conservation and Attractions – DBCA - (former Department of Parks and Wildlife) for \$30,000 for the interpretive signage that would be placed adjacent to the Numbat to provide information on the Numbat and its home in the Dryandra National Park. Discussions will commence in the coming months for this component of the project to commence.

A cash contribution of \$20,000 was confirmed by Project Numbat towards the total estimated cost of \$40,000 (with the balance now secured from BBRF funding). Project Numbat continue their fundraising efforts to secure their cash contribution and are planning a Quiz Night in Williams on Saturday 7th October at the Williams Bowling Club.

The BBRF funding agreement is currently being finalised with the Department, and is due to be ready for signing next week. BBRF funding is received retrospectively subject to milestones being achieved.

Lotterywest states that the project must commence within 6 months from the date granted (29th June 2017, therefore the project needs to have commenced by 31st December 2017). Funding is drawn down retrospectively, with the first to be completed within the 6 months and the balance in no less than three monthly instalment periods following. We have submitted a request for deferment for the drawdown of the first instalment to March 2018 as we do not envisage that any capital expenditure will occur on this project until the first quarter of next 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 1.2 Develop and invest in the redevelopment of the Williams Lions Park.
- SCD 1.1 Provide, maintain and improve community infrastructure.
- SCD 1.5 Continue to support and develop tourism opportunities for the Shire.
- 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.
- CL 3.2 Foster, nurture and develop strategic alliances with local government, major industry and government agencies.



Financial Implications

The budget for the project has been updated and amended to reflect the secured contributions from the funding partners.

	Total Cost	Shire (in-kind)	Shire (cash)	Newmont	South32	BBRF	LW	DPaW (in-kind)	Project Numbat
Project Preliminaries	\$62,500	\$17,500	\$40,250			\$4,750			
General POS Amenities	\$343,325		\$18,075	\$50,000		\$224,000	\$51,250		
Play Area 1	\$349,975	\$39,975				\$111,250	\$148,750	\$30,000	\$20,000
Play Area 2	\$161,050	\$55,050	\$66,000		\$20,000	\$20,000			
TOTAL	\$916,850	\$112,525	\$124,325	\$50,000 *	\$20,000	\$360,000	\$200,000	\$30,000	\$20,000

*Newmont funding is still PENDING. Outcome should be known by end September 2017. If unsuccessful, this cash contribution will defer to the Shire of Williams.

Voting Requirements

Simple Majority

Officer’s Recommendation

That the update on the Williams Lions Park Redevelopment be received.

Council Resolution

Major/Earnshaw

That the update on the Williams Lions Park Redevelopment be received.

**Carried 9/0
Resolution 44/18**

8.1.4 TOWN HALL PLAYGROUND

File Reference	EDO Files
Statutory Reference	N/A
Author & Date	Heidi Cowcher 13 th September 2017
Attachment	Appendix 3: Quotes for Concept Design – Town Hall Playground

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.



The community members presented three proposals for Council's consideration:

Option 1 – Small upgrade, including:

- BBQ
- New play equipment in the current space
- Better connection with skatepark via improvements in the road surface to promote a shared zone environment

Option 2 – Larger upgrade, including Cullen Park:

- BBQ
- New play equipment in the current space
- Better connection with skatepark (as above)
- Nature based play area in Cullen Park

Option 3 – Community Precinct, including all three areas:

- Including above additions, plus
- Performance and play area eg: stage, dry river bed with bridge, living tunnel, art walls and totems, music play, lawn mounding and safe soft fall areas
- Art and sculpture eg: interpreting the town's history through art and sculpture trails.

The community group had previously sourced quotes to prepare a plan (site analysis, concept design and option of probable costs), and a preferred quote from LD Total was presented for \$2,650 + GST.

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.

The 2017/18 Budget included an allocation of \$2,500 + GST for the concept planning to be undertaken (the cost of which was initially based on the quote as provided by LD Total).

Comment

Following the approval of the budget, the EDO contacted LD Total to confirm the quote and progress with the proposed concept design. The contact officer at LD Total advised that due to changing company strategies and a lack of resources meant that they were unable to do the work as quoted.



On receiving this advice, the community group have expressed concern that the project may not proceed if the concept design quotes are cost prohibitive. It has been suggested that perhaps consideration could be given as to whether a suitable selection of new play pieces/options be presented to the community and then they can select. Whilst this may be a cheaper option, in the long run it does not assist with the planning of the overall space and how the area could be better utilised for improved accessibility and usage.

Prior to the advice being received from LD Total, the Shire staff contacted AAM Survey to complete a feature and contour survey. This survey work is a pre-requisite before any landscape planners can commence their work in developing a concept design for proposed works. The feature survey has now been completed (\$1,950 +GST), with the report received in preparation for the next stage.

Quotes have been sourced from potential landscape planners, and are attached at Appendix 3 for reference. Summary of the proposals are as follows:

Company	Price (ex GST)
Ecoscape	\$4,050
Emerge	\$4,815-\$6,850 (various options – refer to quotes) + \$1,360 for community consultation option
Nature Based Play	\$5,780
UDLA	\$9,100
AECOM	\$12,000

Scope of work is to include an initial stakeholder meeting (on site with Shire staff and community representatives). The planning will also include the presentation of an 'Option of Probable Cost' together with a concept plan for the redevelopment of the space. Once completed, this plan and cost estimates will be used to support any future funding requests for implementation.

The quotes have been forwarded to the community representatives if they have any feedback into a preferred landscape planner who could be used for this concept development.

Council is also requested to consider whether Cullen Park is to be included in the proposed concept planning for potential redevelopment. Previous discussions have indicated verbally that the preference is to retain Cullen Park as an unencumbered public open space. This will need to be formalised so that the successful landscape planner can ensure that all areas are considered in the review.

A further suggestion is that the internal roadway between the existing playground and the skatepark be closed, allowing for free movement between the two areas and not across an internal road. The rear road between the Shire hall and Cullen Park would be retained for access to the rear of the hall and the Repertory Shed, with a turnaround area created at the end turning it into a cul-de-sac.



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 as 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 1.6 Investigate the feasibility for the redevelopment of the Town Park, Skatepark and Cullen Park.
- SCD 2.5 Investigate opportunities to engage with youth, through improved access to services, facilities and programs.
- 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

The budget committed funding of \$2,500 + GST for the Concept Design. In accepting one of the above quotes, this will be a variation to the budget.

Incurred expenditure to date: \$1,950 + GST for the Feature Survey



Construction and implementation will be subject to securing suitable funding and future budget allocations.

Voting Requirements

Simple Majority

Officer's Recommendation

1. That Council endorses the selection of 'Ecoscape' for the concept planning for the Town Hall Playground.
2. That Council determine the inclusion of Cullen Park 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.

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**

The resolution differed to the recommendation as Council did not wish to include Cullen Park in the proposed planning of the Town Hall Park.

Heidi Cowcher left the meeting at 2.01pm.



8.2 WORKS SUPERVISOR'S REPORT

The Works Supervisor, Mr Tony Kett, attended the meeting at 2.02pm to discuss his report.

File Reference	12.15.36	
Statutory Reference	N/A	
Author & Date	Tony Kett	11 th September 2017

8.2.1 MAINTENANCE GRADING ACTIVITY

Road Name	Length Graded (km)
English Rd	6.5
Graham Rd	1.9
Glenfield Rd	8.6
Wangeling Gully Rd	8.6
Pig Gully Rd	11.0
Taylor Rd	9.1
Phillis Loop Rd	3.4
Fawcett Rd	2.8
Zilko Rd	19.3
Pingelly Rd	4.5
Congelin-Narrogin Rd	6.1
Bates Rd	3.5
Total Length for the Month	76.7 km

8.2.2 ROAD MAINTENANCE WORKS

- Sattler South Rd: replacing three culverts, putting in one new one and doing minor tree clearing. To do this, as our excavator is away and it is still very wet, we have hired a 7 tonne mini excavator to do this work. It has proven very successful for culvert cleaning as well.
- Sprayed Paterson's curse on Culbin-Boraning and Bates Rds.
- Putting a new culvert in on Culbin-Boraning Rd.
- New culvert on English 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			
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.					



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	4 new tyres
Holden Colorado Dual Cab WL 19		Tony Kett	11-Sep-17	200 km	Put in the Bush fire radio.
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	Taken out the Bush fire radio, put in CB radio.
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	
Isuzu 4x2 Single Cab Ute WL 915		James Lenehan	25 Nov 2016	5,230 Km	
Skid Steer Track Loader 1EVV725		Outside works crew	Sep 2015	465 hr	Serviced
Multipack Multi-Tyre Road Roller WL 49	Construction Equipment	Outside works crew	21-Oct-04	6,519 hr	Repaired air leak
Vibromax Roller WL 126		Outside crew	29-Sep-04	4,343 hr	
Caterpillar 12M Grader WL 61		Richard Hewitt	Dec 2011	5,228 hr	Serviced
Caterpillar 12M Grader WL 361		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		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	Parks & Gardens	Jeff Cowan	20-Mar-00	1,419 hr	Fitted a spray bar to rear of motor bike.
Toyota DA115 Tip Truck (Water Truck) WL 595		James Lenehan	24-Aug-94	236,010 km	



Isuzu FVZ1400 Tip Truck WL 093	Trucks & Trailers		31-Dec-03	298,267 km	Repaired tail lights. New reversing sensor, new exhaust pipe.
Mercedes Benz Actross Prime Mover WL 91		Phil Reed	21-Dec-05	322,986 km	
Isuzu Giga CXZ Tip Truck WL 128		Justin Murdock	10-Dec-08	217,127 km	
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

- Richard Hewitt on leave

8.2.6 TOWN AND FACILITIES REPORT

- Put in drainage at the public open space in Jamtree Lane with a sump and submersible pump, to pump our excess water.
- Weed spraying around town.
- Moved recycle bins at depot back into place.

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

Earnshaw/Johnstone

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

**Carried 9/0
Resolution 46/18**



Tony Kett left the meeting at 2.35pm.

8.3 ENVIRONMENTAL HEALTH / BUILDING SURVEYOR'S REPORT

The Environmental Health Officer/Building Surveyor, Mr Gordon Tester, attended the meeting at 2.35pm.

8.3.1 BUILDING PERMITS

File Reference	13.34.10
Statutory Reference	Building Act 2011, Building Regulations 2012
Author & Date	Gordon Tester 20 September 2017

Comment

No Building Permits issued during the preceding month.

A Building Certificate was issued for an unauthorised structure as indicated in the table below.

Cert Number	Owner	Address	Description
396	Michael Eastwood	Lot 251,124 Williams/Kondinin Road	Steel Framed and Clad Patio Addition to Existing House.

Voting Requirements

Simple Majority Required

Officer's Recommendation

That Building report as presented above be endorsed by Council.

Council Resolution

Cavanagh/Logie

That Building report as presented above be endorsed by Council.

**Carried 9/0
Resolution 47/18**



8.3.2 FOOD PREMISES REGISTRATIONS

File Reference	7.40.41	
Statutory Reference	Food Act 2008	
Author & Date	Gordon Tester	20 September 2017

Comment

An inspection of the Williams River Produce Café and accommodation house was undertaken during September with various issues noted and discussed with the proprietor.

The goal of having all food premises registered in accordance with the provisions of the Food Act 2008 has now been achieved with the only tasks remaining being the issue of the two remaining registrations and inspections of the last two food handling premises.

Voting Requirements

Simple Majority Required

Officer's Recommendation

That the Food Premises Registration report be endorsed by Council.

Council Resolution

Logie/Paterson

That the Food Premises Registration report be endorsed by Council.

**Carried 9/0
Resolution 48/18**

8.3.3 APPLICATION FOR DEVELOPMENT – HOUSE AND SHED – LOT 502, 157 NARROGIN ROAD

File Reference	10.60.15	
Statutory Reference	Town Planning and Development Act 2005	
Author & Date	Gordon Tester	11 September 2017
Attachments	Appendix 1 – Development Application Lot 502 Narrogin Rd	

Summary

Mr Graham Morris has lodged a development application with Council seeking Council's approval to undertake a staged development on Lot 502 Narrogin Road. Stage 1 being the construction of a steel framed zincalume clad shed. Stage 2 being the construction of a stumped, steel framed, fibre cement and steel clad walled, metal roofed house.

Background

On 18 August 2017, Mr Graham Morris owner of Lot 502 Narrogin Road, made application for a staged development on his lot to construct a shed prior to constructing a house.



This Lot is zoned Rural Residential, 2,000 m² in area and is vacant apart from a small garden shed in the Northern corner of the site.

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.

Comment

The applicant is intending to develop Lot 502 in a staged manner with the first stage being the construction of a steel framed and a zincalume clad shed.

The desire to be able to establish the shed prior to the residence is so as there is somewhere on the lot to store building materials and tools while constructing the residence.

While this is a very reasonable request, it depends on the house actually being built within a reasonable time frame to prevent this area from featuring many lots with sheds and no houses.

Sheds being established prior to houses also have the potential to be occupied illegally for the purposes of human habitation which will also have a negative effect on the amenity of the area.

It is suggested that Council may consider issuing planning approval of the proposed stage development conditional on a building application for a house being forwarded to Council within twelve months of the date of a notification of completion being received for 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.

Conversations with the applicant have indicated that the above concerns may be unfounded as the applicant is at a late stage of negotiations with a Registered Builder for the proposed house.

This lot is also positioned within an area designated as being Bush Fire Prone.



Prior to construction being undertaken on this lot a bushfire attack level assessment report will need to be undertaken which may influence the siting of the buildings and elements intended to be utilised in the structures.

Officer's Recommendation

That Council approve the construction of a shed and a house on Lot 502, 157 Narrogin Road owned by Mr Graham Morris subject to the following conditions:

1. Prior to a building permit being issued for the shed or the house a Bushfire Attack Level Assessment be completed and forwarded to Council.
2. The development be undertaken in a staged manner with the building permit for the shed being issued as stage 1, stage 2 a building permit for the house being issued within 12 months of the notification of completion of the shed.
3. Prior to Stage 2 being approved the proponent must obtain approval for an onsite effluent disposal system.
4. Development to be undertaken strictly in accordance with approved plans presented to Council and any statutory requirement applicable to the development.

Council Resolution

Cavanagh/Earnshaw

That Council approve the construction of a shed and a house on Lot 502, 157 Narrogin Road owned by Mr Graham Morris subject to the following conditions:

1. Prior to a building permit being issued for the shed or the house a Bushfire Attack Level Assessment be completed and forwarded to Council.
2. The development be undertaken in a staged manner with the building permit for the shed being issued as stage 1, stage 2 a building permit for the house being issued within 12 months of the notification of completion of the shed.
3. Prior to Stage 2 being approved the proponent must obtain approval for an onsite effluent disposal system.
4. 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 49/18**

Gordon Tester left the meeting at 2.53pm.



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 September 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 September 2017 be received by Council.

Council Resolution

Earnshaw/Medlen

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

**Carried 9/0
Resolution 50/18**

Afternoon Tea

The President adjourned the meeting for afternoon tea at 3.07pm and the meeting resumed at 3.33pm.

Cara Ryan left the meeting at 3.33pm.

Cr Major left the meeting at 4.14pm.



Cara Ryan returned to the meeting at 4.19pm.

8.4.2 TENDER – CEMENT STABILISING AND SEAL WORKS – WILLIAMS DARKAN ROAD

File Reference	12.15.32
Statutory Reference	Section 3.57 <i>Local Government Act 1995</i> and <i>Local Government (Functions and General) Regulations 1996</i>
Author & Date	Geoff McKeown 24 th August 2017
Attachment	Nil

Background

It is proposed to undertake cement stabilisation and bitumen seal works on various sections of the Williams Darkan Road. This project is partially funded from a Regional Road Group – Road Project Grant.

Comment

The value of the works is expected to exceed the limit where quotes can be used, therefore the Shire will need to go to tender.

It is proposed to invite tenders for the provision of two 150mm layers of cement stabilising and a two coat bitumen seal using 14mm and 7mm aggregate. The areas to be worked on are as follows:

Shire of Williams				
Williams Darkan Road - Cement Stabilising and Seal				
SLK Section	Distance	Description	Stabilise m ²	Seal m ²
0.650 to 0.680	30 x 5m	Cement stabilise 300mm thick and primer seal right side	150	105
0.770 to 0.782	12 x 5m	Cement stabilise 300mm thick and primer seal right side	60	42
2.800 to 2.830	30 x 5m	Cement stabilise 300mm thick and primer seal right side	150	105
2.962 to 2.987	25 x 5m	Cement stabilise 300mm thick and primer seal right side	125	88
4.395 to 4.407	12 x 5m	Cement stabilise 300mm thick and primer seal left side	60	42
6.650 to 6.665	15 x 5m	Cement stabilise 300mm thick and primer seal left side	75	53
7.887 to 7.912	25 x 5m	Cement stabilise 300mm thick and primer seal left side	125	88
8.048 to 8.138	90 x 10m	Cement stabilise 300mm thick and primer seal full width	900	630
8.138 to 8.360	222 x 5m	Cement stabilise 300mm thick and primer seal right side	1,110	777
8.813 to 8.853	40 x 5m	Cement stabilise 300mm thick and primer seal left side	200	140
9.118 to 9.200	82 x 10	Cement stabilise 300mm thick and primer seal full width	820	574
10.354 to 10.430	76 x 5m	Cement stabilise 300mm thick and primer seal right side	380	266
10.430 to 10.465	35 x 10m	Cement stabilise 300mm thick and primer seal full width	350	245
10.550 to 10.570	20 x 5m	Cement stabilise 300mm thick and primer seal right side	100	70
10.860 x 10.900	40 x 5m	Cement stabilise 300mm thick and primer seal right side	200	140
11.060 to 11.120	60 x 10m	Cement stabilise 300mm thick and primer seal full width	600	420
11.500 to 11.520	20 x 5m	Cement stabilise 300mm thick and primer seal right side	100	70
11.695 to 11.720	25 x 10m	Cement stabilise 300mm thick and primer seal full width	250	175
12.134 to 12.184	50 x 10m	Cement stabilise 300mm thick and primer seal full width	500	350
13.880 to 14.054	174 x 10m	Cement stabilise 300mm thick and primer seal full width	1,740	1,218
15.232 to 15.257	25 x 5m	Cement stabilise 300mm thick and primer seal right side	125	88
17.200 to 17.460	260 x 5m	Cement stabilise 300mm thick and primer seal right side	1,300	910
Total			9,420	6,596



The *Local Government (Functions and General) Regulations 1996* provides the limit on the value of a contract where tenders have to be invited. An extract of the regulations follows:

11. When tenders have to be publicly invited

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150,000 unless subregulation (2) states otherwise.*

The tender will be advertised state wide via a public notice. Detail of the tenders received will be referred to Council for consideration at its October Ordinary Meeting.

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-construction and maintained local road network

Financial Implications

Funds to undertake this project have been included in the 2017-18 Budget.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council invite tenders to undertake cement stabilisation and bitumen seal works on various sections of the Williams Darkan Road.

Council Resolution

Cavanagh/Logie

That Council invite tenders to undertake cement stabilisation and bitumen seal works on various sections of the Williams Darkan Road.

**Carried 8/0
Resolution 51/18**



8.4.3 PROPOSED SALE OF LOT 100 (9) NEW STREET, WILLIAMS

File Reference	9.10.20
Statutory Reference	<i>Local Government Act 1995, section 3.58</i>
Author & Date	Geoff McKeown 15 th September 2017
Attachment	Nil

Background

At the Council Meeting held on the 26th July 2017 the 2017/18 Budget was adopted. It included the potential sale of Lot 100 (9) New Street, Williams. The purpose for selling this property is to generate funds to be used for a new industrial unit in the Marjidin Way light industrial estate.

This item progresses the sale following receipt of an acceptable offer.

Comment

Quotes were obtained from two local Real Estate Agents to list the property for sale. The Real Estate Agent selected was Landmark Harcourts Boddington.

After listing and advertising the property the Real Estate Agent has received interest from several potential buyers. A signed offer for a purchase price greater than the recent market valuation obtained by the Shire is expected.



The provisions of the *Local Government Act 1995* prescribe the manner in which a local government can dispose of property. The proposal to offer the property for sale via marketing by a Real Estate Agent follows the process outline in s3.58(3)&(4), rather than proceeding to public auction or public tender. Detail of 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.

In accordance with the legislation 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 sell the property situated at Lot 100 (9) New Street, Williams to <insert name of purchaser>. The purchaser will pay <insert value of sale>.

The market value was assessed at \$165,000 on the 3rd August 2017.

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 October 2017.

Geoff McKeown
Chief Executive Officer

The closing date for public submissions will fall before the October 2017 Ordinary Council Meeting. Council can then decide to proceed with the sale, subject to no adverse submissions being received during the consultation 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):

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

Proceeds from this sale have been included in the 2017/18 Budget.

Voting Requirements

Simple Majority

Officer's Recommendation

That Council agrees to dispose of Lot 100 (9) New Street, Williams and will follow the requirements of Section 3.58(3)&(4) of the *Local Government Act 1995* in dealing with the disposal of the property.



Council Resolution

Medlen/Logie

That Council agrees to dispose of Lot 100 (9) New Street, Williams and will follow the requirements of Section 3.58(3)&(4) of the *Local Government Act 1995* in dealing with the disposal of the property.

**Carried 8/0
Resolution 52/18**

Council Resolution

Cavanagh/Johnstone

That Council accept the offer to purchase Lot 100 (9) New Street, Williams for the purchase price of \$179,000, with no Buyer conditions, and will proceed to give local public notice of the proposed disposition in accordance with Section 3.58(3) of the *Local Government Act 1995*.

**Carried 8/0
Resolution 53/18**

8.4.4 UNBUDGETED EXPENDITURE – SINGLE BAY FIRE APPLIANCE FACILITY

File Reference	5.10.55
Statutory Reference	<i>Section 6.8, Local Government Act 1995</i>
Author & Date	Geoff McKeown 11 th September 2017
Attachment	Nil

Background

The Shire of Williams applied for funding from the Local Government Grants Scheme administered by the Department of Fire & Emergency Services (DFES), to construct a fire appliance facility to house the new 4x4 Broadacre Crew Cab Truck that is scheduled for delivery to Williams this financial year.

The application was successful and the amount of \$131,050 is available for the project.

Comment

To proceed with this project Council is requested to endorse the location for the facility and approve the Shire’s contribution to the project as unbudgeted expenditure.

The Shire has freehold title to Lot 265 on the Narrogin Road, a short distance from Glenfield Road and the overhead standpipe. The lot is zoned ‘Industrial’ in the Town Planning Scheme, so the proposed activity will suit the development requirements for the area. A plan highlighting Lot 265 is shown below.



The lot has good access to the Narrogin Road and close to water and power. It will require fill to level the block and a level crossover to the Narrogin Road. A draft budget was used as the basis for the funding application. It included the following components:



GLENFIELD BUSH FIRE BRIGADE - 1 BAY FIRE STATION - EXPENDITURE BUDGET				
Item	Supplier	Budget (excl GST)		
		Shire of Williams	ESL Grant	Total
Land	Shire of Williams	35,000		35,000
Services	Power Connection		2,500	2,500
	Water Connection		1,450	1,450
Site Preparation	Shire Works Crew	12,500		12,500
Building Construction	Shed Construction & Fit Out		98,173	98,173
	Airconditioning		2,750	2,750
	Floor coverings & window security		3,750	3,750
	Fencing		4,500	4,500
	Septic System		12,000	12,000
	Concrete hardstand - wash bay		4,380	4,380
	Planning Fee		147	147
	Building Permit & Other Fees		1,400	1,400
Landscaping	Shire Works Crew	2,500		2,500
		50,000	131,050	181,050

This project was not included in the 2017/18 Budget as there was no certainty that the application would be successful. Now that it is confirmed, Council needs to endorse the incurring of expenditure that is unbudgeted for the project to start. The amount will be \$15,000 for site preparation and landscaping.

It is a requirement of the *Local Government Act 1995* 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:

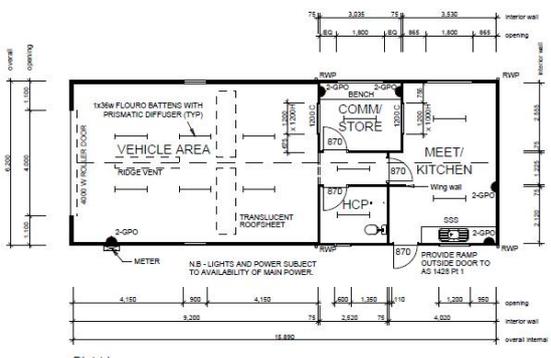
6.8. Expenditure from municipal fund not included in annual budget

- (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.

The floor plan below is the standard provided by DFES. Variations to the plan require separate approval.



PLAN



INDICATIVE METAL CLAD OPTION

BUSH FIRE STATION WITH SMALL AMENITIES
 CAPACITY FOR - 1 HEAVY TANKER OR
 2 LIGHT TANKERS
 SUITABLE FOR SMALL SETTLEMENT BRIGADE WITH UP TO 10 ACTIVE MEMBERS



DEPARTMENT OF FIRE & EMERGENCY SERVICES
STANDARD COUNTRY FACILITY

BUSH FIRE BRIGADE - 1 BAY

The new 4x4 Broadacre Crew Cab Truck and fire appliance facility are attached to the Glenfield Bush Fire Brigade. The day to day management of the truck and facility will rest with volunteers attached to this brigade. The Shire will be responsible for all maintenance costs, which are claimable from the operating grant received from DFES.

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 1.5 Continue to ensure appropriate compliance in fire safety mitigation measures within the townsite and work with relevant agencies to address issues on public land.



Financial Implications

The funds required by the Shire to complete this project are not included in the 2017/18 Budget. Therefore a decision is required to be made in accordance with Section 6.8 *Local Government Act 1995*.

Voting Requirements

Absolute Majority

Officer's Recommendation

That Council:

1. Approve the construction of a fire appliance facility on Lot 265 Narrogin Road, Williams; and
2. Endorse the expenditure of funds from the Municipal Fund, in accordance with Section 6.8 *Local Government Act 1995*, to meet the Shire of Williams contribution to the construction of the fire appliance facility.

Council Resolution

Medlen/Logie

That Council:

1. Approve the construction of a fire appliance facility on Lot 265 Narrogin Road, Williams; and
2. Endorse the expenditure of funds from the Municipal Fund, in accordance with Section 6.8 *Local Government Act 1995*, to meet the Shire of Williams contribution to the construction of the fire appliance facility.

**Carried by Absolute Majority 8/0
Resolution 54/18**



8.4.5 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 September 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:

- **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. \$50.00 from the Municipal Fund to the Municipal Cash Management Account to reflect the actual account for payment of bank audit fee.
2. \$388,793.76 from the 4WDL Term Deposit to the 4WDL Trust Account to meet ongoing expenses.

- **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 Contract of Sale for Lot 403 Marjidin Way, Williams.

Action - The President and Chief Executive Officer affixed the common seal to the Transfer of Land document for the purchase of Lot 403 Marjidin Way, Williams.



- **Debt, Write-Off, Waiver or Concessions – Delegation LGA9**

Delegation - The Chief Executive Officer has delegated authority to write-off debts and grant concessions in relation to any amount of money, up to an amount of \$50.00.

Action - The Chief Executive Officer waived the hire fee of \$42.50 for the RSL Hall for the WA Police for a Community Meeting held on the 23rd August 2017.

The Chief Executive Officer waived the hire fee of \$42.50 for the RSL Hall for the community function held on the 18th September 2017, to thank Norma Sinclair for her service to the Williams Community through the Williams Medical Centre.

- **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 August 2017.

Council Resolution

Medlen/Paterson

That Council accepts the report “Use of Common Seal and Actions Performed under Delegated Authority” for the month of August 2017.

**Carried 8/0
Resolution 55/18**



8.5 MANAGER OF FINANCE'S REPORT

8.5.1 ACCOUNTS FOR PAYMENT

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	13 th September 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 104644 - 104652 totalling \$316,366.87 and SII Funding EFT payments totalling \$165,255.20 approved by the Chief Executive Officer be endorsed.



Cr Major returned to the meeting at 4.47pm.

Council Resolution

Johnstone/Earnshaw

That Municipal Fund EFT, Bpay, Direct Debits and Cheques 104644 - 104652 totalling \$316,366.87 and SII Funding EFT payments totalling \$165,255.20 approved by the Chief Executive Officer be endorsed.

**Carried 9/0
Resolution 56/18**

8.5.2 FINANCIAL STATEMENTS

File Reference	4.23.15	
Statutory Reference	N/A	
Author & Date	Cara Ryan	13 th September 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 period ending 31st August 2017 be received.

Council Resolution

Logie/Medlen

That the financial statements presented for the period ending 31st August 2017 be received.

**Carried 9/0
Resolution 57/18**



8.5.3 SALE OF PROPERTY TO RECOVER UNPAID RATES AND CHARGES

File Reference	3.2.3
Statutory Reference	Local Government Act 1995 Section 6.64
Author & Date	Cara Ryan 14 th September 2017

Background

This report is presented to Council to consider approving the process to commence proceedings to sell the property located at Lot 11/2 Piesse Street Williams, to recover unpaid rates and charges.

This property has had rates owing since June 2012 and now has rates in arrears by 4 years with additional rates due for the current year. The outstanding balance as of today, 14th September 2017, is \$9,284.27.

This account has been in the hands of Debt Collectors since 2013, with the owner making a payment on the 26th August 2015 of \$1,000. Since this time there has been no attempt by the owner to pay the rates and charges outstanding.

Below is of brief history of the legal action taken to date. The details of the owner of the property are contained confidentially under separate cover.

Assessment	956 – Lot11/2 Piesse Street, Williams
Amount Outstanding	\$9,284.27 (14/09/2017)
Period Outstanding	2011/2012 – 2017/2018
Payments	\$203.25 (Paid 9/09/2011) \$1,000.00 (Paid 26/08/2015)
Recovery Action	File lodged with Ampac Debt Recovery - December 2013
	Skip trace conducted to locate owners current address, with no success – March 2014
	Owners current address successfully located by the Shire Office and letter sent for payment of rates, with no response – April 2014
	File closed with Ampac Debt Recovery – June 2014
	File lodged with Austral Mercantile - February 2015
	General Procedure Claimed (GPC) issued – March 2015
	Instructions to issue Property Seizure and Sale Order (PSSO) – June 2015
	Owner contacted Shire Office paid \$1,000 with the promise to pay \$100 per week – August 2015
	PSSO was executed but vehicle placed under seizure was not registered to the owner – December 2015
	No further payment received filed closed with Austral Mercantile - June 2016
	File lodged with Ampac Debt Recovery – January 2017
	Demand letter sent – February 2017
	GPC issued and claim served - March 2017



	Judgment entered – May 2017
	PSSO issued but vehicle seized does not belong to owner – June 2017

In addition to the above actions, each year final notices and reminder letters have been issued to the address provided.

Statutory Implications

LOCAL GOVERNMENT ACT 1995 - SECT 6.64 and SECT 6.68

6.64. **Actions to be taken**

- (1) *If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —*
 - (a) *from time to time lease the land; or*
 - (b) *sell the land; or*
 - (c) *cause the land to be transferred to the Crown; or*
 - (d) *cause the land to be transferred to itself.*
- (2) *On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.*
- (3) *Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.*

6.68. **Exercise of power to sell land**

- (1) *Subject to subsection (2), a local government is not to exercise its power under section 6.64(1)(b) (in this Subdivision and Schedule 6.3 referred to as the **power of sale**) in relation to any land unless, within the period of 3 years prior to the exercise of the power of sale, the local government has at least once attempted under section 6.56 to recover money due to it.*
- (2) *A local government is not required to attempt under section 6.56 to recover money due to it before exercising the power of sale where the local government —*
 - (a) *has a reasonable belief that the cost of the proceedings under that section will equal or exceed the value of the land; or*
 - (b) *having made reasonable efforts to locate the owner of the property is unable to do so.*



(3A) *A local government is to ensure that a decision to exercise a power of sale without having, within the period of 3 years prior to the exercise of the power of sale, attempted under section 6.56 to recover the money due to it and the reasons for the decision are recorded in the minutes of the meeting at which the decision was made.*

(3) *Schedule 6.3 has effect in relation to the exercise of the power of sale.*

[Section 6.68 amended by No. 17 of 2009 s. 40.]

Comment

Every attempt has been made to collect payment of outstanding rates and charges. The property appears to be vacant and additionally a notice was issued to the owner in November 2016 for non-compliance with the Shire's Firebreak requirements. The property remains non-compliant.

If Council agrees to commence proceeding to sell the property for recovery of rates and charges the below checklist will be followed to ensure the Shire complies with the Act.

- Step 1- Notify owners and interested parties in writing of the Shire's intention to sell the land in order to recover rates under Section 6.64 of the *Local Government Act 1995*. Allow 10 days for a response.
- Step 2 - Issue a Notice Requiring Payment (Form 4) to be served on the owner as per the owner's address shown on the Certificate of Title. The owner is given 3 months in which to pay and avoid his land being sold. *Section 6.68 (3) Schedule 6.3.1 (1)(a)*
- Step 3 - Serve a copy of the Notice Requiring Payment (Form 4) on anyone with an estate or interest in the property.
Schedule 6.3.1 (1) (b)
- Step 4 - A copy of the Notice Requiring Payment (Form 4) be displayed on Council's official noticeboard for a minimum of 35 days ensuring that the notice be duly stamped with the date first displayed and the date removed – showing signature of authorised person plus witness.
Schedule 6.3.1 (1)(c)
- Step 5 - Serve a copy of Form 2 to the owners (*Section 6.64 (2) Reg 72*) and also attached a copy of Form 3 to a conspicuous part of the land in order to take possession of the land. Obtain an affidavit of service regarding Form 3.
Section 6.64 (2) Reg 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):

CL 2.2 - Maintain accountability, transparency and financial responsibility.

Financial Implications

Once the property is sold the Shire will be able to recover all rates and charges owing, all legal actions associated with collection of the outstanding debt and any costs relating to the sale of the property.



Voting Requirements

Simple Majority

Officer's Recommendation

That Council approve administrative action via Ampac Debt Recovery to recover unpaid rates and charges by the sale of the property at Lot 11/2 Piesse St, Williams in accordance with section 6.64 of the *Local Government Act 1995*.

Council Resolution

Logie/Major

That Council approve administrative action via Ampac Debt Recovery to recover unpaid rates and charges by the sale of the property at Lot 11/2 Piesse St, Williams in accordance with section 6.64 of the *Local Government Act 1995*.

**Carried 9/0
Resolution 58/18**

8.6 COUNCILLORS' REPORTS

Cr Cavanagh attended and discussed the Boddington Bauxite Community Liaison Committee Meeting held 3rd August 2017.

Cr Cowcher, Cr Cavanagh, Cr Carne, Cr Johnstone and Cr Major attended and discussed the WA Local Government Grants Commission – Public Hearing, held in the Williams Council Chambers on the 19th September 2017.

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 5.30pm.