

SHIRE OF WILLIAMS

MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 21ST OCTOBER 2009

1.0 OPENING

1.1 DECLARATION OF OPENING

The Chief Executive Officer declared the meeting open at 12.30pm

1.1 SWEARING IN OF COUNCILLORS

Report Reference:	1.1.1
Subject:	Swearing in of Councillors - Declarations, Oaths or Affirmations of Allegiance
File Reference:	4.1.40
Statutory Reference:	<i>Local Government Act 1995 s 2.29(1)</i>
Author & Date:	R.N. Duff 14th October 2009

Background:

Section 2.29. Declaration

(1) A person elected as president or as a Councillor has to make a declaration in the prescribed form before acting in the office.

Comment:

Cr Moya Carne JP will perform the formal duty of allowing newly elected Councillors to make an Oath or Affirmation of Allegiance and Declaration of Office.

The Councillors below made the Declaration of Office before Moya Carne JP:

1. Cr David Earnshaw
2. Cr Natalie Major
3. Cr Richard Johnstone
4. Cr Peter Patterson
5. Cr Jarrad Logie

1.2 ELECTION OF PRESIDENT

Report Reference:	1.2.1
Subject:	Election of Shire President
File Reference:	4.1.40
Statutory Reference:	<i>Local Government Act 1995 (Sections 2.11 to 2.15 and Schedules 2.3 and 4.1)</i>
Author & Date:	R.N Duff 14th October 2009

Background:

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

- i) The election for the Shire President is conducted by the Chief Executive Officer. The election for the Deputy Shire President is conducted by the (newly elected) Shire President.
- ii) Nominations for Shire President and Deputy Shire President must be given in writing-

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

LOCAL GOVERNMENT ACT 1995 - SECT 2.29

2.29. Declaration

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

Comment:

At the time of sending the agenda out no nominations have been received.

Cr R Johnstone nominated Cr JES Cowcher (in writing)

Cr JES Cowcher verbally advised the CEO that he accepted the nomination.

The Chief Executive Officer called for any further nominations.

There being no further nominations CR JES Cowcher was declared elected President of the Shire of Williams for a two year term expiring October 2011.

Cr JES Cowcher then made the Declaration of President before Justice of the Peace Moya Carne.

1.3 ELECTION OF DEPUTY PRESIDENT

Report Reference:	1.3.1
Subject:	Election of Deputy Shire President
File Reference:	4.1.40
Statutory Reference:	<i>Local Government Act 1995 (Sections 2.11 to 2.15 and Schedules 2.3 and 4.1)</i>
Author & Date:	R.N Duff 14th October 2009

Background:

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

Taking of the Oath of Allegiance and Declaration of Office of Deputy Shire President.

Comment:

At the time of sending the agenda out no nomination have been received.

Cr Johnstone nominated Cr DS Earnshaw (in writing)

Cr DS Earnshaw verbally advised the CEO that he accepted the nomination.

There being no further nominations Cr DS Earnshaw was declared elected Deputy President of the Shire of Williams for a two year term expiring October 2011.

Cr DS Earnshaw then made the Declaration of Deputy President before Justice of the Peace Moya Carne.

1.4 ELECTION OF COUNCIL COMMITTEES

Report Reference:	1.4.1
Subject:	Election of Council Committees
File Reference:	4.1.20
Statutory Reference:	<i>Local Government Act 1995 section 5.8-5.18</i>
Author & Date:	R.N Duff 14th October 2009

Background:

s5.8. Establishment of Committees

A local government may establish* committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.

** Absolute majority required*

Comment:

Council has appointed the committees below which expire each election year:

- 1. Williams Community Resource Centre Management Committee:** Cr M Carne, Manuela Lenehan (Staff)
- 2. Central Zone (WALGA) Delegates:** Crs JES Cowcher, AJ Stone and M Carne (Proxy)
- 3. School Bus Representative:** Cr AJ Stone
- 4. Narrogin Sub-Regional Road Group:** Cr RF Johnstone
- 5. Heritage Inventory Review:** Cr JES Cowcher, J Fowler, George and Neta Lavender
- 6. Williams Landcare Inc:** Cr GH Medlen
- 7. Oval Water Group:** Crs AJ Stone, GB Cowcher, GM Cavanagh
- 8. Community Housing Group:** Cr M Carne, Helen Bunch, Ruby Milne and Sharon Wilkie (Staff)
- 9. Recreation Advisory Committee:** Cr GM Cavanagh
- 10. Occupational Health and Safety Committee:** Cr JES Cowcher
- 11. Pride in Your Town Committee:** Cr GC Prowse
- 12. Works and Plant Committee:** Crs JES Cowcher, DS Earnshaw, RF Johnstone
- 13. Audit Committee:** Crs JES Cowcher, AJ Stone, RF Johnstone
- 14. Building Committee:** Crs M Carne, GB Cowcher, GM Cavanagh, AJ Stone
- 15. Art Acquisition Committee:** Crs GC Prowse, M Carne, Verna Harding, Robyn Creswell
- 16. Swimming Pool Committee:** Crs GM Cavanagh, DS Earnshaw, GB Cowcher

Voting Requirements:

Absolute Majority

Recommendation:

That Council make the appointment of Council Committees

Cavanagh/Earnshaw

That the following committees and representatives be elected for a two year term expiring October 2011.

1. **Williams Community Resource Centre Management Committee:** Cr M Carne, Manuela Lenehan(Staff)
2. **Central Zone (WALGA) Delegates:** Crs JES Cowcher, DS Earnshaw and M Carne (Proxy)
3. **School Bus Representative:** Cr NE Major
4. **Narrogin Sub-Regional Road Group:** Cr RF Johnstone
5. **Heritage Inventory Review:** Cr JES Cowcher, J Fowler, George and Neta Lavender
6. **Williams Landcare Inc:** Cr GH Medlen
7. **Oval Water Group:** Crs GM Cavanagh, JW Logie and P Patterson
8. **Community Housing Group:** Cr M Carne, Helen Bunch, Ruby Milne and Sharon Wilkie (Staff)
9. **Recreation Advisory Committee:** Cr GM Cavanagh
10. **Occupational Health and Safety Committee:** Cr GH Medlen
11. **Pride in Your Town Committee:** Cr NE Major
12. **Works and Plant Committee:** Crs JES Cowcher, DS Earnshaw, RF Johnstone
13. **Audit Committee:** Crs JES Cowcher, Cr GH Medlen, P Patterson
14. **Building Committee:** Crs M Carne, DS Earnshaw, GM Cavanagh, P Patterson
15. **Art Acquisition Committee:** Crs P Patterson, M Carne and two community members

**Carried 9/0
ABSOLUTE MAJORITY
Resolution 82/10**

1.2 ANNOUNCEMENT OF VISITORS

Nil

2.0 RECORD OF ATTENDANCE

2.1 PRESENT

Cr John Cowcher	President
Cr David Earnshaw	Deputy President
Cr Greg Cavanagh	
Cr Richard Johnstone	
Cr Moya Carne	
Cr Gilbert Medlen	
Cr Peter Patterson	
Cr Jarrad Logie	
Cr Natalie Major	

Ryan Duff	Chief Executive Officer
Ian Ball	Deputy Chief Executive Officer
Heidi Cowcher	Community Development Officer (1.10pm -1.20pm)
Steve Friend	Environmental Health Officer/Building Surveyor (1.22pm - 1.26pm)
Tony Kett	Works Supervisor (1.26pm - 1.41pm)

2.2 APOLOGIES

Nil

3.0 PUBLIC QUESTION TIME

Nil

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

6.0 CONFIRMATION OF PREVIOUS MINUTES

6.1 ORDINARY MEETING MINUTES

Johnstone/Earnshaw

That the minutes of the Ordinary Meeting held in the Council Chambers on Wednesday 16th September 2009, as circulated, be confirmed as a true and correct record of proceedings subject to the following amendments:

1. Alteration of afternoon tea starting time from 3.50pm to 2.50pm
2. Motion 78/10 being carried 4/3

**Carried 9/0
Resolution 83/10**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8.0 REPORTS OF COMMITTEES/OFFICERS AND COUNCILLORS

Community Development Officer Heidi Cowcher attended the meeting at 1.15pm to discuss her report.

8.1 COMMUNITY DEVELOPMENT OFFICER'S REPORT

8.1.1 Williams Bowling Club

As reported at the September 2009 meeting, the Williams Bowling Club is currently compiling an application to the Department of Sport & Recreation's Community Sport and Recreation Facilities Fund. The application is to install a synthetic bowling green on "B" green and re-roof and replace the guttering on the club house. The application is currently being compiled on behalf of the Club, with the application being made by the Shire, as auspice for the Bowling Club. The application is due to be submitted by the 30th October 2009.

The following summarises the anticipated project costs for the submission:

Installation of synthetic surface on 'B' green	\$161,330.00
Installation of paving surrounds	\$ 46,750.00
Replacement of club house roof	\$113,181.82
12% anticipated cost escalation (synthetic surfaces)	\$ 24,969.60
SUB-TOTAL	\$346,231.42
<i>GST</i>	<i>\$ 34,623.14</i>
GRAND TOTAL	\$380,854.56

It is anticipated that funds will be sourced from the following:

Williams Bowling Club Cash Reserves	\$ 88,000.00
CSRFF	\$126,951.52
<u>Loan / Other funding</u>	<u>\$165,903.04</u>
TOTAL	\$380,854.56

At a meeting held with CSRFF representative Chelsea Gellard in July 2009, the Club was encouraged to consider an application including all potential work that they anticipate needs undertaking, including but not limited to the synthetic surface, re-roofing the Clubhouse, installation of rainwater tanks and any other major work that would need financial assistance. The Club has considered this advice, and resolved to progress with a funding request including the installation of the synthetic surface as their main priority and the re-roofing the clubhouse as their secondary, subject to funding assistance provided.

It is anticipated that the Club will make an application to the Shire's Royalties to Regions Country Local Government Fund in March 2010. Once the outcome of the CSRFF and CLGF funding is known, the Club will determine whether to borrow additional funds to finance the balance of the project, or alternatively scale the project back to just the installation of the synthetic surface to make the project more affordable. The Club have indicated that they would be prepared to apply to the Shire for a self-supporting loan to assist with financing the project. Currently the Club is in a strong financial position, with no debts and significant cash reserves, which makes a project of this scale a worthwhile consideration.

Recommendation:

That Council supports the application by the Shire of Williams (auspicing on behalf of the Williams Bowling Club) to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund, for an amount of \$126,951.52 (incl GST).

Earnshaw/Major

That Council supports the application by the Shire of Williams (auspicing on behalf of the Williams Bowling Club) to the Department of Sport and Recreation's Community Sporting and Recreation Facilities Fund, for an amount of \$126,951.52 (incl GST).

**Carried 9/0
Resolution 84/10**

8.1.6 Williams SJA New Building

The Shire completed the site works on the site at the end September, and the site was officially handed to the builder, Briklay Constructions, on Tuesday 13th October 2009. The builder is contracted to ensure that practical completion is within 37 weeks of commencement of construction, therefore it is estimated that this will be in June 2010.

To date, the project has secured over 97% of the estimated project costs, with just over \$21,000 remaining to secure. It is hoped that this can be secured from corporate sponsors and local community support. Should this not be successful, then Williams SJA may have to act on the self-supporting loan from the Shire to finance the balance of the project.

For information.

Johnstone/Medlen

That the Community Development Officer's Report be received.

**Carried 9/0
Resolution 85/10**

Ms Cowcher left the meeting at 1.25pm

Environmental Health Officer/Building Surveyor Steve Friend attended the meeting at 1.25pm to meet Council. As he has been away on annual leave for the past two weeks a written report has not been submitted.

Mr Friend left the meeting at 1.30pm

Works Supervisor Tony Kett attended the meeting at 1.30pm to discuss his report.

8.2 WORKS SUPERVISOR'S REPORT

Winter Grading

Darkan-Quindanning Rd (north end), Dardadine Rd, Sattler Rd, Hurley Rd, Wangelling Gully Rd, Congelin-Narrogin Rd, York-Williams Rd, Glenfield Rd.

Maintenance Works

Completed sand pad for ambulance hall.

Taken trees out at tennis courts.

Construction

Started work on widening Darkan Road. Should be completed within six weeks.

Change of seal application on Quindanning Darkan Road has been successful.

Mechanical Report

Serviced JCB loader.

Serviced excavator.

Serviced vibe roller.

Fit two-way radio and rotating light to WL 19.

Recreation Ground

Drainage works have commenced on the oval.

Roadside Spraying

Because of the late winter rains staff have not been able to find time to carry out roadside spraying.

Johnstone/Logie

That the Works Supervisor's Report be received.

**Carried 9/0
Resolution 86/10**

8.4 CHIEF EXECUTIVE OFFICER'S REPORT

Report Reference:	8.4.1
Subject:	Local Government Managers Association State Conference
File Reference:	4.20.25
Statutory Reference:	Nil
Author & Date:	RN Duff 14 th October 2009

Background:

The Local Government Managers Australia (WA Division) Annual State Conference will be held on the 18th – 20th November 2009 at the Esplanade Hotel in Fremantle.

Comment:

The CEO is registered to attend for the last two days as the 1st day of the conference clashes with the November Council meeting.

Financial Implications:

A professional development allowance of \$1,800 is made in the Chief Executive Officer's contract to attend the LGMA State Conference at Council's expense.

Voting Requirements:

Simple Majority

Officers Recommendation:

For Council's information

Report Reference:	8.4.2
Subject:	Quindanning Townsite Development
File Reference:	11.30.31
Statutory Reference:	Nil
Author & Date:	RN Duff 14 th October 2009

Background:

In October 2008 Henty Farrar and Dave Foster, State Land Services, attended the Council meeting.

Mr. Farrar explained that State Land Services have the potential to assist Council with the development of unallocated Crown Land in the Quindanning town site. All blocks are over the 2000m² requirement for sewerage. Council will be granted control over the land through a development lease (\$500.00 per year) for a period of five years to enable the provision of infrastructure. Council will purchase the undeveloped land at current valuation when the subdivision is completed.

At the meeting it was resolved:

Prowse/Earnshaw

That Council proceeds with accepting a development lease of the land

**Carried 7/0
Resolution 75/09**

Comment:

In the time since Council elected to continue with the proposal, State Land Services have commenced proceedings and issued a Taking Order for the land to be vested and leased or sold to the Shire. The land was subject to Native Title to which no objections have been received and the vesting order is now with the Minister for Lands to sign off on. Titles will then be issued and State Land Services will offer Council a development lease.

Upon the developing the land Council are required to pay State Land Services for the 2.417 ha of land. This amount is based on an englobo parcel valuation of \$370,000. Further costs for power and water have been sought with only the cost of road works and drainage to be added.

Financial Implications:

Lot No.	Street	Area (m2)	Sale Price (est.)	Englobo Valuation	Water	Power	Road works/ Drainage (est.)	Development Cost	Profit / (Loss) (est.)
Lot 1	Thomas Lavender St	2,002	\$ 45,000	\$ 29,848	\$ 3,500	\$ 3,168	\$ 3,000	\$ 39,516	\$ 5,484
Lot 2	Thomas Lavender St	2,002	\$ 45,000	\$ 29,848	\$ 3,500	\$ 3,168	\$ 3,000	\$ 39,516	\$ 5,484
Lot 3	Thomas Lavender St	2,002	\$ 45,000	\$ 29,848	\$ 3,500	\$ 3,168	\$ 3,000	\$ 39,516	\$ 5,484
Lot 4	Thomas Lavender St	2,002	\$ 45,000	\$ 29,848	\$ 3,500	\$ 3,168	\$ 3,000	\$ 39,516	\$ 5,484
Lot 5	Thomas Lavender St	2,002	\$ 45,000	\$ 29,848	\$ 3,500	\$ 3,168	\$ 3,000	\$ 39,516	\$ 5,484
Lot 6	Thomas Lavender St	2,002	\$ 45,000	\$ 29,848	\$ 3,500	\$ 3,168	\$ 3,000	\$ 39,516	\$ 5,484
Lot 7	Thomas Lavender St	2,008	\$ 42,000	\$ 29,938	\$ 3,500	\$ 3,168	\$ 3,000	\$ 39,606	\$ 2,394
Lot 8	Thomas Lavender St	2,005	\$ 43,000	\$ 29,893	\$ 3,500	\$ 3,168	\$ 3,000	\$ 39,561	\$ 3,439
Lot 9	Pinjarra-Williams Rd	2,787	\$ 80,000	\$ 41,552	\$ 3,500	\$ 3,168	\$ 3,000	\$ 51,220	\$ 28,780

Lot 10	Pinjarra-Williams Rd	2,001	\$ 78,000	\$ 29,833	\$ 3,500	\$ 3,168	\$ 3,000	\$ 39,501	\$ 38,499
Lot 11	Pinjarra-Williams Rd	2,002	\$ 75,000	\$ 29,848	\$ 3,500	\$ 3,168	\$ 3,000	\$ 39,516	\$ 35,484
Lot 12	Pinjarra-Williams Rd	2,002	\$ 75,000	\$ 29,848	\$ 3,500	\$ 3,168	\$ 3,000	\$ 39,516	\$ 35,484
		24,817	\$ 663,000	\$ 370,000	\$ 42,000	\$ 38,016	\$ 36,000	\$ 486,016	\$ 176,984

There will be some other development costs such as surveying and selling costs.

Voting Requirements:

Simple Majority

Recommendation:

For Council's information

Cavanagh/Medlen

That Council continue with investigative planning and cost estimates for the subdivision and sale of the Quindanning town site blocks.

**Carried 9/0
Resolution 87/10**

Report Reference:	8.4.3
Subject:	Australia Day Awards
File Reference:	4.11.25
Statutory Reference:	Nil
Author & Date:	R.N Duff 14 th October 2009

Background:

Following the decision by Williams Lions Club to go into recess, the Lions Citizen of the Year award has ceased. However the above award was given together with the Premier's Australia Day Active Citizenship Award. The Australia Day Council also has other award categories should Council wish to participate, these being:

- Premier's Australia Day Active Citizenship Award for person under 25 years
- Premier's Australia Day Active Citizenship Award for a community group or event.

The Shire has appointed as committee consisting of Cr Carne, the Chief Executive Officer, Community Development Officer and a community member to oversee the Premier's Australia Day Active Citizenship Award.

Nominations need to be lodged prior to Friday 27 November 2009.

Comment:

The awards will be presented at the Council Australia Day Breakfast which will be organised closer to the date.

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That Cr Carne, the Chief Executive Officer, Community Development Officer and a community member be appointed to oversee the Premier's Australia Day Active Citizenship Award.

Earnshaw/Medlen

That Cr Carne, the Chief Executive Officer, Community Development Officer and a community member be appointed to oversee the Premier's Australia Day Active Citizenship Award.

**Carried 9/0
Resolution 88/10**

Report Reference:	8.4.4
Subject:	Art Acquisition Policy
File Reference:	4.1.20
Statutory Reference:	Nil
Author & Date:	RN Duff 14 th October 2009

Background:

In February 2006 the Council adopted the below policy:

Local Art Acquisition

Policy: *Aim:*

The Shire of Williams aims to collect; purchase, research, store and exhibit art works for a Williams Community Collection.

Purpose:

The purpose of the Williams Artwork Acquisition is to:

- 1. Collect works by Williams artists*
- 2. Collect works that depict the history, scenery and people of Williams*
- 3. Collect other works considered suitable by the Williams Art Committee*

Funding:

The Shire of Williams shall allocate an appropriate amount in the Annual Budget for the acquisition of artworks.

Williams Art Committee:

The Williams Art Committee shall comprise of two Councillors and two community representatives endorsed by Council, with the chairperson having a casting vote.

Role:

The Williams Art Committee shall assess and purchase artworks considered suitable for acquisition in accordance with the budget allocation. This includes any donation of artworks to the Williams Artworks Collection.

Housing / Display of Artworks:

The Williams Art Committee shall recommend to the Williams Shire Council where the artworks should be displayed.

History: *Adopted 15th February 2006*

Review: *Williams Art Committee*

Comment:

The Art Acquisition Reserve Fund has not been utilised over the last few years and there was a donation of winding up funds from the Williams Arts Council resulting in a substantial amount of funds being built up. There are some concerns with the amount of funds available and that the Committee has no general direction regarding monetary amounts that can be spent on any single purchase and what procedure needs to be followed to secure a purchase. The current policy has been amended (underlined sections) to assist the committee with purchasing art work.

Amended Local Art Acquisition

Policy: Aim:

The Shire of Williams aims to collect, purchase, research, store and exhibit art works for a Williams Community Collection.

Purpose:

The purpose of the Williams Artwork Acquisition is to:

1. Collect works by Williams's artists or artists with an identifiable association with Williams.
2. Collect works that depict the history, scenery and people of Williams
3. Collect other works considered suitable by the Williams Art Committee

Funding:

The Shire of Williams shall allocate an appropriate amount in the Annual Budget for the acquisition of artworks.

Assessment and Purchase of Art Works:

1. An assessment of both the long term cultural value and/or investment potential must be made by the Arts Acquisition Committee when works are being considered for addition to the collection.
2. All recommendations by the Arts Acquisition Committee for purchase of art works for the collection are to be referred to the CEO for final consideration.
3. After the receipt and consideration of advice from the Arts Acquisition Committee, the Chief Executive Officer has authority to approve the acquisition of any collection items within the limits of available funding, subject to prior consultation with the Shire President or the Presiding Member of the Art Acquisition Committee.

Williams Art Committee:

The Williams Art Committee shall comprise of two Councillors and two community representatives endorsed by Council, with the chairperson having a casting vote.

Role:

The Williams Art Committee shall assess and purchase artworks considered suitable for acquisition in accordance with the budget allocation. This includes any donation of artworks to the Williams Artworks Collection.

Housing / Display of Artworks:

The Williams Art Committee shall recommend to the Williams Shire Council or other suitable Council building where the artworks should be displayed.

Financial Implications:**Art Acquisition Committee Funds**

<u>Income</u>			<u>Expenditure</u>		
2005/2006	Annual Allocation	\$2,500	M Bardwell	\$600.00	1 Painting
2006/2007	Annual Allocation	\$2,500	M Nunn	\$1,400.00	2 Paintings
2007/2008	Annual Allocation	\$2,500	L Zuks	\$4,090.91	1 Sculpture
2008/2009	Annual Allocation	\$2,500			
2009/2010	Annual Allocation	\$2,500			
	Williams Art & Craft	\$3,820			
	Interest on Reserve Funds	\$491.32			
	Totals	\$16,811.32		\$6,090.91	
	Balance in Reserve Fund	\$10,720.41			

Voting Requirements:

Simple Majority

Recommendation:

That Council amend the Local Art Acquisition Policy to include the underlined sections above.

Cavanagh/Logie

That Council amend the Local Art Acquisition Policy to include the underlined sections as follows:

Amended Local Art AcquisitionPolicy: **Aim:**

The Shire of Williams aims to collect, purchase, research, store and exhibit art works for a Williams Community Collection.

Purpose:

The purpose of the Williams Artwork Acquisition is to:

4. Collect works by Williams's artists or artists with an identifiable association with Williams.
5. Collect works that depict the history, scenery and people of Williams
6. Collect other works considered suitable by the Williams Art Committee

Funding:

The Shire of Williams shall allocate an appropriate amount in the Annual Budget for the acquisition of artworks.

Assessment and Purchase of Art Works:

4. An assessment of both the long term cultural value and/or investment potential must be made by the Arts Acquisition Committee when works are being considered for addition to the collection.
5. All recommendations by the Arts Acquisition Committee for purchase of art works for the collection are to be referred to the CEO for final consideration.
6. After the receipt and consideration of advice from the Arts Acquisition Committee, the Chief Executive Officer has authority to approve the acquisition of any collection

items within the limits of available funding, subject to prior consultation with the Shire President or the Presiding Member of the Art Acquisition Committee.

Williams Art Committee:

The Williams Art Committee shall comprise of two Councillors and two community representatives endorsed by Council, with the chairperson having a casting vote.

Role:

The Williams Art Committee shall assess and purchase artworks considered suitable for acquisition in accordance with the budget allocation. This includes any donation of artworks to the Williams Artworks Collection.

Housing / Display of Artworks:

The Williams Art Committee shall recommend to the Williams Shire Council or other suitable Council building where the artworks should be displayed.

**Carried 9/0
Resolution 89/10**

Report Reference:	8.4.5
Subject:	Swimming Pool Building – Tender 01/09-10
File Reference:	11.20.20
Statutory Reference:	<i>Local Government Act 1996 s3.57</i>
Author & Date:	RN Duff 14 th October 2009

Background:

Council has invited tenders for the construction of a new Swimming Pool Amenities Building and renovation of existing change room facilities.

Tenders closed on **4pm, Friday 11th September 2009.**

The plans and specifications for this tender have been drawn up by Franco Carozzi Architects Pty Ltd and consist of a new building containing kitchen/kiosk, first aid room, disabled facilities and entry. The existing change rooms will also be enclosed and renovated.

Two Tenders were received;

Spadaccini Constructions	\$635,000 ex GST
Briklay Pty Ltd	\$807,571 ex GST

Council did not accept any tender and the CEO was to negotiate price reductions with the Architect.

Comment:

Franco Carozzi has been in discussions with Spadaccini Constructions to clarify their tender and identify areas where the tender price could be reduced. Areas have been identified and are listed at **APPENDIX 1**

Financial Implications:

Council 2009/10 Budget - Funding

Royalties for Regions	\$331,371
RLCIP Fund – Federal Grant	\$ 76,336
Department of Sport & Rec	<u>\$143,670</u>
Total	\$551,377

Note: Additional funds would have to come out the Building Reserve for the project to proceed, which was the original intention prior to the Royalties for Regions Program being announced.

Voting Requirements:

Simple Majority

Recommendation:

That the Shire of Williams accept Spadaccini Constructions tender of ?? for the construction of the Pool Kiosk and renovations to exist change rooms.

Johnstone/Cavanagh

That the Shire of Williams accept Spadaccini Constructions tender of \$635,000.00 less alterations of \$77,622 for the construction of the Pool Kiosk and renovations to the existing change rooms and the Building Committee also be authorised to negotiate contract variations.

**Carried 9/0
Resolution 90/10**

Johnstone/Earnshaw

That the balance of funds required for the completion of the Swimming Pool Kiosk and renovations be sourced from the Building Reserve.

**Carried 9/0
Resolution 91/10**

Report Reference:	8.4.6
Subject:	Industrial Land Development
File Reference:	10.64.20
Statutory Reference:	Nil
Author & Date:	RN Duff 14 th October 2009

Background:

The Shire of Williams has made an initial approach to Mr. D Carter to purchase approximately 30 hectares of Location 12070 Albany Highway Williams as a potential site for a light industrial precinct.

A letter was written to Mr. Carter formally offering the amount resolved at the February meeting. Mr. Carter has since declined this offer stating that the offer was too low.

Council agreed at the March 2009 meeting to conduct a feasibility study to determine what would be a reasonable purchase price given that there would be substantial development costs involved.

The concept plan (**APPENDIX 2**) has been developed and a cost estimate for the development of industrial estate.

Comment:

Should Council commit to this development there are a multitude of issues that will need to be resolved. Below are some issues to be considered in the short term:

Development of a Business Plan

A business plan should be developed in-house to give Council some idea of the issues, risks and benefits involved in taking on such a venture. The Business Plan will assist Council on how the development would proceed and the steps involved.

Staged approach

Council need to determine how a staged approached would take shape.

Town Planning Scheme No.2

The Town Planning Scheme will have to be amended with the land being re-zoned from Rural to Light Industrial, in addition to Townsite Expansion Strategy will also need to be amended to reflect Council's intentions.

Financial Implications:

To date expenditure has been	
Planning advice	\$3,000
Estimates Engineer & Drafting	\$2,600
Land Capability	\$1,500
Mapping	\$200

The estimate of development costs was prepared by DWA Consulting and is attached at **APPENDIX 3**. It would seem that this cost estimate is based on contractors being sourced for the complete development. The Shire would be more than capable of completing some of the works in particular roads and drainage which would reduce the development cost substantially.

The initial cost estimate to complete the whole subdivision is \$7,847,588. There are 77 lots in the subdivision which equates to \$101,917 per lot. After making an allowance for the Shire completing the work and including a provisional sum for the purchase of the land the amended development costs would be estimated at \$4,886,788 or \$63,465 per lot. A staged approach to the subdivision may incur some additional costs particularly in the 1st stage of the project because of an allowance for headworks.

Funding sources

Department of Local Government & Regional Development - Regional Headworks Program

RHP will provide grants from \$5,000 to \$200,000 for projects involving the connection to providers of the essential services of water, electricity, telecommunications, gas, drainage and sewerage. Eligible projects are small to medium industrial projects that will assist in attracting investment and increasing jobs in regional areas or improving the commercial and industrial activity in the region.

Loan Funding

On a project of this magnitude it will be essential for Council to borrow funds. Currently the Shire of Williams has low levels of debt and with no guarantee on the amount of blocks that would be sold pay the development cost off over a numbers of years would be Council's best option. It is also recommended that the sale proceeds of the land go into development reserve for future extensions (if a staged approached is done) and to pay off the debt.

Department of Local Government & Regional Development - Regional Development Scheme (RDS)

RDS will provide grants of up to \$150,000 for a mix of capital works projects and other projects which may include feasibility studies, regional and local marketing programs as well as festivals and events. Each of the nine Regional Development Commissions administers its own RDS scheme.

Voting Requirements:

Simple Majority

Recommendation:

For Council's consideration

Earnshaw/Cavanagh

That an offer of \$220,000 be made for the purchase of 32.4 hectares from Williams Location 12070.

**Carried 9/0
Resolution 92/10**

Afternoon Tea

Council adjourned for afternoon tea at 3.05pm and resumed the meeting at 3.25pm

Report Reference:	8.4.7
Subject:	Williams Bushfires Brigades – Appointment of Chief Bush Fire Control Officer and Deputy
File Reference:	5.10.1
Statutory Reference:	Section 38 of the <i>Bush Fires Act 1954</i>
Author & Date:	R. Duff 14 th October 2009

Background:

At the September 2009 Council meeting it was resolved:

Johnstone/Carne

That Brian Liddelow be approached regarding appointment as the Chief Fire Control Officer and also asked if he has a preference for an appointment as his Deputy Chief Fire Control Officer.

Comment:

Mr Liddelow has declined this appointment and as a result Richard Johnstone has advised that he will continue in the position.

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That Council appoints Richard Johnstone as the Chief Fire Control Officer and Brian Liddelow as the Deputy Bush Fire Control Officers for the 2009/2010 season.

Medlen/Major

That Council appoints Richard Johnstone as the Chief Fire Control Officer and Brian Liddelow as the Deputy Bush Fire Control Officers for the 2009/2010 season.

**Carried 9/0
Resolution 93/10**

Report Reference:	8.4.8
Subject:	Main Roads WA – 2010-2011 Bridge Programme for Works
File Reference:	12.21.00
Statutory Reference:	Nil
Author & Date:	RN Duff 14 th October 2009

Background:

Correspondence has been received from Main Roads recommending funding for the 2010/2011 Bridge Program.

In the Shire of Williams Bridge No. 3049A on Clayton Rd has been recommended for repair with a budget of \$654,000. Bridge repairs and maintenance are funded by Main Roads 1/3 and the Western Australian Local Government Grants Commission 2/3. In order to progress the work the Shire of Williams has to advise Main Roads the delivery option for repair

1. Local Government to arrange Design and Construct
2. Main Roads to Design and Local Government to Construct
3. Main Roads to Design and Construct

Comment:

The Chief Executive Officer has already advised Main Roads that option 3 would be preferred. In addition to this request there is an opportunity to increase the width of the bridge from 7.20m to 8.20m, however the cost of this work will require additional funding by the Shire of \$30,000.

It is recommended that Council take this opportunity to widen the bridge given the increased size of trucks required by farmers to deliver grain to Williams and Narrakine Bins or to get product to the farm gate. This investment by Council now should see the bridge last many more years without a need to upgrade.

Financial Implications:

\$30,000 in the 2010/11 Budget

Voting Requirements:

Simple Majority

Recommendation:

That Council agree to contribute \$30,000 towards the widening of bridge 3049A on Clayton Rd from 7.20m to 8.20m in the 2010/2011 financial year.

Earnshaw/Medlen

That Council agree to contribute \$30,000 towards the widening of bridge 3049A on Clayton Rd from 7.20m to 8.20m in the 2010/2011 financial year.

**Carried 9/0
Resolution 94/10**

Report Reference:	8.4.9
Subject:	Emergency Services Communication Tower – Compensation Claim – RN Petchell
File Reference:	5.10.60
Statutory Reference:	<i>Land Administration Act 1997 s211</i>
Author & Date:	RN Duff 14 th October 2009

Background:

The Shire of Williams is party to a taking order under the Land Administration Act 1997 on Lot 500 on DP 59026 owned by Mr RN Petchell for the purposes of a Communications Tower Site and Access.

The Taking Order was registered at the Office of Titles on the 11th May 2009. As acquiring authority the Shire of Williams has responsibility for resolving any compensation for the land taken from Mr Petchell.

On the 3rd July 2009 a claim for compensation was received from Mr Petchell's representative Ferguson Fforde Miller (FFM).

Comment:

The original claim submitted under s211 of the Land Administration Act 1997 was for \$200,000. The amount was based on

Land Value 1.4933 @ \$7,500	\$11,200
Improvements (Tower forfeited once lease lapsed)	\$50,000
Loss in Value of Land (Injurious affection)	\$100,000
Severance Damage	\$10,000
Other factors	\$10,000
Solatium	\$18,120
TOTAL COMPENSATION	\$200,000

Upon receiving this claim for compensation Council engaged its Solicitors to assist in a response to which the amount \$100,000 was disregarded on the basis of the Pointe Gourde principle.

Ferguson Fforde Miller then compiled a compensation assessment and amended the claim. The new claim for compensation was \$455,000 which is based on:

Loss in Land value 1.4933	\$230,000
Improvements (Tower & equipment forfeited once lease lapsed)	\$150,000
Loss and Damage – stamp duty, professional fees	\$15,000
Severance Damage	\$10,000
Injurious Affection	\$0
Solatium	\$40,500
TOTAL COMPENSATION	\$445,000

The full report is available to Councillors' inspection or copy can be made available.

Advice has been sought from Council's solicitor regarding the 2nd claim; this advice was received on the 23rd September. Subsequent correspondence has been sent to FFM advising that the Shire of Williams would consider a land swap arrangement as suitable compensation, however this offer has been rejected and FFM have requested that it is a requirement of the Land Administration Act for Council to submit as offer for compensation. Their advice is attached at **APPENDIX 4**.

Currently the Solicitors are recommending that Council obtain their own specialised independent valuation.

Financial Implications:

Legal Fees to date: \$4,020.40.

As the Shire of Williams is not the only user of the Communications Tower correspondence has been sent to the WA Police Service, FESA and Intelligent IP advising them of the current compensation claim. At this stage no advice has been received from them advising if they will be party to a joint compensation offer to Mr Petchell or if they are agreeable to increased user fees.

Voting Requirements:

Simple Majority

Recommendation:

For Council's consideration

Medlen/Carne

That the President and Chief Executive Officer be authorised to continue negotiations with Mr Petchell to resolved the amount of compensation claim for the taking of land to be used for a communications tower.

**Carried 9/0
Resolution 95/10**

Report Reference:	8.4.10
Subject:	Williams St John Ambulance – Use of Radio Hut, Bates Rd (Previously Barwise Rd)
File Reference:	5.10.60
Statutory Reference:	Nil.
Author & Date:	R. Duff 14 th October 2009

Background:

St John Ambulance Williams requests permission from the Shire of Williams to use the radio hut at Lot 500 on DP 59026 Bates Rd for the installation of their radio equipment due to the Police requesting them to remove their equipment from the Police hut.

Comment:

As item 8.4.9 has discussed the communication tower compensation claim is still open and therefore Council does not know what the final cost will be. If the cost is significant the Council may want to seek a contribution from the other users of the tower or set an increased lease fee. To date there has been no lease or license fee charge for the users even though Council has incurred costs such a power usage and the initial set up costs back in 1997.

In regards to this request, Council can grant permission to the St John Ambulance Williams Subcentre to use our hut subject to a Use Agreement being signed by them once the matter of compensation has been settled. It is at this point that Council can decide whether or not to charge the St John Ambulance.

In the meantime Council should write to the WA Police Service requesting them to allow the St John Ambulance to leave their equipment in the Police Hut until a usage agreement can be signed by all users of the communication tower.

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

1. That Council grant permission to the St John Ambulance Williams sub-branch use the Council radio hut at Lot 500 DP 59026 Bates Road once a compensation settlement has been made with Mr RN Petchell
2. That Council write to the WA Police Service requesting them to allow the Williams St John Ambulance to leave their equipment in the Police Hut until a Usage Agreement can be signed by all users of the communication tower.

Cavanagh/Medlen

1. That Council grant permission to the St John Ambulance Williams sub-branch use the Council radio hut at Lot 500 DP 59026 Bates Road once a compensation settlement has been made with Mr RN Petchell
2. That Council write to the WA Police Service requesting them to allow the Williams St John Ambulance to leave their equipment in the Police Hut until a Usage Agreement can be signed by all users of the communication tower.

**Carried 9/0
Resolution 96/10**

8.4 CHIEF EXECUTIVE OFFICER'S REPORT – LATE ITEMS

Carne/Major

That the following late items be accepted as urgent for discussion.

**Carried 9/0
Resolution 97/10**

Reference:	8.4.11
Subject:	2009 Council Elections
File Reference:	4.1.40
Statutory Reference:	Nil.
Author & Date:	R.N Duff 19 th October 2009

Background

This report is to brief elected members on the conduct of the election held on 17th October 2009 and to provide an overview of statistics that relate to the election.

Comment

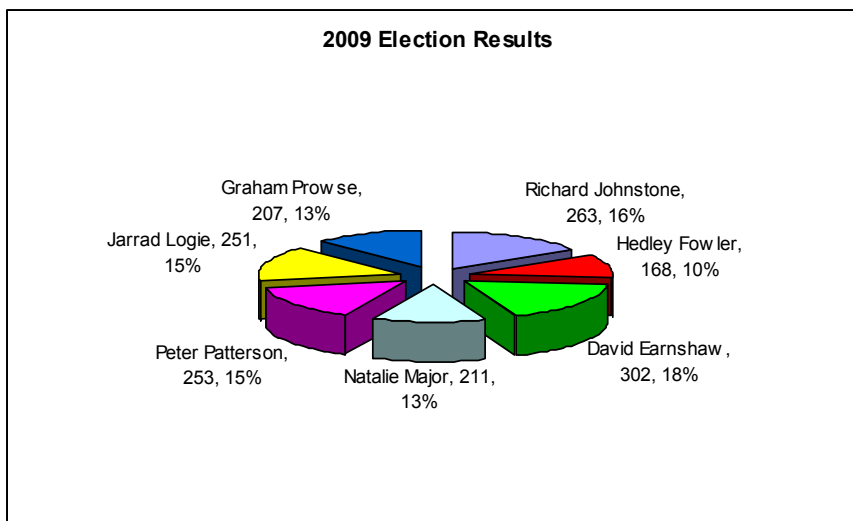
A total of 2 staff worked on Election Day. Most staff worked from 7.30am to 6.15pm at the close of poll. Four staff worked at the count that finished at 7.00pm.

Results and statistics

RETURNING OFFICER: Ryan Duff

	Votes Received	Appointment	Expiry of term
JOHNSTONE, Richard	263	Elected	2013
FOWLER, Hedley	168		
EARNSHAW, David	302	Elected	2013
MAJOR, Natalie	211	Elected	2011
PATERSON, Peter	253	Elected	2013
LOGIE, Jarrad	251	Elected	2013
PROWSE, Graham	207		

**MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON
WEDNESDAY 21ST OCTOBER 2009**



Number of Candidates	Total number eligible voters on roll	Total valid votes cast	Total informal votes	Total votes cast	Percentage Turnout
7	718	356	1	357	49.7%

Previous Years Election Results

Election	Vacancies	Nominations	Electors	Turnout	%
May 2003	9	13	689	395	57.32
October 2005	5	9	710	339	47.75
October 2007	5	5	701	N/A	N/A

Statutory environment

For this election the CEO acted as returning officer. The election was conducted on the basis of electors voting in person. Part 4 of the *Local Government Act 1995* and *Local Government (Elections) Regulations 1997* specify the way local government elections are to be conducted.

Financial implications

The total costs of conducting the election this year were:

WALGA Composite Advertising Program	\$1,490
Election Day Staff	\$672 est.
CEO	Time in Lieu

Conducting the 2009 Elections has taken up considerable staff resources from time since calling for nominations in August.

Voting Requirements:

Simple Majority

Recommendation:

For Councils information

Reference:	8.4.12
Subject:	Unauthorised Building Works at Lot 13061 McKenzie Rd
File Reference:	13.34.10
Statutory Reference:	Local Government (<i>Miscellaneous Provisions</i>) Act 1960 s401
Author & Date:	R.N Duff 20 th October 2009

Background

On or about 26 February 2002, the owners of Lot 13061 McKenzie Rd submitted to the Shire an application for a building licence to construct a 270 square metre “farm shed” on the property.

On 10 April 2002, the Shire wrote to the owners noting that the application for a building licence was not accompanied by any detail relating to the proposed shed’s construction. The Shire advised that detailed plans and specifications, including a site plan, was needed before the application would be considered for approval.

The Shire did not receive a response to its letter from the owners and therefore took no further action in relation to the matter.

In September/October 2008, the Shire received a complaint from a person previously employed by Elite Grains regarding the lack of toilet facilities at the property.

The Shire determined that the Unauthorised Buildings were properly categorised as class 8 buildings under the BCA and by letter 29 October 2008 invited the owners to submit plans and specifications for the sheds endorsed by a structural engineer so that retrospective approval could be granted for the erection of the sheds. The Shire advised that the existing chemical toilet was not what was required by the BCA and that a toilet facility complying with the BCA was needed.

Follow up letter sent requesting a response from the owners was sent on the 13th February 2009.

June 2009

Carne/Cavanagh

That the owner of lot 13061 McKenzie Road Williams be served a notice under Section 401 (1a) (c) of the Local Government (Miscellaneous Provisions) Act 1960 inviting him to apply for a Building Approval Certificate for the buildings erected on the property without gaining prior approval and that he be given 21 days within which to apply.

August 2009

Johnstone/Prowse

That a letter be forwarded to the owner of lot 13031 McKenzie Road Williams –

- 1. Advising him that Council believes the building that he conducts his business out of is a Class 8 building as per the Building Code of Australia and*
- 2. That he is required within two (2) weeks of the date of the letter to advise Council as to whether he is prepared to apply for a “building approval certificate” and*
- 3. If there is no response or a negative response then an order under section 401 (1) of the Local Government (Miscellaneous Provisions) Act 1960 be served upon the owner requiring him to pull the building down.*

September 2009

Johnstone/Cavanagh

That an order, under Section 401(1) (c) of the Local Government (Miscellaneous Provisions) Act 1960, be placed on the owners of lot 13061 McKenzie Road to pull the unauthorised buildings down as all attempts to have the owners apply for retrospective approval have failed.

The order was issued on the 23rd September 2009 with a right of appeal to the State Administrative Tribunal expiring on the 21st October 2009 and the 35 day period for action under the order expires on the 28th October 2009.

Comment

On the 20th October 2009 correspondence was received from the owner of Elite Grains requesting a minimum of 12 months to wind down his business which operates from the unauthorized buildings on Lot 13061 McKenzie Rd. The letter is attached as **APPENDIX 5**.

Further information has been requested from Elite Grains and the letter has been forwarded onto Civic Legal.

It is open to the Shire to exercise its discretion to hold off on enforcing the 401 notice and reach agreement with the owner on a staged winding down of the building use.

The risk that the Shire exposes itself to is that as the building is not approved by the Shire, and the Shire is aware that it is not approved, should anyone be injured due to a structural failure or design fault the Shire may be found to have been negligent or in breach of its statutory duty in not enforcing the notice.

If the Shire is going to agree a delay in enforcement then any agreement should be phrased that way, i.e. that the Shire agrees to forbear from enforcing the 401 notice until {date of extension}

Financial implications

Legal costs associated with this matter currently amount to \$7,699.

Voting Requirements:

Simple Majority

Recommendation:

For Councils information

Councillors Earnshaw and Patterson declared an interest in this item and left the meeting at 3.55pm.

Carne/Medlen

That Council instruct the Chief Executive Officer to write to the owners of Lot 13061 McKenzie Rd advising that Council will forbear from taking action to enforce compliance with the “pull down” notice issued and requesting written advise within 14 days answering the following queries prior to making a decision on this matter at the November Council meeting:

1. What is meant by the term “wind down”? Please advise how you intend to wind down the operation and what activities will be conducted in the shed during the winding down period.
2. Once you have moved your operations to the Eastern States, what will the sheds be used for? Will grain processing equipment be retained or moved out of the sheds?
3. Once the operations are wound down, will any staff be employed on the property as either employees or contractors?

Council also advise that 12 months is too long to wind down the business and a shorter more specific time be given by the owners.

**Carried 6/1
Resolution 98/10**

Councillors Earnshaw and Patterson returned to the meeting at 4.20pm

Report Reference:	8.4.13
Subject:	Reserve 20005 for the Purpose of Gravel
File Reference:	10.30.20
Statutory Reference:	N/A
Author & Date:	R.N. Duff 21 st October 2009

Background:

State Land Services has written to Council enquiring if the Reserve 20005 on the York-Williams Rd is surplus to our requirements. Map attached at **APPENDIX 6**.

Comment:

Advice from the Works Supervisor is that Reserve 20005 has been exhausted as a gravel supply and is surplus to our requirements.

As can be seen from the image the reserve is in Jamie Fowler's paddock and is currently being used for agricultural purposes.

Financial Implications:

Nil.

Voting Requirements:

Simple Majority

Recommendation:

That Council advise State Land Services that Reserve 20005 is no longer required by the Shire of Williams for the purpose of supplying gravel and that the vesting be relinquished.

Medlen/Earnshaw

That Council advise State Land Services that Reserve 20005 is no longer required by the Shire of Williams for the purpose of supplying gravel and that the vesting be relinquished.

**Carried 9/0
Resolution 99/10**

8.5 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT

Report Reference:	8.5.1
Subject:	Royalties for Regions Country Local Government Fund
File Reference:	3.5.1
Statutory Reference:	<i>Local Government Act 1996 – Finance Regulations</i>
Author & Date:	I.R. Ball 12 th October 2009

Background:

Council received an allocation of \$469,371 from the Royalties for Regions Country Local Government Fund in 2008/2009 for expenditure this year on capital and capital renewal projects. At a Special Meeting held on 31st March 2009 it was resolved to allocate the funds to the following projects:

<u>Organisation</u>	<u>Project</u>	<u>CLGF Allocation</u>
Williams St John Ambulance Sub Centre	New Facility	\$50,000
Williams Bowling Club	Replacement shades	\$3,000
Williams Stud Breeders	Roller Blinds	\$6,800
Tarwonga Tennis Club	Re-surface courts	\$60,000
Williams Cricket Association	New Cricket Nets	\$8,000
<u>Council Projects</u>	<u>Project</u>	<u>CLGF</u>
Swimming Pool	New Kiosk	\$209,450
Recreation Ground	Shade	\$50,000
Recreation Ground	Improvements	\$62,121
Shire Office	Repair Entrance	\$20,000

The Department of Local Government, who are administering the CLGF have since advised that shade sails, shade covers and roller blinds do not qualify for funding under the CLGF guidelines. Council subsequently resolved to fund the shade structures at the recreation ground and bowling club and roller blinds for the stud breeders pavilion from the Recreation Reserve and allocate a further \$59,800 from the CLGF to the Swimming Pool amenities upgrade, making a total of \$331,371 from this fund towards the project.

At the September 2009 meeting Council resolved to contribute \$40,000 from the Recreation Reserve to the Williams Tennis Club to assist with resurfacing three tennis courts. This project very clearly fits the CLGF guidelines. We could then show that we are putting some of our own funds towards the Swimming Pool project rather than totally from grant funds. (CLGF, RLCIP Fund – Federal Grant and Department of Sport & Recreation Grant)

Also I have reservations that repairs and renovations to the office entrance, unless it involves structural works, will qualify under the guidelines that state use of funds on routine maintenance outside of renewal expenditure is not permitted. This work could be funded from Reserves.

Recommendation:

That Council amends the allocation of Country Local Government Grant Funds and Reserve Funds in the 2009-2010 budget as follows:

Project:

Williams St John Ambulance	New Facility	\$50,000	CLGF
Tarwonga Tennis Club	Resurface Courts	\$60,000	CLGF
Williams Cricket Assoc.	New Cricket Nets	\$ 8,000	CLGF
Williams Tennis Club	Resurface Courts	\$40,000	CLGF
Williams Swimming pool	Amenities Building	<u>\$311,371</u>	CLGF
		\$469,371	
Williams Swimming Pool	Amenities Building	\$20,000	Reserve Fund
Shire Office	Repair Entrance	<u>\$20,000</u>	Reserve Fund
		\$40,000	

Johnstone/Medlen

That Council amends the allocation of Country Local Government Grant Funds and Reserve Funds in the 2009-2010 budget as follows:

Project:

Williams St John Ambulance	New Facility	\$50,000	CLGF
Tarwonga Tennis Club	Resurface Courts	\$60,000	CLGF
Williams Cricket Assoc.	New Cricket Nets	\$ 8,000	CLGF
Williams Tennis Club	Resurface Courts	\$40,000	CLGF
Williams Swimming pool	Amenities Building	<u>\$311,371</u>	CLGF
		\$469,371	
Williams Swimming Pool	Amenities Building	\$20,000	Reserve Fund
Shire Office	Repair Entrance	<u>\$20,000</u>	Reserve Fund
		\$40,000	

Carried 9/0
Resolution 100/10

8.5.2 ACCOUNTS FOR PAYMENT

Major/Medlen

That Municipal Fund cheques 102673 – 102685 and Direct Debits totalling \$111,512.82 and Trust Fund cheques 1109 – 1111 and EFT Transfers totalling \$1,792.00 approved for payment by the Chief Executive Officer be endorsed and that Municipal Fund cheques 102686 – 102705 totalling \$25,151.13 and EFT Transfer totalling \$74,284.46 be approved for payment.

Carried 9/0
Resolution 101/10

8.5.3 FINANCIAL STATEMENTS

Earnshaw/Carne

That the financial statements presented for the period ending 30th September 2009 be received.

Carried 9/0
Resolution 102/10

8.6 COUNCILLORS

Annual Bush Fire Brigade Meeting

Cr Johnstone advised that he chaired the Annual Bush Fire Brigade Meeting on Friday 16th October 2009.

Central Country Zone Meeting

Crs Cowcher and Earnshaw attended the Central Country Zone meeting at Wagin.

The President and Chief Executive Officer attended a luncheon with the Premier in Narrogin.

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

10.1 ELECTED MEMBERS

10.2 STAFF

Nil

11.0 INFORMATION SESSION

Cr Logie inquired regarding reinstatement of the footpaths on Brooking Street following works on the Fitzpatrick subdivision.

Cr Logie inquired regarding fogging the town for mosquitoes. Further inquiries are to be made on the cost of purchasing a fogging machine.

The President read out to Council a letter of appreciation from Graham Prowse regarding his time as a Councillor.

12.0 MEETING CLOSURE

There being no further business for discussion the President declared the meeting closed at 5.10pm