



AGENDA

Ordinary Council Meeting

Thursday 27 July 2017
@ 11:00 am

To be held in the Council Chambers, Hack St Sandstone



ORDINARY COUNCIL MEETING NOTICE PAPER

Thursday 27 July 2017 – 11:00 am

Dear President and Councillors,

An Ordinary Meeting of Council is called for Thursday 27 July 2017, in the Council Chambers, Hack Street, Sandstone, commencing at 11:00 am.

Councillors please note:

A Briefing Session will be held at the conclusion of the Council Meeting.

A handwritten signature in black ink, appearing to read 'H. Hawkins', is positioned above the printed name of the Chief Executive Officer.

Harry Hawkins
Chief Executive Officer

6 July 2017

PUBLIC QUESTION TIME

A 15 minute public question time is available to allow members of the public the opportunity of submitting questions to Council on matters concerning them. Questions should be submitted in writing prior to the meeting. The questions will be addressed by the President or their nominated person. Where an answer cannot be given at the meeting, a reply will be given in writing subsequent to the meeting.

Discussion will not be allowed.



DISCLAIMER

No responsibility whatsoever is implied or accepted by the Sandstone Shire Council for any act, omission, statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Sandstone Shire Council 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, statement, intimation or otherwise occurring during Council/Committee Meetings or discussions. Any person or legal entity that acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

*In particular but without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence or permit, any statement or limitation of approval made by an Elected Member or by a Staff Member of Sandstone Shire Council during the course of any Meeting is not intended to be and is not to be taken as notice of approval from the Sandstone Shire Council. The Sandstone Shire Council warns that anyone who has an application lodged with the Sandstone Shire Council must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application including any conditions attaching to the decision made by the Sandstone Shire Council in respect of the application.*

A handwritten signature in black ink, appearing to read 'H. Hawkins', is positioned above the printed name of the Chief Executive Officer.

Harry Hawkins
Chief Executive Officer

6 July 2017

Hack Street, SANDSTONE WA 6639
Tel (08) 9963 5802; Fax (08) 9963 5852
E-mail: ceo@sandstone.wa.gov.au



WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

NOTE: USE ONE FORM PER DECLARATION

I, (1) _____ hereby declare an interest in the following item to be considered by Council at its Meeting to be held on (2) _____ and regarding

Agenda item (3) _____

The type of interest I wish to declare is (4)

- Financial pursuant to Sections 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

The nature of my interest is (5)

The extent of my interest is (6)

I understand that the above information will be recorded in the Minutes of the Meeting and recorded by the Chief Executive Officer in an appropriate Register.

(Signature)

(Date)

RECEIVED BY:

(Chief Executive Officer)

(Date)

- (1) Insert your name.
- (2) Insert the date of the Council Meeting at which the item it to be considered.
- (3) Insert the Agenda Item Number and Title.
- (4) Tick the box(es) to indicate the type of interest (for explanation, see the extracts overleaf from the Act.
- (5) Describe the nature of your interest.
- (6) Describe the extent of your interest (if seeking to participate in the matter under the s.5.68 of the Act)

Financial pursuant to Section 5.60A of the Local Government Act 1995

s5.60A Financial Interest

For the purpose of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]

Proximity pursuant to Section 5.60B of the Local government Act 1995

s5.60B Proximity Interest

- (1). For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns –
 - (a). a proposed change to a planning scheme affecting land that adjoins the person's land;
 - (b). a proposed change to zoning or use of land that adjoins that person's land; or
 - (c). a proposed development (as defined in section 5.63 (5)) of land that adjoins the person's land.

- (2). In this section, land ("**the proposal land**") adjoins a person's land if –
 - (a). the proposal land, not being a thoroughfare, has a common boundary with the person's land;
 - (b). the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
 - (c). the proposal land is that part of a thoroughfare that has a common boundary with the person's land.

- (3). In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

[Section 5.60B inserted by No 64 of 1998 s. 30.]

Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995

s5.61 Indirect Financial Interest

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

reg 11 Disclosure of Interest

- (1). In this regulation –
Interest means an interest that could, or could reasonably be perceived to; adversely affect the impartiality of the person having the interest arising from kinship, friendship or membership of an association.

- (2). A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose the nature of the interest –
 - (a). in a written notice given to the CEO before the meeting;
 - or
 - (b). at the meeting immediately before the matter is discussed.

- (3). Sub-regulation (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4). Sub-regulation (2) does not apply if –
 - (a). A person who is a council member fails to disclose an interest because the person did not know he or she has an interest in the matter; or
 - (b). A person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.
- (5). If, under sub-regulation (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then –
 - (a). Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (b). At the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure related is discussed.
- (6). If –
 - (a). Under sub-regulation (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
 - (b). Under sub-regulation (5) (b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting.

The nature of the interest is to be recorded in the minutes of the meeting.

Describe the extent of your interest (If seeking to participate in the matter under s.5.68 of the Act)

s5.68 Councils and Committees may allow Members disclosing interests to participate etc. in Meetings

- (1). If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter
 - (a). may allow the disclosing member to be present during any discussion or decision making procedure relating to the matter; and
 - (b). may allow , to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision making procedures relating to the matter if –
 - (i) the disclosing member also discloses the extent of the interest; and
 - (ii) those members decide that the interest –
 - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
 - (II) is common to a significant number of electors or ratepayers
- (2). A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3). This sections does not prevent the disclosing member from discussing, or participating in the decision making process on, the question on whether an application should be made to the Minister under section 5.69.

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**SHIRE OF SANDSTONE
ELECTED MEMBER'S REQUEST FORM**

Councillor's Name: _____

Date: ____/____/2017

Urgency: Low / Medium / High / Strategic

Road / Public Building / Area: _____

Request: _____

Description: _____

OFFICE USE ONLY:-----

Action Taken: _____

Comment: _____

Completed: ____/____/2017

Signature: _____

Inspected and/or authorised by: _____
(Chief Executive Officer)

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Councilor's Claim for Sitting Fees and Travel

Councillor _____

Creditor No _____

<i>Date</i>	<i>Meeting</i>	<i>Sitting Fees</i>	<i>Travel Km's</i>	<i>Amount</i> <small>.7087 cents per km</small>
Date of Meeting	Type of Meeting	\$170/ \$340	No of km's	Office Use
	Full Council			

Fees payable are in accordance with the Local Government Act (5.98) – Administration Regulations (30)

Total		Total
<input style="width: 100%;" type="text"/>		<input style="width: 100%;" type="text"/>
04109	Line Item 370	04100
		TOTAL: <input style="width: 100%;" type="text"/>

OTHER MEETINGS ATTENDED IN THE MONTH

Date	Meeting	Km's	Vehicle supplied?

If this form is not filled out correctly with all information the claim for payment will be rejected.

_____ (Signature) _____ (Date)

Calculations Checked _____ Date _____

Goods Received / Payment Approved _____

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ORDINARY COUNCIL MEETING TO BE HELD ON 27 July 2017
AGENDA SUMMARY and TABLE OF CONTENTS

PAGE	AGENDA	ITEM	MINUTE No.
15	1.0	Declaration of Opening and Announcement of any Visitors	
15	2.0	Announcements from the Presiding Member and/or Councillors (without discussion unless otherwise determined)	
15	3.0	Attendance	
15	4.0	Response to Previous Public Questions Taken on Notice	
15	5.0	Applications for Leave of Absence	
16	6.0	Declarations of Interest	
16	7.0	Public Question Time	
16	8.0	Confirmation of Minutes from Previous Meeting(s)	
16	8.1	Ordinary Council Meeting – 22 June 2017	/17
16	9.0	Presentations	
17	10.0	Officer's Reports	
17	10.1	Chief Executive Officer's Reports	
17	10.1.1	Status Update Report – July 2017	/17
20	10.1.2	Appointment of Returning Officer 2017 Ordinary Council Election	/17
21	10.1.3	Murchison Geo Tourism Project	/17
23	10.1.4	Council 2017-2018 Road Program	/17
24	10.1.5	Fees and Charges 2017-2018	/17
26	10.1.6	Differential Rates 2017-2018	/17
27	10.1.7	18 Green Street Sandstone	/17
29	10.2.1	Financial Statements for the Month of June 2017	/17
30	10.2.2	Accounts Update for the Month of June 2017 (includes for Credit Cards, the Caravan Park & Fuel Sales)	/17
32	10.3.1	Town Planning - Development Application TP-17-001	/17
35	10.3.2	Activity Report June/July Visits to Sandstone	/17
40	10.4.1	Works Supervisors Report	/17
42	11	Motions of which Previous Notice Has Been Given	
42	12	Questions from Members Without Notice	
42	13	New Business of an Urgent Nature Introduced by Decision of the Meeting	
42	14	Meeting Items Closed to the Public	
42		Time and Date of Next Meeting	
42	15	Closure of the Meeting	
42		Certification of the Minutes of the Previous Meeting(s)	



AGENDA and STAFF REPORTS
ORDINARY COUNCIL MEETING TO BE HELD IN
COUNCIL CHAMBERS, SANDSTONE ON THURSDAY, 27 July 2017

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF ANY VISITORS

The Presiding Member, Cr Bethel Walton (Shire President) to declare the Meeting open at 11.00 am.

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER AND/OR COUNCILLORS (without discussion unless otherwise determined)

Nil

3 ATTENDANCE

3.1 Present

Elected Members

Cr B (Bethel) Walton Shire President (and Presiding member of this Meeting)

Cr C (Carol) Hodshon Deputy Shire President

Cr F (Freda) May

Cr D (David) Lefroy

Cr J P Bennett

Cr K (Kerry) Key

Staff Members

Mr Harry Hawkins Chief Executive Officer

Mr Danny Humphries Works Supervisor

3.2 Apologies

3.3 Approved Leave of Absence

Nil

4 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

5 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6 DECLARATIONS OF INTEREST

- 6.1 Declarations of Financial Interest
- 6.2 Declarations of Proximity Interest
- 6.3 Declarations of Indirect Financial Interest
- 6.4 Declarations of Impartiality Interest

7 PUBLIC QUESTION TIME

Nil

8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

- 8.1 That the Minutes of the Ordinary Meeting of Council held on 22 June 2017 be confirmed as a true and accurate record of proceedings.

STAFF RECOMMENDATION

MOVED: Cr

SECONDED: Cr

That the Minutes of the Ordinary Meeting of Council held on 22 June 2017 are confirmed as a true and accurate record of proceedings.

NOT/CARRIED (??)

9 PRESENTATIONS

- 9.1 Petitions
Nil
- 9.2 Presentations
Nil
- 9.3 Deputations
Nil
- 9.4 Delegates/Councillor's Reports
Nil

10 OFFICERS REPORTS

10.1 CHIEF EXECUTIVE OFFICER'S REPORTS

10.1.1 Status Report Update – July 2017

Agenda Reference: CEO 07/17 - 01
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 6/07/2017
File No:
Previous References: Various
Author: **Harry Hawkins, CEO**



Signature of Author:

Summary

The purpose of this report is to advise Council on the status of its decisions from previous Council meetings.

Attachments

10.1.2A Status Update July 2017

Background

It is important that the Council receives an update on the outcome of its resolutions on a regular basis.

Comment

As per the comments in the body of this report.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

Staff Recommendation

MOVED: Cr

SECONDED: Cr

That Council accepts the Status Update for July 2017

CARRIED/NOT CARRIED (?!?)

Status Update July 2017

The Status Update is used to provide information to Elected Members regarding the Status of decisions made at Council Meetings:

Meeting Date	Item No	Resolution (Action Required)	Response (Update)	Officer	Timeframe
August 2016					
66/16	10.1.3	That Council – 1. notes the submissions from the Department of Local Government and Communities in relation to the following proposed Dog Local Law. 2. resolves to make the Dog Local Law noted above as per the attached drafts, incorporating amendments outlined by the Department of Local Government and Communities; 3. authorise the affixing of the Common Seal to the Dog Local Law; 4. publish the Dog Local Law noted above, in the Government Gazette; 5. provide copy of the local law to the	15/08/16 Final adopted versions of Dogs LL received from Niel Mitchell 19/08/16 • Dogs local Laws signed and sealed by the Shire President and Acting CEO; • Copies sent to Niel Mitchell for submission to the Joint Standard Committee on Delegated Legislation 26/08/16 Draft advert for local public notice received regarding	CEO/Finance Officer	

		Minister for Local Government; 6. forward a copy of the Gazetted Local Laws, explanatory memoranda and associated documentation to the Parliamentary Joint Standing Committee on Delegated Legislation for review.	notification of the adoption and <i>Gazetta</i> today of the Dogs Local Laws 09/09/2016 Signed copies Dogs Local Laws and Explanatory memoranda and associated documentation signed by the President and CEO sent to Parliamentary Joint Standing Committee on Delegated Legislation for review.	
85/16	10.1.3	That Council request an inspection of the houses with a view to purchasing them if structurally sound and price is reasonable.	28/9/2016 Keys received and houses inspected. Department Contacted for price and further details. 10/03/2017 Email sent to officer at the Department of Housing for an update on this proposal. 20/03/2017 email received from department of housing providing update on progress of proposal 29/05/2017 update received from MRAC transfer back to Dept. of Housing to be finalised early June	
12/17	10.3.1	That Council approves having the map of Bush Fire Prone Areas reassessed and pushed out further from the boundaries of the Sandstone town site	15/03/2017 Email sent to Bill Atyeo advising him of Council's decision	
31/17	10.1.7	That the plaque recognising George Dent at Hack's mine is reinstated and his family is offered the opportunity for a plaque to be placed in the new Heritage Park.	03/05/2017 Letter sent to family of George Dent advising them of Council's decision	

Legend

Category	Status
Not Started	
In Progress	
Completed	

Agenda Reference:	CEO 07/17 – 02
Location/Address:	Shire of Sandstone
Name of Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	6 July 2017
Author:	Harry Hawkins Chief Executive Officer

Summary

Council is requested to approve the appointment of Chief Executive Officer Harry Hawkins as returning officer for the 2017 Local Government elections to be held on the 21st October 2017.

Attachments

Election Timetable

Background

Each 4 Years half of the offices of elected members of Council must be declared vacant and elections held to fill them. Local Government has the option to appoint the WA Electoral Commission to run the election for them in the form of a postal vote or to run the election themselves as a voting in person election. Local Governments cannot run their own postal vote election.

To oversee the election process a returning officer is to be appointed. Where the Electoral Commission hold the election they will appoint their own returning officer however where the local government conduct the election the CEO is automatically the returning officer unless other arrangements are made.

Comment

The cost to appoint the Electoral Commissioner to run a postal vote election is prohibitive for most small local governments such as Sandstone so it is recommended a voting in person election run by the shire is held. This will require a returning officer to be appointed, The current CEO has acted as returning officer in many elections at his previous local government and is confident that he can perform the role effectively in the Shire of Sandstone.

Consultation

Nil

Statutory Environment

Local Government Act 1995:

Policy Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple majority

Officer Recommendation

MOVED: Cr

SECONDED: Cr

That Council hold a voting in person election for the October 2017 ordinary local government elections with the Chief Executive Officer Harry Hawkins acting as Returning Officer.

CARRIED/NOT CARRIED (?!?)

10.1.3	Murchison Geo Tourism Project
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Agenda Reference:	CEO 07/17 – 03
Location/Address:	Shire of Sandstone
Name of Applicant:	CEO Harry Hawkins
Disclosure of Interest:	Nil
Date of Report:	19 July 2017
Author:	Harry Hawkins, Chief Executive Officer

Summary

The Local Governments of the Murchison region have been working on a proposal for a Geo Tourism project with each local government expected to commit to provide \$5,000 cash contribution and in kind contributions to the consultant during site visits.

Attachments

Draft Scope of Works and Professor Ross Dowling Suggestion

Background

Western Australian Tourism received proposals for 90 tourism initiatives that were cut to 6 with the Murchison Geo Tourism project one of the 6 to make the cut.

The Mid West Development Commission (MWDC) in its Blue Print for the future development of the region published in 2016 included the Murchison Geo Tourism project the first part of which requires \$85,000 of funding, \$50,000 was allocated from MWDC grant funds and the remaining \$35,000 is required from the individual shires participating in the project at \$5,000 each.

Comment

A draft scope of works is attached and has been developed to describe the project that a consultant will be employed on to objectively assess the sites and prepare a detailed development plan. A Project Steering Group will be formed by the stakeholders who will work with the consultants to evaluate the sites in the Murchison to see which ones will appeal to tourists or could appeal with some investment.

The next phase of the project will be to determine the feasibility of the sites in relation to their suitability as geo tourism sites including what permits or approvals are required and what infrastructure is required to allow access plus any barriers to them being developed for geo tourism. Stage 2 will also look at enhancements to make sites more appealing, development of smart phone apps and access to mobile telephone networks to enable enhanced interpretation and information for visitors. Of equal importance is the availability of accommodation and roads to link feasible sites. Given the distance between the sites alternative ways of linking sites will need to be considered using technologies that may allow virtual connections and alternative offsite interpretation options.

If phases 1 and 2 determine that there are sufficient significant sites that can be developed at a reasonable cost then the project will proceed to phase 3, the Development plan.

The Development plan will outline the steps required to deliver the proposed Murchison Geotourism Project and will provide the Project Steering Group (PSG) with an agreed action plan to implement the project. The project is led by the Shire of Mount Magnet on behalf of the shires of Cue, Meekatharra, Mount Magnet, Murchison, Sandstone, Wiluna and Yalgoo no makeup of the PSG has been agreed upon as yet however it is anticipated that each shire will be represented on that group.

Professor Ross Dowling OAM Foundation Professor of Tourism at Edith Cowan University attended the recent meeting in Mount Magnet and travelled out to Sandstone to see London Bridge and by all accounts he was quite excited about the sites that exist in the Murchison region and was very supportive of the project going forward and provided the attached proposal as an alternative to the draft scope of works.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

There are no known financial implications Shire costs are included in the budget

Strategic Implications

Nil

Voting Requirements

Simple majority

Staff Recommendation

MOVED:

SECONDED:

That Council agrees to

1. participate in the Murchison Geo Tourism Project and confirms the commitment to provide a \$5,000 cash contribution plus up to \$5,000 in kind contributions to support the consultant while on the ground in our shire.
2. Support the alternative proposal put forward by Professor Ross Dowling after his visit to the region in early July

CARRIED/NOT CARRIED (?!?)

10.1.4 Council Road Program 2017-2018 Budget

Agenda Reference:	CEO 07/17 – 04
Location/Address:	Shire of Sandstone
Name of Applicant:	Nil
Disclosure of Interest:	Nil
Date of Report:	17 July 2017
Author:	Harry Hawkins, Chief Executive Officer

Summary

The Works Supervisor and consultant engineer Katie Hall from K Team have put together a list of road projects on the shires road network however they can't all be done this year and need to be prioritised.

Attachments

List of identified road projects

Background

In April 2017 Katie Hall from K Team provided consultant engineering services to assist the Works Supervisor and among those services was a requirement to assess and cost up road projects that fix problems within the Shire of Sandstone road network. The total cost of projects that were assessed and costed is in excess of \$5m and well beyond the capability of the shires works crew to complete in one year.

Comment

The attached list of road projects were assessed and costed by Katie Hall from K Team in association with the Works Supervisor after a drive around the shire road network. Some of the work may be covered by flood damage funding however the majority will not be as the assessment was done after the flood damage assessment by Greenfield Technical Services and Main Roads.

The work to be funded and completed within budget and work force capabilities based on previous years is approximately \$1.8m however with new equipment and projected productivity gains it is expected that at least \$2m worth of projects should be included in the coming years budget.

Consultation

Works Supervisor

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

STAFF RECOMMENDATION

MOVED: Cr

SECONDED: Cr

That Council prioritise the Council funded road projects so that \$2m worth of projects from the attached list is included in the 2017-2018 budget.

CARRIED/NOT CARRIED (??)

10.1.5	2017-2018 Fees and Charges
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Agenda Reference:	CEO 07/17 – 05
Location/Address:	Shire of Sandstone
Name of Applicant:	Nil
Disclosure of Interest:	Nil
Date of Report:	17 July 2017
Author:	Harry Hawkins, Chief Executive Officer

Summary

As a part of the Annual Budget process a list of Fees and Charges is to be prepared each year. Any charges that are not included in the list adopted with the annual budget need to be advertised at the time they are introduced before they can be charged.

Attachments

List of proposed fees and charges for 2017-2018

Background

Each year a list of proposed fees and charges for shire services is to be adopted as a part of the budget process. Any charges that are not included in the list adopted with the annual budget need to be advertised at the time they are introduced before they can be charged.

The attached list of fees and charges has been completed based on the 2016-2017 list plus other items adopted during the 2015-2016 year with some items being increased in line with state government direction for statutory fees or CPI for local services.

Comment

The attached list of proposed fees and charges for the 2017-2018 year are presented to Council for acceptance and inclusion in the adopted budget.

Consultation

Administration Staff

Statutory Environment

Local Government Act 1995, Local Government (Financial Management Regulations)

Policy Implications

Fees and Charges are included in several Policies

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Absolute majority

STAFF RECOMMENDATION

MOVED: Cr

SECONDED: Cr

That Council endorse and adopt the attached Fees and Charges Schedule for 2017-2018 for inclusion in the municipal budget.

CARRIED by ABSOLUTE MAJORITY /NOT CARRIED (?/?)

10.1.6 Differential Rates 2017-2018

Agenda Reference: CEO 07/17 – 06
Location/Address: Shire of Sandstone
Name of Applicant: Nil
Disclosure of Interest: Nil
Date of Report: 17 July 2017
Author: Harry Hawkins, Chief Executive Officer

Summary

As in previous years the shire requires Ministerial approval as in its 2017-2018 budget wishes to impose differential rates where the rate in the dollar for UV mining rates is more than double the level of rates charged for UV rural rates and for GRV Mining and transient workforce accommodation is more than twice the rate in the dollar for town site GRV.

Attachments

Submissions received after advertising the proposed rates and Objects and Reasons for the proposed rates.

Background

At its June 2017 ordinary meeting Council resolved to raise rates by 2% across the board while not taking into account the changes in valuations for mining tenements and leases. This rating proposal was then advertised on the shires website and in the shires Bush Telegraph newsletter with notices and copies of the statement of Objects and Reasons sent to the majority of mining ratepayers asking for submissions on the proposal. There is no newspaper that circulates throughout the shire of Sandstone where the proposal could be advertised.

Comment

The advertising period closed on the 20th July 2017 and there was only one submission received by the due date from MMTS requesting a further differential rate for prospecting and exploration leases who make no money as opposed to mining ratepayers who were extracting minerals and receiving money. While it is agreed that exploration and prospecting leases are not making money the increased activity by drilling crews and heavy drilling trucks are using up the shires resources in roads, water supply and other services to almost the same level as miners producing product for financial gain.

Consultation

Mining ratepayers

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Absolute majority

STAFF RECOMMENDATION

MOVED: Cr

SECONDED: Cr

That Council endorse the application to the Minister for permission to adopt a differential rate in the dollar for UV mining ratepayers that is more than twice the rate in the dollar for UV rural ratepayers and for GRV mining and transient workforce accommodation that is more than twice the rate in the dollar for GRV town site after considering but disregarding the submission received from MMTS.

CARRIED by ABSOLUTE MAJORITY /NOT CARRIED (??)

10.1.7	18 Green Street Sandstone
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Agenda Reference:	CEO 07/17 – 07
Location/Address:	Shire of Sandstone
Name of Applicant:	Nil
Disclosure of Interest:	Nil
Date of Report:	19 July 2017
Author:	Harry Hawkins, Chief Executive Officer

Summary

The Housing Authority are selling the ex MRAC houses in Sandstone however one of the houses at 18 Green Street remains tenanted by James Laylan and the shire has been requested to take over the lease from the Murchison Regional Aboriginal Corporation (MRAC) until Mr Laylan can possibly purchase or vacate the property.

Attachments

Draft Head Lease Agreement

Background

In September 2016 the then Department of Housing contacted the shire to see if we were interested in purchasing and managing the houses in Sandstone formerly owned and managed by the Murchison Regional Aboriginal Corporation. During those discussions it was pointed out that the house occupied by Mr James Laylan would not be sold but that we are encouraged to take over the Head lease on that property so that Mr Laylan would have secure tenancy as long as he needed it.

Comment

The Department of Housing now known as the Housing Authority under the Department of Communities contacted the shire to once again ask if we would take on the Head Lease for 18 Green Street Sandstone and we would then lease the property to Mr Laylan until he actually purchases the house or vacates it. Mr Laylan has indicated to the authority that he is hoping to purchase the property however his financial capacity to do so is not known.

The housing authority has set down the process for this to happen as follows;

- Shire of Sandstone, agree to take on a Head Lease for 18 Green Street Sandstone
- Conduct a property inspection in partnership with Murchison Region Aboriginal Corporation
- Negotiate any maintenance
- Prepare new tenancy agreements for Mr Laylan
- Complete Ingoing Property Condition Report (copy for Shire copy for Mr Laylan)
- Mr Laylan to commence rent

Under the Head Lease and the National Affordable Housing Agreement Mr Laylan's rent for the house can be no higher than 25% of his income.

Consultation

The Housing Authority

Statutory Environment

Housing Act 1980, National Affordable Housing Agreement.

Policy Implications

Nil

Financial Implications

Unknown as although the shire would collect rent it would be responsible for maintenance on the house over and above any issues negotiated at take over

Strategic Implications

Nil

Voting Requirements

Simple majority

STAFF RECOMMENDATION

MOVED: Cr

SECONDED: Cr

The Council do/do not agree to take over the Head Lease for James Laylan's home at 18 Green Street Sandstone and enter into a lease with him for the property until he either purchases or vacates the property.

CARRIED /NOT CARRIED (?/?)

10.2 FINANCIAL REPORTS

10.2.1 FINANCIAL STATEMENTS FOR MONTHS OF JUNE 2017

Location: Shire of Sandstone
Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 12 June 2017
Author: **Harry Hawkins, Chief Executive Officer**



Signature of Author:

Summary

The Statement of Financial Activity reports for the month ending 30 June 2017 are presented to Council in accordance with *Regulations 34 of the Local Government (Financial Management) Regulations 1996*.

Attachments

10.2.1A: Monthly Financial Report for the period ended 30 June 2017

Background

The Financial Management Regulations require a monthly statement of financial activity to be presented to Council.

Summary of Funds – Shire of Sandstone as at: 30 June 2017

Municipal Cheque Account - On-line (BWA)	\$16,230.47
Municipal Investment Account – On-line (BWA)	\$166,508.63
Municipal Term Deposit Account (Bankwest)	\$304,735.09
Trust Fund (Bankwest)	\$7,667.30
Reserve Term Deposits (Bankwest)	\$4,028,229.84
New Money Market accounts	\$1,225,000.00

Consultation

Finance Officer

Statutory Environment

Local Government (Financial Management) Regulations 1996 - Regulations 34 (1A) and 17.

The Regulations require a Local Government to prepare each month a statement of financial activity, accompanied by relevant documents and that this information must be presented to Council at an ordinary meeting within 2 months after the end of the month.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

STAFF RECOMMENDATION

MOVED: Cr

SECONDED: Cr

That Council accepts the Statement of Financial Activity for the months of June 2017 as presented, including the attachments 10.2.1A Monthly Financial Reports for June 2017.

NOT/CARRIED (??)

10.2.2 ACCOUNTS UPDATE FOR THE MONTH of JUNE 2017 (Includes Credit Cards, the Caravan Park, Fuel Sales and Rates report)

Location: Shire of Sandstone
Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 13 July 2017
Author: Rhonda Miles – Finance Officer
Senior Officer: Harry Hawkins – Chief Executive Officer

Summary

Presented for Council's information is the list of accounts paid in the month from the Municipal Fund and Trust Fund in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*. Payments made through the corporate credit cards as well as income from the Caravan Park and Fuel Sales are included as attachments.

Attachments

10.2.2A to C: The list of accounts (EFT and cheque payments) is attached which will enable Council to see the payments made to the Shire's creditors.

10.2.2D to F: Payments via Credit Cards (CEO and Works Supervisor), Caravan Park Income and Fuel Sales Income.

Background

Council has delegated to the CEO the exercise of its power under Financial Management Regulation 12 to make payments from Municipal Fund and Trust Fund.

The *Financial Management Regulations (Regulation 13 (3))* requires a schedule of payments made through the Shire's bank accounts to be presented to Council. The lists include details for each payment made incorporating the payee's name, amount of payment, date of payment and a brief transaction description.

Comment

Invoices supporting all payments are available for inspection. Queries regarding any payment should be made through the CEO to the staff member who handles the financial transactions prior to this meeting.

All invoices and vouchers presented to Council have been certified as to receipt of the goods or services and that the amounts shown were due for payment.

Consultation

Nil

Statutory Environment

Local Government Act 1995

Financial Management (Local Government) Regulations 1996 – Regulation 12

Policy Implications

Payments have been made under Council delegation.

Financial Implications

Funds were available to meet the expenditure.

Strategic Implications

Nil

Voting Requirements

Simple majority

STAFF RECOMMENDATION

MOVED: Cr

SECONDED: Cr

That Council endorses the June 2017 accounts paid as presented:

Municipal Fund June 2017

- Municipal Printed cheque numbers 105143 - 105152 totalling \$16,934.52
- EFT Payment Numbers 5441 – 5530 totalling \$1,711,866.64
- Superannuation \$7,632.44 & \$6,855.07 totalling \$14,487.51
-

Trust Fund June 2017

- Trust printed cheque numbers 205035 – 205037 totalling \$1,406.80

Payroll EFT:

\$33,906.56 and \$34,338.00 totalling \$68,244.56

Credit Cards:

DD 3282.1 totalling \$3550.10

NOT/CARRIED (??)

10.3 HEALTH, BUILDING and TOWN PLANNING

**10.3.1 Town Planning – Development Application TP17-001 – Dwelling – Lot 92 (#9)
Payne Street Sandstone**

Location/Address: Shire of Sandstone
Name of Applicant: Jay Pendlebury - Owner
Disclosure of Interest: Nil
Date of Report: 16th July 2017
File No:
Previous References:
Author: Bill Atyeo – Environmental Health Surveyor



Signature of Author:

Summary

Mr Pendlebury has applied for approval to develop a dwelling at the stated Lot 92 Payne Street – Sandstone. The house is already in place and this is an application for retrospective approval by Council. The original documentation submitted appeared to have been lost in

the move from the old building to the new one. There has also been a delay in the production of the building permit application and documents and so that too will have to be retrospective when completed.

Attachments

Layout Plans of the concept envisaged and submitted by Mr Pendlebury.

Background

Mr Pendlebury acquired the second-hand buildings to be used and renovated to a dwelling Class 1a and transported them to Lot 92 Payne Street after gaining verbal approval by the then CEO (Mia Dohnt). The condition to the approval to place the buildings on the allotment was that Mr Pendlebury gain approval under Planning from Council.

Mr Pendlebury did submit plans at that stage, but the documents required to be submitted were inadequate in detail for Council to make a decision and Mr Pendlebury was verbally requested to upgrade the plans and submit the more detailed plans for assessment. The original plans were misplaced in the transitional move from the old Council building to the new one and so Mr Pendlebury was requested to re-submit his application and the documentation.

Council has now received the plans redrawn to an acceptable standard along with the official application form. Mr Pendlebury has also submitted an application for a Building Permit which is currently being assessed.

Comment

The Land, Lot 92 Payne Street, is zoned "Rural Townsite Zone" under the Shire of Sandstone Town Planning Scheme No2.

The objectives of this zone are:

To provide for a range of land uses that would typically be found in a small country town.

To provide a flexible approach to development to encourage the growth of the Sandstone townsite.

Ensure the existing amenity and character of the Sandstone townsite is retained by ensuring the compatibility of considered land uses.

Ensure the efficient use of services and infrastructure within the Sandstone townsite.

To ensure Sandstone is the focus for urban settlement.

The intended development is a dwelling, utilising two second-hand "donga" type buildings, sheltered and contained under a common roof structure, creating an outdoor area between the two for outdoor living, sheltered by the common roof structure.

It is noted that the two buildings show signs of wear and tear from the elements, and issues around this are highlighted in the conditions I recommend to Council as part of the approval process.

The main issue is the effect these type buildings can have on the general amenity of the area. This needs to be reasonable as the adjacent building to the South is "rural" (shed), and on the Northern side there is Council's park.

Noted also is that the development includes a workshop or garage for storage to the rear of the complex. As Mr Pendlebury is an electrician, mainly working away, the workshop will be utilised while at home in Sandstone, which is permitted as it would be classed as a "home occupation".

I will be recommending approval be given, but with conditions placed on the approval that are binding under the Town Planning Scheme No 2.

The recommendation below can be added to or altered by Council as it sees appropriate.

Consultation

Mr Jay Pendlebury
Harry Hawkins – Chief Executive Officer

Statutory Environment

Shire of Sandstone Town Planning Scheme No 2

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

STAFF RECOMMENDATION

MOVED: Cr

SECONDED: Cr

That Council determine to permit the development of a dwelling on Lot 92 Payne Street in accordance with the plans submitted by Mr Pendlebury, with the Permit subject to the following conditions which form part of this approval.

1. The Common Roof over the whole of the “dongas” type buildings is to ensure that the facades are such that the roofs of the dongas are not visible to the general public. That is, the facades are wide enough so that the roofs of the dongas are not seen by a person standing on the footpath looking at the dwelling.
2. The areas between the finished ground level and the finished floor level are to be filled with suitable screening so that the underneath of the buildings are not visible.
3. The outside surfaces of the “dongas” are to be painted with new neutral coloured and aesthetically pleasing paint. The developer should advise the Chief Executive Officer of his choice of colours before purchasing the paint and applying it to the exterior surfaces of the buildings.
4. All stored vehicles, materials and goods are not to be seen from outside of the allotment and are to be screened with solid fencing as required.

The front yard and surrounds are to be maintained in a clean and tidy state with no materials stored in accordance with Condition 4 above.

There is to be no further building development on the allotment other than the dwelling and workshop, unless the proposal is placed before Council as a Planning Application and this is approved by Council.

NOT/CARRIED (??)

Agenda Reference: CEO 07/17 – 03
Location/Address: Shire of Sandstone
Name of Applicant: Nil
Disclosure of Interest: Nil
Date of Report: 18 July 2017
Author: Bill Atyeo – Environmental Health Surveyor

Summary

To provide Council with an Activity Report on the operations of Council's Infrastructure division.

Attachments

None

Background

As Council's Environmental Health and Building Surveyor, I was in attendance on the 20th June and 18th July 2017.

Issues:

1. Building Permits:

There were nil building permits issued since my last report.

The monthly reports to the Australian Bureau of Statistics (ABS) and other Organisations/ Departments are submitted on a monthly basis even if there were Nil Building Permits issued. This is a legislative requirement.

2. Food Business :

I inspected the premises at Outback Accommodation in the presence of the owners.

The Caravan: Mentioned to me was that the caravan on the site was being occupied by someone. My inspection and speaking with the owners revealed that the van was their own van to be used on holidays in the near future and that no-one is permitted to use the van except for the owners. This was evident when the inspection was conducted. No issues required follow-up.

I spoke with the owners in regards to food preparation for customers hiring the lodgings. They stated that some guests joined them in for the evening meal and all meals were bar-b-ques cooked in the open. The owners asked whether or not they could apply for a Food Business registration as there could be times when they could gain extra income by charging the guests when it was appropriate.

I then inspected the kitchen where food might be prepared as it has had an upgrade carried out. With stainless steel benches and new flooring and other renewed items, I

could see no reason why they could not. The owners stated that all the meat is cooked on the bar-b-que and served outside.

I informed them that I would email a Food Notification form and would start the process to register them as a food premise.

I then inspected the accommodation units which have been renovated over a little time and I am pleased with the great work that they have carried out. It was explained to me that there are two of the units yet to receive the facelift, but what they have done is really good. The kitchen also has had a facelift and there are more renovations yet to be completed before the owners are satisfied with it all.

The owners are to be commended for raising the standards of their accommodation and for offering such accommodation to the general public.

- Black Range Tea Room. I called in to see the facility when it was all set-up (unfortunately the coffee was not on at the time). I have had numerous positive and complimentary comments (unsolicited) about this little shop in Sandstone. Travellers are extremely impressed with what is offered and what is on offer in a little town like Sandstone.

To me it reinforces the value to a community and the possible flow-on to others when a town invests in itself and grows the travelling public. People lose sight of the fact that a cohesive community, working together in positive directions and being supportive of each other will grow the community and benefit all in so many ways

Fee and Macky are to be commended.

3. Bush Fire Prone Maps:

Discussions with the people that will perform the evaluation and amendments to the State Bush Fire Prone areas maps for Sandstone have progressed and I have forwarded the quote for all of this work to the CEO. There is a lot of area to cover in Sandstone as the bush fire prone area really encroaches on the townsite. However, there will be positive outcomes for this, and the data collected will be stored along with assessments on the data base of the company. This means that in the future, if we need advice then they will be able to assist us, without the need to travel to Sandstone to do it.

4. Septage Waste:

What do people say? "Up to your ears in it". Well this trip reflects that. I have contacted Controlled Waste Division of DER and started the process (made application) for the Shire to become a Licensed Controlled Waste Operator. If this is granted, then we will need to License the Truck with them, as well as a Driver (or two).

However, we need to have a licensed area for the Shire to dispose of the very small quantities of effluent pumped each year. So, I have emailed the DER (Department of Environmental Regulation) seeking advice and guidance on what we need to do in order to have our tip licensed the same as Mount Magnet and Meekatharra, which allows them to dispose of 100 tonnes (100,000 litres) per year.

I sent the following email to them and cc'd CEO and Works Supervisor:

The Shire of Sandstone is experiencing great difficulty in handling/disposal septage waste within its town. The town of sandstone has approx. 67 persons and in cases of emergency, a residential premises is required to have its septic tanks pumped out, and on infrequent occasions the tanks at the Caravan Park need pumping out.

The Shire has applied to become a licensed Controlled Waste Operator with CW division. However, our dilemma is the disposal of the waste as we have been informed that we are not permitted to dispose of the K210 waste at the tip.

Our closest Shire which is permitted to accept a limited quantity of effluent is Mount Magnet and that is 156 Kms from Sandstone. However, we are aware that this facility is overtaxed and is currently not accepting waste from outside of their Shire.

Therefore, the closest available facility is Geraldton, which is approx 500 Kms from Sandstone.

Could you please advise the Shire of Sandstone, whether or not we can license our tip, similar to Mount Magnet and Meekatharra, so that we are able to dispose of up to 100 tonnes of K210 waste per annum, given that we would only require approx 30 tonnes per year and that would be extremely rare occurrence?

This issue is extremely urgent as the possible health risks and costs to the individual is unacceptable.

Your assistance in addressing this issue would be greatly appreciated and a timely response would be wonderful.

Please contact the CEO (Mr Harry Hawkins) or myself for further information and discussion if required.

Respectfully”

I have received the following email from Mr Steve Checker - Manager Licensing (Waste Industry) DER.

“Facilities receiving under 100 tonnes of liquid waste per year do not typically require licensing, however I understand from our Compliance and Enforcement area that direct discharge of sewage to the environment may be a breach of the Environmental Protection (Unauthorised Discharges) Regulations 2004 (UDRs) for which holding a liquid waste facility licence is a defence. Therefore such facilities would either need to be licensed or

have the waste contained so that there is no discharge to the environment (e.g. lined pond) to achieve compliance with the UDRs.

It appears from this email that we do not have to license the facility we intend to use for the disposal of up to 100,000 litres providing the trench is lined, and may I suggest that the trench be fenced to exclude native fauna access to that area.

5. Development – Lot 92 Payne Street – Mr Jay Pendlebury:

I have prepared an agenda item in regards to this and forwarded it to the CEO for inclusion at the next available Council meeting.

6. Reports to the Department of Health – Food Act and Public Health Act:

I will shortly complete the two reports required to be completed and submitted online to the Department of Health WA.

This year is the first year that we have had to submit a written report on the new Public Health Act 2016. As well as this we are also required to submit a report to the Department of Health in regards to Section 121 of the Food Act 2008.

Public Health Act 2016:

For the first reporting year Local Governments are able to partake in two parts of Public Health Act 2016 reporting. The first part is a set of mandatory questions and the second is a set of optional questions. Local Governments are being asked a number of optional questions about the 2016/2017 financial year as a way to assist the Department of Health in the **regulatory review** process that is occurring as part of the Public Health Act 2016 roll out and implementation.

We are encouraged to participate in the optional reporting as all responses will assist the Department of Health to get a greater understanding of the public health risks in your local area and how they are currently managed, provide data to the Regulatory Gatekeeping Unit and ensure that they continue to be effectively managed in future legislation.

The regulatory review process is all Environmental Health Regulations that currently sit under the **Health (Miscellaneous Provisions) Act 1911**; this includes:

- *Hairdressing Establishment Regulations 1972*
- *Health (Skin Penetration Procedure) Regulations 1998*
- *Health (Garden Soil) Regulations 1998*
- *Health (Cloth Materials) Regulations 1985*
- *Fly Eradication Regulations 1961*
- *Health (Pesticides) Regulations 2011*
- *Health (Prescribed Insect Pests) Regulations 1991*
- *Construction Camp Regulations 1970*
- *Health (Air-Handling and Water Systems) Regulations 1994*
- *Health (Aquatic Facilities) Regulations 2007*
- *Health (Asbestos) Regulations 1992*
- *Health (Construction Work) Regulations 1973*

- *Health (Offensive Trades Fees) Regulations 1976*
- *Health (Public Buildings) Regulations 1992*
- *Health (Section 112(2) Prohibition) Regulations 2006*
- *Health (Temporary Sanitary Conveniences) Regulations 1997*
- *Health Act (Carbon Monoxide) Regulations 1975*
- *Health Act (Laundries and Bathrooms) Regulations 1970*
- *Piggeries Regulations 1952*
- *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*

In addition, the sections of the **Health (Miscellaneous Provisions) Act 1911** that relate to Houses Unfit for Human Habitation, Water, Morgues and Lodging Houses are being reviewed.

I will shortly complete the reports for Sect 121 Food Act and both parts of the Public Health Act requirements, which included the review process of the identified regulations. Quite a task, but it is really great that these surveys/reports are available online, which saves a heap of time with collation of data and checking of same.

Consultation

Harry Hawkins – Chief Executive Officer

Statutory Environment

Not applicable

Policy Implications

Not applicable

Financial Implications

Nil

Strategic Implications

Long-term objectives may be developed from time to time

Voting Requirements

Simple Majority

Staff Recommendation

MOVED:

SECONDED:

That the Environmental Health Officer/Building Surveyor's report is received

NOT/CARRIED (?/?)

10.4 WORKS and SERVICES

10.4.1 Works Supervisors Report

Location:	Various – Shire of Sandstone
Applicant:	Works and Services Supervisor
Disclosure of Interest:	If any, see Comments Section in body of the Report
Date of Report:	18 th July 2017
Previous References:	Nil
Author:	Danny Humphries, Works and Services Supervisor

Summary

To provide Council with an updated Activity Report on the operations of Council's Works and Service Department since the last Briefing Session.

Attachments

Nil

Background

It is important that Council is regularly updated as to Council's Infrastructure, Construction, Maintenance, Horticulture and other Works & Services Department activities.

Comment

Construction

We have finished construction at SLK 59.(7th of July) Danny G on the grader, George on the multi tyre roller started maintenance grading from SLK 59 back to town on the Paynes Find Road. No new construction jobs to start until we get our budget in, then we will start the first job at Menzies boundary.

Maintenance Grading

Maintenance grader Don has graded from Meekatharra Wiluna turn off to the Meekatharra boundary been in the Cogla access Rd and doing a couple of tidy up job back to Meeka Wiluna turn off. Then a full Preservation grade back into town. Contract grader is still working on the Paynes Find Road heading to town. He is around Youanmi mine area.

Flood Damage

Alltrack still on the Lake Barley Rd. About 3 weeks then onto the Paynes Find Road.

Horticulture

Ongoing maintenance to town parks and gardens.

Plant Replacement

We have picked up the two new Western Star prime movers. We have also had new Komatsu WA 430 Loader delivered. I have been down to Perth again to look at the new Isuzu service truck it is progressing well. They have everything to be fitted on tray. Will be

about 3 to 4 weeks before it's ready for delivery. Not too sure but I may have to duck down again just to double check when they are close to finishing it.

Plant Maintenance

I have taken new Kenworth and B Double to Perth for some minor work, as Kenworth needed some switches so we can put it under the water cart, we needed new main Hyd ram on trailer. We have also done all the jobs on old Kenworth ready for the sale to Mt. Magnet shire.

Caravan Park

New pumps in Park are going well the new septic pump is working well too. So far no other problems in the park.

Building Maintenance

Minor maintenance is being done as required.

General

We have had one new truck working stock piling gravel at the tip so far so good.

This is for covering the rubbish on a regular basis so it's not blowing all over the place.

We have the Komatsu 320 IT Loader in town too for the rubbish tip work. Two of works crew are doing signs and guide posts, we have done Wiluna Meeka Rds so far, they are currently on Menzies Rd, then onto Paynes Find Rd.

Statutory Environment

Bioremediation Cell

Paper work and ongoing watering and checking.

Statutory Environment

None

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

Staff Recommendation

MOVED: Cr

SECONDED: Cr

That the Works Supervisors report is received

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

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

Nil

14 MEETING ITEMS CLOSED TO THE PUBLIC

14.1 Meeting Closed to the Public

Nil

14.2 Public Reading of Resolutions to be made Public

Nil

TIME and DATE of NEXT MEETING

The next scheduled Ordinary Council Meeting will be held on Thursday 24 August 2017

15 CLOSURE OF MEETING

There being no further business, the Shire President closed the meeting at _____pm.

CERTIFICATION

I, _____, certify that the Minutes of the Meeting held on 22 June 2017, as shown, were confirmed as a true and accurate record at the Meeting held on 27 July 2017.

(Presiding Member)

Date: 27 July 2017