

SHIRE OF WILLIAMS

MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY

1.0 OPENING

1.1 DECLARATION OF OPENING

The President declared the meeting open at 10.02am

1.2 ANNOUNCEMENT OF VISITORS

Darren Wilson, the owner of Lots 199 and 200 Lavender Street, Williams wishes to attend the meeting to address Council on his development proposal for the land. Council agreed for Mr Wilson to attend the meeting at 1.00pm.

2.0 RECORD OF ATTENDANCE

2.1 PRESENT

Cr John Cowcher President
Cr Ashkey Stone Deputy President
Cr Gary Cowcher
Cr Greg Cavanagh
Cr Robert Bowden (10.30am)
Cr Richard Johnstone
Cr Moya Carne
Cr David Earnshaw
Cr Graham Prowse

V Epiro Chief Executive Officer
IR Ball Deputy Chief Executive Officer
MR Willcocks Works Supervisor (4.45pm – 5.05pm)
S Friend Environmental Health Officer / Building Surveyor (1.00pm – 2.25pm)

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 21st December 2005, as circulated, be confirmed as a true and correct record of proceedings.

**Carried 8/0
Resolution 147/06**

7.0 ANNOUCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

The President advised that Jenny Law, Investigations Officer from the Department of Local Government was at the office on Wednesday 8th February 2006 to investigate allegations of non compliance with due process in the construction of the Resource Centre. A response from the Department has not been received to date however it was indicated that there did not appear to be any major issues.

8.0 REPORTS OF COMMITTEES/OFFICERS AND COUNCILLORS

8.1 CHIEF EXECUTIVE OFFICER'S REPORT

8.1.1 MODEL CODE OF CONDUCT FOR ELECTED MEMBERS AND STAFF

Review (See Appendix 1)

File Reference: 4.1.20
Author & Date: V. Epiro 25th January 2006

Background:

Section 5.103 of the Local Government Act requires Councils to adopt a Code of Conduct for Councillors and Employees. The Act also requires a Local Government to review its code of conduct within 12 months after each ordinary election. Council first adopted the Code in June 1997 and it has been reviewed as above since that date. Councillors should read the current Code, however it is considered that no changes are required.

Recommendation:

That there be no amendments to the Model Code of Conduct for Elected Members and Staff.

Prowse/Earnshaw

That there be no amendments to the Model Code of Conduct for Elected Members and Staff.

**Carried 8/0
Resolution 148/06**

8.1.2 LOCAL ART ACQUISITION POLICY

Draft Policy (See Appendix 2)

File Reference: 11.60.20
Author & Date: V. Epiro 25th January 2006

Background:

Following discussions with Crs John Cowcher, Moya Carne and Rob Bowden I have prepared a Draft Local Art Acquisition Policy (see appendix) for Councils consideration. This is in response to a petition presented to Council in November 2004 requesting that Council consider a Public Art Collection. Council can adopt or modify the Policy and then appoint a Committee to oversee the acquisition as outlined in the Policy.

Recommendation:

That Council consider adoption of the Local Art Acquisition Policy.

Discussion on this item was deferred until Cr Bowden, who is one of Council's representatives attended the meeting.

Carne/Prowse

That Council adopt the Local Art Acquisition Policy as amended.

**Carried 9/0
Resolution 150/06**

It was agreed to call a public meeting to elect community representatives to the Williams Art Committee.

Bowden/Stone

That Councillors Carne and Prowse be nominated as Council representatives to the Williams Art Committee.

**Carried 9/0
Resolution 151/06**

Carne/G Cowcher

That C Prowse be appointed as Chairperson of the Williams Art Committee.

**Carried 9/0
Resolution 152/06**

8.1.3 CENTRAL COUNTRY ZONE (WALGA)

Agenda Item for Zone Meeting – Brookton 31st March 2006

File Reference: 4.1.65
Author & Date: V. Epiro 25th January 2006

Background:

Following the recent proximity interest issue that arose with Councillors owning land adjoining Carne and Narrakine Roads Council resolved to seek an amendment to the Act via the Central Zone. I have prepared the following Agenda Item for the Central Zone meeting for Councils consideration.

Disclosure of Financial Interest

Background:

Following a complaint made to the Department of Local Government, two Williams Councillors were found to not have complied with the Local Government Act because they failed to declare a proximity interest in roadworks adjoining their land. The Department asserted that the Councillors had a proximity interest as outlined in Section 5.60B(1)(c) which states as follows;

“For the purpose of this subdivision a person has a proximity interest in a matter if the matter concerns;

(c) a proposed development (as defined in section 5.63(5) of land that adjoins the persons land.”

Comment:

This issue arose when Council was considering the 2005/2006 Draft Works Program which was prepared by the Chief Executive Officer in consultation with the Works Supervisor. In the program there was a recommendation for two roads to be sealed with funding from Roads to Recovery. Council agreed to seal one road (Road A) and defer a decision on another project (Road B) until more traffic counts were undertaken. All Councillors voted on Road A and the issue of proximity interest did not arise until it was brought to Councils attention following a complaint to the Department of Local Government.

The two Councillors considered (and still believe) that as the road is a major artery for the north-west portion of the Shire and there are other landowners adjoining the road, the interest was common to a significant number of electors or ratepayers (Section 5.63 (1) (a) of the Local Government Act). However this is not the view of the Department of Local Government and Council considers that the Act should be more flexible in its interpretation of the Proximity Interest section.

The current interpretation of the Proximity Interest section of the Act means that a Councillor could not initiate or support upgrading of a road regardless of need, if the Councillor was an adjoining landowner. Council considers that this is unfair, particularly where the road has other adjoining landowners, is a major local artery and is used by other district residents.

Recommendation:

That WALGA be requested to pursue an amendment to Section 5.63 of the Local Government Act to exempt Councillors owning land adjoining proposed road works from having to declare a proximity interest.

Cr Bowden attended the meeting at 10.30am during discussion on this item.

Johnstone/Stone

That WALGA be requested to pursue an amendment to Section 5.63 of the Local Government Act to exempt Councillors owning land adjoining proposed road works from having to declare a proximity interest.

**Carried 8/1
Resolution 149/06**

8.1.4 REVIEW OF LOCAL LAWS

Local Laws Gazetted 24th October 1997

File Reference: 4.22.00
Author & Date: V. Epiro 27th January 2006

Background:

Council adopted the following Local Laws in 1997;

- Standing Orders
- Fencing
- Williams and Boraning Cemeteries (now Marling)
- Dogs
- Firebreaks
- * Health Local Laws were adopted in 2001

Section 3.16 (1) of the Local Government Act requires Council to review a Local Law within a period of 8 years from adoption (this period has passed). In the review Council must determine if the Local Law should be repealed or amended. It is suggested that the above Local Laws be included in the April Agenda for review. Council is required to give state wide public notice of its intention to review the Local Laws and allow six (6) weeks for submissions.

Recommendation:

That Council give notice of its intention to review all Local Laws adopted in 1997 as required under section 3.16 of the Local Government Act 1995.

Earnshaw/Cavanagh

That Council give notice of its intention to review all Local Laws adopted in 1997 as required under section 3.16 of the Local Government Act 1995.

**Carried 9/0
Resolution 153/06**

8.1.5 FIRE AND EMERGENCY SERVICES AUTHORITY OF WA (FESA)

Glenfield Fire 28th December 2005 (See Appendix 3)

File Reference: 5.10.5
Author and Date: V. Epiro 30th January 2006

Background:

On Wednesday 28th December 2005 there was a fire (apparently deliberately lit) on the cemetery road reserve adjoining Dakin Farms (previously Ford). The fire burnt some crop and part of the Reserve adjoining the Refuse Site and Railway Dam before being brought under control.

As there were some issues arising out of the fire a Debrief was held on January 17 with FESA Officers John Tonkin and Grant Hansen present in addition to Williams Brigade Officer and the Chief Bush Fire Control Officer Richard Johnstone. Recommendations arising from the debriefing session and contained in the letter are as follows;

- Develop stickers with harvest ban and shire phone numbers and radio call channels
- Investigate different colour helmets for Fire Control Officers
- Continue to pursue the allocation of a heavy duty fire fighting truck under the Grants Scheme.

Cr Richard Johnstone (CBFCO) will probably elaborate further on the above issues.

Recommendation:

That Council purchase stickers and helmets as per the recommendations.

Johnstone/Bowden

That Council purchase stickers and helmets as per the recommendations.

**Carried 9/0
Resolution 154/06**

8.1.6 WA PLANTATION RESOURCES

Timber Cartage – Marradong Road

File Reference: 12.15.35
Author & Date: V. Epiro 31st January 2006

Background:

Following an enquiry raised by Cr Ashley Stone I contacted the Shire of Boddington regarding future cartage of timber on Marradong Road from ‘Snaigow’ and ‘Cadogan Estate’ farms. I was advised that the company involved was WA Plantation Resources, following which correspondence was forwarded to the company to ascertain future timber cartages along Marradong Road to the Albany Highway. WA Plantation Resources have responded as follows;

- Cadogan Estate has 200ha of bluegums which are likely to be harvested in the next 1 – 2 years.
- Snaigow has 650ha of bluegums (expected to yield 100,000 tonnes) which will be harvested in 2009/2010.

At this stage the likely haulage scenarios will be east along Marradong Road to the Albany Highway. The Shire of Boddington has sought an amount of \$2,000 from WA Plantation Resources for maintenance to their section of the Marradong Road, however there are no plans for seeking any funding for future upgrades on the road. I will raise the issue of timber roads at the next Narrogin Sub-Group Meeting.

Recommendation:

For Councils information.

Cr Stone declared a proximity interest in this item.

G Cowcher/Stone

That Cr Stone be granted permission to remain at the meeting and partake in discussion on this item.

**Carried 8/0
Resolution 155/06**

Prowse/Johnstone

That the CEO follow up funding issues for timber roads at the next Narrogin Sub-Group Meeting and also representatives of the logging company, WA Plantation Resources be invited to attend a Council meeting to discuss these issues.

**Carried 8/0
Resolution 156/06**

8.1.7 DEPARTMENT OF LOCAL GOVERNMENT

Compliance Audit Return (Included with Agenda)

File Reference: 4.22.00
Author & Date: V. Epiro 1st February 2005

Background:

The Local Government (Audit) Regulations (Regulation 13) requires Council to complete a Compliance Audit Return for the period 1 January to 31 December 2005. In completing the Return Council is to note any items of non-compliance and to take remedial action accordingly. Items of non-compliance are as follows;

- Page 5 – Local Laws (7): Review to be carried out in April.
- Page 28 – Meeting Process: Review of Code of Conduct to be done in February.

The Compliance Audit Return is to be adopted by Council and returned to the Department prior 31 March 2006.

Recommendation:

That the 2005 Compliance Audit Return be adopted.

Johnstone/Stone

That the 2005 Compliance Audit Return be adopted.

**Carried 9/0
Resolution 157/06**

8.1.8 J LAWRENCE

Residence – 8 Fry Street Williams

File Reference: 9.10.20
Author & Date: V. Epiro 1 February 2006

Background:

Mr & Mrs Lawrence have given notice that they will be vacating the Tradespersons residence on 20th February 2006. I very much doubt that the availability of a tradesperson has improved however Council needs to determine a course of action in regard to rental of the residence. Council may choose to rent the residence to another tradesperson, Council or Government (police, teacher) employee.

Recommendation:

That Council resolve a course of action regarding rental of 8 Fry Street Williams.

Bowden/Prowse

That an advertisement be placed calling for a tradesperson to occupy the house at 8 Fry Street, Williams and operate a business in the district.

**Carried 9/0
Resolution 158/06**

Luncheon Adjournment - Council adjourned for lunch at 12.00pm and resumed the meeting at 1.00pm

Steve Friend, Environmental Health Officer/Building Surveyor attended the meeting at 1.00pm to discuss his report.

Darren Wilson, owner of Lot199 Lavender Street and Lot 200 Williams Road also attended the meeting at 1.00pm to inform Council of his development proposal for Lot 199 and Lot 200.

Mr Wilson proceeded to give Council an insight into his early life history living at Point Peron and Dwellingup.

When questioned on his development proposal and the fact that he has illegally established sea containers and other items on the land Mr Wilson stated that he had bought the land in Williams as a stepping stone to establishing a stronghold in case of a nuclear attack.

Mr Wilson was advised that he is contravening the health and building regulations of the Shire of Williams.

When Mr Williams failed to address the issues in question the President asked him to leave the meeting.

Mr Wilson left the meeting at 1.30pm

8.4 ENVIRONMENTAL HEALTH OFFICER / BUILDING SURVEYORS REPORT

Building Permits

#150	N & J Goodridge	Lot 332 Richardson Street	Colorbond garage
#151	J & I Stone	Loc 7289 Marradong Road	Colorbond clad transportable
#152	H & L Rose	Lot 101 Albany Highway	Zinc shearing shed
#153	F Bowman	Lot 8 Frewer Place	Colorbond shed
#154	S Groth	Lot 17 Richardson Street	Brick and tile extensions
#155	L Bertuola	Lot 8 Rosselloty Street	Coolroom stand
#156	R Ward, B Willcocks	Lot 10 Albany Highway	Colorbond shed

Inspections are ongoing at premises issued with a building permit.

Food Premises Inspection

Williams District Club	satisfactory
Caltex Roadhouse	satisfactory

Water Samples

Williams Public Pool	satisfactory result
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Newsagency Veranda - Lot 212 (14) Brooking Street Williams

The matter of the state of repair of the verandah at the Newsagency was mentioned at the December 2005 Council meeting where Council resolved;

“That the Proprietors of the Williams Newsagency be invited to attend the February 2006 Council meeting to discuss options for the repairs or replacement of the newsagency verandah.”

I have spoken to Mr Klomp and have asked would he attend the February meeting to inform Council of his progress / intentions. I am hoping that he will attend.

The verandah is in need of attention both aesthetically and structurally. Aesthetically it doesn't matter what Council thinks of the appearance of the verandah, there is not much that it can do to improve the appearance. For instance if the paint is flaking or the iron bent, Council cannot make the owners repair it. However, if it is structurally impaired Council can issue an Order on the owners to either repair or remove the structure or part thereof.

If Council were to place an Order on the owners to repair the damaged structure this could entail replacing the damaged timbers with like materials or completely different materials (eg steel) or the owners could demolish the verandah completely.

So, whereas Council has previously stated that it would prefer a bullnose verandah to replace the existing the owners could repair the damaged sections in another material altogether or pull the verandah down entirely. Either option may not be what Council wants. However, if the verandah was to be demolished and another put up to replace it Council could use the Town Planning Scheme to require the replacement verandah to be constructed in a bull nose fashion.

As mentioned at the December meeting the owners have indicated that a bullnose verandah is too expensive but that a flat type verandah might be more affordable. Council therefore needs to determine exactly what it wants to achieve (an improved look or a sound structure) and then should an Order be served whether the verandah disappears altogether or is perhaps strengthened out of a different material (steel for example)

Finally, if another verandah was to replace the existing one, would Council insist on a bullnose (which might mean no verandah at all) or would it accept a flat patio type verandah.

Recommendation:

For Council consideration.

Carne/Prowse

That an order be placed on the owners of the Williams Newsagency to either repair or replace the verandah over the footpath on Brooking Street and Growse Street to make it structurally sound.

**Carried 9/0
Resolution 159/06**

Sea Containers on Lot 199 and 200 Williams Street, Williams

As Council may be aware the owner of lot 199 and 200 Williams Street, Darren Wilson, has placed two sea containers on his land without approval from Council. Mr Wilson intends to convert the containers to a dwelling. He has been informed by myself and the Chief Executive Officer that Council is unlikely to issue such approval, however he is determined to press ahead regardless. We are currently awaiting legal advice from the solicitors who handled the same issue while Mr Wilson owned land in the Shire of Murray. More information will be presented at the meeting.

Johnstone/Bowden

That the Chief Executive Officer and Environmental Health Officer/Building Surveyor take appropriate action as they see necessary, using the services of Barristers and Solicitors McLeods, to issue an order on the owner of Lot 199 Lavender Street and Lot 200 Williams Road to remove all items from the site.

**Carried 9/0
Resolution 160/06**

Earnshaw/Johnstone

That the Environmental Health Officer/Building Surveyor's Report be received.

**Carried 9/0
Resolution 161/06**

Mr Friend left the meeting at 2.25pm

8.1 CHIEF EXECUTIVE OFFICER'S REPORT CONTINUED

8.1.9 DEPARTMENT OF LAND INFORMATION

Change of Road Names

File Reference: 12.15.34
Author & Date: V. Epiro 1st February 2006

Background:

The Geographic Names Committee have agreed to the change of road names as follows;

- a) rename a portion of Lavender Road Mandiaking Road
- b) rename the portion of Lavender Road created on Deposited Plan 34255 as Mandiaking Road
- c) rename Lavender Street as Thomas Lavender Street
- d) rename Martin Street as Jesse Martin Street
- e) rename Gillett Street as Stan Gillett Street
- f) rename Carne Street as HV Carne Street
- g) rename Glenfield Street as Glenfield Road

As council is aware the changes were initiated because of the proposed introduction of the rural numbering system for Williams. The department of land information have now formalised maps and property owner details that need to be checked before the project can be advanced further.

Recommendation:

For Councils information.

8.1.10 STREET TREES

Removal

File Reference: 12.21.80
Author & Date: V. Epiro 1 February 2006

Background:

A request was recently received from Mrs Judy Goodridge seeking removal of the gum tree on the area adjoining the residence on the corner of Growse and Richardson Streets. Mr & Mrs Goodridge want the tree removed because of the leaves and sticks it drops in their yard.

Whilst it is agreed that this may be a nuisance there are other gum trees in the town which no doubt cause the same problem to adjoining landowners. Therefore I advised Mrs Goodridge that it wasn't warranted removing

the tree for the above reason. Perhaps Council should inspect the gum street trees at the next town / road inspection to determine if removal and replacement is a worthy option.

Recommendation:

That Council inspect the gum street trees in conjunction with the annual road inspection.

Prowse/Bowden

That Council inspect the gum street trees in conjunction with the annual road inspection.

**Carried 9/0
Resolution 162/06**

8.1.11 WILLIAMS SWIMMING POOL

Upgrade

File Reference: 11.20.20

Author & Date: V. Epiro 1st February 2006

Background:

Council carried out a brief inspection of the Williams Swimming Pool in July 2005, however only certain maintenance items were identified as requiring attention. In July 2002 the Department of Sport and Recreation engaged engineering consultants GHD to carry out an inspection of all country town swimming pools and make a report on the condition of the infrastructure. This report is included with the Agenda and deals with the maintenance issues however, given that the pool is now 27 years old it may be appropriate for Council to consider a major upgrade in conjunction with additional facilities to enhance the pool for the future.

It is suggested that Council appoint a Working Party of three Councillors and community representative (ie; Swimming Club) to investigate and put forward some recommendations for the pool upgrades.

Recommendation:

That Council appoint a Working Party comprising three Councillors and community representatives to investigate and make recommendations on upgrading of the Williams Swimming Pool.

Prowse/Johnstone

That Council appoint a Working Party comprising three Councillors and community representatives to investigate and make recommendations on upgrading of the Williams Swimming Pool.

**Carried 9/0
Resolution 163/06**

Bowden/Carne

That Councillors Earnshaw, G Cowcher and Cavanagh be nominated as Council representatives on the Working Party with the power to coopt community representatives.

**Carried 9/0
Resolution 164/06**

8.1.12 WA PLANNING COMMISSION**Subdivision Locations 1285, 1286, 266 and 145 (See Appendix 4)**

File Reference: 10.64.20
Author & Date: V. Epiro 1st February 2006

Background:

Mr Peter English (Merildene) is in the process of selling his property and has applied to subdivide / amalgamate the present four (4) locations into four (4) lots as follows;

<i>Existing lots</i>	<i>Ha</i>	<i>Proposed lots</i>	<i>Ha</i>
1285	1270.4	A	562.3
1286	40.4	B	561.3
266	13.9	C	180.97
145	132.6	D	146.9

As Council is aware the Williams Town Planning Scheme No 2 – Policy Statement 4.7(3) states that “there shall be a general presumption by Council against subdivision in the Rural zone” unless certain conditions prevail. As the subdivision is for boundary adjustments Council can support the application under the following condition;

4.7(3)(c)

“The Council will favourably consider applications for adjustment of lot boundaries where the application, is approved, will not result in the creation of one or more additional lots.”

Recommendation:

That the application for subdivision of Williams locations 1285, 1286, 266 and 145 English Road Williams be supported.

G Cowcher/Earnshaw

That the application for subdivision of Williams locations 1285, 1286, 266 and 145 English Road Williams be supported.

**Carried 9/0
Resolution 165/06**

8.1.13 MA & DE STEDDY**Application to Construct Road – South of English Road (See Appendix 5)**

File Reference: 12.15.35
Author & Date: V. Epiro 1st February 2006

Background:

M & D Steddy are in the process of purchasing lot C (part of Merildene Farm) which is subject to subdivision (see Agenda Item 8.1.12). In anticipation of the subdivision being approved and the sale being finalized Mr Steddy is seeking construction of a 60-70 metre section of the road reserve between lot C and location 146 to provide access to lot C. Mr Steddy is willing to pay for the cost of clearing, construction etc in accordance with Councils policy (WTP Scheme No 2 Section 5.6) where Council can request a contribution towards the construction of a road to provide access to an existing location.

I have inspected the road reserve which contains some very large timber and suggest that the Works and Plant Committee, Works Supervisor and Mr Steddy meet on site to determine the extent of the work required.

Recommendation:

That M & D Steddy's application to construct 60-70 metres of the road reserve on the north-west boundary of location 146 be agreed to, subject to;

1. An on-site inspection to determine the extent of the work required.
2. Clearing approval being obtained from the Department of Environmental Protection – Clearing of Native Vegetation – Regulation 23.
3. M & D Steddy being responsible for all costs associated with the road construction.

Bowden/Johnstone

That M & D Steddy's application to construct 60-70 metres of the road reserve on the north-west boundary of location 146 be agreed to, subject to;

4. An on-site inspection to determine the extent of the work required.
5. Clearing approval being obtained from the Department of Environmental Protection – Clearing of Native Vegetation – Regulation 23.
6. M & D Steddy being responsible for all costs associated with the road construction.
- 7.

**Carried 9/0
Resolution 166/06**

8.1.14 RESIDENCE – 6 PIESSE STREET WILLIAMS

Sale to K Gillett

File Reference: 9.10.30
Author & Date: V. Epiro 7th February 2006

Background:

The sale of 6 Piesse Street Williams to Karen Gillett was finalised on 1st February 2006. Council has generally placed funds from the sale of land in the Building Reserve Fund and authority is now sought to place \$90,000 from the sale of 6 Piesse Street in the Building Reserve.

Recommendation:

That the proceeds from the sale of 6 Piesse Street Williams, (\$90,000) be placed in the Building Reserve Fund.

Stone/Cavanagh

That the proceeds from the sale of 6 Piesse Street Williams, (\$90,000) be placed in the Building Reserve Fund.

**Carried 9/0
Resolution 167/06**

8.1.15 RN PETCHELL

Lease of Location 12026 Bates Road Williams

File Reference: 5.10.60
Author & Date: V. Epiro 7th February 2006

Background:

In 1997 Council entered into a 10 Year Lease Agreement with Cezanne Pty Ltd, the then owners of location 12026. The lease was for an area of approximately 4330m² as a site for Councils base radio station and was set at a rate of \$500 per annum plus CPI increments, which currently equates to \$624.95 (inc GST). In a recent letter claiming an underpayment of \$92.37 Mr Petchell reminds Council that the lease is due to expire on 31st December 2006.

There is no provision in the current lease for an extension only for the continued payment of an annual rental on expiration of the lease should a new lease not be entered into. Therefore Council should be investigating a new lease with Mr Petchell for perhaps another 10 year period.

Recommendation:

That Mr RN Petchell be requested to advise the terms and conditions that would apply for the lease for portion of Williams location 12026 for another 10 year period.

Cavanagh/Earnshaw

That Mr RN Petchell be requested to advise the terms and conditions that would apply for the lease for portion of Williams location 12026 for another 10 year period.

**Carried 9/0
Resolution 168/06**

8.1.16 MR JP OVERHEU

Volunteer Defence Corps Honour Board

File Reference: 11.10.30
Author & Date: V. Epiro 8th February 2006

Background:

Mr Overhue advises that recognition should be given to the Williams unit of the Volunteer Defence Corps that was in operation from 1941 – 1945. He is proposing a Board (jarrah veneer) with the following lettering to be placed alongside other Honour Boards in the RSL Hall:

Williams Unit
Volunteer Defence Corps
1941 – 1945
List of 31 names

The Board is to be supplied and approval is being sought to place it in the RSL Hall.

Recommendation:

That Mr JP Overheu be granted approval to place the Volunteer Defence Corps Honour Board in the Williams RSL Hall.

Carne/Stone

That Mr Overheu be advised that Council wishes to seek comment from the WA RSL State Branch protocol on the hanging of a Volunteer Corps Honour Board alongside Returned Services Honour Boards before considering approval.

**Carried 9/0
Resolution 169/06**

Afternoon Tea - Council adjourned for afternoon tea at 3.15pm and resumed the meeting at 3.35pm

8.1.17 CENTRAL COUNTRY ZONE

Notice of Meeting

File Reference: 4.12.10
Author & Date: V. Epiro 8th February 2006

Background:

The next Central Country Zone Meeting will be held in Brookton on Friday 31 March 2006. Councils delegates are Cr John Cowcher and Ashley Stone, however other Councillors are encouraged to attend as observers.

Recommendation:

That Council be represented at the Central Country Zone Meeting.

Councillors J Cowcher and Stone indicated that they would be attending the meeting.

8.1 CHIEF EXECUTIVE OFFICER'S REPORT – LATE ITEMS

Stone/G Cowcher

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

**Carried 9/0
Resolution 170/06**

8.1.18 WALGA

Roads Forum

File Reference: 12.15.33
Author & Date: V. Epiro 14th February 2006

Background:

The 2006 Roads Forum is being held in Geraldton on Tuesday 4th April 2006. Registrations close on Monday 20th March 2006.

Recommendation:

For Councillors information.

8.1.19 WHEATBELT AREA CONSULTATIVE COMMITTEE INC

Board Meeting

File Reference: 4.12.35
Author & Date: V. Epiro 14th February 2006

Background:

The Wheatbelt Area Consultative Committee is holding the next Board Meeting at the Williams Resource Centre on Friday 17th March 2006. Councillors are invited to join the Board for breakfast between 7.30am and 9.00am prior to the meeting.

Recommendation:

For Councillors information.

Councillors are to advise the Chief Executive Officer if they are able to attend the meeting.

8.2 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT

8.2.1 ACCOUNTS FOR PAYMENT

Johnstone/Earnshaw

That Municipal Fund cheques 2556 – 2637 totaling \$224,896.03 and Trust Fund cheques 1052 – 1053 totalling \$320.00 approved for payment by the Chief Executive Officer be endorsed and the Municipal Fund cheques 2638 - 2678 totaling \$208,274.67 be approved for payment.

**Carried 9/0
Resolution 171/06**

8.2.2 FINANCIAL STATEMENTS

That the financial statements presented for the periods ending 31st December 2005 and 31st January 2006 be received.

**Carried 9/0
Resolution 172/06**

Ford Tractor

Johnstone/Earnshaw

That the Ford Tractor be advertised for sale for \$7,700.00 including GST.

**Carried 9/0
Resolution 173/06**

8.3 WORKS SUPERVISOR'S REPORT

Works Supervisor Mark Willcocks attended the meeting at 4.45pm

Final sealing will be carried out on the Pinjarra Williams Road tomorrow to complete the job except for a few minor jobs.

The Narrakine Road blackspot sealing from Albany Highway to the Hay Plant will be the next job to be completed.

The new JCB Front End Loader has arrived and appears to be operating satisfactorily.

A section of the bitumen has subsided on Marradong Road. Will probably require cement stabilization.

Laptop Computer

Mr Willcocks requested that consideration be given to purchasing a Laptop Computer. Further investigation and a report is to be presented on suitable model and pricing.

Mr Willcocks left the meeting at 5.05pm

8.5 COUNCILLORS

Community Homes Working Party

Cr Carne advised that the Working Party met on Tuesday 7th February 2006. There is a concern with the back area of the old aged units in New Street since the drainage and paving was carried out. The area is very hot in summer and some form of shade needs to be considered. Also an internal upgrade is needed on these units in the near future.

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

9.1 ROADS TO RECOVERY – REALIGNMENT / SEALING NARRAKINE ROAD

Author & Date: Cr G Cowcher 13th February 2006

Background:

At the December 2005 Council Meeting a motion was passed to spend the balance of the funding on a section of Narrakine Road. The work on this section of Narrakine Road would not be due to begin prior to the spring of 2007. Several electors have expressed their disappointment to myself about the Council voting to do major roadworks in a small area where several Councillors live and others regularly travel, at the expense of other roads in the Shire.

The next Local Government elections are due in May 2007 with five council members terms maturing at this time. If Council believe they have made the right decision on this issue and believe they have the support of the majority of electors then Council should have no qualms in supporting my motion.

A discussion with the CEO tells me that there is a possibility of the next local government elections being extended to October 2007. However, after further discussion with the Department of Local Government they believe the likelihood of this happening to be very remote, especially in view of the fact that a new minister has just been appointed.

I have strong faith in the electors of the Shire in giving guidance to the Councillors on which way to vote on contentious issues.

Motion:

“That the Roads to Recovery realignment and sealing project on Narrakine Road (Resolution 140/06) not commence until it is supported by the Council elected at the 2007 Local Government Election”

Chief Executive Officer Comment:

Cr Cowcher originally submitted the notice of motion on the 8th of February but as the motion was seeking to change the original, three Councillors signatures were required before the item could be placed on the Agenda. Three Councillors have now signed the notice (Cr Cowcher, Bowden and Prowse) which when considered must be passed by an absolute majority (five Councillors). Also, the Auslink Roads to Recovery Office have advised that all projects must be finalised prior to July 31st 2006 unless there are very compelling reasons for change or deferral.

Crs J Cowcher, Carne, Johnstone and Prowse declared a proximity interest in the item and left the meeting at 4.25pm.

Deputy President Cr Stone assumed the chair and presided over the meeting.

G Cowcher/Bowden

That the Roads to Recovery realignment and sealing project on Narrakine Road (Resolution 140/06) not commence until it is supported by Council elected at the 2007 Local Government Election.

**Motion Lost 2/3
Resolution 174/06**

Crs J Cowcher, Carne, Johnstone, and Prowse returned to the meeting at 4.45pm

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

10.1 ELECTED MEMBERS

Insurance Cover

Prowse/Cavanagh

That discussion on Council Insurance cover for the Swimming Pool Manager’s car damaged by a falling tree be accepted as urgent business for discussion.

**Carried 9/0
Resolution 175/06**

Concern was expressed at the cover provided by Council’s insurance for the damage sustained to the Swimming Pool Manager’s vehicle by a falling tree when it was parked outside the Swimming Pool. Council’s Public Liability cover does not cover damage from falling trees or limbs. Mr Lethlean had to claim the damage (vehicle write off) through his own insurance company.

The Deputy Chief Executive Officer is to discuss the matter with Mr Lethlean to ascertain if he sustained any monetary loss through the insurance claim.

Fencing on Roads Cleared for Construction

Stone/Earnshaw

That discussion on the replacement of fencing on Carne Road following road clearing be accepted as urgent business for discussion.

**Carried 7/0
Resolution 176/06**

Councillors J Cowcher and Carne declared a proximity interest in this item and left the meeting at 5.25pm

Cr Johnstone advised that various standards were adopted when replacing or repairing fences on adjoining properties along Carne Road. Council needs to further consider each case and then need to adopt a policy for future instances.

Johnstone/Prowse

That a quantity of fencing materials be offered to B Liddelow and M Carne to repair/replace fencing damaged and that J Cowcher be offered 50% off the cost of the new fence erected on location 2841.

**Carried 7/0
Resolution 177/06**

An agenda item is to be presented for discussion on developing a policy for replacing fences adjoining roads that require tree clearing for widening.

10.2 STAFF

Nil

11.0 INFORMATION SESSION

12.0 MEETING CLOSURE

There being no further business for discussion the President declared the meeting closed at 6.20pm