

SHIRE OF WILLIAMS

MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 17TH MARCH 2004

1.0 OPENING

1.1 DECLARATION OF OPENING

The President declared the meeting open at 1.00pm.

1.2 ANNOUNCEMENT OF VISITORS

Nil

2.0 RECORD OF ATTENDANCE

2.1 PRESENT

Cr John Cowcher	President
Cr Robert Rose	Deputy President
Cr Gary Cowcher	
Cr Ashley Stone	
Cr Robert Bowden	
Cr Graham Harding	
Cr Moya Carne	
Cr Jo Fowler	
Cr Christine Higham (2.10pm)	
V. Epiro	Chief Executive Officer
IR Ball	Deputy Chief Executive Officer
M Willcocks	Works Supervisor (3.25 - 3.50pm)

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 18TH FEBRUARY 2004

Carne / Fowler

That the Minutes of the Ordinary Meeting held in the Council Chambers on Wednesday 18th February 2004, as circulated, be confirmed as a true and correct record of proceedings.

**Carried 8/0
Resolution 147/04**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Cr J Cowcher advised that the Thank A Volunteer and new residents barbecue evening proved to be a success. Council could consider holding similar functions on a regular basis.

8.0 REPORTS OF COMMITTEES / OFFICERS AND COUNCILLORS

8.1 CHIEF EXECUTIVE OFFICERS REPORT

8.1.1 REVIEW OF CODE OF CONDUCT, DELEGATIONS REGISTER AND POLICY MANUAL

File Reference: 4.21.40
Author & Date: V. Epiro 27th February 2004

Background:

The Local Government Act 1995 requires Council to carry out the following compliance;

Section 5.1.3(2) - Review the Code of Conduct within 12 months following the last election.

Section 5.46(2) – Review the Delegations and Policies Manual every 12 months.

Councillors should have a copy of the above incorporated into one file and it is suggested that the review be carried out in conjunction with the review of the Principal Activities Plan. The Principal Activities Plan review is carried out in April/May each year generally in a pre-lunch session prior to the Ordinary Meeting.

Recommendation:

That Council carry out a review of the Code of Conduct, Delegations Register, Policy Manual and Principal Activities Plan at 9.00am on Wednesday 21st April 2004.

Rose / Stone

That Council carry out a review of the Code of Conduct, Delegations Register, Policy Manual and Principal Activities Plan together with the Chief Executive Officer's Performance Review at 9.00am Wednesday 21st April 2004.

**Carried 8/0
Resolution 148/04**

8.1.2 RECREATION ADVISORY COMMITTEE

Bi-Annual Meeting

File Reference: 11.30.50
Author & Date: V. Epiro 27th February 2004

Background:

The Williams Recreation Advisory Committee generally holds a bi-annual meeting in April and October each year. Cr Gary Cowcher is Council's representative on the committee with each sporting club being invited to send representatives to the meeting.

Recommendation:

That a meeting of the Williams Recreation Advisory Committee be held in the Council Chambers on Monday 5th April 2004.

G Cowcher / Rose

That a meeting of the Williams Recreation Advisory Committee be held in the Council Chambers at 8.00pm on Wednesday 7th April 2004.

**Carried 8/0
Resolution 149/04**

8.1.3 DEPARTMENT OF LAND INFORMATION (VALUATION SERVICES)

Group Valuation Policy – Definition of 'Contiguous' (See Appendix 1)

File Reference: 3.2.10
Author & Date: V. Epiro 27th February 2004

Background:

Following a review of the definition of contiguous land by Crs John and Gary Cowcher, Council wrote to the Senior Valuer General (John Clarke) in November 2003 and recommended the following definition;

“where a property is actively used or operated as one, even though boundaries do not adjoin, it may be deemed contiguous.”

It would seem that in the new definition (see para C) that there may be some flexibility, notwithstanding that the criteria for treating land as contiguous is now more restrictive. The onus for determining properties in exceptional circumstances where boundaries do not adjoin has been put back on Councils. Council would need to ensure that any advice provided to the Valuer General in regard to clause (C) of the definition is consistent, and this has been the problem with the definition in the past.

Recommendation:

That the Valuer General's advice regarding 'contiguous valuations' be noted.

Stone / Rose

That a Working Party comprising the President, Crs G Cowcher, Rose and Carne together with the Deputy Chief Executive Officer review and determine if various properties actively operated as one, even though boundaries do not adjoin, should be recommended to the Valuer General to value as contiguous land at a meeting at 4.00pm on Tuesday 13th April 2004.

**Carried 8/0
Resolution 150/04**

The subject of differential rating of rural value adding businesses located in land presently rated as rural unimproved capital was discussed by Council.

Rose / Carne

That the matter of differential rating of value adding businesses located on land presently rated as rural unimproved capital value be raised at the Central Country Zone Meeting in Darkan on 2nd April 2004 to ascertain if the Review Committee has made any recommendations.

**Carried 6/2
Resolution 151/04**

8.1.4 WA LOCAL GOVERNMENT ASSOCIATION

Banners in the Terrace

File Reference: 4.12.00
Author & Date: V. Epiro 27th February 2004

Background:

Each year, in conjunction with Local Government Week, Councils forward banners to the WALGA for placing on banner poles in St Georges Terrace during the conference. Council has been forwarding a banner made by local resident (now hairdresser) Donna Schaper around 1996. Ms Schaper designed and painted the banner with materials provided by Council and no fee payment.

Some two years ago Council wrote to local artists seeking their interest in designing and painting a new banner, however no responses were forthcoming. Council can continue to use the same banner, however I have written to the Williams Primary School seeking their input into producing a new banner.

Recommendation:

That Council participate in the Banners in the Terrace display for 2004.

Fowler / Stone

That Council participate in the Banners in the Terrace display for 2004.

**Carried 8/0
Resolution 152/04**

8.1.5 WILLIAMS PUBLIC LIBRARY

Automation of Library

File Reference: 11.50.10

Author & Date: V. Epiro 27th February 2004

Background:

The operation of the Library service by Councils in WA has involved the supply of book stocks by the State Library of WA (SLOWA) to each library on the basis of population, with Councils providing premises and administration. SLOWA provide a book exchange monthly of a portion of the stock, which until recently came with cards and pockets inside books to facilitate loans to readers. However with the advent of automation and less Councils operating libraries manually SLOWA have ceased providing book cards and pockets which has resulted in Councils doing their own and highlighting the need to consider automation.

There are two companies providing the necessary software and backup for automation of the library system with the one favored by the majority of Councils being Infovision who supply a system titled Amlib.

With the pending move to the Resource Centre and the time being required for the present manual system, it is suggested that Council consider purchase and installation of the Amlib system in the current financial year. The cost for the Amlib system is as follows;

Amlib software	\$2,200
Database license	\$237
Yearly Annual Maintenance	\$1,147
	\$3,584.00

Payment of the yearly maintenance fee would be an annual charge for backup and software upgrade.

There has been no provision made in the Budget for the above item however the funds can be sourced from Private Works Income.

Recommendation:

That Infovisions quote of \$3584 for the supply and installation of an Amlib system for the Library be accepted and the cost be funded from private works income.

Bowden / Harding

That Infovisions quote of \$3584 for the supply and installation of an Amlib system for the Library be accepted and the cost be funded from private works income.

**Carried 8/0
Resolution 153/04**

8.1.6 QUINDANNING COMMUNITY HALL COMMITTEE INC

Public Art Project (See Appendix 2)

File Reference: 13.20.70
Author & Date: V. Epiro 4th March 2004

Background:

A request for a contribution of \$1,000 towards the Hall Committees Public Art Project was considered by Council at the February Meeting. It was resolved to request more details regarding the project prior to making any decision on making a contribution.

The Committee have now provided more details as outlined in the appendix , therefore Council is now being asked to consider their request for a donation of \$1,000.

Recommendation:

That Council consider the request from the Quindanning Hall Committee (Inc) for a contribution of \$1,000 towards a Public Art Project.

Bowden / Rose

That Council contribute \$500 towards the Public Art Project undertaken by the Quindanning Hall Committee Inc.

**Carried 8/0
Resolution 154/04**

8.1.7 WILLIAMS TOURISM COMMITTEE

Public Meeting

File Reference: 13.20.70
Author & Date: V. Epiro 4th March 2004

Background:

A public meeting was called for Wednesday 3rd March to form a Tourist Committee however, due to lack of support with only six persons attending (Cr John Cowcher, Cr Jo Fowler, Daphne Gillett, Anne Battley, Leon Bertuola and myself) no meeting was held. This is in keeping with previous attempts to form a Tourist Committee in Williams and confirms the lack of interest from persons engaged in tourist activities and residents in general to the concept of a committee.

Recommendation:

That the information be noted and Mrs Christine Duff be advised accordingly.

Bowden / G Cowcher

That the information be noted and Mrs Christine Duff be advised accordingly.

**Carried 8/0
Resolution 155/04**

8.1.8 CENTRAL COUNTRY ZONE (WALGA)

Indigenous Land Use Agreement (ILUA) (See Appendix 3)

Cr Higham attended the meeting at 2.10pm during discussion on this item.

File Reference: 11.30.35
Author & Date: V. Epiro 4th March 2004

Background:

In June 2002 the Central Zone was successful in obtaining funding to prepare an Indigenous Land Use Agreement (ILUA) between Native Title claimants, The State Government and member Councils to deal more effectively with Native Title issues. The draft plan after being accepted by the Zone was endorsed by the South West Aboriginal Land and Sea Council (SWALSC) in October 2003 with the State Government recently acknowledging being party to the agreement.

A meeting of the Zone was held on Tuesday 2nd March 2004 with Solicitor Marcus Holmes (Taylor, Linfoot and Holmes) to discuss the latest draft and answer any queries from member Councils.

Marcus Holmes advised that chapters 9-13 are more relevant to Councils particularly in relation to 'notification and consultation procedures for Council works and State works' (chapter 9) and training (chapters 11 and 12) which will be dependant on the Noongar Working Party.

Even though at first glance the Agreement may appear to impose onerous requirements it must be remembered that the issues are included in any Native Title claim. The Draft Agreement was endorsed by the meeting subject to agreement by member Councils at their March meetings for final ratification at the next Zone meeting to be held on 2nd April 2004. Providing all Councils are in agreement it is intended to hold joint signing ceremony in Narrogin with all parties sometime in late May.

The ILUA will be a historic national first and will probably be a model document for other parts of WA and Australia.

Recommendation:

That Council agree to being a signatory to the Indigenous Land Use Agreement.

Rose / Fowler

That Council agree to being a signatory to the Indigenous Land Use Agreement.

**Carried 9/0
Resolution 156/04**

8.1.9 WILLIAMS SEWERAGE SCHEME

Transfer to Water Corporation

File Reference: 10.30.20
Author & Date: V. Epiro 5th March 2004

Background:

As Council is aware the proposed transfer of the Williams Sewerage Scheme to the Water Corporation has been an ongoing issue since 1997. Following a Council deputation to the Minister for Government Enterprises, Nick Griffiths, in August 2003 submissions were made by the Water Corporation and Council regarding the transfer and advice has now been received from the Ministers Office that the proposal is being put to Cabinet on Monday 15th March 2004.

On March 2nd officers from the Water Corporation visited Williams for discussions with myself and Deputy Chief Executive Officer Ian Ball regarding the administrative arrangements required for the transfer to take effect on 1st July 2004. Council will be required to forward a letter to all landowners in the seweraged area advising them of the transfer and the increase in the sewerage rate (from \$0.09 to \$0.12 in the dollar) for 2004/2005 to bring Williams into line with other country towns.

Recommendation:

That the information be noted.

Bowden / Fowler

That the information be noted.

**Carried 9/0
Resolution 157/04**

Afternoon Tea – Council adjourned for afternoon tea at 3.05pm and resumed the meeting at 3.25pm.

Works Supervisor Mark Willcocks attended the meeting at 3.25pm to discuss his report.

8.3 Works Supervisor's Report

Maintenance Grading

Summer maintenance grading has been carried out on the following roads;

Marradong Road, Fourteen Mile Brook Road, York-Williams Road, Congelin Road, Cowcher Road, Plank Road, Quindanning-Darkan Road

Private Works

Tarwonga East Road – This road has been completed.

Meg Strickland – The sand pad for this house on Richardson Street has been completed.

Construction

Zilko Road – Sealing of hill has been completed.

Extracts Road – Sealing of this road will be completed by the next Council meeting.

Community Resource Centre – Retaining wall will be completed by the next Council meeting.

It is hoped to commence work on the Narrogin Road in the next week.

Bowden / G Cowcher

That the Works Supervisors report be received.

**Carried 9/0
Resolution 158/04**

The following items were raised by Council;

Marling Road – overgrown suckers on various bends need removing.

Nash Road – Grading to remove loose gravel especially on the first bend.

Pig Gully Road – the section from Taylor’s to Burra Burra Farm needs suckers cleared and the road widened.

Quindanning Race Club – liaise with Club President to arrange grading of the track.

Road Maintenance – careful consideration should be taken before undertaking extensive private works jobs so that the level of maintenance on Council local roads is not compromised.

Accumulated Leave – Council agreed to pay out Mr Willcocks six weeks accumulated annual leave. He has an opportunity to be part of a school netball trip to South Africa with his daughter and this will assist with expenses.

Council adjourned the meeting at 3.50pm to inspect the new house being built on lot 362 Richardson Street.

The meeting resumed at 4.25pm.

CHIEF EXECUTIVE OFFICER’S REPORT CONTINUED

8.1.10 NEW STAFF RESIDENCE – 6 RICHARDSON STREET, WILLIAMS

Tenancy and Additional Building Items

File Reference: 9.10.20
Author & Date: V. Epiro 8th March 2004

Background:

Scott Park Homes are progressively completing the new residence at 6 Richardson Street with internal works to be done plus paving and patio. Payments to Scott Park Homes amount to \$90,594, which is 60% of the contract price (\$151,992) with the balance to be paid as follows;

Lock-up	\$30,198
Completion	\$30,200

Council’s committee comprising Councilors Carne, Fowler and Gary Cowcher will need to meet soon to consider items not included in the contract ie; window treatments, floor coverings (carpet), fencing, landscaping, storage/garden shed.

Also it is suggested that Council consider making a rental offer to Works Supervisor Mark Willcocks (Deputy Chief Executive Officer, Ian Ball declined rental) for lease of the residence on completion.

Recommendation:

That rental of the residence at 6 Richardson Street Williams be offered to Works Supervisor Mark Willcocks at a subsidized rental equivalent to 50% of the gross rental value.

Harding / Fowler

That the following additions be made to the new residence being erected at lot 362 Richardson Street;

1. Colorbond fencing to be erected at the rear of the block.
2. Install split system airconditioning in living area.
3. Erect a large colorbond garden shed.
5. Reduce the size of the patio to allow rear access for vehicles.

**Carried 9/0
Resolution 159/04**

8.1.11 Southern Independent Property Valuations

Valuation on 23 Fry Street Williams (See Appendix 4)

File Reference: 9.10.30
Author & Date: V. Epiro 9th March 2004

Background:

At the February meeting Council agreed to sell the residence on 23 Fry Street Williams to L and K Bertuola subject to a valuation being obtained for the property. A valuation of \$57,000 has been assessed for the property by valuers at Southern Independent Property Valuations and Council may now resolve to proceed with the sale on a sale price above, equal or below the valuation and on any terms and conditions as agreed to by both parties.

As the sale is intended to be by private treaty, statewide notice must be given with details of the transaction and submissions invited for a minimum period of 14 days on the proposal. Council is then required to deal with any submissions (if any) and then the land transaction may proceed.

Recommendation:

That Council agree to the selling of 23 Fry Street Williams for the sale price of \$57,000 to L and K Bertuola subject to submissions being received to the proposal.

Carne / Fowler

That Council agree to the selling of 23 Fry Street Williams for the sale price of \$57,000 to L and K Bertuola subject to submissions being received to the proposal.

Lost 2/7

Rose / Bowden

That an agent operating in the district be requested to provide a market appraisal for the house at 23 Fry Street Williams.

**Carried 8/1
Resolution 160/04**

LATE ITEMS

G Cowcher / Carne

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

Carried 9/0

8.1.12 MINISTER FOR SPORT AND RECREATION

Community Sporting and Recreation Facilities Fund

The Minister wishes to inform Council of the outcome of the application for funding through CSRFF. A \$60,000 grant has been approved to assist with the construction of a dam as an additional watering source for recreational facilities.

8.1.13 CENTRAL COUNTRY ZONE

Agenda for Ordinary Meeting Friday 2nd April 2004 – Darkan Sports Complex

Agenda Items;

- 5.2 Support
- 5.3 Support
- 5.4 Discussion
- 5.5 Support
- 5.6 Discussion

8.1.14 DEPARTMENT OF HOUSING AND WORKS

Lot 111 Growse Street Williams – Housing Joint Venture Program

Attached is two sets of plans for the construction of 2x2 bedroom units for seniors for examination and acceptance by Council.

Harding / Stone

That Council sign off on the plans, sign and seal the agreement and remit Council's cash contribution of \$40,000 towards the project.

**Carried 9/0
Resolution 161/04**

8.1.15 NATIONAL PARTY OF AUSTRALIA

Visit to Williams

The National Party of Australia advise that a delegation will be visiting Williams on Thursday 19th March 2004, primarily to inspect Police facilities. Council are invited to be present to discuss this or other issues.

8.1.16 CHIEF BUSH FIRE CONTROL OFFICER

Fire Permits

Councils Chief Bush Fire Control Officer, Richard Johnstone, advises that he has cancelled the issue of burning permits until Wednesday 24th March 2004 because of the extreme weather conditions forecast. Also the restricted burning period has been extended to the 12th April 2004.

8.1.17 WILLIAMS WEB-SITE - ONLINE

The Chief Executive Officer advised that the Williams website has gone online. The address is www.williams.wa.gov.au

8.2 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT

8.2.1 ACCOUNTS FOR PAYMENT

That Municipal Fund cheques 819 - 836 totaling \$75,547.43 and Trust Fund cheques 1025 - 1026 totalling \$400.00 approved for payment by the Chief Executive Officer be endorsed and the Municipal Fund cheques 837 - 899 totaling \$124,300.51 be approved for payment.

Bowden / G Cowcher

That Municipal Fund cheques 819 - 836 totaling \$75,547.43 and Trust Fund cheques 1025 - 1026 totalling \$400.00 approved for payment by the Chief Executive Officer be endorsed and the Municipal Fund cheques 837 - 899 totaling \$124,300.51 be approved for payment.

**Carried 9/0
Resolution 162/04**

8.2.2 FINANCIAL STATEMENTS

Rose / Stone

That the financial statements presented for the period ending 29th February 2004 be received.

**Carried 9/0
Resolution 163/04**

8.4 ENVIRONMENTAL HEALTH OFFICER / BUILDING SURVEYOR'S REPORT

Building Permits

#98 Dakin Farms	Loc 13959 Clayton Road	Steel frame transportable
#99 Spadaccini Constructions	Lot 371 Brooking Street	Brick & iron Community Centre

All premises issued with a building permit are inspected on a regular basis.

Food Premises Inspection

BP Roadhouse – Generally well maintained.

Quindanning Inn – Inspected in conjunction with FESA Officer. Fire safety report given to owners. Some works required.

Queries regarding planning / building approval answered, particularly in relation to the Milbrook subdivision.

Water Sampling

Pool samples were taken from the Williams Public Pool – result satisfactory.

Higham / G Cowcher

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

**Carried 9/0
Resolution 164/04**

8.5 COUNCILLORS REPORTS

Cr Higham advised that she had attended a school bus committee meeting. Difficulty is being experienced in keeping bus services open because of low numbers of children, especially on the Tarwonga service. Residents on these lines need to be attracted to Williams so that they send their children to the school. The school bus operators are preparing a report on school bus signs so that defunct signs can be removed and new signs erected at appropriate stops.

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

Nil

11.0 INFORMATION SESSION

Recreation Ground Lighting

The lux level of the present lighting needs to be checked to ascertain the level and type of sports that can be safely played under light.

12.0 MEETINGS CLOSURE

There being no further business for discussion the President declared the meeting closed at 6.15pm.