

SHIRE OF WILLIAMS

**MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON
WEDNESDAY 19TH MAY 2004**

1.0 OPENING

1.1 DECLARATION OF OPENING

The President declared the meeting open at 1.02pm

1.2 ANNOUNCEMENT OF VISITORS

Jeff Anderson, Regional Manager, Main Roads WA attending the meeting at 2.30pm.

2.0 RECORD OF ATTENDANCE

2.1 PRESENT

Cr John Cowcher	President
Cr Robert Rose	Deputy President
Cr Gary Cowcher	
Cr Ashley Stone	
Cr Graham Harding	
Cr Moya Carne	
Cr Jo Fowler	
Cr Christine Higham	
V Epiro	Chief Executive Officer
IR Ball	Deputy Chief Executive Officer
MR Willcocks	Works Supervisor (4.05pm – 4.15pm)

2.2 APOLOGIES

Cr Robert Bowden

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 21ST APRIL 2004

Rose/Carne

That the minutes of the Ordinary Meeting held in the Council Chambers on Wednesday 21st April 2004, as circulated, be confirmed as a true and correct record of proceedings.

**Carried 8/0
Resolution 190/04**

6.2 SPECIAL MEETING MINUTES 21ST APRIL 2004

Stone/Fowler

That the minutes of the Special Meeting held in the Council Chambers on Wednesday 21st April 2004, as circulated, be confirmed as a true and correct record of proceedings.

**Carried 8/0
Resolution 191/04**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8.0 REPORTS OF COMMITTEES/OFFICERS AND COUNCILLORS

8.1 CHIEF EXECUTIVE OFFICER'S REPORT

8.1.1 WA LOCAL GOVERNMENT ASSOCIATION

Date of Future Local Government Elections

File Reference: 4.1.40
Author & Date: V. Epiro 4th May 2004

Background:

This issue has been debated for some years with a view to changing the date prescribed under section 4.7 of the Local Government Act 1995, from the first Saturday in May to September / October. The proposed change of the date is being recommended to enable Elected Members to be better informed before having to vote on the adoption of the Local Government's Annual Budget.

Members views are being sought at this time as the Department of Local Government and Regional Development are undertaking a review of the electoral provisions in the Local Government Act, it was considered that the Association should develop a position on the proposal after consultation with member Councils.

Changing the election date to the first Saturday in September or October would definitely be of greater advantage to newly elected Councilors for Principal Activities Plans and Budgets, therefore an amendment to the electoral provisions should be supported.

Recommendation:

That the proposal to change the election date to September / October be supported.

G Cowcher/Stone

That the proposal to change the election date to September / October be supported.

**Carried 7/1
Resolution 192/04**

8.1.2 CENTRAL COUNTRY ZONE

Election of State Council Delegate and Deputy Delegate (See Appendix 1)

File Reference: 4.12.10

Author & Date: V. Epiro 4th May 2004

Background:

The Central Country Zone (WALGA) is represented on the State Council by one delegate, who is currently Ian Watts (President Shire of Cuballing), who's term expires on 30th June 2004. Nominations were called for the positions of Delegate and Deputy Delegate, with the following nominations being received;

Delegate- Cr Ian Watts (Shire of Cuballing)
Cr Don Ennis (Town of Narrogin)
Deputy Delegate - Cr Don Ennis (Town of Narrogin)

Council is asked to vote for their preferred Delegate (see appendix).

Recommendation:

That Council vote for a preferred candidate.

Harding/Carne

That Council vote for Delegate – Cr Ian Watts

Deputy Delegate – Cr Don Ennis

**Carried 8/0
Resolution 193/04**

8.1.3 NARROGIN BUSINESS ENTERPRISE CENTRE

Financial Support

File Reference: 4.12.35
Author & Date: V. Epiro 4th May 2004

Background:

This item was left to lay on the table from the April meeting until further information was forthcoming. Enquiries were made with the Williams Telecentre and two business enterprises who have utilized the Centre's services in recent times.

The Williams Telecentre liaises with the Narrogin BEC in presenting courses (generally fee paying) on a variety of subjects which are attended by Williams residents at a venue in Williams. Presenters for the courses are arranged through the Narrogin BEC which is generally more convenient and cost effective.

Both business proprietors stated that the Narrogin BEC was helpful in providing guidance at the commencement of their enterprise and that they had attended some of the courses related to business management which the Williams Telecentre had run in conjunction with the Narrogin BEC.

It would seem that the Narrogin BEC is fulfilling some role in assisting business people, however Council will need to determine whether this is worthy of financial support.

Recommendation:

That Council consider the Narrogin BEC's request for financial support.

Carne/Harding

That a contribution of \$1,000.00 be made to the Narrogin Business Enterprise Centre in 2004/2005 provided a copy of the Annual Report and Financial Statements for 2003/2004 is made available to Council.

**Carried 7/1
Resolution 194/04**

8.1.4 WHEATBELT AREA CONSULTATIVE COMMITTEE (ACC) INC

Establishment of 'Wheatbelt Youth Services' Model (See Appendix 2)

File Reference: 8.50.40
Author & Date: V. Epiro 5th May 2004

Background:

The Wheatbelt Area Consultative Committee, which comprises 44 Councils in the central and eastern Wheatbelt, is interested in establishing a 'Wheatbelt Youth Services' model in partnership with Avon Youth Services, to inspire, motivate and encourage communities and groups to engage young people and participate in youth friendly activities.

It is not considered viable for individual Shires to put on Youth Project Officers in areas where the numbers do not warrant the employment of a staff member, therefore this region wide model to cover the 44 Shires in the ACC area is being promoted.

Attachment 'D' in the Appendix outlines a Draft Budget of \$500,000 over 2 years to employ 4 staff plus one admin person to manage the service supported by a management committee of stakeholders. Williams' contribution to the project would be \$6,450 and is based pro-rate on population figures.

Some two years ago the Williams Telecentre was successful in obtaining funding for appointment of a part-time Youth Coordinator and the formation of a Youth Action Committee (YAC). However because of difficulties associated with appointment of a Coordinator, the Scheme never really got established despite Council granting approval for use of the rear shed on the SES block (next to fire station) as a Youth Centre.

Council needs to determine what value the service would be to the youth of Williams and if it is worth supporting.

Recommendation:

That Council consider participation in the 'Wheatbelt Youth Services' Model being proposed by the Wheatbelt Area Consultative Committee (ACC) Inc.

Rose/Harding

That Council not participate in the 'Wheatbelt Youth Services' Model being proposed by the Wheatbelt Area Consultative Committee (ACC) Inc.

**Carried 8/0
Resolution 195/04**

8.1.5 AVON WASTE

Recycling Service and Rubbish Contract

File Reference: 10.10.20
Author & Date: V. Epiro 5th May 2004

Background:

Avon Waste is again offering a kerb-side house to house recycling service, however this issue was going to be further considered after a visit by Council to York/Cunderdin to inspect their refuse service and facility. It is hoped to organize a day after seeding operations are completed.

Councils five year contract with Avon Waste for refuse collection expires on 30th June 2004. As the total value of the contract exceeds \$50,000, Council is obliged to call tenders. However, following a discussion with Councils Health Officer, Steve Friend, he advised that the Boddington and Wandering Shires contract with Avon Waste also expires at the same time. With the Shire of Narrogin having a local contractor (L Sims) it would be advisable for the three Councils (Williams, Boddington, Wandering) to call joint tenders as securing the three towns (including Quindanning) would be a lot more attractive proposition for any contractor.

Avon Waste was agreeable to just renewing the contract for another five years at the same rate as at present, however the tender regulations prevent consideration of this offer.

Recommendation:

That joint tenders be called in conjunction with the Shires of Boddington and Wandering for refuse collection for the 5 year period 1st July 2004 to 30th June 2009.

Rose/Fowler

That joint tenders be called in conjunction with the Shires of Boddington and Wandering for refuse collection for the 5 year period 1st July 2004 to 30th June 2009.

**Carried 8/0
Resolution 196/04**

8.1.6 DEPARTMENT OF PLANNING AND INFRASTRUCTURE

Management of Reserve 920 (See Appendix 3)

File Reference: 11.30.31
Author & Date: V. Epiro 5th May 2004

Background:

The Department is requesting Council re-consider accepting a Management Order for Reserve 920, located on the junction of Albany Highway and Wilkie Road, which comprises an area of 5.3810ha. There is a pioneer grave located on the reserve which comprises mainly native vegetation. With the reserve being so far from Williams and not containing any special attraction there would appear to be no reason why Council would want to assume management which would entail ongoing maintenance.

Recommendation:

That Council decline the Department of Planning and Infrastructures offer for management of Reserve 920.

Stone/Harding

That Council decline the Department of Planning and Infrastructures offer for management of Reserve 920.

**Carried 8/0
Resolution 197/04**

8.1.7 DEPARTMENT OF LAND ADMINISTRATION

Quindanning-Darkan Road (See Appendix 4)

File Reference: 12.15.34
Author & Date: V. Epiro 5th May 2004

Background:

For many years the Quindanning-Darkan Road survey ran from the Quindanning Hall in a south-westerly direction to link up with the Coolakin Road at the Boddington / Williams boundary, which came southwards from the Harvey-Quindanning Road. It was then called the Quindanning-Darkan Road from Waldocks entrance to Darkan. However, several years ago, the road was closed at the north-west corner of location 1158 and this left two separate sections of the Quindanning-Darkan Road and the section in the Boddington Shire as Coolakin Road.

Following a request from the Department of Land Administration the Shire of Boddington has agreed to re-name Coolakin Road to Quindanning-Darkan Road and Williams is being asked to rename the section of road from the Quindanning Hall to location 1598 (see appendix plan).

It is suggested that the section marked yellow on the plan be named Waldock Road, as it serves as an access to the Waldock farm and in recognition of the lengthy presence of the family in the Quindanning area.

Recommendation:

That the section of the road running from the Pinjarra-Williams Road to the north-west corner of location 1158 be renamed Waldock Road.

Rose/Higham

That the section of the road running from the Pinjarra-Williams Road to the north-west corner of location 1158 be renamed Waldock Road with the western section running from Quindanning/Darkan Road along the southern boundary of Location 1355 being named Norwood Road.

**Carried 8/0
Resolution 198/04**

8.1.8 MS M STRICKLAND

Closure of Right of Way

File Reference: 12.15.38
Author & Date: V. Epiro 5th May 2004

Background:

At the February 2004 meeting Council deferred making a decision on an application from Meg Strickland for closure of the right of way adjoining her property, lot 14 Richardson St Williams. It was resolved to reconsider the application after completion of the R-codes review, which was carried out at the April meeting. However since the above, it has been brought to Councils attention that a water main from Richardson Street runs through the right of way to service adjoining properties which effectively prevents the closure of the right of way.

As a requirement of any road closure, approval must be obtained from the public utilities (Telstra, Western Power, Water Corporation) prior to DOLA considering approval. It is certain that the Water Corporation would object to closure, therefore the application should be refused.

Ms Strickland would still like approval to erect a fence across the ROW in order that the area can be maintained.

Recommendation:

That approval not be given to the application for closure of the right of way adjoining lot 14 Richardson Street because of the existence of a water main, and that Ms Strickland be granted approval to erect a fence across the ROW subject to removal in the event of access being required.

G Cowcher/Rose

That approval not be given to the application for closure of the right of way adjoining lot 14 Richardson Street because of the existence of a water main, and that Ms Strickland be granted approval to erect a fence across the ROW subject to removal in the event of access being required.

**Carried 8/0
Resolution 199/04**

8.1.9 MAIN ROADS WA

Land Resumption Location 13963 (S Schulz)

File Reference: 12.15.39
Author & Date: V .Epiro 5th May 2004

Background:

Main Roads are proposing to resume land from location 13963 (S. Schulz) in conjunction with the widening of the Williams-Kondinin Road, which was recently completed. The Land Administration Act requires the local authority to endorse the resumption for Main Roads to proceed with the acquisition process.

Recommendation:

That Council concurs with the taking of land, a portion of Williams location 13963 on the Williams-Kondinin Road, and also to its dedication as a road under section 56 of the Land Administration Act.

Carne/Fowler

That Council concurs with the taking of land, a portion of Williams location 13963 on the Williams-Kondinin Road, and also to its dedication as a road under section 56 of the Land Administration Act.

**Carried 8/0
Resolution 200/04**

8.1.10 C. LEWIS

Development Application for Lot 16 Milbrook Estate

File Reference: 14.25.22
Author & Date: V. Epiro 5th May 2004

Background:

In his application Mr Lewis states that he wishes to place a 20ft sea container at the northern end of the block adjoining the Williams River. An awning constructed of steel and corrugated iron (new) would be added to the river side (north) of the container. It is intended to use the container for locking up equipment and as a shade area during development of the site.

Mr Lewis was advised to submit a plan in my response to his initial letter, however he has only provided a block plan with writing to indicate where a residence and shed would eventually be placed on the lot.

There is need to again consider the application in the context of the Regulatory Controls for the Rural Residential Zone contained in Williams Town Planning Scheme No 2 4.5 Regulatory Controls.

2(F) Rural Residential

“In considering an application for development approval for a proposed development (including additions and alterations to existing development) Council shall have regard to the following;

- 1) the colour and texture of external building materials;
- 2) building size, height, bulk, roof pitch;
- 3) set-back and location of the building on the lot;
- 4) architectural style and design details of the building;
- 5) relationship to surrounding developments;
- 6) other characteristics considered by the Council to be relevant.”

Even though Mr Lewis states that the container would only be used during the development stage, he also indicated that he plans to retire to Williams, however this is a number of years away yet and that there are no plans to build in the immediate future.

It can be said that the placement of a sea container would not be in keeping with the building plans being submitted for surrounding lots and therefore should not be approved.

Recommendation:

That the notice of intention to develop application from CA and J Lewis to place a sea container on lot 16 Millbrook Place be refused as it is not considered compatible with the building standard being established for surrounding lots.

G Cowcher/Stone

That the notice of intention to develop application from CA and J Lewis to place a sea container on lot 16 Millbrook Place be refused as it is not considered compatible with the building standard being established for surrounding lots.

**Carried 8/0
Resolution 201/04**

8.1.11 ESTATE OF K PETCHELL

Purchase of Ptn Lot 46 Growse Street Williams (See Appendix 5)

File Reference: 11.10.35
Author & Date: V. Epiro 10th May 2004

Background:

Prior to his passing away Council had discussed with the late Ken Petchell the possibility of purchasing the rear of lot 46 for amalgamation with reserve 9784 and for the erection of a storage shed for the Williams Repertory Club.

I have recently been contacted by Mr John Petchell, Executor of the Estate, who advised that settlement of the estate is almost completed and that Mrs Leanne Petchell has advised him of Councils interest in purchasing the land in question. In our discussion I advised Mr Petchell that I would raise the issue with Council on the basis of Council submitting an offer to Mrs Leanne Petchell for the land which measures 25 x 40 metres (1000m²) which comprises the area approximately 8m from the rear of the cream colorbond shed on the lot to the ROW.

Mrs Petchell as the owner would have to submit any application for subdivision which would happen once agreement is reached on the sale price. The Department of Planning and Infrastructure have agreed to the amalgamation of land in reserve 9784 (currently vested in Council) subject to Council being responsible for all associated costs.

As the sewerage and water services for lot 46 are located in the right of way there may be some issues with relocation and/or easements for approval of the subdivision which the owner would need to take into consideration. Firstly however Council needs to determine a value for the land and make an offer accordingly.

Recommendation:

That Council determine an amount to offer Mrs L Petchell for purchase of ptn lot 46 Growse Street Williams.

Harding/Carne

That further inquiries be made to determine the location of existing underground services with the cost to relocate if necessary and also the cost of head works charges involved with subdivision of a separate lot.

**Carried 7/1
Resolution 202/04**

8.1.12 STAFF

Plant Operator and Town Maintenance Person

File Reference: 14.60.20
Author & Date: V. Epiro 10th May 2004

Background:

Following recent resignations the following appointments have been made;

Plant Operator: Dan Brandis who was a grader operator with the Shire of Derby/West Kimberly for seven years, was appointed to the position and commenced on 5th April 2004. Dan and his partner Bridie are occupying the residence at 14 Adam Street Williams.

Town Maintenance Person: Greg Lovring commenced in this position on 27th April 2004, prior to this Greg was employed with the City of Swan as part of their garden workforce. Greg is occupying the residence adjoining the bowling club, previously occupied by Michael Sredjovic.

Lawrence Steele (Plant Operator) resigned from his position as from 12th May 2004 to take up a position with a mining company in Mullewa. It is not intended to fill his position in the immediate future because of winter and the lack of a residence to offer for rental.

Recommendation:

That the information be noted.

8.1.13 SPECIAL MEETING TO CONSIDER RATES, FEES AND CHARGES, SALARY REVIEWS AND WORKS PROGRAM FOR THE 2004/2005 BUDGET

File Reference: 4.23.10
Author & Date: V. Epiro 11th May 2004

Background:

Council generally holds a special pre-budget meeting on the morning of the Ordinary Meeting in June to consider fees and charges etc... for the forthcoming year.

Recommendation:

That a Special Meeting be held at 9.00am Wednesday 16th June 2004 to consider fees and charges etc... for the 2004/2005 financial year.

Fowler/G Cowcher

That a Special Meeting be held at 9.00am Wednesday 16th June 2004 to consider fees and charges etc... for the 2004/2005 financial year.

**Carried 8/0
Resolution 203/04**

LATE ITEMS

G Cowcher/Stone

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

**Carried 8/0
Resolution 204/04**

8.1.14 STAFF HOUSING

Leon and Kim Bertuola have declined the purchase of Lot Fry Street. Also Mark and Vicki Willcocks have declined Council's offer to relocate to the house at Lot 25 Richardson Street presently occupied by the Deputy CEO.

Jeff Anderson, Regional Manager, Main Roads WA attended the meeting at 2.35pm to discuss several issues with Council.

Mr Anderson advised that the Albany Highway is the only one in the State network that is continuing to grow. Currently by 3% and looking like continuing, especially the heavy vehicles. Main Roads WA needs to continue to look at improvements and the safety aspect of the highway.

Albany Highway Pedestrian Issues

Peter Moses, Traffic Safety Auditor, has made several recommendations in regard to pedestrian access to recreation areas on the south side of the Highway, including moving the 50kmh speed restriction further south from the bridge and the installation of traffic islands. Problems with the installation of a highway underpass include flooding, lighting, social undesirability and the costs of approximately \$250,000.00.

Albany Highway Future Planning

Long term it would be desirable to relocate the highway further west and then use the existing road as a service road to the town. MRWA does get involved with underground power installation, mainly with planning, however the major cost burden rests with Council.

A strategy is in place to have passing lanes installed every 20km. Funds are available to construct a passing lane south of the town site in the near future.

Williams Narrogin Highway

Mr Anderson thanked Council for assistance given with the road shoulder widening/reconditioning in conjunction with the Shire of Narrogin. This is now the standard for the rest of the highway.

Pinjarra-Williams Road

Further shoulder widening/reconditioning will be carried out as funds become available.

Williams-Darkan Road

Extensive resealing has been undertaken on this road. A case could be made to hand the road over to the Shires of Williams and West Arthur.

Fire Risk Management Albany Highway

The issue is to identify sections that are of concern to adjoining land owners and either taking hazard precautions or look at replanting the areas with less sustainable species. Also a greater lateral clearance between the bitumen edge and the road side vegetation could be created.

Heavy Vehicle Changes

MRWA is under criticism at the moment from private sector operators to open up the road network further. Consultation will be carried out with Local Government to protect the Local Government interest. A presentation is being set up by MRWA to talk about these issues. MRWA have produced guidelines to ascertain the suitability of local roads for heavy/long vehicle access.

Mr Anderson left the meeting at 3.35pm

Afternoon Tea - Council adjourned for afternoon tea at 3.35pm and resumed the meeting at 4.05pm

Works Supervisor Mark Willcocks attended the meeting at 4.05pm to discuss his report.

8.3 WORKS SUPERVISORS REPORT

Maintenance Grading

Congelin Road, Fawcetts Road, Glenfield Road, Munthoola Road

York-Williams Road – cleaned up shoulders and back slopes.

Private Works

Narrogin Road – Completed widening, John Wheeler still to complete fencing, Lindsay Sims to complete culverts.

Water Carting – TKK, Wilkies, Narrakine Hay Plant, Hardings, Piesses, Bullieds

Hal Klug – Grader hire to level out contour banks.

Construction

Pavilion Car Park – This has been sealed, however ran short of bitumen. The job will be completed in the next couple of weeks.

Footpath along river – This has been graveled.

Sewerage extension to Meg Strickland's new house.

Maintenance

Culvert cleaning on the York-Williams Road.

Harding/Fowler

That the Works Supervisor's Report be received.

**Carried 8/0
Resolution 205/04**

Bates Road

Mr Willcocks advised that he had inspected the culvert on Bates Road with Bill Petchell. The culvert is too narrow for machinery and large trucks. Structurally it appears to be in reasonable condition. Main Roads Engineers have been asked to inspect it and report on the condition. To replace the culvert and widen the road would be a major project.

Council resolved to have a look at the road in conjunction with the annual road inspection.

Mr Willcocks left the meeting at 4.15pm

CHIEF EXECUTIVE OFFICER'S REPORT CONTINUED

8.1.14 STAFF HOUSING

G Cowcher/Fowler

That the house at Lot 25 Richardson Street be offered to Gardener Leon Birch initially and then to Leading Hand Colin Dymock if the offer is not taken up.

**Carried 8/0
Resolution 206/04**

8.1.15 WILLIAMS ST JOHN AMBULANCE SUB CENTRE

The Williams Sub Centre has developed a project to assist with the emergency management and care of the increasing aged population. They propose to purchase two portable/foldable wheelchairs and a new Hearstart defibrillator machine for the ambulances. The total cost of the project is estimated at \$13,000.00. They are seeking funding support for the project.

Harding / Folwer

That Council contribute \$5,000.00 towards the purchase of the equipment with the funds to be allocated from increased private works income.

**Carried 8/0
Resolution 207/04**

Carne/Rose

That concern be expressed to the Minister for Emergency Services that local St John Ambulance Sub Centres have to find funds for emergency service equipment, which should be supported from State Government funding.

**Carried 8/0
Resolution 208/04**

8.1.16 ECONOMIC REGULATION AUTHORITY

Transfer of Sewerage Scheme

The Authority request a formal resolution endorsing the transfer of the Williams Sewerage Scheme to the Water Corporation.

Stone/Higham

That Council endorse the transfer of the Williams Sewerage Scheme license, assets and liabilities to the Water Corporation as from 1st July 2004.

**Carried 8/0
Resolution 209/04**

8.1.17 AGRICULTURE PROTECTION BOARD – NOMINATION ZONE CONTROL AUTHORITY

Under the Agriculture and Related Protection Act 1976 the terms of office of individual ZCA members are lited to three years, although retiring members are eligible for re-appointment if they wish to continue beyond this time.

Higham/Rose

That Cr Harding be nominated to continue as Councils representative on the Agriculture Protection Board Zone Control Authority.

**Carried 8/0
Resolution 210/04**

8.1.18 DAVID GRAY – SUBDIVISION MUNTHOOLA FARMSTAY

Mr Gray asks if Council has any concerns with him acting for the subdivision whilst he is carrying out instructions from Council for Town Planning Scheme Amendment 15.

Rose/Stone

That David Gray be advised that Council does not perceive a conflict of interest with him being involved in the subdivision of the Munthoola Farmstay.

**Carried 8/0
Resolution 211/04**

8.1.19 PETER CANDY – REMOVAL OF CAR BODIES LOT 43 GROWSE STREET

Mr Candy was served notice on 11th May 2004 under Schedule 3.1 Section (5A) 1 of the Local Government Act 1995 to remove “disused material” (5 motor vehicle wrecks) from the rear of Lot 43 Growse Street, Williams prior to 31st May 2004. Mr Candy advises that he will remove the vehicles when commitments allow him. He also advises that the vehicles are vintage vehicles and considered to be valuable.

Carne/G Cowcher

That Mr Candy be granted an extension until 31st July 2004 to remove the car bodies from the rear of Lot 43 Growse Street, Williams.

**Carried 8/0
Resolution 212/04**

8.2 DEPUTY CHIEF EXECUTIVE OFFICER’S REPORT

8.2.1 ACCOUNTS FOR PAYMENT

Rose/Carne

That Municipal Fund cheques 993 - 1004 Totaling \$56,708.29 approved for payment by the Chief Executive Officer be endorsed and the Municipal Fund cheques 1005 - 1071 totalling \$139,684.97 be approved for payment.

**Carried 8/0
Resolution 213/04**

8.2.2 FINANCIAL STATEMENTS

Stone/Fowler

That the financial statements presented for the period ending 30th April 2004 be received.

**Carried 8/0
Resolution 214/04**

8.4 ENVIRONMENTAL HEALTH OFFICER / BUILDING SURVEYOR'S REPORT

Building Permits

#104	W. Gillett	Lot 24 Richardson St, Williams	Zinc garage
#105	M. Strickland	Lot 14 Richardson St, Williams	Hardiplank and steel dwelling
#106	T & E Mortimer	Lot 39D New Street, Williams	Colorbond patio

Premises issued with building permits are checked on a regular basis. The degree of inspection varies due to the building, ie; a dwelling or commercial building demands a higher level of inspection than a carport or garage. In a lot of instances the builder is not in attendance so access to the building can be limited if it is at lockup stage, conversely many inspections can go unnoticed.

There are several buildings that have been under construction for a considerable period of time, which Council may wish to act on. These include;

<i>Permit</i>	<i>Address</i>	<i>Building</i>	<i>Date Issued</i>	<i>Builder</i>
#23	Lot 6 Petchell Road	Hardiplank/steel dwelling	22/2/2000	O/B*
#49	Lot 116 Richmond St	House extension	19/12/2000	O/B
#56	Loc 3145 Pig Gully Rd	Straw bale house	1/5/2001	O/B
#71	Lot 35 New St	House refurbishment	23/4/2002**	O/B

* O/B = Owner Builder

** Permit first issued 4/12/2001

As can be seen some of these projects have been going for up to four years. In all cases they are being built by owner builders. It is not uncommon for owner builders to not complete their projects within the specified time. The specified time is counteracted by the Local Government Act (Miscellaneous Provisions) and the Building Regulations 1989.

The Building Regulations state that where a license is issued under the Regulations it shall be completed within 24 months or such other time as the Local Government approves. Where work is not completed within the time frame prescribed the provisions of section 409A of the Local Government Act apply. In essence this states that where a building has commenced but not been completed within the allowed timeframe a Local Government can write to the owner of the building requiring him, within 60 days, to show cause why the building should not be demolished and removed. The Local Government, if not satisfied with the reason for the delay, can serve an order on the owners to demolish the building within a reasonable, specified time, or where the owner fails to comply, do the work itself and recover the costs. The owners have a right of appeal should the Local Government order demolition.

Available options where a building is incomplete after two years include;

1. Extend the period of a building license by local law (ie; from 2 years to 3 or 4 years). This wouldn't make anyone work any quicker, it would probably have the opposite effect.
2. Let the builder carry on at their own pace (ie; do nothing)
3. Write to the owners urging them to complete the building.
4. Act under Section 409A of the Local Government Act (as described above)

There is no mechanism to reissue the building license after the two years.

There are many reasons why buildings are not completed within the two years, including changes to the family structure (divorce, separation), illness or usually financial issues. I have never known a case where a building being built by a registered builder has not been completed on time. It is always the owner builders who do not, or cannot complete on time.

Based on the above Council can determine which course of action to take. A breakdown of the progress of each of the buildings will be available for the meeting.

Cr Harding declared an interest in this item and refrained from discussion and voting.

Rose/G Cowcher

That Cr Harding be permitted to remain in the meeting during discussion on the item.

**Carried 5/2
Resolution 215/04**

G Cowcher/Carne

That the Owner Builders listed be requested to advise Council when they intend to complete construction of their respective buildings.

**Carried 7/0
Resolution 216/04**

Food Premises Inspections

Williams General Store – cleanly maintained. However little has been done to refurbish the building as requested. The refurbishment was to have been staged with cracks to walls and peeling paint to be done by 30th September 2003, leaking roof by 29th February 2004, toilet and food preparation area at rear by July 2004. As the building has recently been sold it may be necessary to give the new owners a list of the defects and request an achievable timeframe for completion.

The Newsagency also has not commenced refurbishment. Their timeframe proposed was to commence in October / December 2004, funds permitting.

Crs Rose, Higham, Fowler and Harding declared an interest in this item and refrained from discussion and voting and left the meeting at 5.45pm.

The remaining Councillors discussed the item but due to the lack of a quorum no decision was made on action to be undertaken.

Crs Rose, Higham, Fowler and Harding returned to the meeting at 5.52pm

Water Samples

Taken from Bruce Nairn's Farmstay - water quality was acceptable.

Carne/G Cowcher

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

**Carried 8/0
Resolution 217/04**

8.5 COMMUNITY DEVELOPMENT OFFICER'S REPORT

Summary of work completed for the Shire of Williams – November 2003 to April 2004.

<i>Project</i>	<i>Funding Body / Responsible Department</i>	<i>Total Project cost</i>	<i>Funding Request</i>	<i>Status</i>
<i>Williams Gateway Expo 2004</i>	<i>Lotterywest</i>	\$23,015	\$8165	<ul style="list-style-type: none"> • Project funded • Project completed • Acquittal in process
<i>Construction of wastewater treatment dam</i>	Department of Sport and Recreation <i>Community Sport and Recreation Facilities Fund AND Water and Rivers Commission Community Water Supply Proposal</i>	\$389,620	\$129,873 \$110,000	<ul style="list-style-type: none"> • Project funded \$60,000 • Project yet to be commenced. • Awaiting advice of outcome.
<i>Volunteer Sundowner</i>	Department of Community Development Volunteering Secretariat <i>Thank a Volunteer Day celebration</i>	\$873	\$500	<ul style="list-style-type: none"> • Project funded • Project completed (20/02/04) • Acquittal completed.
<i>Shire of Williams Record Keeping Plan</i>		N/a	N/a	<ul style="list-style-type: none"> • Draft RKP completed. • RKP being reviewed. • Awaiting outcome.
<i>Town of Narrogin Record Keeping Plan</i>		N/a	N/a	<ul style="list-style-type: none"> • Draft RKP completed. • RKP being reviewed. • Awaiting outcome.
<i>Shire of Narrogin Record Keeping Plan</i>		N/a	N/a	<ul style="list-style-type: none"> • Draft RKP completed. • RKP being reviewed. • Awaiting outcome.
<i>Shire of Williams Bike Path (Fry & Richardson Streets)</i>	Department for Planning and Infrastructure <i>Country Pathways Program Planning & Infrastructure Grants</i>	\$45,320 <i>(Infrastructure project)</i> \$2500 <i>(Planning project)</i>	\$22,660 \$1375	<ul style="list-style-type: none"> • Funding application completed. • Awaiting advice of outcome.

<i>Williams St John Ambulance "Operation Safe-shift" project</i>	SGIO Community Help	\$12,613	\$5000	<ul style="list-style-type: none"> • Funding application completed. • Awaiting advice of outcome. • Sub-Centre seeking sponsorship for the balance of project costs.
<i>"To infinity and beyond" – Shire of Williams Playground upgrade</i>	Department of Local Government and Regional Development – <i>Community Facilities Grant Program</i> AND <i>Lotterywest</i>	\$32,001.46	\$25,000 \$4092.23	<ul style="list-style-type: none"> • Funding application completed. • Awaiting advice of outcome. • Funding application completed. • Awaiting advice of outcome.
Construction of Skatepark facility and ½ basketball court	<i>Lotterywest</i> AND Department of Community Development – <i>Youth Spaces and Facilities Fund</i>	\$24,348	\$20,000 \$4348	<ul style="list-style-type: none"> • Funding application completed. • Awaiting advice of outcome. • Funding application completed. • Awaiting advice of outcome.

Harding/Higham

That the Community Development Officer's Report be received.

**Carried 8/0
Resolution 218/04**

8.5 COUNCILLORS

8.5.1 HOUSE CONSTRUCTION WORKING PARTY

Crs Carne, Fowler and G Cowcher met recently to finalize several items. Floor coverings and window treatments selected and quote accepted. Patio posts not on the correct alignment to allow for vehicle access to the rear of the house. Paving to be completed around the whole house. Screen fence to be erected at the rear. Side fence needs to be erected on the line of the retaining wall. Storm water drainage needs to be installed.

9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN

Nil

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

10.1 ELECTED MEMBERS

Nil

10.2 STAFF

Nil

11.0 INFORMATION SESSION

Nil

12.0 MEETING CLOSURE

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