

## **SHIRE OF WILLIAMS**

### **MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON WEDNESDAY 20<sup>TH</sup> FEBRUARY 2008**

#### **1.0 OPENING**

##### **1.1 DECLARATION OF OPENING**

The President declared the meeting open at 1.05pm

##### **1.2 ANNOUNCEMENT OF VISITORS**

Nil

#### **2.0 RECORD OF ATTENDANCE**

##### **2.1 PRESENT**

Cr Ashley Stone	Deputy President
Cr Greg Cavanagh	
Cr Richard Johnstone	
Cr Moya Carne	
Cr David Earnshaw	
Cr Graham Prowse	
Cr Gilbert Medlen	

V Epiro	Chief Executive Officer
IR Ball	Deputy Chief Executive Officer
Tony Kett	Works Supervisor (3.30pm – 3.55pm)
Steve Friend	Environmental Health Officer/Building Surveyor (3.56pm – 4.20pm)

##### **2.2 APOLOGIES**

Cr John Cowcher

#### **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**

#### ***Cavanagh/Prowse***

That the minutes of the Ordinary Meeting held in the Council Chambers on Wednesday 19<sup>th</sup> December 2007, as circulated, be confirmed as a true and correct record of proceedings.

**Carried 7/0  
Resolution 146/07**

### **6.2 ELECTORS ANNUAL MEETING**

#### ***Johnstone/Prowse***

That the minutes of the Electors Annual Meeting held in the Council Chambers on Wednesday 19<sup>th</sup> December 2007, as circulated, be received.

**Carried 7/0  
Resolution 147/07**

## **7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION**

Nil

## **8.0 REPORTS OF COMMITTEES/OFFICERS AND COUNCILLORS**

### **8.1 CHIEF EXECUTIVE OFFICER'S REPORT**

<b>Report Reference:</b>	<b>8.1.1</b>
<b>Subject:</b>	<b>Main Roads – Speed Limits Pinjarra-Williams Road</b>
<b>File Reference:</b>	12.15.34
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro 31 <sup>st</sup> January 2008

#### **Background:**

Main Roads (Wheatbelt South) have been approached regarding a review of the speed limits on the Pinjarra-Williams Road approach to the Williams town site. Currently the speed limits that have been in place for several years are:

80km/hr from the boundary of the Millbrook subdivision  
60km/hr from the tennis courts to the Albany Highway

Main Roads have proposed 60km/hr from where the current 80km/hr is (860 metres from Albany Highway) and 80km/hr 500 metres further west (just west of the Warren residence). Even with the Millbrook development and the Carter development (which will have no access to the Pinjarra-Williams Road) it is suggested that there is no need for a major shift except for placing the 60km/hr at Millbrook Place Road and the 80km/hr at Old Soldiers Road.

#### ***Recommendation:***

*That Main Roads be advised Council supports the relocation of the 60km/hr to Millbrook Place Road and the 80km/hr to Old Soldiers Road.*

#### ***Carne/Prowse***

That Main Roads be advised Council supports the relocation of the 60km/hr to Millbrook Place Road and the 80km/hr to Old Soldiers Road.

**Carried 7/0  
Resolution 148/07**

<b>Report Reference:</b>	<b>8.1.2</b>
<b>Subject:</b>	<b>Compliance Audit Return 2007 (enclosed with Agenda)</b>
<b>File Reference:</b>	4.22.00
<b>Statutory Reference:</b>	Section 7.13(i) of the Local Government Act 1995 and Local Government (Audit) Regulation 13
<b>Author &amp; Date:</b>	V. Epiro 31 <sup>st</sup> January 2008

**Background:**

Council is required to adopt the Compliance Audit Return prior to 31 March 2008. There is a need to review the delegations made by Council in each financial year (refer to No# 12 page 2 of Return). This will be included in the March agenda for consideration.

**Recommendation:**

*That the Compliance Audit Return for 2007 be adopted.*

**Earnshaw/Johnstone**

That the Compliance Audit Return for 2007 be adopted.

**Carried 7/0  
Resolution 149/07**

<b>Report Reference:</b>	<b>8.1.3</b>
<b>Subject:</b>	<b>Firebreaks Local Law 2007</b>
<b>File Reference:</b>	5.10.2
<b>Statutory Reference:</b>	Section 3.12 of the Local Government Act 1995
<b>Author &amp; Date:</b>	V. Epiro 31 <sup>st</sup> January 2008

**Background:**

Following a recommendation from the Glenfield Bush Fire Brigade a resolution was carried at the Annual General Meeting of the Williams Bush Fire Brigades held on 17<sup>th</sup> October 2007 which reads as follows:

“That Council consider amending the Firebreaks Local Law 2007 for Clause 6(1) rural land to read as follows;

6. Rural Land

(1) A building protection zone (in lieu of firebreaks) of at least 20 metres shall be maintained for each building, haystack and fuel dump”

This amendment is being sought as it is considered the interpretation of ‘flammable material’ in connection with ‘firebreaks’ is too prescriptive and could pose problems in relation to insurance claims.

Council resolved at the meeting held 21<sup>st</sup> November 2007 to defer this request to the February 2008 meeting.

**Recommendation:**

*For Council's consideration.*

**Johnstone/Cavanagh**

That this item be deferred to the March meeting for further consideration.

**Carried 7/0  
Resolution 150/07**

<b>Report Reference:</b>	<b>8.1.4</b>
<b>Subject:</b>	<b>Resumption of Radio Tower Site (RN Petchell) (See Appendix 1)</b>
<b>File Reference:</b>	5.10.60
<b>Statutory Reference:</b>	Land Administration Act 1997
<b>Author &amp; Date:</b>	V. Epiro 31 January 2008

**Background:**

Surveyor Peter Gow has completed the survey for the radio tower site resumption from location 12026 (RN Petchell). The survey plan has been forwarded to State Land Services for finalisation of the resumption process. Once completed State Land Services will forward claim forms to RN Petchell which will be the basis of his compensation claim from Council for the land resumed.

**Recommendation:**

*For Council's information.*

<b>Report Reference:</b>	<b>8.1.5</b>
<b>Subject:</b>	<b>Avon Waste – Provision of Recycling Services</b>
<b>File Reference:</b>	10.10.40
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro 31 January 2008

**Background:**

The volume of recyclable material being deposited has been steadily increasing since manning of the Refuse Site commenced in February 2007. This has lead to an unsightly mess at the Recycling Depot as material has been dumped outside bins when full. Following discussions with contractor Avon Waste the options offered were; additional bins (not practical at the present site) or twice monthly service for an estimated additional cost of \$400 per month.

As the surplus material reached a critical point in January, I authorised Avon Waste to commence a twice monthly service in February for which Council endorsement is required.

**Recommendation:**

*That the Chief Executive Officer's action in providing for a twice monthly recycling service at an additional cost of \$400 per month from Avon Waste be endorsed.*

**Earnshaw/Prowse**

That the Chief Executive Officer's action in providing for a twice monthly recycling service at an additional cost of \$400 per month from Avon Waste be endorsed.

**Carried 7/0  
Resolution 151/07**

<b>Report Reference:</b>	<b>8.1.6</b>
<b>Subject:</b>	<b>West Arthur LCDC – Trial Drains on Quindanning-Darkan Road (See Appendix 2)</b>
<b>File Reference:</b>	10.51.10
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro 1 February 2008

**Background:**

The West Arthur LCDC together with the Department of Water and the South West Catchments Council are proposing to undertake a major drainage project which will require the installation of a culvert from lot 1 to location 2578 on the Quindanning-Darkan Road.

In addition to seeking approval, the group is also asking if assistance can be provided with the installation of the culvert which is expected to be completed in one day. Assistance is being sought from Council with traffic management, loading and carting of gravel and reinstatement of the road surface (refer to the letter).

As the project is associated with Landcare / drainage it is suggested that Council consider providing the assistance at cost, provided approval is granted for the culvert to be installed.

**Recommendation:**

*That Council grant approval to the West Arthur LCDC to;*

- 1. Install a culvert between lot 1 and location 2578 on the Quindanning-Darkan Road.*
- 2. Provide assistance with staff and plant at cost, subject to Works Program commitments.*

**CavanaghMedlen**

That Council grant approval to the West Arthur LCDC to;

1. Install a culvert between lot 1 and location 2578 on the Quindanning-Darkan Road.
2. Provide assistance with staff and plant at cost, subject to Works Program commitments.

**Carried 7/0  
Resolution 152/07**

<b>Report Reference:</b>	<b>8.1.7</b>
<b>Subject:</b>	<b>State Land Services – Automatic Management (vesting) of Reserves</b>
<b>File Reference:</b>	11.30.30
<b>Statutory Reference:</b>	Section 152 of the Planning and Development Act 2005
<b>Author &amp; Date:</b>	V. Epiro                      1 February 2008

**Background:**

The State Land Services are seeking to improve the process associated with reserves created from major land subdivisions. Following is an excerpt from their letter which explains their intent:

*As part of the subdivisional process, land is often given up as a condition of approval of subdivision. Under the 'Planning and Development Act 2005 ("PDA")' the land is given up pursuant to a condition arising from s.152. Under the previous act 'Town Planning And Development Act 1928', such land was often referred to as "20A land" denoting the section of the act under which it was given up.*

*Upon the approval of a subdivision plan, the s.152 designated land, (be it recreation land, right of way, pedestrian access way or land designated for any of the purposes set out in that section), by operation of the act is transformed and becomes Crown. The land is reserved for the purpose designated on the plan of subdivision, but remains unmanaged (unvested).*

*As the agency within the State Government that administers Crown land we wish to ensure that the land designated for public purposes under s.152 of the PDA is placed under management with the appropriate local authority as soon as possible.*

*To assist in the streamlining of this management process we would like to ascertain whether the Shire of Williams would accept management of reserves created as a consequence of land vesting in the Crown pursuant to s.152 of the PDA. If agreement is ascertained Management Orders will be issued to you under s.46 of the 'Land Administration Act 1997' as soon as plans of subdivision receive their final approval.*

This proposal is particularly relevant at present as there will be reserves created from the Landcorp, Munthoola and Carter developments which will be vested in the Crown. However the Crown does not undertake any maintenance or improvements on these reserves which are generally offered to Councils under a management order.

There does not appear to be any reason why 'Public Recreation' and 'Drainage' reserves could not be automatically placed under the management of Councils which would ensure that the areas would be maintained and improvements made at the appropriate time.

**Recommendation:**

*That Council agree to accepting automatic management of 'Drainage' and 'Public Recreation' reserves under section 152 of the Planning and Development Act 2005.*

**Johnstone/Carne**

That Council agree to accepting automatic management of 'Drainage' and 'Public Recreation' reserves under section 152 of the Planning and Development Act 2005.

**Carried 7/0  
Resolution 153/07**

<b>Report Reference:</b>	<b>8.1.8</b>
<b>Subject:</b>	<b>State Land Services – Inclusion of VCL lots 103, 104, 108 and 109 (See Appendix 3)</b>
<b>File Reference:</b>	11.30.31
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro                      1 February 2008

**Background:**

At the meeting held on 19 September 2007 Council objected to the release of Crown lots 103 and 104 Gull Street Williams because of the unsuitability of the land for development due to their proximity to the Williams River floodplain. State Land Services are now proposing to amalgamate lots 103, 104, 108 and 109 with Reserve 10400 (lot 110) for the purpose of creating a 'Williams River Floodplain' reserve, and offer Council a management order for the reserve.

Whilst this is a desirable action it is doubtful that Council should accept a Management Order for the reserve as this would impose an obligation in regard to maintenance and firebreaks.

**Recommendation:**

*That the amalgamation of lots 103, 104, 108 and 109 with Reserve 10400 be supported and the offer of a management order for the 'Williams River Floodplain' be declined.*

**Earnshaw/Carne**

That the amalgamation of lots 103, 104, 108 and 109 with Reserve 10400 be supported and the offer of a management order for the 'Williams River Floodplain' be declined.

**Carried 7/0  
Resolution 154/07**

<b>Report Reference:</b>	<b>8.1.9</b>
<b>Subject:</b>	<b>Landcorp – Street Names and Lot Development (See Appendix 4)</b>
<b>File Reference:</b>	14.25.28
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro                      4 February 2008

**Background:**

Landcorp are in the process of developing lot 50 with an initial development of 16 lots (lots 1 – 11 and 30 – 34). They are now seeking names for the internal streets and Councils interest in securing any of the lots to be developed (see plan). Prior to the subdivision Council expressed an interest in purchasing two lots, however with the purchase of lot 3 for the CEO residence there may be a need to purchase one lot only.

**Recommendation:**

*That Council determine street names and lot selection for the Landcorp development.*

*The Chief Executive Officer advised that Council resolved at the Ordinary Meeting on 20<sup>th</sup> July 2005 that the streets be named Grainger Way and Bannister Drive and therefore no resolution was required in regard to the street names.*

**Carne/Prowse**

That Council express an interest in purchasing one block of land in the Fry Street subdivision subject to price and building conditions.

**Carried 7/0  
Resolution 155/07**

<b>Report Reference:</b>	<b>8.1.10</b>
<b>Subject:</b>	<b>Quindanning Townsite – Planning and Future Development (See Appendix 5)</b>
<b>File Reference:</b>	14.25.22
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro 4 February 2008

**Background:**

Quindanning resident (Boddington Shire) Keith Davis has written on behalf of other land owners seeking a coordinated planning policy from both the Shires of Williams and Boddington in regard to the Quindanning townsite and adjoining land. As Council is aware we are currently dealing with State Land Services regarding the release of residential crown lots in the Hall / Recreation Reserve area, however the letter refers to “smaller rural lifestyle lots” which is generally initiated by adjoining landowners such as is currently occurring in the Williams townsite.

To undertake a townsite strategy would require a joint effort from Williams and Boddington, so perhaps contact should be made with the Boddington Shire to ascertain their interest in development of a strategy for the area. Alternatively Council could decide to take no action until a proposal is put forward by landowners in regard to development of rural lifestyle lots.

**Recommendation:**

*That Council ascertain the Shire of Boddington’s views on a joint planning strategy for the Quindanning townsite and environs.*

**Prowse/Earnshaw**

That Council ascertain the Shire of Boddington’s views on a joint planning strategy for the Quindanning townsite and environs.

**Carried 7/0  
Resolution 156/07**

<b>Report Reference:</b>	<b>8.1.11</b>
<b>Subject:</b>	<b>Protech Mechanical Services – Lease of Ptn Lot 221 Narrogin Road (See Appendix 6)</b>
<b>File Reference:</b>	9.10.30
<b>Statutory Reference:</b>	Section 3.58 of the Local Government Act 1995
<b>Author &amp; Date:</b>	V. Epiro 4 February 2008

**Background:**

Protech Mechanical Services (G Van Den Heever) are seeking to lease 2000m<sup>2</sup> of lot 221 (1.0269ha) which is owned by Council. The lease is being sought on a long term basis with an option to purchase and for the purpose of building a workshop for mechanical repairs. There is no distinction between a lease or a sale in the *Local Government Act 1995*, therefore the same conditions apply, i.e. the land lease can only be auctioned or tendered or by direct dealing, which may be the most appropriate manner for this transaction, if Council agrees.

If Council resolves to dispose (lease) the land it must:

1. Obtain a market value of the land.
2. Give public notice of the proposal with details.
3. Invite submissions for a period of at least 14 days on the proposal.

Whilst the exact area required has not been determined (it would adjoin the Narrogin Road) a Lease could be drawn up without subdivision of the land being undertaken.

**Recommendation:**

*That Council agree to lease an area of 2000m<sup>2</sup> of lot 221 to Protech Mechanical Services for a period of ten (10) years with an option to purchase, subject to the requirements of section 3.58(3) and (4) of the Local Government Act being fulfilled.*

**Prowse/Cavanagh**

That Council agree to lease an area of 2000m<sup>2</sup> of lot 221 to Protech Mechanical Services for a period of ten (10) years with an option to purchase, subject to the requirements of section 3.58(3) and (4) of the Local Government Act being fulfilled.

**Carried 7/0  
Resolution 157/07**

<b>Report Reference:</b>	<b>8.1.12</b>
<b>Subject:</b>	<b>JG Bayley &amp; Associates – Piesse Street Drainage (See Appendix 7)</b>
<b>File Reference:</b>	12.15.35
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro            5 February 2008

**Background:**

Following Council's decision not to go with the recommendations from GHD Consultants for a piped drainage system in Piesse Street, there was a general view that the drain be bitumen sealed. However, further enquiries regarding sealing confirmed that the bitumen would gradually break up and in time make the drain unsightly and ineffective.

Advice was then sought from engineer John Bayley who following a site visit initially suggested rock walling, but this was considered unviable because of the need to source suitable stone and the ongoing problem that would arise with weed containment and silting. It was then decided to investigate the Revetment System which was installed at the CBH Narrakine Facility and is being used more frequently in the treatment of open drains. The system comprises a double layered geofabric casing that is injected with fine aggregate concrete infill and is estimated to cost around \$65,000 to supply and install on the Piesse Street drain.

Council has budgeted \$60,000 from Roads to Recovery funding for the project which must be completed prior to 30 June 2009.

**Recommendation:**

*That the Piesse Street drain be lined with the Revetment System following the realignment of all the culverts currently in place.*

**Cavanagh/Earnshaw**

That the Piesse Street drain be lined with the Revetment System following the realignment of all the culverts currently in place.

**Carried 7/0  
Resolution 158/07**



<b>Report Reference:</b>	<b>8.1.13</b>
<b>Subject:</b>	<b>Narrakine Road – Resumption and Road Closure (See Appendix 8)</b>
<b>File Reference:</b>	12.15.39
<b>Statutory Reference:</b>	Section 58 of the <i>Land Administration Act</i> and section 168(5) of the <i>Planning &amp; Development Act</i>
<b>Author &amp; Date:</b>	V. Epiro                      5 <sup>th</sup> February 2008

**Background:**

Surveyor Peter Gow has now prepared a plan of the proposed re-alignment of Narrakine Road between Johnstone and Kennedy Roads. The re-alignment and road closure will result in the resumption of 3.216ha from lot 204 and locations 2226, 2840, 2841 and 2845 and an area of 3.37ha from the road closure.

As the landowner JES Cowcher has agreed to the resumption (taking) of the land in exchange for the land from the resultant road closure, a transfer of the land from the Crown to JES Cowcher and vice versa can be effected once all formalities associated with the resumption/closure are completed.

As Council is aware the new alignment, construction and sealing of Narrakine Road is part of the Roads to Recovery program to be completed prior to 30<sup>th</sup> June 2009.

**Recommendation:**

- (1) That Council advertise its intention to close portion of Narrakine Road between Johnstone Road and the south west corner of lot 1829.
- (2) That Council resume 3.216ha from portions of lot 204, and locations 2226, 2840, 2841 and 2845 for “Road Purposes” from JES Cowcher in exchange for the area of closed road (3.37ha).

**Earnshaw/Cavanagh**

- (1) That Council advertise its intention to close portion of Narrakine Road between Johnstone Road and the south west corner of lot 1829.
- (2) That Council resume 3.216ha from portions of lot 204, and locations 2226, 2840, 2841 and 2845 for “Road Purposes” from JES Cowcher in exchange for the area of closed road (3.37ha).

**Carried 7/0  
Resolution 159/07**

<b>Report Reference:</b>	<b>8.1.14</b>
<b>Subject:</b>	<b>John Bayly – Subdivisional Development Guidelines (Forwarded to Councillors in January 2008)</b>
<b>File Reference:</b>	10.64.20
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro                      5 <sup>th</sup> February 2008

**Background:**

Council engaged Engineer John Bayly to prepare guidelines for subdivisional development in order that developers have standards to follow when providing the infrastructure (roads, drainage etc) for land subdivisions. Although the guidelines may appear to be very prescriptive, it is essential that developers provide infrastructure which is lasting as Council is responsible for road, drainage etc, once the development is completed.

**Recommendation:**

*That the Subdivisional Development Guidelines as distributed be adopted.*

**Carne/Johnstone**

That the Subdivisional Development Guidelines as distributed be adopted.

**Carried 7/0  
Resolution 160/07**

<b>Report Reference:</b>	<b>8.1.15</b>
<b>Subject:</b>	<b>WA Planning commission – Application for Subdivision of Location 13986 (LH Fawcett) (Appendix 9)</b>
<b>File Reference:</b>	10.64.20
<b>Statutory Reference:</b>	The <i>Planning and Development Act 2005</i>
<b>Author &amp; Date:</b>	V. Epiro 5 <sup>th</sup> February 2008

**Background:**

Mr Lester H Fawcett has applied to subdivide location 13986 Fawcett Road, Williams for the purpose of creating a 488m<sup>2</sup> portion which Western Power require as a site for the construction of a voltage regulator.

Whilst there is a general presumption against subdivision in the rural zone under the Williams Town Planning Scheme No 2, there are exclusions, namely:

4.7 (3) (a) (iii) – the lots are for specific uses such as recreation facilities and public utilities

Therefore the proposed subdivision can be supported.

**Recommendation:**

*That the proposed subdivision of location 13986 (LH Fawcett) be supported.*

**Cavanagh/Earnshaw**

That the proposed subdivision of location 13986 (LH Fawcett) be supported.

**Carried 7/0  
Resolution 161/07**

<b>Report Reference:</b>	<b>8.1.16</b>
<b>Subject:</b>	<b>WA Planning Commission – Application for Subdivision of Lot 10 Growse Street, Williams (MN Mulhall) (see Appendix 10)</b>
<b>File Reference:</b>	10.64.20
<b>Statutory Reference:</b>	The <i>Planning and Development Act 2005</i>
<b>Author &amp; Date:</b>	V. Epiro 5 <sup>th</sup> February 2008

**Background:**

The owner (MN Mulhall) of lot 10 Growse Street, Williams is proposing to subdivide the existing lot comprising 3035m<sup>2</sup> into four (4) lots as follows:

Lot A – 750m<sup>2</sup>

Lot B – 750m<sup>2</sup>

Lot C – 619m<sup>2</sup>

Lot D – 897m<sup>2</sup>

Truncation – 18m<sup>2</sup>

This subdivision can be facilitated under the Williams Town Planning Scheme No.2 with the R codes (R20) allowing building to be constructed on each of the lots, which all have road access.

It is also in keeping with Council's policy of supporting further development of larger lots near the town centre.

**Recommendation:**

*That the subdivision of lot 10 Growse Street, Williams (MN Mulhall) be supported.*

**Prowse/Johnstone**

That the subdivision of lot 10 Growse Street, Williams (MN Mulhall) be supported.

**Carried 7/0  
Resolution 162/07**

<b>Report Reference:</b>	<b>8.1.17</b>
<b>Subject:</b>	<b>Central Country Zone – Ordinary Meeting – Kulin, Friday 7<sup>th</sup> March 2008</b>
<b>File Reference:</b>	4.12.10
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro 6 <sup>th</sup> February 2008

**Background:**

The next ordinary meeting of the Central Country Zone will be held in the Freebairn Recreation Centre, Kulin at 10.00am on Friday 7<sup>th</sup> March 2008. Council's delegates are Crs John Cowcher and Ashley Stone who generally attend with the Chief Executive Officer.

Items for the Agenda close on Monday 18<sup>th</sup> February 2008, however late agenda items are accepted until the meeting day.

**Recommendation:**

*That Council delegates and the Chief Executive Officer attend the meeting.*

**Johnstone/Prowse**

That Council delegates and the Chief Executive Officer attend the meeting.

**Carried 7/0  
Resolution 163/07**

<b>Report Reference:</b>	<b>8.1.18</b>
<b>Subject:</b>	<b>Municipal Insurance Brokers – Occupational Health and Safety Policies (see Appendix 11)</b>
<b>File Reference:</b>	14.31.10
<b>Statutory Reference:</b>	The <i>Occupational Health and Safety Act 1984</i>
<b>Author &amp; Date:</b>	V. Epiro 6 <sup>th</sup> February 2008

**Background:**

Councillors would be aware that there had been an increased focus on occupational health and safety matters in recent years, with numerous initiatives being introduced by Council's various insurers to minimise risk to local government.

A local authority is required to be increasingly proactive in regards to risk management and occupational health and safety matters, a fact acknowledged by Council when choosing to participate in the Regional Risk Coordinator Scheme administered by Municipal Insurance Broking Services (MIBS).

In preparation for the 2008/09 insurance period, a review of Council's existing Occupational Health and Safety policies was undertaken by the Deputy Chief Executive Officer Ian Ball and the Regional Risk Coordinator, Mr Kim Isbister, which were found to be lacking in terms of satisfying the terms and conditions of Council's various insurance policies.

Accordingly a series of policies which are required by Council's insurers are now presented for the consideration of Elected Members.

**Comment:**

The policies are self explanatory and have been prepared by MIBS taking into consideration relevant standards and accepted best practice in the different areas covered by the policies, which have been widely adopted by Western Australian local authorities.

No external costs were incurred in the preparation of the Draft Policies which will be used in the induction of new staff and be included in a Staff Manual to be distributed to all members of staff in coming months.

The policies are included in the appendix.

**Recommendation:**

*That Council adopts the following policies:*

- *Occupational Health & Safety*
- *Risk Management*
- *Training and Development*
- *Injury Management and Rehabilitation*
- *Bullying in the Workplace*
- *Contractor Management Policy*
- *Equal Employment Opportunity*
- *Noise*
- *Consultation and Communication*
- *Visitor Management Policy*
- *Volunteer Management Policy*

**Earnshaw/Medlen**

That Council adopts the following policies:

- Occupational Health & Safety
- Risk Management
- Training and Development
- Injury Management and Rehabilitation
- Bullying in the Workplace
- Contractor Management Policy
- Equal Employment Opportunity
- Noise
- Consultation and Communication
- Visitor Management Policy
- Volunteer Management Policy

**Carried 7/0  
Resolution 164/07**

<b>Report Reference:</b>	<b>8.1.19</b>
<b>Subject:</b>	<b>Plunkett Homes – Costing Schedule Variations and Building Contract for Residence on Lot 3 Munthoola Road, Williams (see Appendix 12)</b>
<b>File Reference:</b>	9.20.70
<b>Statutory Reference:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro 7 <sup>th</sup> February 2008

**Background:**

Cr Moya Carne and myself made a visit to Bunbury on 15<sup>th</sup> January to carry out a pre-start consultation with Plunkett Homes in connection with the residence. This required selection of bricks, tiles, paint colours etc and resulted in a decision to tile the kitchen, dining, family room and foyer in addition to painting of all rooms except for the en-suite.

A summary of the additional variations and the costing schedule are included in the appendix. Items not included in the contract are: retaining wall, site works, fencing, floor coverings, window treatments, shed and garden landscaping.

Council's outside works crew completed the site works on the 22<sup>nd</sup> January and it is hoped that building will have commenced prior to the meeting.

**Recommendation:**

*That Cr Carne's and the Chief Executive Officer's action in regard to the additional variations and signing of the final contract for a total sum of \$329,503 be endorsed.*

**Johnstone/Medlen**

That Cr Carne's and the Chief Executive Officer's action in regard to the additional variations and signing of the final contract for a total sum of \$329,503 be endorsed.

**Carried 7/0  
Resolution 165/07**

<b>File Reference:</b>	<b>8.1.20</b>
<b>Subject:</b>	<b>Landgate – Geographic Names Committee – New Localities Dardadine and Meeking (See Appendix 13)</b>
<b>File Reference:</b>	12.15.34
<b>Statutory Reference:</b>	Land Administration Act
<b>Author &amp; Date:</b>	V. Epiro 12 February 2008

**Background:**

At the meeting held on 18 July 2007 Council agreed to a proposal from residents in the southern part of the district to the creation of two new localities named Dardadine and Meeking. This was so the residents could continue to receive their mail from Darkan once rural street numbers became operational.

The Geographic Names Committee have now approved the localities which means all properties within both localities will have the Darkan postcode 6392.

**Recommendation:**

*That the information be noted.*

**8.1 Chief Executive Officer's Report – Late Items**

**Earnshaw/Johnstone**

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

**Carried 7/0  
Resolution 166/07**

<b>Report Ref:</b>	<b>8.1.21</b>
<b>Subject:</b>	<b>Central Country Zone – Election (see attached)</b>
<b>File Reference:</b>	4.12.10
<b>Statutory Ref:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro 19 <sup>th</sup> February 2008

**Background:**

Nominations were recently called for Zone President and Deputy President plus three (3) Zone Executive Committee Members.

At the close of nominations, the following were received:

- (1) Zone President: Cr Richard Chadwick  
Cr Don Ennis
- (2) Deputy President: Cr Don Ennis
- (3) Zone Executive Committee Members: Cr Don Ennis

Therefore at the zone meeting to be held at Kulin on 7<sup>th</sup> March 2008, there will be an election for Zone President and nominations will be invited for two (2) positions on the Zone Executive Committee.

**Recommendation:**

For Council information.

<b>Report Ref:</b>	<b>8.1.22</b>
<b>Subject:</b>	<b>WALGA – Banners in the Terrace Competition</b>
<b>File Reference</b>	14.12.00
<b>Statutory Ref:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro 19 <sup>th</sup> February 2008

**Background:**

Council is again being invited to participate in the 2008 Banners in the Terrace Competition. Williams has participated in the competition since its inception, however the banners have not changed despite efforts to make new banners (community and school were invited). Does Council wish to commission a new banner or enter the existing one?

**Recommendation:**

That Williams participate in the 2008 Banners in the Terrace Competition.

**Prowse/Medlen**

That Williams participate in the 2008 Banners in the Terrace Competition.

**Carried 7/0  
Resolution 167/07**

<b>Report Ref:</b>	<b>8.1.23</b>
<b>Subject:</b>	<b>CY O'Connor College of TAFE – Graduation Scholarship</b>
<b>File Ref:</b>	6.20.10
<b>Statutory Ref:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro 19 <sup>th</sup> February 2008

**Background:**

CY O'Connor College of TAFE was established in 1995 and comprises five regional campuses: Kellerberrin, Merredin, Moora, Narrogin and Northam. They are seeking sponsorship in various categories ranging in value from \$550 - \$1,100. Council currently provides a scholarship to the Narrogin Agricultural College to the value of \$200.

**Recommendation:**

For Council consideration.

**Carne/Johnstone**

That Council decline the offer to sponsor CY O'Connor College of TAFE.

**Carried 7/0  
Resolution 168/07**

<b>Report Ref:</b>	<b>8.1.24</b>
<b>Subject:</b>	<b>ANZAC Day Service</b>
<b>File Ref:</b>	17.1.35
<b>Statutory Ref:</b>	N/A
<b>Author &amp; Date:</b>	V. Epiro 20 <sup>th</sup> February 2008

**Background:**

The Chief Executive Officer advised that Sergeant Frank Yates, with assistance from the Williams Lions Club and Councils previous caretakers Graham and Maureen Henderson had revived the ANZAC Day service that has been held in Williams for the past two years. Sargent Yates and Mr & Mrs Henderson have since left Williams. The Williams Lions Club is only a small club and is willing to assist if Council support the service and provide morning tea.

***Carne/Earnshaw***

That Council organise the Williams ANZAC Day service and provide morning tea.

**Carried 7/0  
Resolution 169/07**

**Afternoon Tea**

Council adjourned for afternoon tea at 3.00pm and resumed the meeting at 3.30pm

**8.2 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT**

**8.2.1 ACCOUNTS FOR PAYMENT**

***Earnshaw/Johnstone***

That Municipal Fund cheques 101266 – 101273 and direct debits totalling \$9,038.28 and Trust Fund cheques 1090 – 1091 totalling \$34,430.82 approved for payment by the Chief Executive Officer be endorsed and that Municipal cheques 101275 – 101308 totalling \$47,345.84 be approved for payment.

**Carried 7/0  
Resolution 170/07**

***Prowse/Cavanagh***

That Municipal Fund cheques 101309 – 101322 and direct debits totalling \$55,353.36 and Trust Fund cheque 1092 totalling \$1,182.62 approved for payment by the Chief Executive Officer be endorsed and that Municipal cheques 101323 – 101370 totalling \$129,014.05 be approved for payment.

**Carried 7/0  
Resolution 171/07**

**8.2.2 FINANCIAL STATEMENTS**

***Johnstone/Earnshaw***

That the financial statements presented for the period ending 31<sup>st</sup> December 2007 be received.

**Carried 7/0  
Resolution 172/07**

***Cavanagh/Medlen***

That the financial statements presented for the period ending 31<sup>st</sup> January 2008 be received.

**Carried 7/0  
Resolution 173/07**

**Works Supervisor Tony Kett attended the meeting at 3.30pm to discuss his report**

### **8.3 WORKS SUPERVISORS REPORT**

#### **Summer Grading**

Gillett Rd, Nash Rd, Wangelling Gully Road, Dardadine Road, Sattler Road, Hurley Road, Gull Road, Richmond St, Eddington Rd, English Rd, Taylor Rd, Dardadine South Rd, Dardadine Hillman Rd, Pig Gully Rd.

#### **Construction**

New CEO house pad  
Prepare hill on Mundays Rd for sealing 700m  
Water bind Marradong Rd for sealing

#### **Mechanical Report**

Canter: new switch for fuel pump, replace hand brake, fit reversing beeper  
WL 093 Truck: adjust clutch, fit reversing beeper, fit new radio  
John Deere Tractor: fix rear brakes, fix oil leaks  
Fix lights on prime mover  
Service ute WL 842, fit reversing beeper  
Service Landcare ute WL 19  
New battery for vibe roller  
New fan belts for single cab ute

#### **Private Works**

Three loads of water to Alex Anderson  
Four loads of water to Golden Grove at Burnett Rd  
One load of water to Mick Italiano

#### **Munday Road**

The Works Supervisor advised that the widening and formation of the section of Munday Road on Demon Hill has been completed. The road is not gazetted for Road Trains and the requirement for the section to be sealed is questioned.

#### **Johnstone/Earnshaw**

That the section of Munday Road that has been widened and formed not be sealed as it is not an approved road for heavy vehicles because of the section at the Zilko Road junction.

**Carried 6/1  
Resolution 174/07**

#### **Oval Light Poles**

Cr Cavanagh advised that he has inspected the problem poles with Andrew Fisher from Fishers Welding Service. He recommends that the poles be converted to allow them to be lowered. Then the electrician can rewire the poles and new lights attached. This will require the use of the Excavator to lower the poles.

#### **Quindanning Darkan Road**

The Works Supervisor advised that trees were being carted on the road causing bad ruts and sections to be chopped out. Also a couple of bad corners were of concern.

Remedial measures are to be considered following further inspection of the road.

#### **Johnstone/Earnshaw**

That the Works Supervisor's Report be received.

**Carried 7/0  
Resolution 175/07**

Mr Kett left the meeting at 3.55pm



**Environmental Health Officer / Building Surveyor Steve Friend attended the meeting at 3.56pm to discuss his report.**

#### **8.4 ENVIRONMENTAL HEALTH OFFICER / BUILDING SURVEYOR'S REPORT**

##### **Building Permits**

#206	G & N Lavender	Lot part 2 Pinjarra-Williams Road	Colorbond roof stage
#207	Shire of Williams	Lot 3 Munthoola Road	Double brick and steel dwelling

Building inspections ongoing.

##### **Food Premises Inspections**

Shell Roadhouse – cleanly presented  
Caltex Roadhouse – cleanly presented. Several maintenance issues raised with owner  
BP Roadhouse – several issues raised with owners.

##### **Accommodation**

Cavanaghs Farm Stay – cleanly maintained. No outstanding issues  
Caravan Park / Motel – cleanly maintained

##### **Water Samples**

Williams Swimming Pool – good sample results  
Cavanagh Farm Stay – good sample results

##### **Swimming Pool Fencing**

There has been a query regarding the requirement for swimming pool fencing in the Shire of Williams. This issue is controlled by the Building Regulations 1989.

The Building Regulations stipulate where in a local authority what requires a building permit and when swimming pool fencing applies. As can be seen from the attached example, Column 1 states which local authority it refers to, Column 2 deals with class 10 buildings (sheds, patios, carports etc.) Column 3 relates to part 10 of the Building Regulations – the part that deals with swimming pool fencing, Column 4 deals with the rest of the regulations (classes 2 to 9 – offices, factories, public buildings etc.) Williams only requires a building permit for class 10 buildings and swimming pool fencing in a townsite, whereas the rest of the regulations apply to the whole district.

Waroona differs by requiring a building permit for all class 10 buildings, swimming pool fencing and the rest of the regulations throughout the whole shire.

Wagin is different again, as is Wandering. West Arthur has just resolved to change the Building Regulations to make it compulsory to fence swimming pools throughout the whole district. By changing the Building Regulations requiring swimming pool fencing throughout the Shire, this automatically becomes retrospective, unlike most other legislation which only requires change to installations after a gazetted date.

I assume that the regulations were set up to reflect that mostly only town residences had swimming pools and that it was thought pointless to require a pool to be fenced when all farms had unfenced dams, some quite close to houses.

If Williams wanted to change the Status quo, it would need to resolve to alter the Building Regulations by changing column 3 from “all townsites” to “whole district”.

***Recommendation:***  
***For Consideration***

***Prowse/Medlen***

That the Shire of Williams

- (1) apply to change the Building Regulations 1989 by changing column 3 of schedule 2 from “all town sites” to “whole district”, making it compulsory to erect a pool fence around all swimming pools throughout the Shire of Williams; and
- (2) all owners of existing swimming pools be given six months after the date of gazettal to comply.

**Carried 6/1**  
**Resolution 176/07**

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

**Carried 9/0**  
**Resolution 177/07**

**Mr Friend left the meeting at 4.20pm**

**8.5 COUNCILLORS**

**8.5.1 Williams Landcare Inc.**

Cr Medlen advised that he attended a Williams Landcare Inc meeting. He expressed the opinion at the meeting that the Management Committee is non-political in nature and should not be seen as promoting one argument over another when it comes to controversial environmental issues.

**8.5.2 Australia Day Breakfast**

Cr Prowse congratulated the Chief Executive Officer on the arrangement of the Australia Day Breakfast. A very good crowd of over 100 people attended the breakfast and Citizen of the Year Award presentation.

**9.0 ELECTED MEMBERS MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

Nil

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

**10.1 ELECTED MEMBERS**

**10.2 STAFF**

**10.2.1 Resignation Cr G Cowcher**

The Chief Executive Officer advised that he had received written resignation from Cr G Cowcher advising that he wished to pursue his own interests.

***Johnstone/Cavanagh***

That Cr G Cowcher's resignation be accepted with regret and that he be thanked for his services to Council.

**Carried 7/0  
Resolution 178/07**

The Chief Executive Officer advised that Council had the option of holding an extraordinary election or under Section 4.17 (3) of the Local Government Act 1995 Council can resolve to seek the approval of the WA Electoral Commission to allow the vacancy to remain unfilled until the next election if at least 80% of the numbers of office are still filled in a district ward.

***Johnstone/Prowse***

That the Electoral Commission be requested to grant approval under Section 4.17 (3) of the Local Government Act 1995 to allow the vacancy to remain unfilled until the next general election in October 2009.

**Carried 6/1  
Resolution 179/07**

**11.0 INFORMATION SESSION**

**12.0 MEETING CLOSURE**

There being no further business for discussion the President declared the meeting closed at 5.30pm