

SHIRE OF WILLIAMS

MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON TUESDAY 16TH DECEMBER 2008

1.0 OPENING

1.1 DECLARATION OF OPENING

The President declared the meeting open at 1.10pm

1.2 ANNOUNCEMENT OF VISITORS

Nil

2.0 RECORD OF ATTENDANCE

2.1 PRESENT

Cr John Cowcher	President
Cr David Earnshaw	Deputy President (Attended meeting at 1.45pm)
Cr Ashley Stone	
Cr Greg Cavanagh	
Cr Richard Johnstone	
Cr Moya Carne	
Cr Graham Prowse	(Attended meeting at 2.10pm)
Cr Gilbert Medlen	

V Epiro	Chief Executive Officer
IR Ball	Deputy Chief Executive Officer
Tony Kett	Works Supervisor (3.55pm – 4.10pm)

2.2 APOLOGIES

Cr Ashley Stone

Crs Prowse and Earnshaw have advised that they have been delayed and will be late in attending the meeting.

3.0 PUBLIC QUESTION TIME

Nil

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

6.0 CONFIRMATION OF PREVIOUS MINUTES

6.1 ORDINARY MEETING MINUTES

Johnstone/Medlen

That the minutes of the Ordinary Meeting held in the Council Chambers on Wednesday 19th November 2008, as circulated, be confirmed as a true and correct record of proceedings.

**Carried 5/0
Resolution 121/09**

6.2 4WD RESOURCE SHARING GROUP MINUTES – 25TH NOVEMBER 2008

Cavanagh/Medlen

That the minutes of the 4WD Resource Sharing Group meeting held on 25th November 2008, as circularised, be received.

**Carried 5/0
Resolution 122/09**

Carne/Johnstone

That Terry Waldron MLA be invited to meet with Council to discuss various issues.

**Carried 5/0
Resolution 123/09**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8.0 REPORTS OF COMMITTEES/OFFICERS AND COUNCILLORS

8.1 CHIEF EXECUTIVE OFFICER'S REPORT

Report Reference:	8.1.1
Subject:	Australia Day – Breakfast and Citizen of the Year Presentation
File Reference:	4.11.30
Statutory Reference:	N/A
Author & Date:	V. Epiro 4 th December 2008

Background:

A reminder to Councillors that Council will again be hosting the Australia Day breakfast / Citizen of the Year award on Australia Day, Monday 26 January 2009. Nominations for the Citizen of the Year closed on 28 November 2008 and are currently being assessed with the award being announced at the breakfast.

Recommendation:

For Council's information.

Report Reference:	8.1.2
Subject:	Proposed Subdivision for Stage 1 and 2 – Portion of Lot 12070 (SN 13254) Albany Highway, Williams
File Reference:	10.64.20
Statutory Reference:	N/A
Author & Date:	Gray & Lewis Landuse Planners 30 th September 2008
Disclosure of any Interest:	Gray & Lewis receive planning fees for advice to the Shire, therefore declare a Financial Interest – Section 5.65 of the <i>Local Government Act 1995</i>

Background:

- *Previous Council consideration*

Council adopted Amendment 14 for final approval on the 18 June 2008 which proposes to;

- (i) Re-zone a portion of Lot 12070 Albany Highway, Williams from 'Rural' to 'Residential R2', 'Residential R10' and 'Rural Residential'.
- (ii) Introducing provisions in the Scheme giving Council discretion to require a Subdivision Guide Plan for land in the Residential Zone.
- (ii) Including provisions in Schedule 4 - Rural Residential to require a Subdivision Guide Plan.

Comment:

Status of Proposed Amendment 14

Amendment 14 has been lodged with the Western Australian Planning Commission (WAPC) for final endorsement, and still requires final approval by the Minister for Planning.

Townsite Expansion Strategy

A Townsite Expansion Strategy has been approved by the Shire and the WA Planning Commission (WAPC).

The land is included in Areas 9 and 10 on the Draft Strategy map respectively earmarked for medium to long term rural residential and residential. Amendment 14 and the subdivision is generally in accordance with the Draft Strategy.

Subdivision Guide Plan

The applicant submitted a Subdivision Guide Plan proposing a total of 62 lots ranging from 1056m² to 1.4 hectares. The Subdivision Guide Plan was included in the advertised amendment document and was adopted by Council on the 18 June 2008 (with Amendment 14).

The Guide Plan has also been lodged with the WAPC for final endorsement.

Proposed Subdivision

The applicant originally lodged a subdivision plan for stages 1, 2 and 3 with the WAPC. Gray & Lewis recommended that the applicant lodge an amended subdivision plan for stage 1 and 2 only, as stage 3 is dependent on decommissioning of the wastewater treatment plant.

The amended plan will be lodged formally with the WAPC and includes the following;

1. The creation of 13 lots in stage 1 ranging from 5003m² to 1.4 hectares.
2. The creation of 30 residential lots in stage 2 ranging from 1056m² to 2770m².
3. Road links through future stage 3 to service stage 2.

Process

Council can provide a recommendation and a list of conditions to WAPC on the subdivision.

The WAPC will not determine the subdivision application until such time as (1) the Minister has approved Amendment 14 and (2) the subdivision guide plan has been endorsed.

Once subdivision approval is issued, there will be a number of conditions that the applicant has to meet prior to obtaining certificates of title for the new lots. A number of the conditions will relate to the 'local government' and the Shire will need to certify to the WAPC whether the conditions have been met to the Council's satisfaction.

Assessment

The proposed subdivision is consistent with the subdivision guide plan approved by the Shire and accordingly is supported.

The WAPC has standard conditions relating to normal subdivision works such as road construction and drainage. The wording of these conditions is general as the applicant will lodge detailed engineering drawings for road construction and drainage requiring separate approval by the Shire.

The majority of conditions listed in the recommendation are self explanatory and relate to matters such as;

- Dust nuisance – although unlikely in this case, dust nuisance can occur during site works for larger subdivisions especially in summer (and depending on wind conditions). The condition is recommended as a precaution so the Shire has a mechanism to deal with dust should it occur. If no dust nuisance occurs then the applicant does not have to take any action to meet the condition.
- Vegetation preservation – to ensure that the developer undertakes adequate precaution to protect trees during site works and road construction. There are some stands of trees on larger lots which may be able to be retained (for example, on Lots 55 and 56) & within POS.
- A Notification on Title for proposed lots within or partially within the buffer to the wastewater treatment plant to advise that they may be affected by odour until such time as the plant is decommissioned.
- A requirement for building envelopes or building exclusion areas where appropriate (eg. to protect the existing drainage line and ensure new houses are constructed outside of the waste water buffer).
- Requirement for a geotechnical report for any filling. This is particularly important where dams are to be filled (eg. Lots 6 and 7) so that Council has assurances that the filled land is safe for the future construction of a house.

CONDITIONS FOR COUNCILLOR DISCUSSION/ ATTENTION INCLUDE THE FOLLOWING;

Old Soldiers Road / Pinjarra Williams Road – Conditions 2 & 3

Council has previously raised concern over this intersection and sightlines, therefore Conditions 2 and 3 have been imposed. Upgrading and/ or some widening of Old Soldiers Road may be required to cater for additional traffic and is not unreasonable having regard that the subdivider will be benefiting from that road as the main access/ entry point.

Widening or alteration of the truncation of the intersection may also be required to improve sightlines, however these matters will be resolved through detailed engineering drawings.

Uniform Fencing – recommended Conditions 16, 17 and 18

Where fencing is required to open space, roads or railway reserves it is recommended that uniform fencing be required to be installed by the developer, instead of future owners.

This will result in consistent fencing materials / styles which is aesthetically desirable and avoid a range of 'ad hoc' unco-ordinated fencing being erected in more highly visible places. The type of fencing does not have to be specified in the Condition as it will require separate written approval by the Shire.

It is recommended that Councillors discuss the type of fencing preferred such as colorbond, open pool style fencing, wire fencing etc. Pinelap / wood fencing is not recommended as it weathers over time (turns grey), warps and collapses if not maintained.

The applicant can be advised of the preferred fencing type through a footnote/ advice note to the conditions. Generally an open style (decorative pool type) fencing is recommended adjacent to open space.

Fire Management / Strategic Fire breaks – Conditions 19 & 20

As subdivisions occur in the Shire over extended time periods, various individual fire management plans will be received for specific areas, as is the case for Lot 12070.

In some Shires fire management has become a difficult issue to deal with administratively and legally over extended time frames due to the following;

- The Fire Management Plan has not made it clear what the minimum standard for strategic fire breaks is (ie width and construction);
- In some cases strategic firebreaks have been installed but are not trafficable therefore do not provide emergency vehicle access;
- New owners have not been aware of the fire management plan and location of strategic fire breaks.
- In the event that the Shire wishes to maintain strategic firebreaks (at the new owners cost) it needs written approval from each owner to enter the property.

Many local governments are now requiring strategic firebreaks to be formalised through public right of ways or easements in gross. Whilst not included in the recommendation Gray & Lewis recommends Council consider imposing a condition requiring:

- ‘21. *To facilitate ongoing and co-ordinated emergency access to the strategic firebreaks, an easement in gross is to be granted free of cost to the Shire of Williams as a public access easement in accordance with the approved plan. The easement documents are to be prepared by a solicitor at the developer’s cost and shall be completed and signed by the owner and registered against the certificate of title for the land prior to clearance of Conditions 19 and 20”.*

The benefit of Condition 21 is that;

- It ensures all owners are aware of strategic firebreaks because the easement is registered on the Title;
- Council retains public access over strategic fire breaks through the easement which may cross multiple property boundaries;
- Owners cannot physically ‘block’ strategic fire breaks through locked gates as the easement requires access to be maintained at all times so it is available in an emergency.

Footpaths

No condition requiring footpaths or on road path facilities in the subdivision has been included in the recommendation. If Council requires installation of footpaths the following condition can be added:

‘A detailed plan demonstrating dual use path/ cycleway design to the specifications of the local government is to be submitted prior to commencement of site works’.

STRATEGIC IMPLICATIONS

The subdivision is consistent with the Townsite Expansion Strategy which is the relevant strategic planning document.

STATUTORY REQUIREMENTS

The applicant has a right of review to the State Administrative Tribunal should they be aggrieved by any decision by the WAPC, or conditions imposed on the subdivision.

FINANCIAL IMPLICATIONS

In the longer term the Shire will receive rates for the new lots, however will also be responsible for developing and maintaining the open space, rubbish collection and maintenance of new roads.

POLICY IMPLICATIONS

Nil.

VOTING REQUIREMENTS

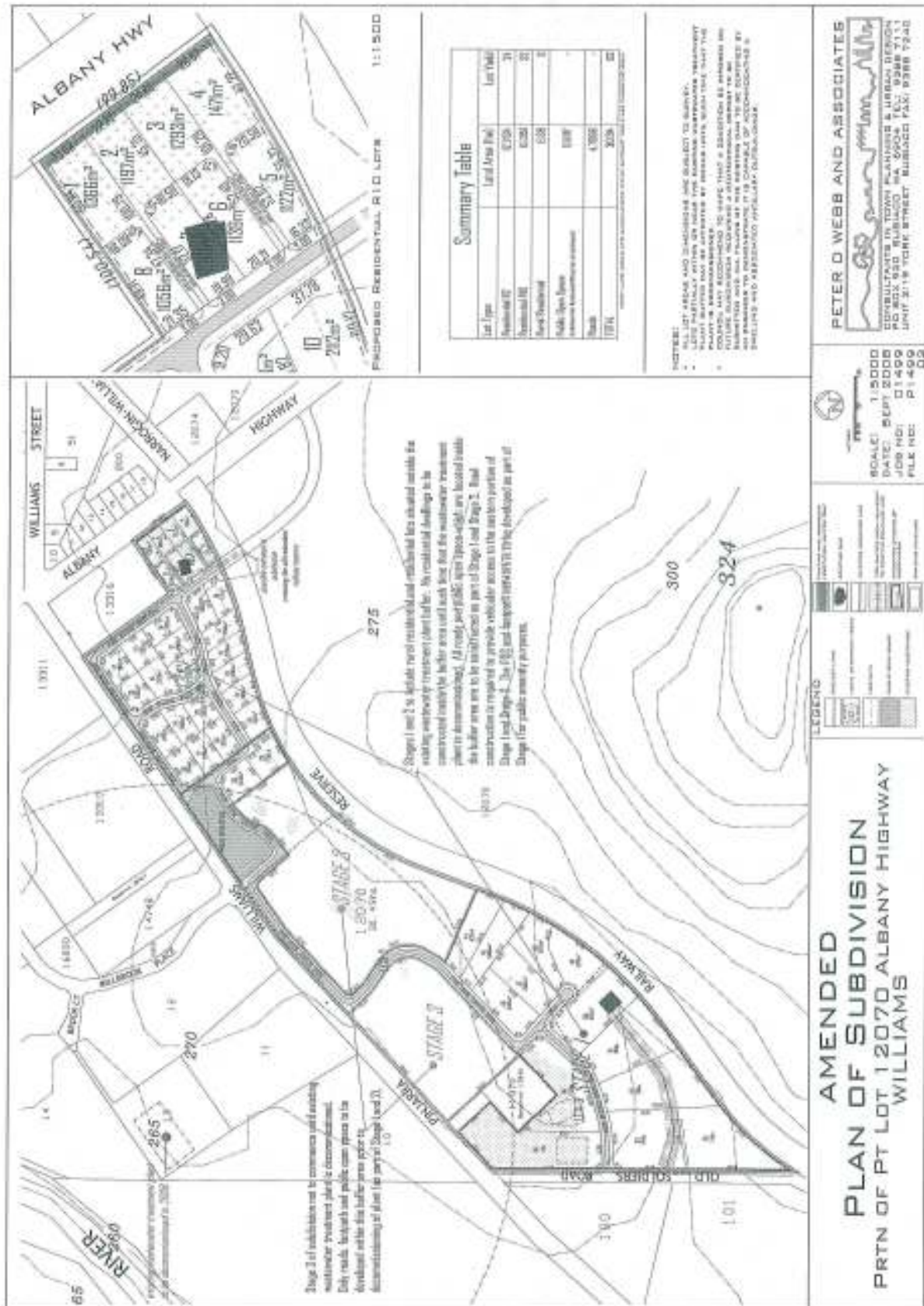
Simple Majority

Recommendation:

That Council:

- A Advise the Western Australian Planning Commission that it recommends approval of the subdivision for Lot 12070 Albany Highway, Williams subject to the following conditions:
1. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed (sealed) and drained at the applicant/owner's cost.
 2. Arrangements being made with the local government for the upgrading/ construction of Old Soldiers Road and any widening to be transferred to the crown free of cost.
 3. A truncation is to be provided at the junction of Old Soldiers Road and the Pinjarra-Williams Road if required for improved sightlines.
 4. The applicant/owner making arrangements satisfactory to the Western Australian Planning Commission to ensure prospective purchasers are advised that no access is proposed to Albany Highway in accordance with the approved subdivision guide plan.
 5. The cul-de-sac heads being designed and constructed to the satisfaction of the local government.
 6. The battleaxe accessway(s) being constructed and drained at the applicant /owner's cost to the specifications of the local government.
 7. Reciprocal rights of access to be provided for the battleaxe legs for Lots 1-2, and 3-4 respectively. The access can be in the form of an easement on the survey diagram.
 8. The land being filled and/or drained at the subdivider's cost and any easements and/or reserves necessary for the implementation thereof, being granted free of cost.
 9. Prior to commencement of site works, a detailed plan identifying building envelopes or building exclusion areas to be provided for all lots partially within the buffer to the existing wastewater treatment plant (with the exception of stage 3 which is subject of a future application) and/ or affected by the watercourse and dam (Lots 50-53).
 10. A Restrictive Covenant, pursuant to section 129BA of the Transfer of Land Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed Lots 28, 30, 44, 45, 46, 50-53 and 55 advising of the existence of a restriction on the use of the land. Notice of this restriction to be included on the Deposited Plan. The restrictive covenant is to state as follows:
"No development is to take place outside the defined building envelope(s) or in building exclusion areas, unless otherwise approved by the local government."
 11. A Notification, pursuant to section 165 of the Planning and Development Act is to be placed on the Certificates of Title of the proposed lot(s) 28, 30, 44, 45, 46, 55 advising of the existence of a hazard or other factor. Notice of this notification to be included on the Deposited Plan. The notification to state as follows:
"This lot is in close proximity to a waste water treatment plant and may be adversely affect by virtue of odour emissions from that facility until it is decommissioned".

12. The applicant providing a geotechnical report certifying that any filling or backfilling has been adequately compacted. The geotechnical report certifying that any filled land (especially filled dams) is physically capable of development prior to the commencement of site works.
 13. All areas of soil disturbance being stabilised against dust nuisance to adjoining and nearby properties prior to, during or after commencement of site works and clearing. Where appropriate such measures as sprinklers, use of water tanks/trucks, mulching or other land management systems should be installed or implemented within the time and in the manner directed by the Commission if, upon receiving advice from the Shire of Williams, it considers that a dust nuisance exists.
 14. Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site works.
 15. The proposed reserve(s) shown on the approved plan of subdivision being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under section 152 of the Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.
 16. Uniform fencing (and a gate) along the Williams Road boundary of the proposed open space to be constructed. The type of fence shall be approved by the local authority prior to any construction.
 17. Uniform fencing along the railway reserve to be constructed. The type of fence shall be approved by the local authority and Public Transport Authority (PTA) prior to any construction.
 18. Uniform fencing along Albany Highway to be constructed. The type of fence shall be approved by the local authority and Main Roads WA prior to any construction.
 19. A Fire Management Plan being prepared and implemented to the specifications of the local government and the Fire and Emergency Services Authority.
 20. Strategic firebreaks identified in the Fire Management Plan to be installed/ cleared by the proponent.
- B. Advise the WAPC and applicant through footnotes to the conditions as follows:
- (i). In regards to Conditions 2 and 3, the applicant is advised that Council has previously raised concerns over the sightlines of the Pinjarra Williams Road / Old Soldiers Road intersection which needs to be addressed in detailed engineering drawings, and may require road widening, an increased truncation at the intersection and / or removal of verge vegetation.
 - (ii) In regards to Condition 11, the notification can be lifted from the titles (at the owners cost) in the longer term once the plant is decommissioned.



Cr Earnshaw attended the meeting at 1.45pm during discussion on this item.

Johnstone/Medlen

That Council:

- A Advise the Western Australian Planning Commission that it recommends approval of the subdivision for Lot 12070 Albany Highway, Williams subject to the following conditions:
1. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed (sealed) and drained at the applicant/owner's cost.
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 9. Prior to commencement of site works, a detailed plan identifying building envelopes or building exclusion areas to be provided for all lots partially within the buffer to the existing wastewater treatment plant (with the exception of stage 3 which is subject of a future application) and/ or affected by the watercourse and dam (Lots 50-53).
 10. A Restrictive Covenant, pursuant to section 129BA of the Transfer of Land Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed Lots 28, 30, 44, 45, 46, 50-53 and 55 advising of the existence of a restriction on the use of the land. Notice of this restriction to be included on the Deposited Plan. The restrictive covenant is to state as follows:
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 12. The applicant providing a geotechnical report certifying that any filling or backfilling has been adequately compacted. The geotechnical report certifying that any filled land

(especially filled dams) is physically capable of development prior to the commencement of site works.

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14. Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site works.
15. The proposed reserve(s) shown on the approved plan of subdivision being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under section 152 of the Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.
16. Uniform fencing (and a gate) along the Williams Road boundary of the proposed open space to be constructed. The type of fence shall be approved by the local authority prior to any construction.
17. Uniform fencing along the railway reserve to be constructed. The type of fence shall be approved by the local authority and Public Transport Authority (PTA) prior to any construction.
18. Uniform fencing along Albany Highway to be constructed. The type of fence shall be approved by the local authority and Main Roads WA prior to any construction.
19. A Fire Management Plan being prepared and implemented to the specifications of the local government and the Fire and Emergency Services Authority.
20. Strategic firebreaks identified in the Fire Management Plan to be installed/ cleared by the proponent.

B. Advise the WAPC and applicant through footnotes to the conditions as follows:

- (i). In regards to Conditions 2 and 3, the applicant is advised that Council has previously raised concerns over the sightlines of the Pinjarra Williams Road / Old Soldiers Road intersection which needs to be addressed in detailed engineering drawings, and may require road widening, an increased truncation at the intersection and / or removal of verge vegetation.
- (ii) In regards to Condition 11, the notification can be lifted from the titles (at the owners cost) in the longer term once the plant is decommissioned

Carried 6/0
Resolution 124/09

Report Reference:	8.1.3
Subject:	DPI (State Land Services) – Development of Crown Lots, Quindanning Townsite
File Reference:	11.30.31
Statutory Reference:	Section 58 of the Land Administration Act 1997
Author & Date:	V. Epiro 4 th December 2008

Background:

Following the presentation to Council at the October meeting on development of crown lots at the Quindanning townsite, State Land Services have now initiated a Notice of Intention to Take (NOITT) in regards to Native Title.

Quindanning is presently subject to registered native title claim WC 98/58 – the Gnarla Karla Booja claimants. Both Western Power and the Water Corporation have been written to, seeking cost estimates for the provision of power and water. In 2009 Council will have to initiate processes to formally close Millen Street, however this should be done after the above cost estimates are received.

Recommendation:

For Council's information.

Report Reference:	8.1.4
Subject:	Main Roads Wheatbelt South – Williams-Darkan Road
File Reference:	12.15.33
Statutory Reference:	<i>Main Roads Act 1930</i>
Author & Date:	V. Epiro 4 th December 2008

Background:

Following concerns with the condition of the Williams-Darkan Road, Council (together with the Shire of West Arthur) resolved in April 2008 to defer the de-proclamation of the Williams-Darkan Road. Since then Main Roads/SRS have carried out seal widening works to the southern portion of the Williams-Darkan Road from SLK 18.00 – 35.53 (Darkan townsite) which has led to the Shire of West Arthur agreeing to accepting transfer of the road as from 1 July 2009.

Main Roads have now forwarded a proposal for similar works to be carried to the remaining section SLK 2.20 – 18.00 which is estimated will cost \$375,000. Council is being offered the opportunity to do the works on the basis of completion prior to 31 December 2009, which after discussions with Works Supervisor Tony Kett is considered achievable. Therefore Council is now in a position to accept the Williams-Darkan Road (de-proclamation) and agree to the transfer of the Collie-Williams Road subject to the above funding being granted for Council to undertake the works prior to 31 December 2009.

Recommendation:

That Main Roads be advised that Council agrees to undertake the seal widening works on the Williams-Darkan Road for the cost of \$375,000 and that de-proclamation of the Williams-Darkan Road and proclamation of the Collie-Williams Road be supported.

Cavanagh/Johnstone

That Main Roads be advised that Council agrees to undertake the seal widening works on the Williams-Darkan Road for the cost of \$375,000 and that de-proclamation of the Williams-Darkan Road and proclamation of the Collie-Williams Road be supported.

**Carried 6/0
Resolution 125/09**

Report Reference:	8.1.5
Subject:	R Martin – Application for Approval to place a Single House on Lot 16 New Street, Williams (See Appendix 1)
File Reference:	14.25.22
Statutory Reference:	Williams Town Planning Scheme No. 2
Author & Date:	V. Epiro 4 th December 2008

Background:

Mrs Rennae Martin (owner of Rustik Rainbow) is in the process of purchasing lots 15 and 16 New Street, Williams, which adjoin her property (lot 7). Both lots 15 and 16 are zoned commercial under the Williams Town Planning Scheme No. 2 which allows for commercial or civic development and the building of a single house subject to Council's discretion. Mrs Martin is seeking approval to build a single residence on lot 16 New Street which, as stated above, Council may approve under the Williams TPS No. 2.

Under the State Planning Policy 3.1 (residential design codes) the definition of a single house is: "A dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property."

As lot 16 is the rear lot, building of a single house would have an impact on parking if a major retail complex was constructed on lot 15 which fronts the Albany Highway. However this would be an issue the owner (Mrs R Martin) may need to consider in the event of any future development.

Recommendation:

That Mrs R Martin be granted approval to build a single house on lot 16 New Street, Williams subject to plans and specifications being submitted.

Cavanagh/Earnshaw

That Mrs R Martin be granted approval to build a single house on lot 16 New Street, Williams subject to plans and specifications being submitted.

**Carried 6/0
Resolution 126/09**

Report Reference:	8.1.6
Subject:	Road Closure – Road Reserve Running through Williams Location 14985 and along the Eastern Boundaries of Williams Locations 190, 2904, and 6139
File Reference:	12.15.38
Statutory Reference:	Section 58 of the <i>Land Administration Act 1998</i>
Author & Date:	V. Epiro 4 th December 2008

Background:

At the meeting held on 22 October 2008 Council resolved to advertise its intention of closing the road reserve running through Williams location 14985 and along the boundaries of Williams locations 190, 2904 and 6139. Submissions on the proposal closed on 4 December 2008 and no objections were received, therefore Council can formally resolve to close the road.

Recommendation:

That Council proceed with the closure of the road reserve running through Williams location 14985 and along the boundaries of Williams location 190, 2904 and 6139.

Cr Cowcher declared a proximity interest in this item and left the meeting at 2.05pm

Deputy President Cr David Earnshaw assumed the chair

Medlen/Johnstone

That Council proceed with the closure of the road reserve running through Williams location 14985 and along the boundaries of Williams location 190, 2904 and 6139.

**Carried 5/0
Resolution 127/09**

Cr Cowcher returned to the meeting at 2.08pm

Report Reference:	8.1.7
Subject:	Eco West – Support for Polyurethane Building Panel Facility in Williams (See Appendix 2)
File Reference:	13.34.20
Statutory Reference:	N/A
Author & Date:	V. Epiro 9 th December 2008

Background:

Eco West (Kevin Parry) are seeking Council support for a submission for a \$3.5 million grant from Regional Development Funding to establish a polyurethane building panel facility in Williams. In his letter Mr Parry states that they have had a meeting with National Party leader Brendon Grylls and Deputy Terry Waldron to discuss the proposal. It would seem that these discussions have led to Eco West making a submission for State Government funding for the project.

Whilst there is some uncertainty regarding the project's eligibility for State Government funding, Council should consider providing support for the project.

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

Recommendation:

That Council provide a letter of support for the Eco West (WA) submission for funding to establish a polyurethane building panel facility in Williams.

Cavanagh/Earnshaw

That Council provide a letter of support for the Eco West (WA) submission for funding to establish a polyurethane building panel facility in Williams.

**Carried 7/0
Resolution 128/07**

Report Reference:	8.1.8
Subject:	Regional and Local Community Infrastructure Program – Allocation of \$100,000 (See Appendix 3)
File Reference:	3.4.1
Statutory Reference:	N/A
Author & Date:	V. Epiro 9 th December 2008

Background:

Williams has been allocated a sum of \$100,000 under the Federal Government's Regional and Local Community Infrastructure Program. Guidelines have been issued (see appendix 3) on eligible projects that the money can be spent on with expenditure to be finalised by 30 September 2009. Council needs to give consideration to what project the money should be allocated. With the proposed upgrade of the Williams Swimming Pool awaiting funding submission outcomes (to be advised in early 2009) it is suggested that Council allocate the \$100,000 towards the pool project which is eligible under the guidelines.

Recommendation:

That Council allocate the \$100,000 from the Regional and Local Community Infrastructure Program to upgrade of the Williams Swimming Pool.

Prowse/Cavanagh

That Council allocate the \$100,000 from the Regional and Local Community Infrastructure Program to upgrade of the Williams Swimming Pool.

**Carried 7/0
Resolution 129/09**

Report Reference:	8.1.9
Subject:	Williams St John Ambulance Sub-Centre – Self Supporting Loan and Site Works (See Appendix 4)
File Reference:	7.70.30
Statutory Reference:	Section 6.20 of the <i>Local Government Act 1995</i>
Author & Date:	V. Epiro 9 th December 2008

Background:

The Williams SJA Sub-centre have finalised plans for the new building with the intention of calling tenders in January 2009. Successful funding submissions have so far resulted in grants of \$214,024 with some still to be determined (\$169,806) in the new year.

Whilst the SJA State Office has committed to assisting with a self supporting loan there is still a need to seek provision for additional funding in the event of the outstanding funding submissions being unsuccessful. Therefore the Williams SJA Sub-centre is seeking a self supporting loan provision of \$100,000 over 10 to 15 years subject to the funding submission outcomes.

In addition to a self supporting loan the Williams SJA Sub-centre is also requesting Council consideration for undertaking the site works at no cost. The estimated cost of the site works is \$36,510, however this is likely to be higher as costs have risen since the quote was given. Council consideration is being sought for both requests.

Recommendation:

- (1) That Council agree to the provision of a self supporting loan of \$100,000 to Williams SJA Sub-centre to be repaid over a period to be determined.
- (2) That Council consider undertaking site works for the proposed Williams SJA Sub-centre Training Facility at no cost.

Cavanagh/Johnstone

That Council agree to the provision of a self supporting loan of \$100,000 to Williams SJA Sub-centre to be repaid over a period to be determined.

**Carried 7/0
Resolution 130/09**

Carne/Johnstone

That Council undertake site works for the proposed Williams SJA Sub-centre Training Facility at no cost to the Williams SJA Sub-centre.

**Carried 7/0
Resolution 131/09**

8.1 CHIEF EXECUTIVE OFFICER'S REPORT – LATE ITEMS

Medlen/Cavanagh

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

**Carried 7/0
Resolution 132/09**

Reference:	8.1.10
Subject:	Department of Local Government and Regional Development – Declaration of Interest (Special Meeting, 18 June 2008)
File Reference:	4.1.20
Statutory Reference:	Section 5.68 (1) of the <i>Local Government Act 1995</i>
Author & Date:	V. Epiro 12 th December 2008

Background:

Attached is a letter from the Department of Local Government advising that correspondence had been received regarding the manner the 2008/2009 Works Program had been dealt with at the Special Meeting held on 18 June 2008. At the meeting the whole of the Council (8) voted that Councillors having a proximity interest remain in the meeting and also voted on the resolution to adopt the Works Program. From my recollection this action was taken because Council would have been left without a quorum if four (4) members had declared an interest. However I have been advised that approval should have been sought from the Department to allow a lesser quorum for consideration of the Works Program or any other issue affected. Therefore I suggest that the Department of Local Government be advised of Council's dilemma and assured that appropriate action will be taken should this occur in the future.

Recommendation:

That the Department of Local Government be advised that Council's action in regard to resolution 278/08 (Special Meeting 18 June 08) was taken because of concerns that declaration of an interest would have resulted in lack of quorum. Council will ensure that approval under Section 5.69 of the Act is obtained should any similar situations arise in the future.

Medlen/Earnshaw

That the Department of Local Government be advised that Council's action in regard to resolution 278/08 (Special Meeting 18 June 08) was taken because of concerns that declaration of an interest would have resulted in lack of quorum. Council will ensure that approval under Section 5.69 of the Act is obtained should any similar situations arise in the future.

**Carried 7/0
Resolution 133/09**

Resignation Chief Executive Officer

The President read out a letter of resignation from Chief Executive Officer Jim Epiro.

Prowse/Earnshaw

That the chief Executive Officer's resignation be received with regret.

**Carried 7/0
Resolution 134/09**

Afternoon Tea

Council adjourned for afternoon tea at 3.05pm and resumed the meeting at 3.45pm

8.2 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT

8.2.1 ACCOUNTS FOR PAYMENT

Carne/Johnstone

That Municipal Fund cheques 101999 - 102019 and direct debits totalling \$273,629.77 approved for payment by the Chief Executive Officer be endorsed and that Municipal Fund cheques 102020 - 102978 totalling \$105,273.09 be approved for payment.

**Carried 7/0
Resolution 135/09**

8.2.2 FINANCIAL STATEMENTS

Cavanagh/Medlen

That the financial statements presented for the period ending 30th November 2008 be received.

**Carried 7/0
Resolution 136/09**

Works Supervisor Tony Kett attended the meeting at 3.55pm to discuss his report.

8.3 WORKS SUPERVISOR'S REPORT

Maintenance Grading

Playle Rd, Old Soldiers Rd, Quindanning-Darkan Rd, Zilko Rd, Extracts Rd, Hamon Rd, York-Williams Rd, Congelin-Narrogin Rd, Folland Rd, Martin Rd, Glenfield Rd, Refuse Site fire breaks.

Maintenance Works

Fixed potholes on Collie Road, slashed grass at Quindanning hall and surrounds

Construction

Finished gravelling Marradong Road

Water binding and sealing 7.5km of Narrakine Road

Mechanical Report

The following vehicles have been serviced: CAT grader (6000 hrs), JCB loader (2000 hrs), Excavator, Volvo grader, Mitsubishi Canter ute.

Private Works

One load of water for Bill Piesse

Hire of excavator to Wandering Shire of Williams

Two loads of water for CBH Narrakine

Slashed grass for Landcorp

Traffic Counts

Vehicles per week:

Wangelling Gully Rd 396

Marradong Rd 312

Earnshaw/Carne

That the Works Supervisor's Report be received.

**Carried 7/0
Resolution 137/09**

Cr Johnstone commended the Works Supervisor and the works crew for the amount and quality of works completed this year, particularly on Narrakine Road and Marradong Road.

Mr Kett left the meeting at 4.10pm

8.4 ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR'S REPORT

Building Permits

#227 N Lavender

Lot 2 Pinjarra-Williams Road

Demolition of shop/cottage

#228 Bunbury Patio Solutions

Lot 11 Fry Street

Colorbond patio

Building inspections ongoing.

Food Premises Inspection

Caltex Roadhouse: there are several issues that need addressing and these have been taken up with management.

Report Reference:	8.4.1
Subject:	Development Application – Accommodation Units, Kievi Lodge
File Reference:	13.34.10
Statutory Reference:	Shire of Williams Town Planning Scheme No 2
Author & Date:	Steve Friend 10 th December 2008

Background:

An application has been made to house 32 workers for a particular project at the Boddington Gold Mine in transportable buildings (dongas) adjacent to the existing Kievi Lodge on Marradong Road. It is proposed to house the workers in 8 x 4 bedroom dongas with ensuites and provide two laundry units as well. The existing lodge kitchen will be used to provide the meals.

It is also proposed to utilise the three existing houses on the property to accommodate additional workers as well as the rooms at the lodge.

As can be seen by the accompanying documents, the firm employing the workers have a contract until July 2009 and are prepared to install verandas and concrete paving if necessary.

The Town Planning Scheme is silent about workers accommodation so Council can decide the appropriateness of the application.

As the application is for temporary accommodation it could be an acceptable proposal. The firm would have to have an effluent disposal system approved by the Health department of WA, the kitchen would have to be regularly inspected and the water would have to be potable. There may be no need to insist on verandahs and paving as it would all need to be removed in 6 or 7 months.

If there was a suggestion that it become a permanent camp or that the contract was to exceed the proposed 6 months, then it would be appropriate to insist on the additional infrastructure.

Recommendation

That the proposal to set up an eight x four person transportable camp with 2 laundry units adjacent to the existing Kievi Lodge be approved subject to:

- A) The proponents paying the recommended development application fees
- B) The accommodation units being on site for a maximum period of 8 months (August 2009) and if any longer, a further application is made
- C) The effluent disposal to be approved by the Health Department of WA
- D) Building permits are issued for the transportable accommodation units
- E) All water supplies to be to a potable standard

Johnstone/Medlen

That the proposal to set up an eight x four person transportable camp with 2 laundry units adjacent to the existing Kievi Lodge be approved subject to:

- a) The proponents paying the recommended development application fees
- b) The accommodation units being on site for a maximum period of 8 months to 31st August 2009 and no further extension will be considered
- c) The effluent disposal to be approved by the Health Department of WA
- d) Building permits are issued for the transportable accommodation units
- e) All water supplies to be to a potable standard

**Carried 7/0
Resolution 138/09**

Earnshaw/Prowse

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

**Carried 7/0
Resolution 139/09**

8.5 COMMUNITY DEVELOPMENT OFFICER'S REPORT – APRIL 08 TO DECEMBER 08

Williams Swimming Pool

Funding was secured from the Federal Government's Department of Water Community Water Grant program in late 2007 for shade sails over the toddler pool and surrounding areas. Total funding granted was \$24,810, and the shade sails were installed in early 2008. They have made a massive improvement in the aesthetics of the area, as well as providing much needed shade which will assist with the water evaporation control, as well as providing protection from the sun. The funds have now been expended, with the acquittal forwarded to the Department of Water.

We have received a Quantity Surveyor cost estimate from Borrell Rafferty for the upgrade of the amenities buildings based on the plans prepared by Franco Carrozzi Architects. Funding has been sourced from the WA State Government Department of Sport and Recreation Community Sport and Recreation Facilities Fund. An application was submitted at the end of October 2008 for \$165,322.13 with the balance of the cost to be borne by the Shire of Williams (\$330,644.27 inc GST). We should know the outcome in January/February 2009.

Williams Bike Paths – Fry & Piesse Streets

After 2 failed attempts, it was a case of third time lucky when we were funded \$24,000 from the WA State Government's Department for Planning and Infrastructure Country Pathways Grant Scheme funding for a 565m pathway extension along Fry and Piesse Streets, to complete the link between the residential areas, the school and the shopping precinct of town. These funds will be expended in early 2009, with the requirement of the project to be completed by 31 March 2009.

Williams Primary School

Williams PS P & C were successful in being granted \$99,875 from the Federal Government's Investing in Our Schools program. This was funded in late 2007, however getting contractors to undertake the work has been a tedious task. The quadrangle is due to be resurfaced in the Christmas holiday break, with the remaining third to be redeveloped into an outdoor classroom. Concept drawings are currently being prepared by Mike Brown from Narrogin Nursery, and it is anticipated that the P & C will consider this in a staged project to commence in early 2009.

The P & C has also submitted a funding request to the Department of Families, Community Services and Indigenous Affairs (FAHCSIA) Volunteer Small Equipment Grants program for \$3028 to replace the stove and microwave in the school canteen. The outcome should be known in early 2009.

Williams Gateway Expo

After another successful event in 2008, with \$7918 provided by Lotterywest, \$2400 provided by Healthways and additional funds sourced from Roadwise, the Expo committee has been hard at work planning for the 10th Anniversary event to be held Saturday April 18th, 2009. All funds from the 2008 event have been acquitted to the respective funding bodies.

I prepared an application to Lotterywest for \$12,613.56 for advertising/publicity & equipment hire. In addition, the Committee prepared their own application to Healthways for \$4600. The outcome of both the funding applications should be known in late December 2008/early January 2009.

Local Emergency Management Committee (LEMC)

With the responsibility of the administration of the LEMC's now falling on Local Government's shoulders, I attended a 4 day Emergency Management for Local Government at UWA in July. This was an extremely beneficial course, and provided insight into the relevant legislation and the requirements of local government and their responsibilities in regards to emergency management. It highlighted the need for our plan to be reviewed (which it has not been since it was originally prepared), as well as the need to prepare a Recovery Plan (which we do not currently have). It is anticipated that this review will be undertaken in 2009, with assistance to be provided by Adam Smith (FESA Community Engagement Support Officer based in Albany).

It was at this course, that my attention was drawn to the reporting requirements of LEMC's, and an Annual Report that is required to be submitted by the local governments. Due to an administrative hiccup, the WA

Police Service were under the impression that they were required to complete it (they were emailed the reporting request, together with the template). I requested the reporting template from the Williams Police, and completed the report as required. Under the legislation, the committee are required to meet quarterly (which our committee has not done, we meet on an as needs basis), as well as undertake exercises to test our emergency management arrangements. There have been plans in the pipeline for a number of years for a mock emergency drill, however these have never come to fruition, due to the complexities of staging and hosting a mock event. Instead, documentary evidence of the number of incidents attended by the collective emergency services are provided, as testament to the regular “testing” of the procedures on a small scale. This has proved satisfactory to date.

The funding provided by the Federal Government’s Working together to Manage Emergencies Local Grants Scheme of \$2303.65 has been expended (and acquitted), and the trailer has been well stocked and relocated to the Shire depot. The trailer is fully operational and is ready to be used when and if a suitable emergency arises.

An application was submitted to WALGA Roadwise/Road Safety for a Speed Alert Monitor (SAM) trailer for the Shires of Williams, Narrogin, West Arthur and the Town of Narrogin. The application was for \$18,528 and was approved in October 2008. We are awaiting advice on when the funds will be released, so that we can order and purchase the trailer, with anticipation that it will be operational by Easter 2009.

Community Safety & Crime Prevention

The \$22,000 New Incentive funding provided by the Office of Crime Prevention on endorsement of our CSCP Plan in 2006, has been spent and acquitted. New lights have been installed in front of the Main Hall, Lions Park, Recreation ground and rear of the Shire Hall. The lighting should have made a significant improvement in poorly lit areas, thereby increasing the safety of community members and detracting from inappropriate behavior in poorly lit areas.

In addition, the Shire also received \$11,000 in Designing out Crime initiative funding. Some of these funds have been used to replace the town entry signs (Welcome to our town, and thank you for visiting our town) as well as the shopping precinct/playground signage. These signs have been well accepted, and hopefully have assisted in the slowing down of traffic entering our town and our main shopping precinct. Any funding remaining will be used on similar initiatives. It is anticipated that this project will be completed and acquitted in early 2009.

Williams Pride in Your Town

I assisted the group prepare this year’s submission to the Tidy Towns and Sustainable Communities competition. As has been well documented, Williams did extremely well, winning 3 out of the 6 categories and also winning the Regional Award. Whilst we did not win anything at the State Awards, our achievements are still outstanding and I was immensely proud to be a part of this process, and also for the ladies who have worked so long and so hard to achieve what collectively we achieved this year. It is truly a credit to their hard work over many years that Williams has come as far as it has. The committee is also very appreciative of the support that the Shire offers, and looks forward to working together for many years to come.

Exercise Classes

Margaret Frick has been offering classes in Williams since March 2008. These classes have been well supported, and the interest has grown, which is testament to the quality of the classes on offer.

The Shire submitted an application to the Premier’s Physical Activity Taskforce Local Grants Scheme and was successful in receiving \$5100 towards equipment (\$1100) and training (\$4000). The equipment has been purchased, and Alana Jasper has been enrolled in Certificate III and IV in Fitness through Finition P/L under supervision of Margaret. It is anticipated that Alana will be ready to offer classes in early 2009, once her supervised hours are completed. There will still be \$2200 in funding remaining to spend, and this will be offered to the community to try and source another candidate for the Certificate III and IV, and therefore ensure another trainer for the community, or alternatively, additional training may be sourced. The equipment is owned by the Shire of Williams, and is a great asset to the classes.

Shire of Wickepin

I prepared the Shire's Community Safety and Crime Prevention Plan, and this was supported and endorsed by the Shire and the Office of Crime Prevention in August 2008. \$22,000 in New Incentive funding was supported for the upgrade of town lighting (which has become a recurrent theme in all the towns that I have assisted with the preparation of their plans).

Shire of Narrogin

I have provided ongoing assistance to the Shire of Narrogin with the implementation of their Community Safety and Crime Prevention initiatives. They received \$22,000 New Incentive funding for rural landholder information forums and packages and new landholder packages and information. I have assisted with drafting a Stock on Roads flyer, which is currently being printed, and we will have access to when we put our information packs together. I have also sourced information for their information packs and provided general advice.

The Shire's Record Keeping Plan required updating, and this was completed and endorsed in June 2008, with review not required until 2013.

Williams Community Resource Centre

As per our Financial Agreement with the Department of Local Government and Regional Development, annual financial reporting on the income and expenditure on the Williams Community Resource Centre is required to be provided annually for 10 years after funding is approved. This year's report was completed in November. Reporting is required annually until 2014.

Williams Bowling Club

I prepared an application to the Department of Families, Community Services and Indigenous Affairs (FAHCSIA) Volunteer Small Equipment Grants program for \$4200 towards the upgrade of the shade adjacent to the bowling greens. It is anticipated that the outcome of this funding will be known in late 2008 or early 2009.

Williams Hockey Club

I prepared an application to the Department of Families, Community Services and Indigenous Affairs (FAHCSIA) Volunteer Small Equipment Grants program for \$2200 for uniforms and goalie protective clothing. It is anticipated that the outcome of this funding will be known in late 2008 or early 2009.

Narrogin Sporting Shooters Club

I assisted the group prepare an application to the Department of Families, Community Services and Indigenous Affairs (FAHCSIA) Volunteer Small Equipment Grants program for \$5000 as part contribution towards the construction of a new Clubhouse. It is anticipated that the outcome of this funding will be known in late 2008 or early 2009.

Fireproof Filing Cabinets

In an attempt to try and relocate these filing cabinets from the Shire depot to a more suitable home and into use, the Shire wrote to the Williams Stud Breeders, Williams Football Club, Williams Trotting Club and Williams Repertory Club offering each of these organisations a cabinet to be located at their preferred location. These letters were forwarded in September 2008. To date, the Studbreeders are the only group who have accepted the offer and have advised that they will discuss options with Tony Kett (Works Supervisor).

Williams Art & Craft Committee

I prepared an application for the Williams Art & Craft Committee for their Williams Waterwise Day in October 2008. An application was submitted and approved by Lotterywest for \$2812 for advertising and equipment hire.

Fire Awareness Seminar

A seminar was held at the Williams Community Resource Centre on Thursday 4th December 2008, with 8 attendees. The ½ day was hosted by John Tonkin (FESA Albany) with support from Simon Vogel (FESA

Narrogin). The day was well prepared and participants took home a wealth of information in regards to preparedness for fire and prevention.

Williams SJA Sub-Centre New Training Facility and Ambulance Garage

I have continued to work on the project for Williams SJA, with a number of milestones having been achieved in the last 8 months, as well as a few hurdles of which to overcome.

The Project Plan was finalized in May 2008, and a funding application completed to be submitted to the Federal Government's Regional Partnerships program. This program was scrapped, and therefore no further funding applications would be accepted. This was a considerable hurdle to overcome, however alternative funding needed to be sourced, as well as an identification of potential cost savings that could be made on the project, to ensure its feasibility to construction.

In summary, the following applications have been prepared, and their outcomes are as follows:

Lotterywest	Application successful	\$200,000
FRRR Small Grants	Application successful	\$3600
Regional Headworks	Application successful	\$10,424
Corporate Sponsors	Additional still being sourced	\$39,450 to date
Community sponsors	Additional still being sourced	\$23,522 to date
Signature pavers	Additional still being sourced	\$3400 to date
FAHCSIA Volunteer Small Equipment Grants	Application being considered	\$4806
National Rural & Remote Health Infrastructure Program	Application being considered	\$50,000
Boddington Gold Mine	Application being considered	\$15,000
National Emergency Volunteer Support Fund	Application to be resubmitted in March 2009	\$50,000
Ian Potter Foundation	Application to be resubmitted in February 2009	\$50,000
	Alternatives being sourced	\$60,000

At its meeting of 4th December 2008, the sub-centre endorsed the draft architectural plans as presented, and has agreed to go to tender in January 2009. This is an important milestone, as once tenders have been called and a builder endorsed, a more definitive cost for the project will be known (as opposed to the cost estimates that we have been working on since late 2007). The sub-centre will be able to negotiate with the successful tenderer, and then provide recommendation to the SJA State Office Board for endorsement. It is anticipated that construction may commence in mid 2009.

Cavanagh/Medlen

That the Community Development Officer's Report be received.

**Carried 7/0
Resolution 140/09**

8.6 COUNCILLORS

8.6.1 WILLIAMS DARKAN RAIL TRAIL

Cr Earnshaw advised that together with Cr Cowcher he attended a public meeting where the rail trail feasibility study report was released. Unfortunately the report does not mention any consultation with adjoining land holders. The report recommends developing the trail in four to five sections with the Williams to Josbury section to be undertaken first to gauge community interest. The feasibility study is available for perusal.

Carne/Prowse

That the Williams Darkan Rail Trail Feasibility Report be made available at the Council Office for public perusal.

**Carried 7/0
Resolution 141/09**

8.6.2 WILLIAMS CAMPDRAFT

Cr Cavanagh advised that together with the Chief Executive Officer he attended an onsite meeting with members of the Williams Campdraft Committee to discuss the erection of permanent yards on the northern end of the grounds.

Cavanagh/Johnstone

That the Williams Campdraft Committee be granted permission to erect permanent yards on the northern end of the grounds.

**Carried 7/0
Resolution 142/09**

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

Medlen/Cavanagh

That discussion on the holding of a January 2009 Ordinary meeting be accepted as urgent business for discussion.

**Carried 7/0
Resolution 143/09**

10.1 ELECTED MEMBERS

Johnstone/Earnshaw

That Council dispense with the January 2009 Ordinary meeting and that the President, Deputy President and Chief Executive Officer be authorised to approve accounts for payment.

**Carried 7/0
Resolution 144/09**

10.2 STAFF

Nil

11.0 INFORMATION SESSION

11.1 Wheatbelt Development Commission

Cr Carne advised that the Wheatbelt Development Commission was seeking two Local Government nominations to serve on the Commission. Cr Carne will consider nominating with the support of Council.

12.0 MEETING CLOSURE

Before the meeting closed Cr Prowse acknowledged the contribution of retiring Chief Executive Officer Jim Epiro to the development of Williams over the past seventeen and a half years. The President Cr Cowcher endorsed these words and they were carried with acclamation by Council.

There being no further business for discussion the President declared the meeting closed at 5.25pm

SHIRE OF WILLIAMS

MINUTES OF THE ORDINARY MEETING HELD IN THE COUNCIL CHAMBERS ON TUESDAY 16TH DECEMBER 2008

1.0 OPENING

1.1 DECLARATION OF OPENING

The President declared the meeting open at 1.10pm

1.2 ANNOUNCEMENT OF VISITORS

Nil

2.0 RECORD OF ATTENDANCE

2.1 PRESENT

Cr John Cowcher	President
Cr David Earnshaw	Deputy President (Attended meeting at 1.45pm)
Cr Ashley Stone	
Cr Greg Cavanagh	
Cr Richard Johnstone	
Cr Moya Carne	
Cr Graham Prowse	(Attended meeting at 2.10pm)
Cr Gilbert Medlen	

V Epiro	Chief Executive Officer
IR Ball	Deputy Chief Executive Officer
Tony Kett	Works Supervisor (3.55pm – 4.10pm)

2.2 APOLOGIES

Cr Ashley Stone

Crs Prowse and Earnshaw have advised that they have been delayed and will be late in attending the meeting.

3.0 PUBLIC QUESTION TIME

Nil

4.0 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

5.0 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

6.0 CONFIRMATION OF PREVIOUS MINUTES

6.1 ORDINARY MEETING MINUTES

Johnstone/Medlen

That the minutes of the Ordinary Meeting held in the Council Chambers on Wednesday 19th November 2008, as circulated, be confirmed as a true and correct record of proceedings.

**Carried 5/0
Resolution 121/09**

6.2 4WD RESOURCE SHARING GROUP MINUTES – 25TH NOVEMBER 2008

Cavanagh/Medlen

That the minutes of the 4WD Resource Sharing Group meeting held on 25th November 2008, as circularised, be received.

**Carried 5/0
Resolution 122/09**

Carne/Johnstone

That Terry Waldron MLA be invited to meet with Council to discuss various issues.

**Carried 5/0
Resolution 123/09**

7.0 ANNOUNCEMENTS BY PRESIDING MEMBER WITHOUT DISCUSSION

Nil

8.0 REPORTS OF COMMITTEES/OFFICERS AND COUNCILLORS

8.1 CHIEF EXECUTIVE OFFICER'S REPORT

Report Reference:	8.1.1
Subject:	Australia Day – Breakfast and Citizen of the Year Presentation
File Reference:	4.11.30
Statutory Reference:	N/A
Author & Date:	V. Epiro 4 th December 2008

Background:

A reminder to Councillors that Council will again be hosting the Australia Day breakfast / Citizen of the Year award on Australia Day, Monday 26 January 2009. Nominations for the Citizen of the Year closed on 28 November 2008 and are currently being assessed with the award being announced at the breakfast.

Recommendation:

For Council's information.

Report Reference:	8.1.2
Subject:	Proposed Subdivision for Stage 1 and 2 – Portion of Lot 12070 (SN 13254) Albany Highway, Williams
File Reference:	10.64.20
Statutory Reference:	N/A
Author & Date:	Gray & Lewis Landuse Planners 30 th September 2008
Disclosure of any Interest:	Gray & Lewis receive planning fees for advice to the Shire, therefore declare a Financial Interest – Section 5.65 of the <i>Local Government Act 1995</i>

Background:

- *Previous Council consideration*

Council adopted Amendment 14 for final approval on the 18 June 2008 which proposes to;

- (i) Re-zone a portion of Lot 12070 Albany Highway, Williams from 'Rural' to 'Residential R2', 'Residential R10' and 'Rural Residential'.
- (ii) Introducing provisions in the Scheme giving Council discretion to require a Subdivision Guide Plan for land in the Residential Zone.
- (ii) Including provisions in Schedule 4 - Rural Residential to require a Subdivision Guide Plan.

Comment:

Status of Proposed Amendment 14

Amendment 14 has been lodged with the Western Australian Planning Commission (WAPC) for final endorsement, and still requires final approval by the Minister for Planning.

Townsite Expansion Strategy

A Townsite Expansion Strategy has been approved by the Shire and the WA Planning Commission (WAPC).

The land is included in Areas 9 and 10 on the Draft Strategy map respectively earmarked for medium to long term rural residential and residential. Amendment 14 and the subdivision is generally in accordance with the Draft Strategy.

Subdivision Guide Plan

The applicant submitted a Subdivision Guide Plan proposing a total of 62 lots ranging from 1056m² to 1.4 hectares. The Subdivision Guide Plan was included in the advertised amendment document and was adopted by Council on the 18 June 2008 (with Amendment 14).

The Guide Plan has also been lodged with the WAPC for final endorsement.

Proposed Subdivision

The applicant originally lodged a subdivision plan for stages 1, 2 and 3 with the WAPC. Gray & Lewis recommended that the applicant lodge an amended subdivision plan for stage 1 and 2 only, as stage 3 is dependent on decommissioning of the wastewater treatment plant.

The amended plan will be lodged formally with the WAPC and includes the following;

1. The creation of 13 lots in stage 1 ranging from 5003m² to 1.4 hectares.
2. The creation of 30 residential lots in stage 2 ranging from 1056m² to 2770m².
3. Road links through future stage 3 to service stage 2.

Process

Council can provide a recommendation and a list of conditions to WAPC on the subdivision.

The WAPC will not determine the subdivision application until such time as (1) the Minister has approved Amendment 14 and (2) the subdivision guide plan has been endorsed.

Once subdivision approval is issued, there will be a number of conditions that the applicant has to meet prior to obtaining certificates of title for the new lots. A number of the conditions will relate to the 'local government' and the Shire will need to certify to the WAPC whether the conditions have been met to the Council's satisfaction.

Assessment

The proposed subdivision is consistent with the subdivision guide plan approved by the Shire and accordingly is supported.

The WAPC has standard conditions relating to normal subdivision works such as road construction and drainage. The wording of these conditions is general as the applicant will lodge detailed engineering drawings for road construction and drainage requiring separate approval by the Shire.

The majority of conditions listed in the recommendation are self explanatory and relate to matters such as;

- Dust nuisance – although unlikely in this case, dust nuisance can occur during site works for larger subdivisions especially in summer (and depending on wind conditions). The condition is recommended as a precaution so the Shire has a mechanism to deal with dust should it occur. If no dust nuisance occurs then the applicant does not have to take any action to meet the condition.
- Vegetation preservation – to ensure that the developer undertakes adequate precaution to protect trees during site works and road construction. There are some stands of trees on larger lots which may be able to be retained (for example, on Lots 55 and 56) & within POS.
- A Notification on Title for proposed lots within or partially within the buffer to the wastewater treatment plant to advise that they may be affected by odour until such time as the plant is decommissioned.
- A requirement for building envelopes or building exclusion areas where appropriate (eg. to protect the existing drainage line and ensure new houses are constructed outside of the waste water buffer).
- Requirement for a geotechnical report for any filling. This is particularly important where dams are to be filled (eg. Lots 6 and 7) so that Council has assurances that the filled land is safe for the future construction of a house.

CONDITIONS FOR COUNCILLOR DISCUSSION/ ATTENTION INCLUDE THE FOLLOWING;

Old Soldiers Road / Pinjarra Williams Road – Conditions 2 & 3

Council has previously raised concern over this intersection and sightlines, therefore Conditions 2 and 3 have been imposed. Upgrading and/ or some widening of Old Soldiers Road may be required to cater for additional traffic and is not unreasonable having regard that the subdivider will be benefiting from that road as the main access/ entry point.

Widening or alteration of the truncation of the intersection may also be required to improve sightlines, however these matters will be resolved through detailed engineering drawings.

Uniform Fencing – recommended Conditions 16, 17 and 18

Where fencing is required to open space, roads or railway reserves it is recommended that uniform fencing be required to be installed by the developer, instead of future owners.

This will result in consistent fencing materials / styles which is aesthetically desirable and avoid a range of 'ad hoc' unco-ordinated fencing being erected in more highly visible places. The type of fencing does not have to be specified in the Condition as it will require separate written approval by the Shire.

It is recommended that Councillors discuss the type of fencing preferred such as colorbond, open pool style fencing, wire fencing etc. Pinelap / wood fencing is not recommended as it weathers over time (turns grey), warps and collapses if not maintained.

The applicant can be advised of the preferred fencing type through a footnote/ advice note to the conditions. Generally an open style (decorative pool type) fencing is recommended adjacent to open space.

Fire Management / Strategic Fire breaks – Conditions 19 & 20

As subdivisions occur in the Shire over extended time periods, various individual fire management plans will be received for specific areas, as is the case for Lot 12070.

In some Shires fire management has become a difficult issue to deal with administratively and legally over extended time frames due to the following;

- The Fire Management Plan has not made it clear what the minimum standard for strategic fire breaks is (ie width and construction);
- In some cases strategic firebreaks have been installed but are not trafficable therefore do not provide emergency vehicle access;
- New owners have not been aware of the fire management plan and location of strategic fire breaks.
- In the event that the Shire wishes to maintain strategic firebreaks (at the new owners cost) it needs written approval from each owner to enter the property.

Many local governments are now requiring strategic firebreaks to be formalised through public right of ways or easements in gross. Whilst not included in the recommendation Gray & Lewis recommends Council consider imposing a condition requiring:

- ‘21. *To facilitate ongoing and co-ordinated emergency access to the strategic firebreaks, an easement in gross is to be granted free of cost to the Shire of Williams as a public access easement in accordance with the approved plan. The easement documents are to be prepared by a solicitor at the developer’s cost and shall be completed and signed by the owner and registered against the certificate of title for the land prior to clearance of Conditions 19 and 20”.*

The benefit of Condition 21 is that;

- It ensures all owners are aware of strategic firebreaks because the easement is registered on the Title;
- Council retains public access over strategic fire breaks through the easement which may cross multiple property boundaries;
- Owners cannot physically ‘block’ strategic fire breaks through locked gates as the easement requires access to be maintained at all times so it is available in an emergency.

Footpaths

No condition requiring footpaths or on road path facilities in the subdivision has been included in the recommendation. If Council requires installation of footpaths the following condition can be added:

‘A detailed plan demonstrating dual use path/ cycleway design to the specifications of the local government is to be submitted prior to commencement of site works’.

STRATEGIC IMPLICATIONS

The subdivision is consistent with the Townsite Expansion Strategy which is the relevant strategic planning document.

STATUTORY REQUIREMENTS

The applicant has a right of review to the State Administrative Tribunal should they be aggrieved by any decision by the WAPC, or conditions imposed on the subdivision.

FINANCIAL IMPLICATIONS

In the longer term the Shire will receive rates for the new lots, however will also be responsible for developing and maintaining the open space, rubbish collection and maintenance of new roads.

POLICY IMPLICATIONS

Nil.

VOTING REQUIREMENTS

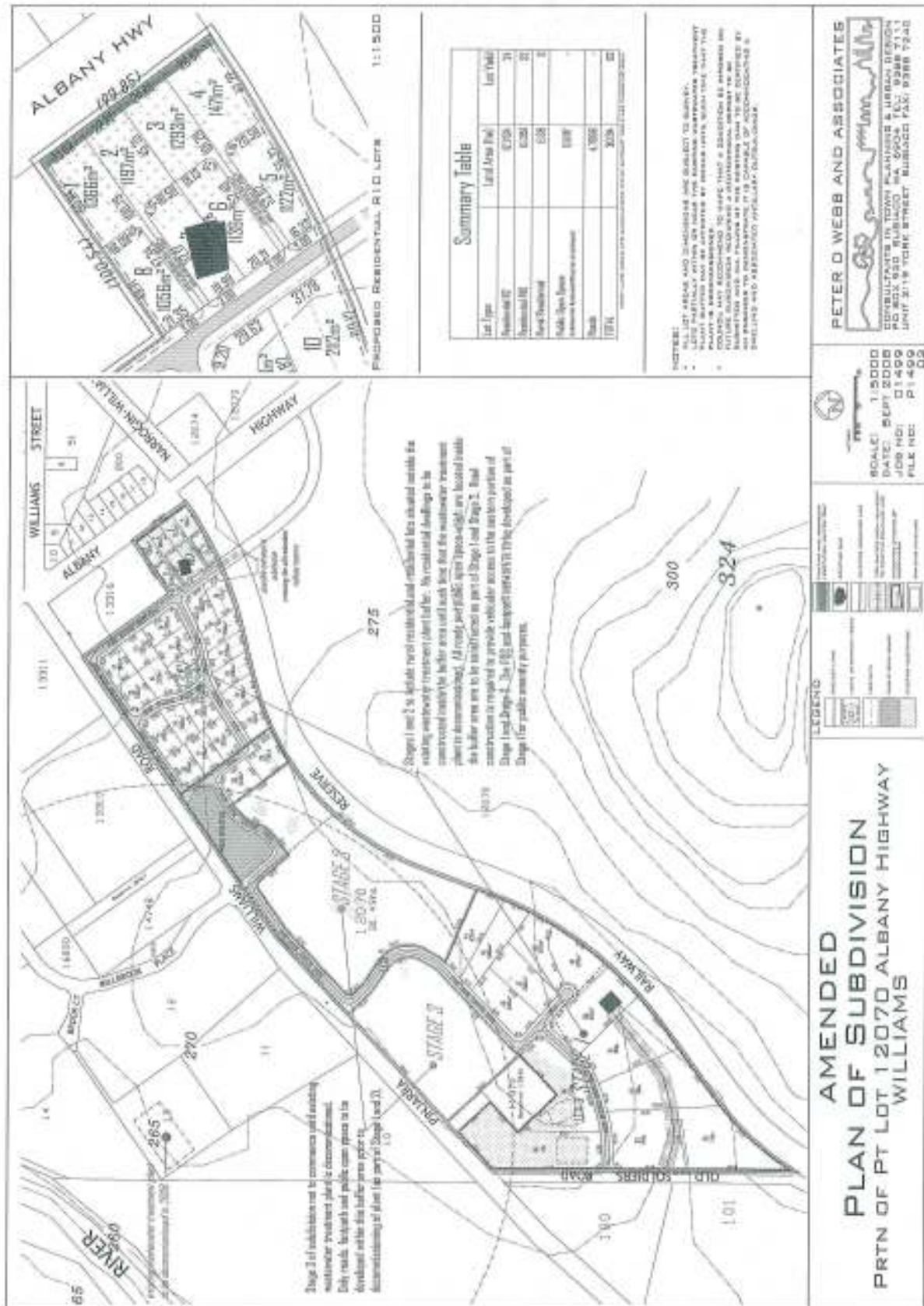
Simple Majority

Recommendation:

That Council:

- A Advise the Western Australian Planning Commission that it recommends approval of the subdivision for Lot 12070 Albany Highway, Williams subject to the following conditions:
1. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed (sealed) and drained at the applicant/owner's cost.
 2. Arrangements being made with the local government for the upgrading/ construction of Old Soldiers Road and any widening to be transferred to the crown free of cost.
 3. A truncation is to be provided at the junction of Old Soldiers Road and the Pinjarra-Williams Road if required for improved sightlines.
 4. The applicant/owner making arrangements satisfactory to the Western Australian Planning Commission to ensure prospective purchasers are advised that no access is proposed to Albany Highway in accordance with the approved subdivision guide plan.
 5. The cul-de-sac heads being designed and constructed to the satisfaction of the local government.
 6. The battleaxe accessway(s) being constructed and drained at the applicant /owner's cost to the specifications of the local government.
 7. Reciprocal rights of access to be provided for the battleaxe legs for Lots 1-2, and 3-4 respectively. The access can be in the form of an easement on the survey diagram.
 8. The land being filled and/or drained at the subdivider's cost and any easements and/or reserves necessary for the implementation thereof, being granted free of cost.
 9. Prior to commencement of site works, a detailed plan identifying building envelopes or building exclusion areas to be provided for all lots partially within the buffer to the existing wastewater treatment plant (with the exception of stage 3 which is subject of a future application) and/ or affected by the watercourse and dam (Lots 50-53).
 10. A Restrictive Covenant, pursuant to section 129BA of the Transfer of Land Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed Lots 28, 30, 44, 45, 46, 50-53 and 55 advising of the existence of a restriction on the use of the land. Notice of this restriction to be included on the Deposited Plan. The restrictive covenant is to state as follows:
"No development is to take place outside the defined building envelope(s) or in building exclusion areas, unless otherwise approved by the local government."
 11. A Notification, pursuant to section 165 of the Planning and Development Act is to be placed on the Certificates of Title of the proposed lot(s) 28, 30, 44, 45, 46, 55 advising of the existence of a hazard or other factor. Notice of this notification to be included on the Deposited Plan. The notification to state as follows:
"This lot is in close proximity to a waste water treatment plant and may be adversely affect by virtue of odour emissions from that facility until it is decommissioned".

12. The applicant providing a geotechnical report certifying that any filling or backfilling has been adequately compacted. The geotechnical report certifying that any filled land (especially filled dams) is physically capable of development prior to the commencement of site works.
 13. All areas of soil disturbance being stabilised against dust nuisance to adjoining and nearby properties prior to, during or after commencement of site works and clearing. Where appropriate such measures as sprinklers, use of water tanks/trucks, mulching or other land management systems should be installed or implemented within the time and in the manner directed by the Commission if, upon receiving advice from the Shire of Williams, it considers that a dust nuisance exists.
 14. Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site works.
 15. The proposed reserve(s) shown on the approved plan of subdivision being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under section 152 of the Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.
 16. Uniform fencing (and a gate) along the Williams Road boundary of the proposed open space to be constructed. The type of fence shall be approved by the local authority prior to any construction.
 17. Uniform fencing along the railway reserve to be constructed. The type of fence shall be approved by the local authority and Public Transport Authority (PTA) prior to any construction.
 18. Uniform fencing along Albany Highway to be constructed. The type of fence shall be approved by the local authority and Main Roads WA prior to any construction.
 19. A Fire Management Plan being prepared and implemented to the specifications of the local government and the Fire and Emergency Services Authority.
 20. Strategic firebreaks identified in the Fire Management Plan to be installed/ cleared by the proponent.
- B. Advise the WAPC and applicant through footnotes to the conditions as follows:
- (i). In regards to Conditions 2 and 3, the applicant is advised that Council has previously raised concerns over the sightlines of the Pinjarra Williams Road / Old Soldiers Road intersection which needs to be addressed in detailed engineering drawings, and may require road widening, an increased truncation at the intersection and / or removal of verge vegetation.
 - (ii) In regards to Condition 11, the notification can be lifted from the titles (at the owners cost) in the longer term once the plant is decommissioned.



Cr Earnshaw attended the meeting at 1.45pm during discussion on this item.

Johnstone/Medlen

That Council:

- A Advise the Western Australian Planning Commission that it recommends approval of the subdivision for Lot 12070 Albany Highway, Williams subject to the following conditions:
1. Those lots not fronting an existing road being provided with frontage to a constructed road(s) connected by a constructed road(s) to the local road system and such road(s) being constructed (sealed) and drained at the applicant/owner's cost.
 2. Arrangements being made with the local government for the upgrading/ construction of Old Soldiers Road and any widening to be transferred to the crown free of cost.
 3. A truncation is to be provided at the junction of Old Soldiers Road and the Pinjarra-Williams Road if required for improved sightlines.
 4. The applicant/owner making arrangements satisfactory to the Western Australian Planning Commission to ensure prospective purchasers are advised that no access is proposed to Albany Highway in accordance with the approved subdivision guide plan.
 5. The cul-de-sac heads being designed and constructed to the satisfaction of the local government.
 6. The battleaxe accessway(s) being constructed and drained at the applicant /owner's cost to the specifications of the local government.
 7. Reciprocal rights of access to be provided for the battleaxe legs for Lots 1-2, and 3-4 respectively. The access can be in the form of an easement on the survey diagram.
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 9. Prior to commencement of site works, a detailed plan identifying building envelopes or building exclusion areas to be provided for all lots partially within the buffer to the existing wastewater treatment plant (with the exception of stage 3 which is subject of a future application) and/ or affected by the watercourse and dam (Lots 50-53).
 10. A Restrictive Covenant, pursuant to section 129BA of the Transfer of Land Act 1893 (as amended) is to be placed on the Certificates of Title of the proposed Lots 28, 30, 44, 45, 46, 50-53 and 55 advising of the existence of a restriction on the use of the land. Notice of this restriction to be included on the Deposited Plan. The restrictive covenant is to state as follows:
"No development is to take place outside the defined building envelope(s) or in building exclusion areas, unless otherwise approved by the local government."
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"This lot is in close proximity to a waste water treatment plant and may be adversely affect by virtue of odour emissions from that facility until it is decommissioned".
 12. The applicant providing a geotechnical report certifying that any filling or backfilling has been adequately compacted. The geotechnical report certifying that any filled land

(especially filled dams) is physically capable of development prior to the commencement of site works.

13. All areas of soil disturbance being stabilised against dust nuisance to adjoining and nearby properties prior to, during or after commencement of site works and clearing. Where appropriate such measures as sprinklers, use of water tanks/trucks, mulching or other land management systems should be installed or implemented within the time and in the manner directed by the Commission if, upon receiving advice from the Shire of Williams, it considers that a dust nuisance exists.
14. Measures being taken to ensure the identification and protection of any vegetation on the site worthy of retention prior to commencement of site works.
15. The proposed reserve(s) shown on the approved plan of subdivision being shown on the Deposited Plan as a "Reserve for Recreation" and vested in the Crown under section 152 of the Planning and Development Act, such land to be ceded free of cost and without any payment of compensation by the Crown.
16. Uniform fencing (and a gate) along the Williams Road boundary of the proposed open space to be constructed. The type of fence shall be approved by the local authority prior to any construction.
17. Uniform fencing along the railway reserve to be constructed. The type of fence shall be approved by the local authority and Public Transport Authority (PTA) prior to any construction.
18. Uniform fencing along Albany Highway to be constructed. The type of fence shall be approved by the local authority and Main Roads WA prior to any construction.
19. A Fire Management Plan being prepared and implemented to the specifications of the local government and the Fire and Emergency Services Authority.
20. Strategic firebreaks identified in the Fire Management Plan to be installed/ cleared by the proponent.

B. Advise the WAPC and applicant through footnotes to the conditions as follows:

- (i). In regards to Conditions 2 and 3, the applicant is advised that Council has previously raised concerns over the sightlines of the Pinjarra Williams Road / Old Soldiers Road intersection which needs to be addressed in detailed engineering drawings, and may require road widening, an increased truncation at the intersection and / or removal of verge vegetation.
- (ii) In regards to Condition 11, the notification can be lifted from the titles (at the owners cost) in the longer term once the plant is decommissioned

Carried 6/0
Resolution 124/09

Report Reference:	8.1.3
Subject:	DPI (State Land Services) – Development of Crown Lots, Quindanning Townsite
File Reference:	11.30.31
Statutory Reference:	Section 58 of the Land Administration Act 1997
Author & Date:	V. Epiro 4 th December 2008

Background:

Following the presentation to Council at the October meeting on development of crown lots at the Quindanning townsite, State Land Services have now initiated a Notice of Intention to Take (NOITT) in regards to Native Title.

Quindanning is presently subject to registered native title claim WC 98/58 – the Gnarla Karla Booja claimants. Both Western Power and the Water Corporation have been written to, seeking cost estimates for the provision of power and water. In 2009 Council will have to initiate processes to formally close Millen Street, however this should be done after the above cost estimates are received.

Recommendation:

For Council's information.

Report Reference:	8.1.4
Subject:	Main Roads Wheatbelt South – Williams-Darkan Road
File Reference:	12.15.33
Statutory Reference:	<i>Main Roads Act 1930</i>
Author & Date:	V. Epiro 4 th December 2008

Background:

Following concerns with the condition of the Williams-Darkan Road, Council (together with the Shire of West Arthur) resolved in April 2008 to defer the de-proclamation of the Williams-Darkan Road. Since then Main Roads/SRS have carried out seal widening works to the southern portion of the Williams-Darkan Road from SLK 18.00 – 35.53 (Darkan townsite) which has led to the Shire of West Arthur agreeing to accepting transfer of the road as from 1 July 2009.

Main Roads have now forwarded a proposal for similar works to be carried to the remaining section SLK 2.20 – 18.00 which is estimated will cost \$375,000. Council is being offered the opportunity to do the works on the basis of completion prior to 31 December 2009, which after discussions with Works Supervisor Tony Kett is considered achievable. Therefore Council is now in a position to accept the Williams-Darkan Road (de-proclamation) and agree to the transfer of the Collie-Williams Road subject to the above funding being granted for Council to undertake the works prior to 31 December 2009.

Recommendation:

That Main Roads be advised that Council agrees to undertake the seal widening works on the Williams-Darkan Road for the cost of \$375,000 and that de-proclamation of the Williams-Darkan Road and proclamation of the Collie-Williams Road be supported.

Cavanagh/Johnstone

That Main Roads be advised that Council agrees to undertake the seal widening works on the Williams-Darkan Road for the cost of \$375,000 and that de-proclamation of the Williams-Darkan Road and proclamation of the Collie-Williams Road be supported.

**Carried 6/0
Resolution 125/09**

Report Reference:	8.1.5
Subject:	R Martin – Application for Approval to place a Single House on Lot 16 New Street, Williams (See Appendix 1)
File Reference:	14.25.22
Statutory Reference:	Williams Town Planning Scheme No. 2
Author & Date:	V. Epiro 4 th December 2008

Background:

Mrs Rennae Martin (owner of Rustik Rainbow) is in the process of purchasing lots 15 and 16 New Street, Williams, which adjoin her property (lot 7). Both lots 15 and 16 are zoned commercial under the Williams Town Planning Scheme No. 2 which allows for commercial or civic development and the building of a single house subject to Council's discretion. Mrs Martin is seeking approval to build a single residence on lot 16 New Street which, as stated above, Council may approve under the Williams TPS No. 2.

Under the State Planning Policy 3.1 (residential design codes) the definition of a single house is:
"A dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property."

As lot 16 is the rear lot, building of a single house would have an impact on parking if a major retail complex was constructed on lot 15 which fronts the Albany Highway. However this would be an issue the owner (Mrs R Martin) may need to consider in the event of any future development.

Recommendation:

That Mrs R Martin be granted approval to build a single house on lot 16 New Street, Williams subject to plans and specifications being submitted.

Cavanagh/Earnshaw

That Mrs R Martin be granted approval to build a single house on lot 16 New Street, Williams subject to plans and specifications being submitted.

**Carried 6/0
Resolution 126/09**

Report Reference:	8.1.6
Subject:	Road Closure – Road Reserve Running through Williams Location 14985 and along the Eastern Boundaries of Williams Locations 190, 2904, and 6139
File Reference:	12.15.38
Statutory Reference:	Section 58 of the <i>Land Administration Act 1998</i>
Author & Date:	V. Epiro 4 th December 2008

Background:

At the meeting held on 22 October 2008 Council resolved to advertise its intention of closing the road reserve running through Williams location 14985 and along the boundaries of Williams locations 190, 2904 and 6139. Submissions on the proposal closed on 4 December 2008 and no objections were received, therefore Council can formally resolve to close the road.

Recommendation:

That Council proceed with the closure of the road reserve running through Williams location 14985 and along the boundaries of Williams location 190, 2904 and 6139.

Cr Cowcher declared a proximity interest in this item and left the meeting at 2.05pm

Deputy President Cr David Earnshaw assumed the chair

Medlen/Johnstone

That Council proceed with the closure of the road reserve running through Williams location 14985 and along the boundaries of Williams location 190, 2904 and 6139.

**Carried 5/0
Resolution 127/09**

Cr Cowcher returned to the meeting at 2.08pm

Report Reference:	8.1.7
Subject:	Eco West – Support for Polyurethane Building Panel Facility in Williams (See Appendix 2)
File Reference:	13.34.20
Statutory Reference:	N/A
Author & Date:	V. Epiro 9 th December 2008

Background:

Eco West (Kevin Parry) are seeking Council support for a submission for a \$3.5 million grant from Regional Development Funding to establish a polyurethane building panel facility in Williams. In his letter Mr Parry states that they have had a meeting with National Party leader Brendon Grylls and Deputy Terry Waldron to discuss the proposal. It would seem that these discussions have led to Eco West making a submission for State Government funding for the project.

Whilst there is some uncertainty regarding the project's eligibility for State Government funding, Council should consider providing support for the project.

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

Recommendation:

That Council provide a letter of support for the Eco West (WA) submission for funding to establish a polyurethane building panel facility in Williams.

Cavanagh/Earnshaw

That Council provide a letter of support for the Eco West (WA) submission for funding to establish a polyurethane building panel facility in Williams.

**Carried 7/0
Resolution 128/07**

Report Reference:	8.1.8
Subject:	Regional and Local Community Infrastructure Program – Allocation of \$100,000 (See Appendix 3)
File Reference:	3.4.1
Statutory Reference:	N/A
Author & Date:	V. Epiro 9 th December 2008

Background:

Williams has been allocated a sum of \$100,000 under the Federal Government's Regional and Local Community Infrastructure Program. Guidelines have been issued (see appendix 3) on eligible projects that the money can be spent on with expenditure to be finalised by 30 September 2009. Council needs to give consideration to what project the money should be allocated. With the proposed upgrade of the Williams Swimming Pool awaiting funding submission outcomes (to be advised in early 2009) it is suggested that Council allocate the \$100,000 towards the pool project which is eligible under the guidelines.

Recommendation:

That Council allocate the \$100,000 from the Regional and Local Community Infrastructure Program to upgrade of the Williams Swimming Pool.

Prowse/Cavanagh

That Council allocate the \$100,000 from the Regional and Local Community Infrastructure Program to upgrade of the Williams Swimming Pool.

**Carried 7/0
Resolution 129/09**

Report Reference:	8.1.9
Subject:	Williams St John Ambulance Sub-Centre – Self Supporting Loan and Site Works (See Appendix 4)
File Reference:	7.70.30
Statutory Reference:	Section 6.20 of the <i>Local Government Act 1995</i>
Author & Date:	V. Epiro 9 th December 2008

Background:

The Williams SJA Sub-centre have finalised plans for the new building with the intention of calling tenders in January 2009. Successful funding submissions have so far resulted in grants of \$214,024 with some still to be determined (\$169,806) in the new year.

Whilst the SJA State Office has committed to assisting with a self supporting loan there is still a need to seek provision for additional funding in the event of the outstanding funding submissions being unsuccessful. Therefore the Williams SJA Sub-centre is seeking a self supporting loan provision of \$100,000 over 10 to 15 years subject to the funding submission outcomes.

In addition to a self supporting loan the Williams SJA Sub-centre is also requesting Council consideration for undertaking the site works at no cost. The estimated cost of the site works is \$36,510, however this is likely to be higher as costs have risen since the quote was given. Council consideration is being sought for both requests.

Recommendation:

- (1) That Council agree to the provision of a self supporting loan of \$100,000 to Williams SJA Sub-centre to be repaid over a period to be determined.
- (2) That Council consider undertaking site works for the proposed Williams SJA Sub-centre Training Facility at no cost.

Cavanagh/Johnstone

That Council agree to the provision of a self supporting loan of \$100,000 to Williams SJA Sub-centre to be repaid over a period to be determined.

**Carried 7/0
Resolution 130/09**

Carne/Johnstone

That Council undertake site works for the proposed Williams SJA Sub-centre Training Facility at no cost to the Williams SJA Sub-centre.

**Carried 7/0
Resolution 131/09**

8.1 CHIEF EXECUTIVE OFFICER'S REPORT – LATE ITEMS

Medlen/Cavanagh

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

**Carried 7/0
Resolution 132/09**

Reference:	8.1.10
Subject:	Department of Local Government and Regional Development – Declaration of Interest (Special Meeting, 18 June 2008)
File Reference:	4.1.20
Statutory Reference:	Section 5.68 (1) of the <i>Local Government Act 1995</i>
Author & Date:	V. Epiro 12 th December 2008

Background:

Attached is a letter from the Department of Local Government advising that correspondence had been received regarding the manner the 2008/2009 Works Program had been dealt with at the Special Meeting held on 18 June 2008. At the meeting the whole of the Council (8) voted that Councillors having a proximity interest remain in the meeting and also voted on the resolution to adopt the Works Program. From my recollection this action was taken because Council would have been left without a quorum if four (4) members had declared an interest. However I have been advised that approval should have been sought from the Department to allow a lesser quorum for consideration of the Works Program or any other issue affected. Therefore I suggest that the Department of Local Government be advised of Council's dilemma and assured that appropriate action will be taken should this occur in the future.

Recommendation:

That the Department of Local Government be advised that Council's action in regard to resolution 278/08 (Special Meeting 18 June 08) was taken because of concerns that declaration of an interest would have resulted in lack of quorum. Council will ensure that approval under Section 5.69 of the Act is obtained should any similar situations arise in the future.

Medlen/Earnshaw

That the Department of Local Government be advised that Council's action in regard to resolution 278/08 (Special Meeting 18 June 08) was taken because of concerns that declaration of an interest would have resulted in lack of quorum. Council will ensure that approval under Section 5.69 of the Act is obtained should any similar situations arise in the future.

**Carried 7/0
Resolution 133/09**

Resignation Chief Executive Officer

The President read out a letter of resignation from Chief Executive Officer Jim Epiro.

Prowse/Earnshaw

That the chief Executive Officer's resignation be received with regret.

**Carried 7/0
Resolution 134/09**

Afternoon Tea

Council adjourned for afternoon tea at 3.05pm and resumed the meeting at 3.45pm

8.2 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT

8.2.1 ACCOUNTS FOR PAYMENT

Carne/Johnstone

That Municipal Fund cheques 101999 - 102019 and direct debits totalling \$273,629.77 approved for payment by the Chief Executive Officer be endorsed and that Municipal Fund cheques 102020 - 102978 totalling \$105,273.09 be approved for payment.

**Carried 7/0
Resolution 135/09**

8.2.2 FINANCIAL STATEMENTS

Cavanagh/Medlen

That the financial statements presented for the period ending 30th November 2008 be received.

**Carried 7/0
Resolution 136/09**

Works Supervisor Tony Kett attended the meeting at 3.55pm to discuss his report.

8.3 WORKS SUPERVISOR'S REPORT

Maintenance Grading

Playle Rd, Old Soldiers Rd, Quindanning-Darkan Rd, Zilko Rd, Extracts Rd, Hamon Rd, York-Williams Rd, Congelin-Narrogin Rd, Folland Rd, Martin Rd, Glenfield Rd, Refuse Site fire breaks.

Maintenance Works

Fixed potholes on Collie Road, slashed grass at Quindanning hall and surrounds

Construction

Finished gravelling Marradong Road

Water binding and sealing 7.5km of Narrakine Road

Mechanical Report

The following vehicles have been serviced: CAT grader (6000 hrs), JCB loader (2000 hrs), Excavator, Volvo grader, Mitsubishi Canter ute.

Private Works

One load of water for Bill Piesse

Hire of excavator to Wandering Shire of Williams

Two loads of water for CBH Narrakine

Slashed grass for Landcorp

Traffic Counts

Vehicles per week:

Wangelling Gully Rd 396

Marradong Rd 312

Earnshaw/Carne

That the Works Supervisor's Report be received.

**Carried 7/0
Resolution 137/09**

Cr Johnstone commended the Works Supervisor and the works crew for the amount and quality of works completed this year, particularly on Narrakine Road and Marradong Road.

Mr Kett left the meeting at 4.10pm

8.4 ENVIRONMENTAL HEALTH OFFICER/BUILDING SURVEYOR'S REPORT

Building Permits

#227 N Lavender

Lot 2 Pinjarra-Williams Road

Demolition of shop/cottage

#228 Bunbury Patio Solutions

Lot 11 Fry Street

Colorbond patio

Building inspections ongoing.

Food Premises Inspection

Caltex Roadhouse: there are several issues that need addressing and these have been taken up with management.

Report Reference:	8.4.1
Subject:	Development Application – Accommodation Units, Kievi Lodge
File Reference:	13.34.10
Statutory Reference:	Shire of Williams Town Planning Scheme No 2
Author & Date:	Steve Friend 10 th December 2008

Background:

An application has been made to house 32 workers for a particular project at the Boddington Gold Mine in transportable buildings (dongas) adjacent to the existing Kievi Lodge on Marradong Road. It is proposed to house the workers in 8 x 4 bedroom dongas with ensuites and provide two laundry units as well. The existing lodge kitchen will be used to provide the meals.

It is also proposed to utilise the three existing houses on the property to accommodate additional workers as well as the rooms at the lodge.

As can be seen by the accompanying documents, the firm employing the workers have a contract until July 2009 and are prepared to install verandas and concrete paving if necessary.

The Town Planning Scheme is silent about workers accommodation so Council can decide the appropriateness of the application.

As the application is for temporary accommodation it could be an acceptable proposal. The firm would have to have an effluent disposal system approved by the Health department of WA, the kitchen would have to be regularly inspected and the water would have to be potable. There may be no need to insist on verandahs and paving as it would all need to be removed in 6 or 7 months.

If there was a suggestion that it become a permanent camp or that the contract was to exceed the proposed 6 months, then it would be appropriate to insist on the additional infrastructure.

Recommendation

That the proposal to set up an eight x four person transportable camp with 2 laundry units adjacent to the existing Kievi Lodge be approved subject to:

- A) The proponents paying the recommended development application fees
- B) The accommodation units being on site for a maximum period of 8 months (August 2009) and if any longer, a further application is made
- C) The effluent disposal to be approved by the Health Department of WA
- D) Building permits are issued for the transportable accommodation units
- E) All water supplies to be to a potable standard

Johnstone/Medlen

That the proposal to set up an eight x four person transportable camp with 2 laundry units adjacent to the existing Kievi Lodge be approved subject to:

- a) The proponents paying the recommended development application fees
- b) The accommodation units being on site for a maximum period of 8 months to 31st August 2009 and no further extension will be considered
- c) The effluent disposal to be approved by the Health Department of WA
- d) Building permits are issued for the transportable accommodation units
- e) All water supplies to be to a potable standard

**Carried 7/0
Resolution 138/09**

Earnshaw/Prowse

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

**Carried 7/0
Resolution 139/09**

8.5 COMMUNITY DEVELOPMENT OFFICER'S REPORT – APRIL 08 TO DECEMBER 08

Williams Swimming Pool

Funding was secured from the Federal Government's Department of Water Community Water Grant program in late 2007 for shade sails over the toddler pool and surrounding areas. Total funding granted was \$24,810, and the shade sails were installed in early 2008. They have made a massive improvement in the aesthetics of the area, as well as providing much needed shade which will assist with the water evaporation control, as well as providing protection from the sun. The funds have now been expended, with the acquittal forwarded to the Department of Water.

We have received a Quantity Surveyor cost estimate from Borrell Rafferty for the upgrade of the amenities buildings based on the plans prepared by Franco Carrozzi Architects. Funding has been sourced from the WA State Government Department of Sport and Recreation Community Sport and Recreation Facilities Fund. An application was submitted at the end of October 2008 for \$165,322.13 with the balance of the cost to be borne by the Shire of Williams (\$330,644.27 inc GST). We should know the outcome in January/February 2009.

Williams Bike Paths – Fry & Piesse Streets

After 2 failed attempts, it was a case of third time lucky when we were funded \$24,000 from the WA State Government's Department for Planning and Infrastructure Country Pathways Grant Scheme funding for a 565m pathway extension along Fry and Piesse Streets, to complete the link between the residential areas, the school and the shopping precinct of town. These funds will be expended in early 2009, with the requirement of the project to be completed by 31 March 2009.

Williams Primary School

Williams PS P & C were successful in being granted \$99,875 from the Federal Government's Investing in Our Schools program. This was funded in late 2007, however getting contractors to undertake the work has been a tedious task. The quadrangle is due to be resurfaced in the Christmas holiday break, with the remaining third to be redeveloped into an outdoor classroom. Concept drawings are currently being prepared by Mike Brown from Narrogin Nursery, and it is anticipated that the P & C will consider this in a staged project to commence in early 2009.

The P & C has also submitted a funding request to the Department of Families, Community Services and Indigenous Affairs (FAHCSIA) Volunteer Small Equipment Grants program for \$3028 to replace the stove and microwave in the school canteen. The outcome should be known in early 2009.

Williams Gateway Expo

After another successful event in 2008, with \$7918 provided by Lotterywest, \$2400 provided by Healthways and additional funds sourced from Roadwise, the Expo committee has been hard at work planning for the 10th Anniversary event to be held Saturday April 18th, 2009. All funds from the 2008 event have been acquitted to the respective funding bodies.

I prepared an application to Lotterywest for \$12,613.56 for advertising/publicity & equipment hire. In addition, the Committee prepared their own application to Healthways for \$4600. The outcome of both the funding applications should be known in late December 2008/early January 2009.

Local Emergency Management Committee (LEMC)

With the responsibility of the administration of the LEMC's now falling on Local Government's shoulders, I attended a 4 day Emergency Management for Local Government at UWA in July. This was an extremely beneficial course, and provided insight into the relevant legislation and the requirements of local government and their responsibilities in regards to emergency management. It highlighted the need for our plan to be reviewed (which it has not been since it was originally prepared), as well as the need to prepare a Recovery Plan (which we do not currently have). It is anticipated that this review will be undertaken in 2009, with assistance to be provided by Adam Smith (FESA Community Engagement Support Officer based in Albany).

It was at this course, that my attention was drawn to the reporting requirements of LEMC's, and an Annual Report that is required to be submitted by the local governments. Due to an administrative hiccup, the WA

Police Service were under the impression that they were required to complete it (they were emailed the reporting request, together with the template). I requested the reporting template from the Williams Police, and completed the report as required. Under the legislation, the committee are required to meet quarterly (which our committee has not done, we meet on an as needs basis), as well as undertake exercises to test our emergency management arrangements. There have been plans in the pipeline for a number of years for a mock emergency drill, however these have never come to fruition, due to the complexities of staging and hosting a mock event. Instead, documentary evidence of the number of incidents attended by the collective emergency services are provided, as testament to the regular “testing” of the procedures on a small scale. This has proved satisfactory to date.

The funding provided by the Federal Government’s Working together to Manage Emergencies Local Grants Scheme of \$2303.65 has been expended (and acquitted), and the trailer has been well stocked and relocated to the Shire depot. The trailer is fully operational and is ready to be used when and if a suitable emergency arises.

An application was submitted to WALGA Roadwise/Road Safety for a Speed Alert Monitor (SAM) trailer for the Shires of Williams, Narrogin, West Arthur and the Town of Narrogin. The application was for \$18,528 and was approved in October 2008. We are awaiting advice on when the funds will be released, so that we can order and purchase the trailer, with anticipation that it will be operational by Easter 2009.

Community Safety & Crime Prevention

The \$22,000 New Incentive funding provided by the Office of Crime Prevention on endorsement of our CSCP Plan in 2006, has been spent and acquitted. New lights have been installed in front of the Main Hall, Lions Park, Recreation ground and rear of the Shire Hall. The lighting should have made a significant improvement in poorly lit areas, thereby increasing the safety of community members and detracting from inappropriate behavior in poorly lit areas.

In addition, the Shire also received \$11,000 in Designing out Crime initiative funding. Some of these funds have been used to replace the town entry signs (Welcome to our town, and thank you for visiting our town) as well as the shopping precinct/playground signage. These signs have been well accepted, and hopefully have assisted in the slowing down of traffic entering our town and our main shopping precinct. Any funding remaining will be used on similar initiatives. It is anticipated that this project will be completed and acquitted in early 2009.

Williams Pride in Your Town

I assisted the group prepare this year’s submission to the Tidy Towns and Sustainable Communities competition. As has been well documented, Williams did extremely well, winning 3 out of the 6 categories and also winning the Regional Award. Whilst we did not win anything at the State Awards, our achievements are still outstanding and I was immensely proud to be a part of this process, and also for the ladies who have worked so long and so hard to achieve what collectively we achieved this year. It is truly a credit to their hard work over many years that Williams has come as far as it has. The committee is also very appreciative of the support that the Shire offers, and looks forward to working together for many years to come.

Exercise Classes

Margaret Frick has been offering classes in Williams since March 2008. These classes have been well supported, and the interest has grown, which is testament to the quality of the classes on offer.

The Shire submitted an application to the Premier’s Physical Activity Taskforce Local Grants Scheme and was successful in receiving \$5100 towards equipment (\$1100) and training (\$4000). The equipment has been purchased, and Alana Jasper has been enrolled in Certificate III and IV in Fitness through Finition P/L under supervision of Margaret. It is anticipated that Alana will be ready to offer classes in early 2009, once her supervised hours are completed. There will still be \$2200 in funding remaining to spend, and this will be offered to the community to try and source another candidate for the Certificate III and IV, and therefore ensure another trainer for the community, or alternatively, additional training may be sourced. The equipment is owned by the Shire of Williams, and is a great asset to the classes.

Shire of Wickepin

I prepared the Shire's Community Safety and Crime Prevention Plan, and this was supported and endorsed by the Shire and the Office of Crime Prevention in August 2008. \$22,000 in New Incentive funding was supported for the upgrade of town lighting (which has become a recurrent theme in all the towns that I have assisted with the preparation of their plans).

Shire of Narrogin

I have provided ongoing assistance to the Shire of Narrogin with the implementation of their Community Safety and Crime Prevention initiatives. They received \$22,000 New Incentive funding for rural landholder information forums and packages and new landholder packages and information. I have assisted with drafting a Stock on Roads flyer, which is currently being printed, and we will have access to when we put our information packs together. I have also sourced information for their information packs and provided general advice.

The Shire's Record Keeping Plan required updating, and this was completed and endorsed in June 2008, with review not required until 2013.

Williams Community Resource Centre

As per our Financial Agreement with the Department of Local Government and Regional Development, annual financial reporting on the income and expenditure on the Williams Community Resource Centre is required to be provided annually for 10 years after funding is approved. This year's report was completed in November. Reporting is required annually until 2014.

Williams Bowling Club

I prepared an application to the Department of Families, Community Services and Indigenous Affairs (FAHCSIA) Volunteer Small Equipment Grants program for \$4200 towards the upgrade of the shade adjacent to the bowling greens. It is anticipated that the outcome of this funding will be known in late 2008 or early 2009.

Williams Hockey Club

I prepared an application to the Department of Families, Community Services and Indigenous Affairs (FAHCSIA) Volunteer Small Equipment Grants program for \$2200 for uniforms and goalie protective clothing. It is anticipated that the outcome of this funding will be known in late 2008 or early 2009.

Narrogin Sporting Shooters Club

I assisted the group prepare an application to the Department of Families, Community Services and Indigenous Affairs (FAHCSIA) Volunteer Small Equipment Grants program for \$5000 as part contribution towards the construction of a new Clubhouse. It is anticipated that the outcome of this funding will be known in late 2008 or early 2009.

Fireproof Filing Cabinets

In an attempt to try and relocate these filing cabinets from the Shire depot to a more suitable home and into use, the Shire wrote to the Williams Stud Breeders, Williams Football Club, Williams Trotting Club and Williams Repertory Club offering each of these organisations a cabinet to be located at their preferred location. These letters were forwarded in September 2008. To date, the Studbreeders are the only group who have accepted the offer and have advised that they will discuss options with Tony Kett (Works Supervisor).

Williams Art & Craft Committee

I prepared an application for the Williams Art & Craft Committee for their Williams Waterwise Day in October 2008. An application was submitted and approved by Lotterywest for \$2812 for advertising and equipment hire.

Fire Awareness Seminar

A seminar was held at the Williams Community Resource Centre on Thursday 4th December 2008, with 8 attendees. The ½ day was hosted by John Tonkin (FESA Albany) with support from Simon Vogel (FESA

Narrogin). The day was well prepared and participants took home a wealth of information in regards to preparedness for fire and prevention.

Williams SJA Sub-Centre New Training Facility and Ambulance Garage

I have continued to work on the project for Williams SJA, with a number of milestones having been achieved in the last 8 months, as well as a few hurdles of which to overcome.

The Project Plan was finalized in May 2008, and a funding application completed to be submitted to the Federal Government's Regional Partnerships program. This program was scrapped, and therefore no further funding applications would be accepted. This was a considerable hurdle to overcome, however alternative funding needed to be sourced, as well as an identification of potential cost savings that could be made on the project, to ensure its feasibility to construction.

In summary, the following applications have been prepared, and their outcomes are as follows:

Lotterywest	Application successful	\$200,000
FRRR Small Grants	Application successful	\$3600
Regional Headworks	Application successful	\$10,424
Corporate Sponsors	Additional still being sourced	\$39,450 to date
Community sponsors	Additional still being sourced	\$23,522 to date
Signature pavers	Additional still being sourced	\$3400 to date
FAHCSIA Volunteer Small Equipment Grants	Application being considered	\$4806
National Rural & Remote Health Infrastructure Program	Application being considered	\$50,000
Boddington Gold Mine	Application being considered	\$15,000
National Emergency Volunteer Support Fund	Application to be resubmitted in March 2009	\$50,000
Ian Potter Foundation	Application to be resubmitted in February 2009	\$50,000
	Alternatives being sourced	\$60,000

At its meeting of 4th December 2008, the sub-centre endorsed the draft architectural plans as presented, and has agreed to go to tender in January 2009. This is an important milestone, as once tenders have been called and a builder endorsed, a more definitive cost for the project will be known (as opposed to the cost estimates that we have been working on since late 2007). The sub-centre will be able to negotiate with the successful tenderer, and then provide recommendation to the SJA State Office Board for endorsement. It is anticipated that construction may commence in mid 2009.

Cavanagh/Medlen

That the Community Development Officer's Report be received.

**Carried 7/0
Resolution 140/09**

8.6 COUNCILLORS

8.6.1 WILLIAMS DARKAN RAIL TRAIL

Cr Earnshaw advised that together with Cr Cowcher he attended a public meeting where the rail trail feasibility study report was released. Unfortunately the report does not mention any consultation with adjoining land holders. The report recommends developing the trail in four to five sections with the Williams to Josbury section to be undertaken first to gauge community interest. The feasibility study is available for perusal.

Carne/Prowse

That the Williams Darkan Rail Trail Feasibility Report be made available at the Council Office for public perusal.

**Carried 7/0
Resolution 141/09**

8.6.2 WILLIAMS CAMPDRAFT

Cr Cavanagh advised that together with the Chief Executive Officer he attended an onsite meeting with members of the Williams Campdraft Committee to discuss the erection of permanent yards on the northern end of the grounds.

Cavanagh/Johnstone

That the Williams Campdraft Committee be granted permission to erect permanent yards on the northern end of the grounds.

**Carried 7/0
Resolution 142/09**

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

Medlen/Cavanagh

That discussion on the holding of a January 2009 Ordinary meeting be accepted as urgent business for discussion.

**Carried 7/0
Resolution 143/09**

10.1 ELECTED MEMBERS

Johnstone/Earnshaw

That Council dispense with the January 2009 Ordinary meeting and that the President, Deputy President and Chief Executive Officer be authorised to approve accounts for payment.

**Carried 7/0
Resolution 144/09**

10.2 STAFF

Nil

11.0 INFORMATION SESSION

11.1 Wheatbelt Development Commission

Cr Carne advised that the Wheatbelt Development Commission was seeking two Local Government nominations to serve on the Commission. Cr Carne will consider nominating with the support of Council.

12.0 MEETING CLOSURE

Before the meeting closed Cr Prowse acknowledged the contribution of retiring Chief Executive Officer Jim Epiro to the development of Williams over the past seventeen and a half years. The President Cr Cowcher endorsed these words and they were carried with acclamation by Council.

There being no further business for discussion the President declared the meeting closed at 5.25pm