



MINUTES

**Of the General Meeting of Electors
Of The Shire of Nannup**

**Held in the Shirley Humble Room
15 Adam St Nannup
Monday 14 December 2009**

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1. Attendance and Apologies

Councillor Dunnet welcomed members of the public and declared the meeting open at 6.05pm.

Attending:

Cr B Dunnet – Shire President
Councillors Boulter, Lorkiewicz, Mellema, Gilbert, Camarri, Pinkerton and Dean.

S Collie – Chief Executive Officer
C Waddell – Manager Corporate Services
E Ross – Manager Development Services
C Wade – Works Manager

Attendance Register

Cheryle Brown	Keith Vickory	Meryl Clarke
Gerald Brown	Christine Vickory	Bob Clarke
Hayden Brown	Alan Chambers	W Brenkman
Pam Sewell	Athie Chambers	J Brenkman
C Williamson	Maureen Thomas	Tony Sewell
Jacinta Wilson	Susan Pickup	Liz Williamson
Cath Jolley	Michael Pickup	B Puckey
Wayne Jolley	Karlene Newnham	M Laidley
Val Russell	Heather Roach	Norm Steer
Laraine Raynel	Tony Sheppard	Bill Stopforth
Grant Raynel	Anne Brockman	Anne Fitzsimmons
Gloria Millward	Graeme Brockman	B Pennock
Denise Green	Terese Levick-Godwin	S Boak
Laurie Green	Alister Broughton	P Watts
Phaedra Watts	Noel Broughton	Julie Kay
D Tomasi	Elizabeth Jones	Michael Loveland
Paul Omodei	Bethwyn Trainer	E Genoni
F Ewing	Kurt Wiegler	Bob Longmore
Trish Brockman	Avis Wiegler	Maggie Longmore
Liz Collins	Jan Steer	Rob Taylor
Louise Stokes	Janet Gray	Leanne Lucas
Chris Rutter	Derek McNutt	Isabelle Green
Andy Pash	Colin Bothmore	James Innes
Chris Pash	E Pellicaan	Marilyn Wells
Vic Lorkiewicz	Rita Stallard	G Wells
Kevin Bird	Margaret Bird	Brett Furness
Lyn Porter	Arthur Porter	Louise Furness
Geoff Kemp	Judy Kemp	Kate Scott

Chris Scott	D Brown	M Gibb
Dirk Avery	Judith Molenuex	Noelene Brown
Christine Ludkins	Geoff Ludkins	Anita Brough
Dave Dunnet	Sandy Dunnet	R Lee
Ann Stallard	Bill Stallard	Pat Twiss
M Bottomore	C McKittrick	GL Happ
Kate Happ	Baden Happ	Jim Pinkerton
Jean Petersen	Phil Laird	Serena Terry
Karen Carroll	Hayden Brown	Shirley Humble
Athol Humble	Gwen Goodreid	Daphne Clarke
M Clarke	Eileen West	David West
Brownie Dickens	Peter Dickens	Carol Falks
P Hemsworth	Beryl Hemsworth	Joan Scott
Susan Scott	Dave Pratter	Debbie King
Colin Styles	Jenny Styles	R Tyrell
C Puckey	Je Rae	A Williams
Peter Brown		

Apologies:

Nil

2. Receiving of Annual Report

R Taylor/T Levick-Godwin

That the Shire of Nannup Annual Report for 2008/09 be received.

Carried

3. Questions on Notice

Questions from Athie Chambers:

- 3.1. "Were **all** Councillors present at the last Nannup Shire Council meeting aware **at the time of voting** of the consequence of cancelling the Timewood Centre project in regard to the withdrawal of the allocated funding for the project by its funding bodies and the fact that those funds would not be transferrable to other projects within the Shire?"

Response by Cr Pinkerton:

That she was aware of the consequences of the position.

Response by Cr Gilbert:

The reason that some funding bodies may withdraw their funding is that Council had prolonged the process of this project and he didn't believe that a responsible funding body would hold back future funds based on this decision.

Response by Cr Dunnet;

That all Councillors were aware of the consequences of the decision.

- 3.2. "Can Councillors now comment on the consequences of giving back funds allocated to Timewood and what affect this action will have on any future opportunities for funding allocations to the Nannup region?"

Response by Council's Community Development Officer

That in the eyes of the funding bodies Council would not be looked upon favourably for future funding.

Response by Cr Dunnet

That this Council has previously had some late acquittals with funding bodies which is not desirable.

Ms M Dobbin asked what the balance of funds required was to complete the project.

Cr Dunnet responded;

That this would not be known until Council went out to tender.

Questions from Rita Stallard;

- 3.3 How does the volume of recycling (collected in the yellow bins) and transport to Manjimup, relate to volume actually retrieved in the processing plant?

Response by Manager Development Services:

Currently the recyclables are 22m3 per fortnight to Warren Blackwood Waste, Manjimup. There have been no rejected loads although a number of minor illegal dumping (food scraps/nappies) and approximately 5% waste to the Manjimup Waste Management Facility.

- 3.4 Is there any further follow up re; subsequent transport, disposal, sale etc of same with regard to calculating ecological soundness of the project.

Response by Manager Development Services:

The reduction of 572m3 annually from the Nannup Waste Management Facility provides for waste reduction to landfill. The system relies on bulk compacted transport to Perth and based on cost benefit analysis. The contractor is SAI Global and AS/NZ9001 Waste Management accredited.

Question from Business Initiative Group Nannup (BIGN);

The Business Initiative Group Nannup (BIGN) is a group of Nannup regional business owners and operators and not for profit organizations who share a common desire to promote, support and encourage business in our area.

BIGN puts out the following statement to ALL councillors in regard to the vote against the Timewood Centre, which occurred at the last Nannup Shire Council meeting:

- 3.5 "The Business Initiative Group Nannup insists that each councillor validate and explain their reasons for their individual decision on their vote at the last Shire Council meeting which resulted in the killing off of the Timewood project."

Response from Cr Gilbert;

Advised would respond by a future newsletter.

Questions from Dr Bob Longmore;

I refer the following statements and questions arising to my North Ward Councillors David Boulter and Robin Mellema *and seek their individual responses* at the Electors Meeting on Monday, December 14th.

In the Government of Western Australia, Department of Local Government booklet, Standing for Council, information for candidates, page 15, 2.1.1 in an overview of Local Government, it states:

* "the community is the reason that a local government exists. All decisions made by a local government should be aimed at meeting the needs of the community.

item, 2.1.2.3 Councillors:

* "represent the interests of electors, ratepayers and residents"

item 2.2.1:

* "under a ward system. (Here)" the councillor has both a duty to present the views of electors in his or her ward and also to consider the good of the district as a whole when making a decision".

Response from Cr Mellema;

Stated that he had conferred with his constituents and voted accordingly.

Cr Camarri responded;

That she disagreed with the site however it was obvious that the project was needed and the real issue was that Council should not send back \$1,000,000.

My questions are relatively simple:

- 3.6 Did you as a North Ward Councillor contact electors in your ward prior to the Council meeting of November 26th, 2009, to be made aware of their views with regard to recommending or not recommending planning permission for the Timewood Centre to be granted?
- 3.7 Given that you voted against planning permission be granted to the Timewood Centre, on what grounds did you make your decision, given the above statements, that you were supposed to be presenting the views of electors?
- 3.8 Do you believe, and can it be verified that you did "represent the interests of electors, ratepayers and residents" in a fair and honest manner or did you act to represent only the views of you as an individual or as a member of an interest group within Council?
- 3.9 Concerning said representation of the interests/views of electors, ratepayers and residents, have you or your Councillor colleagues or Shire staff carried out any statistically valid survey of the North Ward electorate to adequately assess the views of the electorate?

Cr Boulter responded:

My reply to Dr Longmores questions on notice

1. No

Please be aware that the agenda is delivered on the Friday before the council meeting. To contact 408 electors personally in a week is stretching a fertile imagination.

2. The grounds for my decisions are attached.

3a Please read answer 1.

3b Not to my knowledge.

To the NORTH WARD electors.

Herewith my reasons for voting in the negative to the timewood tower proposal.

1. *The estimators price tag is out of reach.* By the way, I did not have a chance to read the report prior to the council meeting 26.11.09.
2. No Clock
3. No estimation of cost of clock.

4. No estimate in estimators price tag in 1 above for the clock
5. No guarantee that the project will be contained in the budget.
6. No guarantee that the shire electors will foot the shortfall
7. The owners of Templemore oppose the clocktower on the proposed site. I will not be party to a proposal that rides roughshod over individual landholders rights.
8. Purchase of Templemore is not an option.
9. I foreshadow long and protracted legal argument with the owner of Templemore.
10. I foreshadow long and protracted argument with assessment of heritage and cultural values of the surrounding precinct and streetscape.

Cr Mellema responded:

3.6 No,

3.7 views of constituents,

3.8 yes then no,

3.9 he requested that the Shire President respond on behalf of all electors in respect of a statistically valid survey.

Cr Dunnet responded:

That the project commenced 6 years ago after numerous consultation and community surveys.

4. Other Business at the Discretion of the Presiding Person

- 4.1. Ms J Gray asked how many written objections were received to the project through the planning process and did the owners of Templemore object?

Manager Development Services responded:

He explained the formal planning approval process where consultation resulted in one negative response to the project which did not come from the owners of Templemore.

- 4.2. Ms E Pellicaan asked how much had been spent on the project to date.

The Chief Executive Office responded:

That to date \$148,743 had been spent on the project.

- 4.3. Ms J Molenuex asked what had been achieved by the architect because working drawings have not been produced yet and therefore accurate estimates cannot be derived.

The Chief Executive Officer responded:

The architect's brief included the development of all contract documentation including final working drawings. Council was to pay direct for the various engineering reports such as structural, hydraulic and mechanical.

- 4.4. Mr A Chambers asked how does this decision affect this Council and possible amalgamations.

The Chief Executive Officer Responded:

By detailing the amalgamation process indicating that it is difficult to draw comparisons between the two issues though people may draw their own conclusions or form their own perceptions.

- 4.5. Dr B Longmore asked if Councillors Boulter and Mellema stated that they were not going to vote for the TimeWood project in their election profile.

Cr Boulter responded:

That he did not mention it.

Cr Mellema responded:

That he noted it as an issue for discussion.

- 4.6. Mr M Ladley asked on what grounds was planning approval rejected.

Manager Development Services responded:

The three planning issues raised for Council consideration were associated with setbacks, parking and flood plain levels. The reasons given did not relate to planning approval.

- 4.7. Ms J Kemp asked if TimeWood does not proceed is there a requirement for an upgrade of the Telecentre.

Manager Development Services responded:

That Council recently held a Community Infrastructure Planning day which prioritised future projects which saw some upgrading work for the Town Hall and Telecentre planned for the 2012/13 year.

- 4.8. Ms B Hemsworth asked if the location of the proposed building were different would the project be in a different situation at the moment.

Cr Dunnet responded:

That the chosen location was the best option after a site selection process was gone through which is contained in the business plan adopted by Council.

Ms C McKittrick asked whether the Visitor Centre had withdrawn from the project.

Cr Dunnet responded:

That they had.

Ms C McKittrick then asked based on this if the building could be located elsewhere?

Cr Dunnet responded:

That a lot of planning had gone into the project and it was not a simple matter to just shift location.

- 4.9. Ms L Raynel asked if there had been any liaison between Council and the Visitor Centre recently.

The Chief Executive Officer responded:

Discussion on the caravan parks and Visitor Centre lease agreement had been initiated.

- 4.10. Ms L Lucas asked for the reasons that the planning approval for the building was rejected.

The Chief Executive Officer read from the November 2009 draft Council minutes as follows:

The reasons for the change in officer recommendation was:

1. No longer a tourist attraction with the withdrawal of the clock and no costing on a replacement. It would have become expensive commercial space when clearly there is an excess of commercial space in town.
2. The withdrawal of the Nannup Visitor Centre from the project. It is no longer a co-location project and would not draw visitors to our town.
3. Still the lack of a business plan in light of the above changes with basic questions such as the commercial rent to be charged for co tenants.

- 4.11. Mr N Steer asked if the issue of this building could be put to a referendum.

Cr Dunnet responded:

That this would have to occur straight away because of funding body limitations.

- 4.12. J Scott asked if a referendum could occur as well.

Cr Dunnet responded:

That this would be a Council decision which may be discussed by Council at its next Council meeting on Thursday 17/12/09.

J Scott/R Lee

That Council have a referendum to determine the electors views on the TimeWood Centre building.

A show of hands indicated that the majority of the attendees agreed.

- 4.13. Mr S Boak asked about the process of the minutes being developed from a Council meeting regarding the reasons given for a change from an officer's recommendation.

The Chief Executive Officer responded:

Explained the process and its development up until the point in time that the minutes are accepted as a true and correct record by Council at the next Council meeting.

- 4.14. Mr G Happ asked when the upgrade of the West side of Adam Street was going to occur.

Works Manager responded:

That works on Adam Street was dependant on the works to be undertaken on the laneway between Brockman Street and Adam Street and until that was resolved works on Adam Street could not occur.

- 4.15. Mr R Lee asked about the process associated with the replacement of a Councillor that resigns.

The Chief Executive Officer responded:

He explained the extraordinary election process and the fact that time frames associated with this can result in a vacancy for a short period of time.

- 4.16. Cr Gilbert asked the General public if they had experienced low internet speeds in the mornings.

The general consensus was that they were not.

5. Meeting Closure

There being no further business to discuss the Shire President thanked everyone for their attendance and declared the meeting closed at 8.00 pm.