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MINUTES

Shire of Wandering Council Meeting 21 April 2022

OUR VISION

Wandering is a community of responsible, resilient and adaptable residents thriving in our scenic, economically diverse environment.

These Minutes of the Council meeting held 21 April 2022 are confirmed as a true and correct record of proceedings without amendment. Confirmed on 19 May 2022 by the Presiding Member, Cr I Turton.

Cr Turton Presiding Member

19/5/2022

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of Wandering for any act, omission or statement or intimation occurring during Council or Committee meetings or during formal/informal conversations with staff. The Shire of Wandering disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee meetings or discussions. Any person or legal entity that act or fails to act in reliance upon any statement does so at the person's or legal entity's own risk.

The purpose of this council meeting is to discuss and, where possible, make resolutions about items appearing on the agenda. Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on basis of such decision or on any advice or information provided by a member or officer, or on the content of any discussion occurring, during the course of the meeting.

In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence, any statement or limitation of approval made by a member or officer of the Shire of Wandering during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of Wandering. The Shire of Wandering warns that anyone who has an application lodged with the Shire of Wandering must obtain and only should rely on WRITTEN CONFIRMATION of the outcome of the application, and any conditions attaching to the decision made by the Shire of Wandering in respect of the application.

Persons should be aware that the provisions of the Local Government Act 1995 (section 5.25 (e)) establish procedures for revocation or rescission of a Council decision.

The Shire of Wandering expressly disclaims liability for any loss or damage suffered by any person as a result of relying on or acting on the basis of any resolution of Council, or any advice or information provided by a member or officer, or the content of any discussion occurring, during the course of the Council meeting.

Ian Fitzgerald
A/Chief Executive Officer

SHIRE OF WANDERING

Minutes of the Ordinary Meeting of Council held at/in Council Chambers on Thursday 21st April 2022 – commencing at 3.46pm.

Contents

1.	Declaration of Opening / Announcements of Visitors	3
2.	Attendance / Apologies / Approved Leave of Absence	3
3.	Announcements by the Presiding Member	3
4.	Response to Previous Public Questions Taken on Notice	3
5.	Public Question Time	3
6.	Petitions / Deputations / Presentations / Submissions	3
7.	Applications for Leave of Absence.....	3
8.	Disclosures of Interest.....	3
9.	Confirmation of Minutes of Previous Meetings Held 17 March 2022	4
9.1	Ordinary Council Meeting Minutes 17 March 2022	4
9.2	Special Council Meeting Minutes 7 April 2022.....	4
10.	Reports of Committees of Council	5
11.	Reports from Councillors	5
12.	Chief Executive Officer	6
	ITEM 12.1 – Vehicle, Plant and Equipment Management Policy	6
	ITEM 12.2 – New Committee – Wandering Community Centre Upgrade.....	9
13.	Finance	13
	13.1 - Financial Reports 31 March 2022	13
	13.2 - Accounts for Payment – March 2022.....	15
14.	Planning and Technical Services.....	18
	ITEM 14.1 – Bushfire Risk Mitigation Coordinator	18
	ITEM 14.2 – Bush Fire Advisory Committee – AGM – April 2022	21
	ITEM 14.3 – Planning Approval – Lot 107 Moramocking Road	25
15.	Elected Members Motions of Which Previous Notice Has Been Given	31
16.	New Business or Urgent Business Introduced by Decision of the Meeting	31
	16.1 Elected Members	31
	16.2 Officers	31
17.	Matters Behind Closed Doors.....	31
18.	Closure of Meeting	31

1. Declaration of Opening / Announcements of Visitors

The Presiding Member declared the meeting open at 3.46pm.

2. Attendance / Apologies / Approved Leave of Absence

COUNCILLORS: Cr Ian Turton (Shire President)
 Cr Paul Treasure (Deputy Shire President)
 Cr Graeme Parsons
 Cr Max Watts
 Cr Gillian Hansen from 5.08pm
 Cr Sheryl Little

STAFF: Ian Fitzgerald (A/Chief Executive Officer)
 Barry Gibbs (Executive Manager Technical Services)

APOLOGIES: Cr Gary Curtis

ON LEAVE OF ABSENCE:

ABSENT:

MEMBERS OF THE PUBLIC:

3. Announcements by the Presiding Member

Prior to the meeting Cr Turton had the pleasure of conducting an Australian Citizenship ceremony for Mareike FitzSlade in front of friends, family and fellow Councillors.

4. Response to Previous Public Questions Taken on Notice

Nil

5. Public Question Time

No members of the public were present.

6. Petitions / Deputations / Presentations / Submissions

Representatives of the Peel – Harvey Catchment Council made a presentation to Council prior to the official meeting commencing.

7. Applications for Leave of Absence

Nil

8. Disclosures of Interest

Nil

9. Confirmation of Minutes of Previous Meetings Held 17 March 2022

9.1 Ordinary Council Meeting Minutes 17 March 2022

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

Recommendation:

That the Minutes of the Ordinary Meeting of Council held in Wandering on 17 March 2022 be confirmed as true and correct.

Moved: Cr Paul Treasure

Seconded: Cr Sheryl Little

CARRIED 5/0

9.2 Special Council Meeting Minutes 7 April 2022

Statutory Environment:

Section 5.22 of the *Local Government Act* provides that minutes of all meeting to be kept and submitted to the next ordinary meeting of the council or the committee, as the case requires, for confirmation.

Voting Requirements:

Simple Majority

Recommendation:

That the Minutes of the Special Meeting of Council held in Wandering on 7 April 2022 be confirmed as true and correct.

Moved: Cr Max Watts

Seconded: Cr Graeme Parsons

CARRIED 5/0

10. Reports of Committees of Council

11. Reports from Councillors

Cr Ian Turton (President)

Attended signing of incoming CEO contract of employment

Cr Paul Treasure (Deputy President)

Attended signing of incoming CEO contract of employment

Cr Graeme Parsons

Cr Max Watts

Cr Gary Curtis

Cr Gillian Hansen

Cr Sheryl Little

12. Chief Executive Officer

ITEM 12.1 – Vehicle, Plant and Equipment Management Policy

File Reference: 3.2.2
Location: Shire of Wandering
Applicant: Shire of Wandering
Author: Ian Fitzgerald – Acting Chief Executive Officer
Authorising Officer Ian Fitzgerald - Acting Chief Executive Officer
Date: 21 April 2022
Disclosure of Interest: Nil
Attachments: Draft Policy No:81
Previous Reference:

Summary:

Council discussed the need for a policy on plant and equipment during the recent CEO recruitment process. This will be an addition to the existing long term plant replacement schedule and details the type of vehicle and standard equipment to be fitted at each changeover.

Background:

This is a new policy requested by Council.

Comment:

During the development of an employment contract the lack of a policy as to the type of vehicle to be supplied and extra fittings equipment to be fitted came to light with Council requesting the ACEO to prepare a policy for their consideration.

The attached draft policy is similar to that used by a number of local governments and helps to identify the type of vehicle to be allocated to management positions and optional extras to be provided at each changeover. This policy assists staff in budget processes and is a handy reference tool in the event of staff turnover.

Consultation:

Council
Executive Manager Technical Services

Statutory Environment:

Local Government Act 1995 –

Policy Implications:

This item proposes a new policy for Council's consideration.

Financial Implications:

There are no direct financial implications associated with adoption of this new policy. Any plant and equipment purchase forms a part of the annual budget presented for Council's consideration each year.

Strategic Implications:

Provide Strong Leadership

Our Goals	Our Strategies
We plan for the future and are strategically focused	10.1 Ensure accountable, ethical and best practice governance 10.2 Develop and maintain our Strategic Plan, Corporate Business Plan, Asset Management Plan, Workforce Plan and Long Term Financial Plan. 10.3 Service Level Plans detail operational roles, responsibilities and resources.

Sustainability Implications:

- **Environmental:** There are no known significant environmental considerations.
- **Economic:** There are no known significant economic considerations.
- **Social:** There are no known significant social considerations.

Risk Implications:

Risk	Low (4)
Risk Likelihood (based on history and with existing controls)	Low (4)
Risk Impact / Consequence	Low (4)
Risk Rating (Prior to Treatment or Control)	Low (4)
Principal Risk Theme	Low (4)
Risk Action Plan (Controls or Treatment Proposed)	Low (4)

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements:

Simple majority

Officer Recommendation and Council Resolution - 12.1 - Vehicle, Plant and Equipment Management Policy

That Council adopt Policy 81 - Vehicle, Plant and Equipment Management Policy as presented.

Moved: Cr Paul Treasure

Seconded: Cr Max Watts

CARRIED 5/0

ITEM 12.2 – New Committee – Wandering Community Centre Upgrade

File Reference:

Location: Shire of Wandering
Applicant: Shire of Wandering
Author: Ian Fitzgerald – Acting Chief Executive Officer
Authorising Officer: Ian Fitzgerald - Acting Chief Executive Officer
Date: 21 April 2022
Disclosure of Interest: Nil
Attachments: Nil
Previous Reference: N/A

Summary:

With the proposed redevelopment of the Wandering Community Centre progressing Council has suggested the formation of a formal Council Committee to help manage the process.

This item outlines the procedure needed to be followed by Council to establish a committee and the type and membership appointment as outlined in the *Local government Act 1995*.

It is recommended that a new committee – Wandering Community Centre Redevelopment Committee be established by Council.

Background:

Up until now a working group comprised of community and Council members has been tasked with progressing the possible redevelopment of the Wandering Community Centre and has worked with consultants to draft plans of possible redesign/upgrade of the existing facility.

Comment:

Council has committed funds from the Local Roads and Community Infrastructure fund towards the potential upgrade of the Wandering Community Centre.

With Council funds committed and any additional funding required needing to be applied for in the name of the Shire of Wandering it seems appropriate that a formal Council Committee is now established to help drive the project and report to Council and the community on a regular basis.

The Local Government Act 1995 outlines the process for the establishment of a Council Committee:

Establishment of committees

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required. 5.9. Committees, types of*

(1) *In this section —*

other person means a person who is not a council member or an employee.

(2) *A committee is to comprise —*

- (a) *council members only; or*
- (b) *council members and employees; or*
- (c) *council members, employees and other persons; or*
- (d) *council members and other persons; or*
- (e) *employees and other persons; or*
- (f) *other persons only.*

Committee members, appointment of

- (1) *A committee is to have as its members —*
(a) *persons appointed* by the local government to be members of the committee*

Deputy committee members

- (1) *The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.*

** Absolute majority required.*

- (2) *A person who is appointed as a deputy of a member of a committee is to be —*
(a) *if the member of the committee is a council member — a council member; or*
(b) *if the member of the committee is an employee — an employee; or*
(c) *if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or*
(d) *if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.*
- (3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*
- (4) *A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*

Committee membership, tenure of

- (1) *Where a person is appointed as a member of a committee under section 5.10(4) or (5), the person's membership of the committee continues until —*
(a) *the person no longer holds the office by virtue of which the person became a member, or is no longer the CEO, or the CEO's representative, as the case may be; or*
(b) *the person resigns from membership of the committee; or*
(c) *the committee is disbanded; or*
(d) *the next ordinary elections day,*

whichever happens first.

- (2) *Where a person is appointed as a member of a committee other than under section 5.10(4) or (5), the person's membership of the committee continues until —*
(a) *the term of the person's appointment as a committee member expires; or*
(b) *the local government removes the person from the office of committee member or the office of committee member otherwise becomes vacant; or*
(c) *the committee is disbanded; or*

Presiding members and deputies, election of

- (1) *The members of a committee are to elect a presiding member from amongst themselves in accordance with Schedule 2.3, Division 1 as if the references in that Schedule —*
(a) *to "office" were references to "office of presiding member"; and*
(b) *to "council" were references to "committee"; and*
(c) *to "councillors" were references to "committee members".*
- (2) *The members of a committee may elect a deputy presiding member from amongst themselves.*

The current Working Group has membership from local sporting clubs, service organisations and Council and Council will need to determine the number of members and the external organisations to be appointed to any new committee.

Consultation:

Council

Statutory Environment:

Local Government Act 1995

Policy Implications:

There are no current policy implications.

Financial Implications:

There are no current financial implications with the establishment of the proposed new Committee. Any upgrade or redevelopment expense will need to be approved by Council and included in the budget process.

Strategic Implications:

Retain and Grow our Population

Our Goals	Our Strategies
People feel safe, connected and actively involved in the community	<p>Facilitate and support activities that optimise use of our facilities</p> <p>8.2 Assist Community and sporting organisations to remain sustainable and active</p> <p>8.3 Engage and celebrate local culture, both indigenous and non-indigenous</p>

Provide Strong Leadership

Our Goals	Our Strategies
A well informed Community	9.1 Foster Opportunities for connectivity between Council and the Community
10. We plan for the future and are strategically focused	<p>10.1 Ensure accountable, ethical and best practice governance</p> <p>10.2 Develop and maintain our Strategic Plan, Corporate Business Plan, Asset Management Plan, Workforce Plan and Long Term Financial Plan.</p> <p>10.3 Service Level Plans detail operational roles, responsibilities and resources.</p> <p>10.4 Engage with local, regional, state and federal stakeholders to grow mutually beneficial relationships.</p>

Sustainability Implications:

- **Environmental:** There are no known significant environmental considerations.
- **Economic:** There are no known significant economic considerations.
- **Social:** There are no known significant social considerations.

Risk Implications:

Risk	Medium (9)
Risk Likelihood (based on history and with existing controls)	Medium (9)
Risk Impact / Consequence	Medium (9)
Risk Rating (Prior to Treatment or Control)	Medium (9)
Principal Risk Theme	Medium (9)
Risk Action Plan (Controls or Treatment Proposed)	Medium (9)

Risk Matrix:

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements:

Absolute majority

Officer Recommendation & Council Resolution - 12.2 - New Committee – Wandering Community Centre Upgrade

That Council:

1. resolve to establish a Wandering Community Centre Upgrade Committee
2. determine that the Committee will comprise six members, with no more than three Councillors to be members, plus non-voting executive support
3. current working group to nominate representatives for the Committee to Council for their formal appointment

Moved: Cr Paul Treasure

Seconded: Cr Sheryl Little

CARRIED 4/1

Council decision varied slightly from Officer Recommendation to ensure best possible structure and membership was achieved.

13. Finance

13.1 - Financial Reports 31 March 2022

File Reference: N/A
Location: N/A
Applicant: N/A
Author: Moore Australia
Authorising Officer Ian Fitzgerald A/CEO
Date: 14 April 2022
Disclosure of Interest: N/A
Attachments: Financial Reports – March 2022
Previous Reference: N/A

Summary:

Consideration of the financial reports for the period ending 31 March 2022.

Background:

The financial reports for the periods ending 31 March 2022 are included as attachments.

Comment:

If you have any questions regarding details in the financial reports, please contact the office prior to Council meeting so that sufficient time is given to research the request. This will enable the information to be provided at the Council meeting.

Consultation:

Not applicable.

Statutory Environment:

Section 34 (1) (a) of the Local Government (Financial Management) Regulations 1996 states that a Local Government is to prepare monthly statement of financial activity including annual budget estimates, monthly budget estimates, actual monthly expenditure, revenue and income, material variances between monthly budget and actual figures and net current assets on a monthly basis.

Policy Implications:

Not applicable.

Financial Implications:

Not applicable.

Strategic Implications:

Not applicable.

Sustainability Implications:

- **Environmental:** There are no known significant environmental considerations.
- **Economic:** There are no known significant economic considerations.
- **Social:** There are no known significant social considerations.

Risk Implications:

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements:

Simple majority

Officer Recommendation:

That the financial report for the period ending 31st March 2022 as presented be accepted.

Moved: Cr Paul Treasure

Seconded: Cr Sheryl Little

CARRIED 5/0

13.2 - Accounts for Payment – March 2022

File Reference: N/A
Location: N/A
Applicant: N/A
Author: Sophie Marinoni – Finance Officer
Authorising Officer Ian Fitzgerald - ACEO
Date: 14 April 2022
Disclosure of Interest: N/A
Attachments: Payment Listing
Previous Reference: N/A

Summary:

Council to note payments of accounts as presented.

Background:

The schedule of accounts is included as an attachment for Council information.

Comment:

If you have any questions regarding payments in the listing please contact the office prior to the Council meeting.

Consultation:

There has been no consultation.

Statutory Environment:

Section 12 of the Local Government (Financial Management) Regulations 1996 states that

- 12 (1) A list of creditors is to be compiled for each month showing –
- (a) The payee's name;
 - (b) The amount of the payment;
 - (c) Sufficient information to identify to transaction; and
 - (d) The date of the meeting of the council to which the list is to be resented.

Policy Implications:

Policy 12 – Purchasing and Tenders

Policy 40 – Payment for Goods and Services

Financial Implications:

Shire of Wandering

Certificate of Expenditure – 31 March 2022

This Schedule of Accounts to be passed for payment covering:

Payment Method	Cheque/EFT/DD Number	Amount
Municipal Fund:		
Electronic Funds Transfers	EFT7242 – EFT7318	\$374,078.92
Direct Debits	DD3891.1 – DD3901.11	\$33,491.16
	TOTAL	\$407,570.08

to the Municipal and Trust Accounts, totalling \$407,570.08 which were submitted to each member of the Council on 21st April 2022, have been checked and fully supported by vouchers and invoices which are submitted herewith, have been duly certified as to the receipt of goods and the rendition of services and as to prices, computations, and costings.



Ian Fitzgerald

A/CHIEF EXECUTIVE OFFICER

Strategic Implications:

Improve Our Financial Position

Our Goals	Our Strategies
The Wandering Shire is financially sustainable	Improve accountability and transparency Prudently manage our financial resources to ensure value for money

Sustainability Implications:

- **Environmental:** There are no known significant environmental considerations.
- **Economic:** There are no known significant economic considerations.
- **Social:** There are no known significant social considerations.

Risk Implications:

Risk	Low (1)
Risk Likelihood (based on history and with existing controls)	Low (1)
Risk Impact / Consequence	Low (1)
Risk Rating (Prior to Treatment or Control)	Low (1)
Principal Risk Theme	Low (1)
Risk Action Plan (Controls or Treatment Proposed)	Low (1)

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 2 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements:

Simple majority

Officer Recommendation:

That in accordance with section 13 of the Financial Management Regulations of the Local Government Act 1995 and in accordance with delegation, payment of Municipal Fund vouchers, Licensing, Salaries and Wages and EFT Transfers, Direct Debit totalling **\$407,570.08** listed (attached) be noted as approved for payment.

Moved: Cr Paul Treasure

Seconded: Cr Sheryl Little

CARRIED 5/0

Cr Gillian Hansen entered the meeting at 5.08pm

14. Planning and Technical Services

ITEM 14.1 – Bushfire Risk Mitigation Coordinator

File Reference: 05.051.05120
Location: N/A
Applicant: Department Fire & Emergency Services (DFES)
Author: Barry Gibbs – Executive Officer Technical Services
Authorising Officer: Barry Gibbs – Executive Officer Technical Services
Date: 12 April 2022
Disclosure of Interest: Nil
Attachments: Bushfire Risk Mitigation Coordinator – Grant Agreement and Bush Fire Risk Management Plan
Previous Reference: 10.6 - Bush Fire Management Plan - Adopted by Council 20/05/2021

Summary:

Council to consider entering into a Grant Agreement with DFES to fund a Bush Fire Mitigation Coordinator for up to 3 years.

Background:

DFES has approach the Shire of Wandering, Shire of Boddington and Shire of Williams to enter into a grant agreement to engage a Bushfire Risk Mitigation Coordinator. This position will focus on ensuring that bushfire mitigation work identified under our Bush Fire Management Plan is undertaken. This will involve:

- Appling for the funding which is 100% funded;
 - Arranging for any approvals or permits;
 - Consulting with any adjoining land owners
 - Consult with bushfire Brigades and Shire Staff;
 - Oversee the funded worked is completed to required standards
 - Submitting grant completion certificates
- Work with the Works Manager to set maintenance programmes so mitigation work is maintained.

Comment:

This new work would currently added to the EMTS current duties is a Bushfire Risk Mitigation Coordinator is not appointed

Consultation:

Ian Fitzgerald - ACEO

Statutory Environment:

Bushfires Act 1954

Policy Implications:

Policy 23 – Risk Management.

Financial Implications:

The contract is for 3 years with DFES going 50/50 in the first year and 70/30 in years 2 and 3

The cost per 1 day a fortnight in the first year is approximately \$300 a day and a yearly cost of \$7,655

The cost per 1 day a fortnight in the second year is approximately \$420 a day and a yearly cost of \$10,850

The cost per 1 day a fortnight in the third year is approximately \$430 a day and a yearly cost of \$11,230

This will bring the total cost per day over the three-year contract to \$29,735

DFES has recommend 2.5 days a fortnight which will cost approximately a total of \$74,338 for the 3-year contract

Strategic Implications:

Improve Our Financial Position

Our Goals	Our Strategies	Our Measurement
1. The Wandering Shire is financially sustainable	1.1 Improve accountability and transparency 1.2 Develop an investment strategy that plans for the future and provides cash backed reserves to meet operational needs 1.3 Prudently manage our financial resources to ensure value for money 1.4 Reduce reliance on operational grants	Rate review implemented over a staged process by 2020 Balanced budget delivered annually Annual external financial audit identifies no adverse issues Long Term Financial Plan updated annually Investment Strategy completed by 2020
Our Outcomes		
After 10yrs we will have achieved	› We remain a Strong independent local government › We have a fair and equitable rate structure › We have reserve funds for current and new capital projects	

Sustainability Implications:

- **Environmental:** Bush fires are one of the major environmental risks to our community and the planning to reduce this risk is critical.
- **Economic:** Bush fires can have a major economic impact on a small community like Wandering and likelihood will increase of the coming years.
- **Social:** The impact of bush fires on small community is well notice and the long term social impact.

Risk Implications:

Risk	High (16)
Risk Likelihood (based on history and with existing controls)	High (16)
Risk Impact / Consequence	High (16)
Risk Rating (Prior to Treatment or Control)	High (16)
Principal Risk Theme	High (16)
Risk Action Plan (Controls or Treatment Proposed)	Medium (9)

Risk Matrix:

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 16 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements:

Absolute majority

Council Decision (Officer Recommendation) 14.1:

That Council:

1. sign the attached funding agreement for a Bush Fire Risk Management Coordinator
2. include in the 2022/23 financial budget an allowance of \$19,137.50 ex GST for this position
3. inform the community of Council's involvement in the mitigation program including cost and benefits gained

Moved: Cr Paul Treasure

Seconded: Cr Sheryl Little

CARRIED 5/1

ITEM 14.2 – Bush Fire Advisory Committee – AGM – April 2022

File Reference: 05.051.05108
Location: N/A
Applicant: Bush Fire Advisory Committee (BFAC)
Author: Barry Gibbs – Executive Officer Technical Services
Authorising Officer: Barry Gibbs – Executive Officer Technical Services
Date: 13 April 2022
Disclosure of Interest: Nil
Attachments: BFAC Minutes
Previous Reference: 10.6 - Bush Fire Management Plan - Adopted by Council 20/05/2021

Summary:

Council is requested to consider the minutes of the meeting of the Wandering Bush Fire Advisory Committee held on the 6 April 2022.

Background:

The Wandering Bush Fire Advisory Committee AGM normally meets in early April to advise Council on matters relating to its responsibilities under the Bush Fire Act 1954.

Comment:

Peter Monk advised he would not be seeking reappointment to as the CBFCO and thanked the Shire and Brigade Members for their support and asked the FCO's to support the new CBFCO taking on this role.

Consultation:

Ian Fitzgerald – ACEO
Peter Monk – Current Chief Fire Control Officer
Graham Tressure – Chief Fire Control Officer Elect.

Statutory Environment:

Bushfires Act 195

Policy Implications:

Policy 62 - Bush Fire Brigade – Roles and Qualifications of Officers.

Financial Implications:

There are no known financial implication relating to this item.

Strategic Implications:

Our Goals	Our Strategies
People feel safe, connected and actively involved in the community	Facilitate and support Emergency Services Planning

Sustainability Implications:

- **Environmental:** There are no known significant environmental considerations.
- **Economic:** There are no known significant economic considerations.
- **Social:** There are no known significant social considerations.

Risk Implications:

Risk	Medium (9)
Risk Likelihood (based on history and with existing controls)	Medium (9)
Risk Impact / Consequence	Medium (9)
Risk Rating (Prior to Treatment or Control)	Medium (9)
Principal Risk Theme	Medium (9)
Risk Action Plan (Controls or Treatment Proposed)	Medium (9)

Risk Matrix:

Consequence Likelihood		Insignificant 1	Minor 2	Moderate 3	Major 4	Catastrophic 5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 9 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements:

Simple majority

Council Decision (Officer Recommendation) 14.2:

That Council: endorse the BFAC recommendations for appointment of office bearers as listed below as that, pursuant to Section 38 (1) of the Bush Fires Act 1954, Council appoint the following persons from the 22 April 2022 until reviewed by Council in April 2023 and that the appointments be advertised in the Wandering Echo, and Council's Delegation (Appointments) be updated accordingly:

BUSH FIRE EXECUTIVES

CBFCO – Graham Treasure

DCBFCO – Tim Treasure

DCBFCO (2) – position to remain vacant

BUSH FIRE CONTROL OFFICERS:**Hastings**

Richard Bostock

Graeme Parsons

Anthony Turton

Chad Ferguson

Adam Watts

Wandering

Tim Treasure

Grant White

Jon Hardie

Steve Watts

Codjatoine

Peter Monk

Dean Warburton

Melvin Schorer

Brendan Hardie

Wandering Town

Shaun Brand

Brad Hunt

Graham Treasure

Gary Curtis

HARVEST & VEHICLE BAN (Fire Weather) COMMITTEE:

Peter Monk

Tim Treasure

Bruce Dowsett

Graeme Parsons

Adam Watts

Clover Burning Officers –

Anthony Turton

Peter Monk

DUAL FIRE CONTROL OFFICERS:

Brookton

Brookton

Pingelly

Pingelly

Cuballing

Cuballing

Boddington

Boddington

Williams

Williams

Anthony Turton

Graham Treasure

Richard Bostock

Peter Monk

Peter Monk

Graham Tressure

Tim Treasure

Graham Tressure

Jon Hardie

Graham Tressure

Delegates to the ROAC – CBFCO, DCBFCO & EMTS

Delegates to the LEMC – CBFCO & DCBFCO & FCO – Gary Curtis

Secretary - Shire

Moved: Cr Graeme Parsons

Seconded: Cr Gillian Hansen

CARRIED 6/0

ITEM 14.3 – Planning Approval – Lot 107 Moramocking Road

File Reference: PA275
Location: Lot 107 Moramocking Road, Wandering
Applicant: Steven MacDonald
Author: Cody Meyer c/- Altus Planning (Shire Consultant Planner)
Authorising Officer: Ian Fitzgerald - Acting Chief Executive Officer
Date: 18 March 2022
Disclosure of Interest: Nil
Attachments: Attachment 1 - Carport 1 Development Plans
Attachment 2 - Carport 2 Development Plans
Attachment 3 - Patio Development Plans
Previous Reference: Nil

Summary:

The Shire has received an application for development approval to construct two carports and a patio at Lot 107 (No. 608) Moramocking Road, Wandering ('subject site' or 'site'). The patio is to be constructed at the south-western portion of the existing dwelling onsite, with each of the proposed carports to be located east and west of the dwelling's location, respectively. The application requires development approval as the location of the proposed structures is located outside of the prescribed building envelope of the site.

Background:

The subject site is located approximately 5km to the south-west of the Wandering Town Site and measures 7.0275ha. The site is situated within a locality bound by O'Connell Road to the south, Moramocking Road to the east and Fuller Road to the north-west.

The site and surrounding lots within the locality are all zoned Rural-Residential and are of a similar lot size, with the exception of a square-shaped lot directly north of the subject site which is Reserved for Public Purposes. Existing development on nearby rural-residential lots typically comprises a single dwelling on each respective lot with an associated outbuilding and water tank. Aside from these features and an existing gravel driveway which provides access to the main portion of the property, the subject site is otherwise absent of any other development. Refer to Figure 1 below.

Comment:

Town Planning Scheme No. 3

The subject site is zoned 'Rural-Residential' under the Shire of Wandering's *Town Planning Scheme No. 3* ('TPS 3' or 'Scheme'). The objectives for the Rural-Residential zone are provided at Clause 4.2 of the *Scheme* and state as follows:

- a) *"to select areas wherein closer subdivision will be permitted to provide for such uses as hobby farms, horse breeding, rural-residential retreats, and rural-based commercial uses that are consistent with a rural residential zone.*
- b) *to generally select areas that are within approximately 8 kilometres of the town of Wandering to facilitate the provision of services to residents.*
- c) *to make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.*
- d) *having regard for the size of the district, the fragile nature of the environment in many places, and the difficulties faced by the local government in providing services away from the town of Wandering, the local government will generally favour Rural-Residential zones be located close to the town of Wandering and then only where the environmental impacts are manageable."*

With respect to the above, only Objective (c) is relevant and which is discussed further in this Report. Clause 5.16 of *TPS 3* prescribes various standards for development in the Rural-Residential zone. An assessment of the proposed carport against these standards is tabled below.

Scheme Requirement	Assessment Comments			
<u>Clause 5.16.1</u> Minimum building setback: <ul style="list-style-type: none">• Front - 30m• Rear - 10m• Side - 10m	<p>Proposed building setbacks:</p> <table><tr><td>Carport 1<ul style="list-style-type: none">• Front - >30m• Rear - 8.34m• Side - >10m</td><td>Carport 2<ul style="list-style-type: none">• Front - >30m• Rear - >10m• Side - >10m</td><td>Patio<ul style="list-style-type: none">• Front - >30m• Rear - 19.1m• Side - >10m</td></tr></table> <p>In this regard, the setbacks are considered acceptable due to the following:</p> <ul style="list-style-type: none">• All proposed development is located in close proximity to the existing dwelling which is located in the western (rear) portion of the lot. As such, the development is situated so as to not be visible from the street or abutting properties.• Carport 1 proposes a variation to the rear setback requirements where a setback distance of 8.34m is evident in lieu of the required 10m. Given the context of the locality and the distance of the proposed carport from habitable buildings on neighbouring properties (approx. 100m to closest neighbouring dwelling), it is maintained that the variation is unlikely to result in a detrimental impact upon visual amenity of the area. Further, as an unenclosed structure, any perceived impact of 'building bulk' is drastically reduced and there will be no impact upon breezeways to either the dwelling within the subject site nor any neighbouring properties.• No direct line of sight is available to any of the proposed structures from the street therefore maintaining the existing visual character of the area as a 'Rural-Residential' precinct.• The carport will be located within the main "development cluster" for the site which assists in minimising any visual impacts.	Carport 1 <ul style="list-style-type: none">• Front - >30m• Rear - 8.34m• Side - >10m	Carport 2 <ul style="list-style-type: none">• Front - >30m• Rear - >10m• Side - >10m	Patio <ul style="list-style-type: none">• Front - >30m• Rear - 19.1m• Side - >10m
Carport 1 <ul style="list-style-type: none">• Front - >30m• Rear - 8.34m• Side - >10m	Carport 2 <ul style="list-style-type: none">• Front - >30m• Rear - >10m• Side - >10m	Patio <ul style="list-style-type: none">• Front - >30m• Rear - 19.1m• Side - >10m		
<u>Clause 5.16.2</u> Development to be in accordance with Schedule 11, No. 2 and the associated plan of subdivision	<p>Only sub-provisions 4 and 5 are relevant to the proposal. These are as follows:</p> <p><u>Provision 4 (20m low fuel radius maintained around all buildings)</u></p> <ul style="list-style-type: none">• The proposed carports are non-habitable structures and will be constructed of non-combustible materials (corrugated zincalume and steel).• The proposed patio effectively 'hugs' the perimeter of the existing dwelling to the south-west. As such, the existing 20m low fuel radius which was created for the existing dwelling is sufficient to accommodate for the proposed development without increased risk to bushfire.• Horizontal clearance from the carport to the nearest existing vegetation is approximately 10m. Whilst this represents a variation to this Provision, the proposal is exempt under planning legislation from requiring any accompanying Bushfire Management Plan ('BMP') or Bushfire Attack Level ('BAL') Assessment as the carports and patio are unenclosed and not considered habitable structures.			

Scheme Requirement	Assessment Comments
	<p>Provision 5 (Shire may require planting of 50 trees and maintenance for 2 year period)</p> <p>All proposed structures will not require the removal of any site vegetation as the carports will be erected on existing cleared portions of the site that already contains graded gravel, and the patio to be located in pre-cleared areas around the existing dwelling. Therefore, there is no sufficient nexus to require replanting of the site with additional vegetation.</p>
<p><u>Clause 5.16.3</u></p> <p>a) Development approval required for all development in Rural-Residential zone.</p> <p>b) Maximum 1 dwelling per lot.</p> <p>c) All trees shall be retained unless otherwise approved by the Shire.</p> <p>d) If the land is considered deficient, the Shire may require replanting of the site as a condition of any approval.</p> <p>e) Appropriate measures must take place to prevent noise, odour or dust from the keeping of animals.</p> <p>f) The Shire may take any action to prevent detrimental impacts such as overstocking or erosion due to the keeping of animals.</p> <p>g) The Shire may require provision for bush fire control measures in accordance with an adopted local planning policy.</p>	<p>a) A development application has been submitted seeking approval for the two proposed carport structures and a patio.</p> <p>b) There is one existing dwelling on the subject site.</p> <p>c) The proposal will not result in the removal of any existing trees on the site.</p> <p>d) See above assessment comments for Clause 5.16.2, Provision 4.</p> <p>e) N/A</p> <p>f) N/A</p> <p>g) See above assessment comments for Clause 5.16.2, Provision 5. Notwithstanding, the Shire does not have a separate adopted local planning policy regarding bushfire.</p>

Scheme Requirement	Assessment Comments
<p>Clause 5.16.4 When considering an application, the Shire will also have regard to the following:</p> <ul style="list-style-type: none"> a) the colour and texture of external building materials; b) building size, height, bulk, roof pitch; c) setback and location of the building on its lot; d) architectural style and design details of the building; e) relationship to surrounding development; f) other characteristics considered by the local government to be relevant. 	<ul style="list-style-type: none"> a) Materials of construction are colorbond roof sheets with steel posts which are considered to be “rural-compatible”. b) In summary, the proposed structures are sympathetic to the rural-residential character of the area and are of an acceptable scale. It is noted that all proposed structures are considered largely unenclosed. <ul style="list-style-type: none"> a. The dimensions of carport 1 will be 12m long x 6m wide. <ul style="list-style-type: none"> i. This equates to 72m² which is less than 0.1% of the total lot area and is insignificant. ii. Its height will be 4.0m (at its highest point) to provide adequate clearance to park recreational or farming specific vehicles. b. The dimensions of carport 2 will be 16m long x 6m wide. <ul style="list-style-type: none"> i. This equates to 96m² which is less than 0.1% of the total lot area and is insignificant. ii. Its height will be 4.0m (at its highest point) to provide adequate clearance to park recreational or farming specific vehicles. c. The overall area of the patio measures approximately 75sqm and similarly to the commentary above, is considered insignificant in contrast to the overall lot size and is sympathetic to the existing character in terms of bulk and scale. c) As previously mentioned, the proposed location of all structures will minimise its visibility from the street due to the orientation at the rear of the site. The carports are also of a low-pitch skillion design which assists in minimising visibility of the structure. d) The patio will attach to the existing carport connected to the dwelling. Its overall height and roof pitch are less than the existing dwelling which assists in minimising the visibility of the structure. As above, the carports incorporate low-pitch skillion roof designs to minimise any perceived bulk. e) Carport 1 and the Patio are to be located within the established development footprint of the site. Carport 2 is outside of the established development footprint, however is located in an area clear of native vegetation and is setback a significant distance from any lot boundary. f) The landowners have advised that the carport structures will provide shelter for vehicles and the patio will help to enhance the liveability of the existing dwelling. This is consistent with the Rural-Residential zoning of the site and its subsequent objectives.

Having regard to the above Scheme development standards, the proposed carport structures and patio is considered acceptable and furthermore, it is considered that public consultation is not warranted in this instance.

State Planning Policy 3.7 - Planning in Bushfire Prone Areas

The majority of the subject site is located within a bushfire prone area. However, in accordance with Schedule 2, Clause 78B of the *Planning and Development (Local Planning Schemes) Regulations 2015*, the proposal is exempt from the need to provide an accompanying BMP or BAL Assessment as the structures are not considered habitable buildings.

It is noted however that as the patio is within the bushfire prone area and will be attached to the house, Clause 3.2.3 of *Australian Standard 3959-2018 - Construction of buildings in bushfire-prone areas* requires that the patio is built to the relevant bushfire standard, which is to be demonstrated through a BAL assessment at the building permit stage.

Consultation:

Advertisement of the application is not required under the Deemed Provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

Statutory Environment:

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Wandering Total Planning Scheme No. 3

Policy Implications:

Nil

Financial Implications:

Costs may be incurred by the Town if the landowner requests a review of the determination from the State Administrative Tribunal (SAT).

Strategic Implications:

The recommendations of this report are consistent with the Shire's Strategic Community Plan 2018 - 2028.

Sustainability Implications:

- **Environmental:** Nil
- **Economic:** Nil
- **Social:** Nil

Risk Implications:

Risk	That an undesirable precedent will be set for the approval of structures located outside of prescribed building envelopes.
Risk Likelihood (based on history and with existing controls)	Unlikely (2)
Risk Impact / Consequence	Insignificant (1)
Risk Rating (Prior to Treatment or Control)	Low (2)
Principal Risk Theme	A precedent for other similar applications
Risk Action Plan (Controls or Treatment Proposed)	Accept officer Recommendation

Risk Matrix:

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives; occupational health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of 3 has been determined for this item. Any items with a risk rating over 10 (considered to be high or extreme risk) will be added to the Risk Register, and any item with a risk rating over 17 will require a specific risk treatment plan to be developed.

Voting Requirements:

Simple Majority

Officer Recommendation:

That Council approves the application for development approval, submitted by Steven MacDonald to construct two (2) carports and a patio at Lot 107 (No. 608) Moramocking Road, Wandering, subject to the following conditions:

Conditions:

1. The development hereby approved shall occur generally in accordance with the plans and specifications submitted with the application and these shall not be altered or modified without the prior written approval of the Council.
2. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Wandering.
3. Satisfactory buildings plans being approved by the Shire of Wandering.

Moved: Cr

Seconded: Cr

Council Decision

That the matter lay on the table until the May 2022 Council meeting to allow staff to obtain more information and seek clarification from the applicant and town planner

Moved: Cr Graeme Parsons

Seconded: Cr Max Watts

CARRIED 6/0

15. Elected Members Motions of Which Previous Notice Has Been Given

Nil

16. New Business or Urgent Business Introduced by Decision of the Meeting

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

16.1 Elected Members

Nil

16.2 Officers

Nil

17. Matters Behind Closed Doors

Nil

18. Closure of Meeting

The Presiding Member to declared the meeting closed at 5.42pm.

