



SHIRE OF WANDERING

MINUTES OF THE ORDINARY COUNCIL MEETING

**Wandering Shire Council Chambers, 22 Watts
Street, Wandering**

**21 May 2015
1.30pm**

**SHIRE OF WANDERING
ORDINARY MEETING OF
COUNCIL**

Dear Councillor

Notice is hereby given that an Ordinary Meeting of Council of the Shire of Wandering will be held on 21 May 2015 at Shire of Wandering Council Chambers, 22 Watts Street, Wandering. Commencing at 1.30pm

The business to be transacted is shown in the Agenda.

Amanda O'Halloran
CHIEF EXECUTIVE OFFICER

DISCLAIMER

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Wandering warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Wandering for any act, omission or statement or intimation occurring during a Council meeting.

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Ordinary Council Meeting

1. DECLARATION OF OPENING /ANNOUNCEMENT OF VISITORS

The Shire President, Cr Graeme Kerr declared the meeting open at 1.33pm

2. RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Councillors:

Cr G Kerr	President
Cr B Dowsett	Deputy President
Cr W Gowland	
Cr B Whitely	
Cr C Ferguson	
Cr J Price	
Cr J McNeil	

Staff:

Ms A O'Halloran	Chief Executive Officer
Mr D Ojha	Manager Administration and Finance

Visitors: Kim Stripe

Apologies: Nil

On Leave of Absence: Nil – *Cr McNeil had applied but circumstances changed and didn't need to take leave*

Absent: Nil

3. DISCLOSURE OF INTERESTS

Nil

DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE) *(updated 13 March 2000)*

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have a Financial Interest in a matter. I intend to include these notes in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measure in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:
 - 6.1 Where the Councillor discloses the extent of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
 - 6.2 Where the Minister allows the Councillor to participate under s5.69 (3) of the Local Government Act, with or without conditions.

INTERESTS AFFECTING IMPARTIALITY

DEFINITION: An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.

A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

IMPACT OF AN IMPARTIALITY CLOSURE

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote.

With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

4. PUBLIC QUESTION TIME

Nil

5. APPLICATIONS FOR LEAVE OF ABSENCE

COUNCIL DECISION – ITEM 5.1

MOVED: Cr B Dowsett

SECONDED: Cr J Price

That Council: Accept the application for leave of absence from Cr J McNeil for the June Ordinary Meeting of Council.

CARRIED 7/0

6. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Shire of Wandering Ordinary Meeting – 16 April 2015

COUNCIL DECISION – ITEM 6.1

MOVED: Cr J Price

SECONDED: Cr J McNeil

That the minutes of the Ordinary Meeting of Council held on 16 April 2015, be confirmed as a true and accurate record.

CARRIED 7/0

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

Nil

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

9. REPORTS OF COMMITTEES

Nil

10. REPORTS OF OFFICERS

10.1 CHIEF EXECUTIVE OFFICER

10.1.1 AUTHORISATION OF BANK OVERDRAFT

Name of Applicant: Shire of Wandering
File Reference: 10.1.8
Attachments: Nil
Author: Amanda O'Halloran CEO
Date of Report: 10 May 2015
Previous Meeting Reference: Nil

Summary
Authorisation is required from Council to set up an overdraft facility with the Westpac bank to the value of \$200,000.00. It is a requirement under the Local Government Act Section 6.20 that Council resolve by Absolute Majority to undertake the overdraft and then advertise for one month prior to accessing the funds.

Background

Council has discussed on a number of occasions the need to implement an overdraft facility with the Bank. This now needs to be formalised to ensure that the facility is available when required. Typically, Council has minimal cash flow at the end of the financial year prior to levying and receiving rates income in late July early August.

Comment

The Shire Administration has been reviewing cash flow projections. In the 2014/15 Budget Council had anticipated the sale of land to finance a number of its capital operations. To date, the realization of these funds has not eventuated and it is unlikely that the funds will be received prior to the end of the financial year.

The Administration and Works teams have been working to minimize expenditure and complete the work as cost effectively as possible. It has also identified works that can be held over to the 2015/16 financial year.

Further review of our yearly cash flow has identified an ongoing need to have access to overdraft funds from time to time throughout the year. Council is heavily reliant on grants and road works funding and on occasion expenditure and work progress do not align leaving Council with difficulty managing its cash flow.

Consultation

Shire President, Deputy and Councilors
Manager Finance and Administration
Westpac Bank Officials

Statutory Environment

Section 6.20 of the *Local Government Act 1995* and Reg 20 of the *Local Government (Financial Management) Regulations 1996* apply.

Essentially, as Council is proposing to exercise the power to obtain credit outside of the annual budget process, the local government needs to give one month's local public notice of the intent to obtain credit; and the resolution to do so must be Absolute Majority.

Financial Implications

Council has the financial capacity to service the overdraft and it is intended that the overdraft is only to be utilised times of cash flow shortages.

Strategic Implications

Community Strategic Plan 2013-2023

Goal 5 – A strong and Effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance.

Strategy 5.2.1: Ensure Councils decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisations governance structure, policies and procedures are current and relevant

Policy Implications

There are no policy implications.

Voting Requirement

Absolute Majority Required

Recommendation

That Council:

1. Approve the overdraft of \$200,000.00 from the Westpac Bank
2. Council authorises the CEO to advertise the proposal in accordance with section 6.20 of the Local Government Act 1995
3. Authorises the Shire President and the Chief Executive Officer to affix the Common Seal to, and execute the agreement for the overdraft of \$200,000.00 from the Westpac bank.

COUNCIL DECISION – ITEM 10.1.1

MOVED: Cr C Ferguson

SECONDED: Cr B Whitely

That Council:

1. Approve the overdraft of \$200,000.00 from the Westpac Bank
2. Council authorises the CEO to advertise the proposal in accordance with section 6.20 of the Local Government Act 1995
3. Authorises the Shire President and the Chief Executive Officer to affix the Common Seal to, and execute the agreement for the overdraft of \$200,000.00 from the Westpac bank.

CARRIED 7/0

10.1.2 PURCHASING TENDERING POLICY

NAME OF APPLICANT:	Shire of Wandering
FILE REFERENCE:	1.1.27
ATTACHMENTS:	Purchasing and Tendering Policy
AUTHOR:	Amanda O'Halloran, CEO
DATE OF REPORT:	10 May 2015
PREVIOUS MEETING REFERENCE:	Nil

SUMMARY

Council has received a number of recommendations from the Department of Local Government and Communities' Probity Compliance Audit Report. Council has accepted the recommendations within the Report and undertakes to give priority to their implementation. Recommendation 15 directs the CEO to review the Shires purchasing and procurement procedures.

BACKGROUND

Council was informed by the DLGC on the 21 July 2014 that the Department intended to undertake a probity audit, after issues were identified through the Department's Compliance Framework and monitoring role. The Audit was conducted on the 18, 19 and 20 November 2014 in Wandering. Council received the Probity Compliance Audit Report at the 16 April 2015 Ordinary Meeting of Council and undertook to implement the recommendations of the department.

Recommendation 15 states; That Council directs the CEO to review the Shire's purchasing and procurement procedures to ensure that contracts for goods and services that are \$100,000 or more and not exempt, are subject to a tender process in accordance with Regulation 11 of the Local Government (Functions and General) Regulations 1996.

Recommendation 16 states; That Council requests the CEO to prepare an internal records management policy that includes procedures in regard to the recording and keeping of written and verbal quotations obtained in accordance with the Shire's Purchasing Policy.

Recommendation 17 states: That the CEO provide a copy of the Shire's Purchasing Policy to relevant members of staff and issue a direction that staff are to ensure compliance with the policy in regard to obtaining the necessary quotations for purchases.

The most current Purchasing and Tendering Policy in circulation at the Shire of Wandering was endorsed by Council in 2007 and is not currently in practice.

COMMENT

The 2007 Purchasing and Tendering Policy was the most recent endorsed Policy that was discoverable in the Shire's records. The Policy has been reviewed and updated to meet the needs of the Shire's operations and to ensure statutory compliance.

All changes incorporated ensure the requirements of the Probity Compliance Audit Report have been achieved. **Attachment 2**

CONSULTATION

Department of Local Government and Communities
Finance and Administration Manager
Works Manager
CRC Coordinator

STATUTORY

Council's role in determining the Local Governments Policies is defined in Section 2.7(2)(b) of the *Local Government Act 1995*.
Regulation 11A & 17 of the Local Government (Functions & General) Regulations 1996.

POLICY IMPLICATIONS

This policy will supersede all versions that have existed previously and will provide sound and compliant direction in regards to purchasing and tender processes at the Shire of Wandering.

FINANCIAL IMPLICATIONS

There are no significant direct financial implications for the current budget as a result of the adoption of the proposed policy; however the changes and directions given will aide in a more effective and practical procurement procedure.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 2 – A robust and Diverse Rural Economy

Outcome 2.2 Sustain and grow our business and industry sector

Goal 5 – A strong and effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance

Strategy 5.2.1: Ensure the Council's decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisation's governance structure, policies and procedures are current and relevant

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Adopt Purchasing and Tendering Policy as per **ATTACHMENT 2**

COUNCIL DECISION – ITEM 10.1.2

MOVED: Cr J McNeil

SECONDED: Cr C Ferguson

That Council:

2. Adopt Purchasing and Tendering Policy as per ATTACHMENT 2

CARRIED 7/0

10.1.3 COMPLIMENT AND COMPLAINTS POLICY

NAME OF APPLICANT:	Shire of Wandering
FILE REFERENCE:	1.1.27
ATTACHMENTS:	Compliment and Complaints Policy and Assoc Documents
AUTHOR:	Amanda O'Halloran, CEO
DATE OF REPORT:	10 May 2015
PREVIOUS MEETING REFERENCE:	Nil

SUMMARY

The Shire is recommending Council's endorsement of its proposed Compliments and Complaints Procedure. On a number of occasions over the last 4 months, it has become evident that there hasn't been a robust Compliments and Complaints procedure in place to ensure quality customer service is maintained.

At the Annual Electors meeting in March, the community voiced their concerns over lack of an adequate feedback mechanism at the Shire and the CEO undertook to implement something over the coming months.

BACKGROUND

Formal Compliment and Complaints processes are important facets of the Shires business. An established feedback mechanism is a valuable tool to assessing how well the organisation is providing services and establishing priority listings. A well-developed complaints handling policy gives an organisation a strategy, guidelines and clear set of directions for handling customer complaints. It is important that, once a complaints handling policy is established, it's important to implement it within the day-to-day operations of the business.

COMMENT

The Compliments and Complaints Policy has been established to improve service response, increase communications with the community and to ensure that ratepayers have a mechanism to feedback their praise and concerns.

The Policy is designed to ensure that Customers are provided with accurate and timely responses. The Policy ensures that compliments and complaints are logged for the public record. It is further proposed to provide Council with monthly updates of feedback received, outcomes and timeframes.

The Policy and associated forms will be available on the Council's website, CRC and at the front counter. Regular marketing of the Policy and its associated mechanisms will occur through the Echo, Shire's Website and bi annual mail outs.

The Shire is keen to foster a positive and cooperative attitude with rate payers.

Attachment 3, 3.1, 3.2 &3.3

CONSULTATION

Finance and Administration Manager
Works Manager
CRC Coordinator

STATUTORY

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 5 – A strong and effective Organisation

Outcome 5.1: Accessible customer Services and information systems.

Strategy 5.1.1: Promote and deliver responsive customer services

Outcome 5.2: Accountable decision making and resource allocation through effective governance

Strategy 5.2.1: Ensure the Council's decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisation's governance structure, policies and procedures are current and relevant

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Adopt Policy 02 Compliments and Complaints Policy as per **ATTACHMENT 3**

COUNCIL DECISION – ITEM 10.1.3

MOVED: Cr W Gowland

SECONDED: Cr J Price

That Council:

1. Adopt Policy 02 Compliments and Complaints Policy as per **ATTACHMENT 3**

CARRIED 7/0

10.1.4 SUPPLY OF COUNCIL AGENDA'S IN ELECTRONIC FORMAT

NAME OF APPLICANT: Shire President Graeme Kerr

FILE REFERENCE: 1.4.8

ATTACHMENTS: Nil

AUTHOR: Amanda O'Halloran, CEO

DATE OF REPORT: 10 May 2015

PREVIOUS MEETING REFERENCE: Nil

SUMMARY

The Shire President has directed Staff to facilitate the implementation of Electronic Agendas and to cease the production of hardcopies at the earliest possible convenience.

This agenda is to formalise the arrangement and to instruct the CEO to proceed with the development of a Policy to support this function of Council.

BACKGROUND

Council have been trialling the implementation of Electronic Agendas over the last 12 months. Laptops have been purchased to support Councillors achieve this goal. Training has been undertaken where required. Most Councillors have embraced the initiative.

COMMENT

The Shire President has instructed Officers of the Shire to fully implement the delivery of Agendas to Councillors in an electronic format. Computers have been purchased and trialled over the last 12 months to support this initiative. Many Councils have undertaken to reduce the unsustainable practice of hard copy delivery of agendas. To fully implement this initiative Councils authorisation is sought.

The physical production of hardcopy Agendas is an onerous operation that drains Council resources. Three Staff are generally involved in the production of the agenda, which incurs considerable cost to photocopy, collate and bind.

Shire Administration Staff are supportive of the initiative which will increase productivity and reduce costs.

CONSULTATION

Shire President
Councillors

STATUTORY

Nil

POLICY IMPLICATIONS

If authorised, will become a policy of Council, to be presented at June 2015 Council Meeting

FINANCIAL IMPLICATIONS

Considerable finance and resource gains will be achieved by the production of electronic agendas.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 5 – A strong and effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance

Strategy 5.2.2: Ensure the organisation's governance structure, policies and procedures are current and relevant

Outcome 5.3: Professional, committed and multi skilled Staff

Strategy 5.3.1: Ensure policies, procedures and systems are current and relevant.

Strategy 5.3.2: Promote new infrastructure that is multifunctional

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Adopt to receive Council Agendas electronically.
2. Instruct the CEO to produce a Council Policy regarding Electronic Agendas at the June 2015 Council Meeting.

COUNCIL DECISION – ITEM 10.1.4

MOVED: Cr G Kerr

SECONDED: Cr B Whitely

That Council:

1. Adopt to receive Council Agendas electronically.
2. Instruct the CEO to produce a Council Policy regarding Electronic Agendas at the June 2015 Council Meeting.

LOST 2/5

10.1.5 AGED CARE HOUSING

NAME OF APPLICANT:	Shire of Wandering
FILE REFERENCE:	34.1.1
ATTACHMENTS:	Minutes – Wheatbelt South Aged Housing Opportunities
AUTHOR:	Amanda O'Halloran, CEO
DATE OF REPORT:	10 May 2015
PREVIOUS MEETING REFERENCE:	Nil

SUMMARY

Council is to consider the pursuit of Aged Housing in Wandering through partnerships with other nearby local governments.

BACKGROUND

The CEO and the Council have had informal discussions regarding the opportunity to increase Aged Care services and housing in Wandering. Locations for units, the desirability of the area and the economic gain for Wandering as a whole have been discussed. Council has indicated in its Community Strategic Plan that Aged Care development is high on its list of priorities.

The CEO was recently approached by Terry Waldron MLA to participate in a regional committee to assess and seek funding to support the development of Aged Care Housing in many of the small towns in the region.

The CEO saw this as a great opportunity to kick start the Council's aspirations and seek support for its goals and aspirations in this area. Aged Care housing and services are being encouraged and supported by Government Agencies and funding bodies and is currently seen as an economic development initiative for the town.

COMMENT

Council has been encouraged to participate with other Local Governments in seeking grant funding for Aged Accommodation Units either through the Wheatbelt Development Commission Royalties for Regions or Regional Development Australia National Infrastructure funds or any other available grants for Aged Accommodation Units

The Chief Executive Officer met with representatives of the Shires of Wickpin, Cuballing and Narrogin, the Town of Narrogin and the Wheatbelt Development Commission in Wickpin on 15th April 2014. The Shire of Corrigin was an apology to this meeting. Minutes of this meeting will be provided to Councillors when they become available.

At this meeting it was discussed that:

- The Councils form a committee to advance the project. Elected Member representatives would

be sought for this committee from member Shires.

- The various Councils are at various stages of readiness. For example:
 - The Shire of Corrigin has submitted an application for units for Corrigin. They have plans and land arranged. They view their application as the first of a multi stage project. They are being advised that a wider application may be more successful.
 - The Shire of Wickepin also has land and plans completed to construct units. The Shire had budgeted to borrow to construct accommodation but are now delaying to make an application for funding;
 - The Shire of Cuballing and Wandering have identified land for aged accommodation and are keen to capitalise on this initiative.
- The Shires of Wandering, Corrigin and Cuballing make a budget allocation of about \$3,000 to contribute to a planning study to justify aged housing in the region. The Shires of Wickepin and Narrogin and the Town of Narrogin are undertaking the study and the other Councils should be able to be included into the study for a fee.
- The facilities in Narrogin are operating at capacity and aged housing in surrounding towns will complement the housing infrastructure for the aged in our region. Narrogin Cottage Homes in general support this proposal.

Attachment 4

Additional housing in Wandering will have a positive economic impact on the Shire of Wandering, through:

- Use of local business during construction; and
- Provision of goods and services to additional residents – increase the capacity to encourage extra services into Wandering – e.g. Doctors services, general store etc.
- Increased sense of community and engagement

CONSULTATION

- Wheatbelt Development Commission
- Shires of Corrigin, Wickepin, Cuballing and Narrogin.
- The Town of Narrogin
- Terry Waldron MLA

STATUTORY

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

There are no immediate financial implications. Council is requested to consider allocating funds in future Council Budgets.

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 1 – A community that is involved and caring

Outcome 1.3: A supportive and inclusive community for people of all ages

Strategy 1.3.2: Support and promote services and facilities to meet the needs of the aged

Strategy 1.3.3: Support and promote activities for the aged

Goal 3 – Development that is in keeping with the rural landscape

Outcome 3.1 – Vibrant rural planning and development

Strategy 3.1.4: Promote diversity in residential and commercial developments

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. Support the joint effort of the Town of Narrogin and Shires of Cuballing, Corrigin, Wickepin, Narrogin and Wandering to obtain funding to construct aged accommodation in our local government boundaries;
2. Participate in a committee or other body overseeing the effort to construct aged accommodation in this region;
3. Appoint Cr _____ as the elected member representative to the committee or other body overseeing the effort to construct aged accommodation in this region;
4. Seek to allocate at least \$3,000 in Council's 2015/16 Budget to participate in completing a review of the demand for aged accommodation in the region.

COUNCIL DECISION – ITEM 10.1.5

MOVED: Cr B Dowsett

SECONDED: Cr J McNeil

That Council:

1. Support the joint effort of the Town of Narrogin and Shires of Cuballing, Corrigin, Wickepin, Narrogin and Wandering to obtain funding to construct aged accommodation in our local government boundaries;
2. Participate in a committee or other body overseeing the effort to construct aged accommodation in this region;
3. Appoint Cr J Price and B Whitely as the elected member representative and proxy to the committee or other body overseeing the effort to construct aged accommodation in this region;
4. Seek to allocate at least \$3,000 in Council's 2015/16 Budget to participate in completing a review of the demand for aged accommodation in the region.

CARRIED 7/0

10.1.6 APPOINTMENT OF BUSH FIRE BRIGADE OFFICERS

NAME OF APPLICANT: Bush Fire Advisory Committee
FILE REFERENCE: 4.1.1
ATTACHMENTS: Bush Fire Advisory Minutes – 9 April 2015
AUTHOR: Amanda O'Halloran, CEO
DATE OF REPORT: 12 May 2015
PREVIOUS MEETING REFERENCE: Nil

SUMMARY

It is a statutory requirement of the Shire to appoint Bush Fire Control Officers for the 2015/16 fire season.

BACKGROUND

The Annual General Meeting of the Shire of Wandering Bush Fire Advisory Committee Meeting was held on Thursday 9 April 2015.

The Brigades had previously held their own AGM's and had nominated Captains and other office bearers. The minutes from these meetings have been submitted to the Bush Fire Advisory Committee.

COMMENT

The Bush Fire Advisory Committee nominated Authorised Officers for the 2015/16 fire season. These nominations now require formalisation and authorisation by Council.

Attachment 5

The following nominations were received and carried by the committee:

- | | |
|----------------------------------------|-----------------------------------------------------------------------------------------------|
| Chief Bush Fire Control Officer | Mr P Monk |
| Deputy Chief Bush Fire Control Officer | Mr M Schorer |
| Vehicle Movement Ban Officers | Mr P Monk
Mr GR Parsons
Mr T Treasure
Cr BE Dowsett
Mr GH Parsons
Mr M Whitely |
| Clover Burning Permit Officers | Mr P Monk
Mr A Turton |
| Fire Control Officers – Hastings | Mr G Parsons
Mr GH Parsons
Mr C Ferguson
Mr R Bostock
Mr A Turton |

Fire Control Officers – Wandering	Mr T Hardie Mr T Treasure Mr G White Mr S Watts Mr BG Hardie
Fire Control Officers – Codjatonine	Mr P Monk Mr M Schorer Mr D Warburton Mr B Penny
Fire Control Officers – Wandering Town	Mr B Whitely
Dual Appointments – Brookton	Mr GR Parsons
Dual Appointments – Brookton	Mr P Monk
Dual Appointments – Pingelly	Mr R Bostock
Dual Appointments – Pingelly	Mr P Monk
Dual Appointments – Cuballing	Mr B Penny
Dual Appointments – Cuballing	Mr P Monk
Dual Appointments – Boddington	Mr T Hardie
Dual Appointments – Boddington	Mr P Monk
Dual Appointments – Williams	Mr T Hardie
Dual Appointments – Williams	Mr P Monk

CONSULTATION

Bush Fire Brigades

STATUTORY

Bush Fires Act 1954

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 5 – A strong and effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance

Strategy 5.2.2: Ensure the organisation's governance structure, policies and procedures are current and relevant

Outcome 5.3: Professional, committed and multi skilled Staff

Strategy 5.3.1: Ensure policies, procedures and systems are current and relevant.

Strategy 5.3.2: Promote new infrastructure that is multifunctional

VOTING REQUIREMENTS

Simple Majority

OFFICER RECOMMENDATION

That Council:

1. That Council authorise the recommendation from the Shire of Wandering Bush Fire Advisory Committee to appoint the following officers to the nominated positions and direct the CEO to advertise in accordance with the Act;

Chief Bush Fire Control Officer	Mr P Monk
Deputy Chief Bush Fire Control Officer	Mr M Schorer
Vehicle Movement Ban Officers	Mr P Monk Mr GR Parsons Mr T Treasure Cr BE Dowsett Mr GH Parsons Ms A O'Halloran
Clover Burning Permit Officers	Mr P Monk Mr A Turton
Fire Control Officers – Hastings	Mr GR Parsons Mr GH Parsons Mr C Ferguson Mr R Bostock Mr A Turton
Fire Control Officers – Wandering	Mr T Hardie Mr T Treasure Mr G White Mr S Watts Mr BG Hardie
Fire Control Officers – Codjatonine	Mr P Monk Mr M Schorer Mr D Warburton Mr B Penny
Fire Control Officers – Wandering Town	Mr B Whitely
Dual Appointments – Brookton	Mr GR Parsons
Dual Appointments – Brookton	Mr P Monk
Dual Appointments – Pingelly	Mr R Bostock
Dual Appointments – Pingelly	Mr P Monk
Dual Appointments – Cuballing	Mr B Penny
Dual Appointments – Cuballing	Mr P Monk
Dual Appointments – Boddington	Mr T Hardie
Dual Appointments – Boddington	Mr P Monk
Dual Appointments – Williams	Mr T Hardie
Dual Appointments – Williams	Mr P Monk

COUNCIL DECISION – ITEM 10.1.6

MOVED: Cr G Kerr
That Council:

SECONDED: Cr C Ferguson

1. That Council authorise the recommendation from the Shire of Wandering Bush Fire Advisory Committee to appoint the following officers to the nominated positions and direct the CEO to advertise in accordance with the Act;

Chief Bush Fire Control Officer	Mr P Monk
Deputy Chief Bush Fire Control Officer	Mr M Schorer
Vehicle Movement Ban Officers	Mr P Monk Mr GR Parsons Mr T Treasure Cr BE Dowsett Mr GH Parsons Ms A O'Halloran
Clover Burning Permit Officers	Mr P Monk Mr A Turton
Fire Control Officers – Hastings	Mr GR Parsons Mr GH Parsons Mr C Ferguson Mr R Bostock Mr A Turton
Fire Control Officers – Wandering	Mr T Hardie Mr T Treasure Mr G White Mr S Watts Mr BG Hardie
Fire Control Officers – Codjatoine	Mr P Monk Mr M Schorer Mr D Warburton Mr B Penny
Fire Control Officers – Wandering Town	Mr B Whitely
Dual Appointments – Brookton	Mr GR Parsons
Dual Appointments – Brookton	Mr P Monk
Dual Appointments – Pingelly	Mr R Bostock
Dual Appointments – Pingelly	Mr P Monk
Dual Appointments – Cuballing	Mr B Penny
Dual Appointments – Cuballing	Mr P Monk
Dual Appointments – Boddington	Mr T Hardie
Dual Appointments – Boddington	Mr P Monk
Dual Appointments – Williams	Mr T Hardie
Dual Appointments – Williams	Mr P Monk

CARRIED 7/0

10.2 BUILDING AND PLANNING REPORTS

10.2.1 PLANNING APPLICATION – NEW SINGLE HOUSE AND CARPORT ON LOT 21 MELLOWS ROAD, WANDERING

NAME OF APPLICANT:	AK Homes Construction
DISCLOSURE OF INTEREST:	Nil
FILE REFERENCE:	A395
Attachments:	Plans 1 to 4
AUTHOR:	Alexander George Thamm – Planning Officer (Shire of Kalamunda)
DATE OF REPORT:	8 th MAY 2015

SUMMARY

This report recommends that a planning application submitted by AK Homes Construction to construct a new 'dwelling' and carport on Lot 21 Mellows Road, Wandering be approved subject to conditions.

BACKGROUND

The applicant is seeking Council's planning approval to construct a new dwelling and carport on Lot 21 Mellows Road, Wandering which is currently vacant.

Lot 21 is located to the north of the Wandering town site, with primary access from Mellows Road which is located near Charlton Road and North Bannister - Wandering Road. The lot falls within the Wandering Downs subdivision and is surrounded by vacant residential lots. The lot comprises a total area of approximately 4.08 Hectares and is zoned Rural-Residential under the Shires LPS No. 3.

Under the terms of the information and plans submitted in support of the application, the following is proposed:

1. Construction of a new 240.90m² three (3) bedroom, two (2) bathroom dwelling comprising of a 6 metre wide by 7 meter long (42 m²) front carport and a 23.25m² patio (see Attachment 1 to3);
2. The dwelling will have a maximum wall height of 2.7 metres and a maximum ridge height of approximately 4m metres;
3. The dwelling will have a minimum setback of 20.37 metres from the southern (side) boundary;
4. The dwelling will have a minimum setback of 49.35 metres from the eastern (front) boundary;
5. The proposed carport will provide two car parking spaces for standard domestic vehicles.
6. All storm water disposal will be disposed of onsite;

COMMENT

Lot 21 Zoning & proposed land use permissibility

Lot 21 is falls within one of the 'Rural-Residential' zones under the Shire of Wandering's current operative Town Planning Scheme No.3 (TPS No.3).

The objectives outlined for rural-residential zoned land within the shire states:

- 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.*

Under the terms of TPS No.3 the development of a 'dwelling' is considered a permitted use under the Shires LPS No. 3 on any land classified under the 'Rural-Residential' zoning. These uses are subject to compliance with the relevant development standards prescribed in TPS No.3.

Compliance with Development Standards

After completing an assessment of the proposal against the development standards prescribed in TPS No.3, it has confirmed that the proposal satisfies all provisions regarding development of a single dwelling on a rural residential zoned lot. The satisfied provisions include sufficient setback distance and building height

Attachment 6 & 6.1

CONCLUSION

It is concluded from a detailed assessment of the application that the proposal to construct a new single house and carport on Lot 21 Mellows Road, Wandering is unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality and may therefore be approved by Council subject to the imposition of a number of conditions to ensure the development proceeds in a proper and orderly manner.

STATUTORY & TOWN PLANNING

Planning & Development Act (2005)
Shire of Wandering Town Planning Scheme No.3

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Community Strategic Plan 2013-2023

Goal 3 – Development that is in keeping with the rural landscape

Outcome 3.1: Vibrant Rural Planning and development.

Strategy 3.1.4: Promote diversity in residential and commercial developments

Goal 5 – A strong and effective Organisation

Outcome 5.1: Accessible customer Services and information systems.

Strategy 5.1.1: Promote and deliver responsive customer services

Outcome 5.2: Accountable decision making and resource allocation through effective governance

Strategy 5.2.1: Ensure the Council's decision making process is effective and transparent

VOTING REQUIREMENTS

Simple majority required.

OFFICER RECOMMENDATION

That the application for planning approval submitted by AK Homes Construction to construct a new single house and carport on Lot 21 Mellows Road, Wandering be **APPROVED** in accordance with the information and plans submitted in support of the application subject to compliance with the following conditions and advice notes:

Conditions

1. The proposed finished floor level of the new single dwelling, carport and associated shed shall not to exceed 500mm above the natural ground unless otherwise approved by Council.
2. The development is to be undertaken in a manner consistent with the information and plans submitted in support of the application.
3. The proposed crossover and all on-site vehicle access ways shall be constructed and maintained to the specifications and satisfaction of the Shire of Wandering.
4. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Wandering.
5. The proposed development shall be provided with an adequate on-site effluent disposal system constructed and maintained to the specifications and satisfaction of the Shire of Wandering.

Advice Notes

1. The development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Wandering having first been sought and obtained.
2. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
3. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
4. No construction works shall commence on the land prior to 7am without the Shire's written approval.
5. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Wandering Town Planning Scheme No.3 and may result in legal action being initiated by the local government.

COUNCIL DECISION – ITEM 10.2.1

MOVED: Cr B Dowsett

SECONDED: Cr J McNeil

That Council:

That the application for planning approval submitted by AK Homes Construction to construct a new single house and carport on Lot 21 Mellows Road, Wandering be **APPROVED** in accordance with the information and plans submitted in support of the application subject to compliance with the following conditions and advice notes:

Conditions

6. The proposed finished floor level of the new single dwelling, carport and associated shed shall not to exceed 500mm above the natural ground unless otherwise approved by Council.
7. The development is to be undertaken in a manner consistent with the information and plans submitted in support of the application.
8. The proposed crossover and all on-site vehicle access ways shall be constructed and maintained to the specifications and satisfaction of the Shire of Wandering.
9. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Wandering.
10. The proposed development shall be provided with an adequate on-site effluent disposal system constructed and maintained to the specifications and satisfaction of the Shire of Wandering.

Advice Notes

6. The development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Wandering having first been sought and obtained.
7. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
8. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
9. No construction works shall commence on the land prior to 7am without the Shire's written approval.
10. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Wandering Town Planning Scheme No.3 and may result in legal action being initiated by the local government.

CARRIED 7/0

10.3 COMMUNITY SERVICES REPORTS**10.3.1 WANDERING COMMUNITY RESOURCE CENTRE ACTION PLAN 2015/2016**

FILE REFERENCE:	18.1.29
DISCLOSURE OF INTEREST:	Nil
DATE:	13 May 2015
AUTHOR:	Monica Treasure, Community Resource Centre Coordinator
SENIOR OFFICER:	Amanda O'Halloran, Chief Executive Officer

Summary

In accordance with the Community Service Agreement between the Department of Regional Development and the Shire of Wandering an action plan for the 2015/2016 year is to be received by the Department of Regional Development no later than the 1 June, 2015.

The Action Plan states the activities and operational requirements to ensure the CRC meets its contracted service levels.

Background

The Wandering Community Resource Centre has a three year contract with the Department of Regional Development to provide contracted services under three outcomes:

- Government and Community information and services
- Economic and Business development initiatives
- Social development initiatives.

The first year of contract is coming to completion and as per the agreement, a new Action Plan for the next financial year 2015/2016 is to be received by the 1 June 2015.

The action plan is a summary of the projects/tasks the Shire will undertake to meet the service level outcomes that are contracted. It is required to state the aims of the project, key persons responsible and the timeframe in which the projects will be completed.

The outcomes of the projects are reported against a statistical return every quarter to the Department of Regional Development.

Comment

The Wandering CRC Action plan has been tailored to meet the demands of the Wandering community in line with the Shire's Strategic Plan. Projects such as Business After Hours, Women Who Work are events that are targeted to improve the community's economic health and build their capacity. Social outcomes like Summertime Movies, School Holiday Activities and Men's Health Night help build positive relationships and social cohesion. Events and activities are targeted to deliver services and opportunities to all facets of the community and meet generational expectations. These activities and initiatives will further develop Wandering into a vibrant and sustainable community.

The Shire of Wandering CRC Action Plan 2015/2016 is attached for Councillors to review.
ATTACHMENT 7

Consultation

Contract Manager; Department of Regional Development
Chief Executive Officer
Wandering Community Representatives

Statutory Environment

Council has entered into an agreement for 3 years with the Department of Regional Development - Community Services Request DRDCS14001 for Community Resource Network Services – this is a legally binding contract

Policy Implications

Nil

Financial Implications

Any financial implications are addressed within the 2015/2016 budget

Strategic Implications

Community Strategic Plan 2013-2023

Goal 1 – A Community that is involved and caring

- Outcome 1.1 Community facilities that support the community
- Outcome 1.2 A community that celebrates and participates together
- Outcome 1.3 A supportive and inclusive community for people of all ages

Voting Requirement

Simple Majority

Officer Recommendation

That Council:

1. Endorse the Wandering CRC Action Plan for 2015/2016 and authorise the CEO to distribute it to the Department of Regional Development and the Community.

COUNCIL DECISION – ITEM 10.3.1

MOVED: Cr B Whitely

SECONDED: Cr J Price

That Council:

1. Endorse the Wandering CRC Action Plan for 2015/2016 and authorise the CEO to distribute it to the Department of Regional Development and the Community.

CARRIED 7/0

10.4 CORPORATE SERVICES

10.4.1 FINANCIAL STATEMENTS FOR THE PERIOD ENDED

FILE REFERENCE: 10.1.16

DISCLOSURE OF INTEREST: Nil

DATE: 12 May 2015

AUTHOR: Durga Ojha, Manager Finance & Administration

Summary

In accordance with Regulation 34 of the Local Government (Financial Management) Regulations, the Shire is to prepare a monthly Statement of Financial Activity for consideration by Council.

The monthly Financials for the month of April 2015 are presented for Councils consideration.

Background

In accordance with Local Government (Financial Management) Regulation 1996 34(1), local governments are required to prepare, each month, a statement of financial activity reporting on revenue and expenditure for the month in question.

The statement of financial activity is to be presented at an ordinary meeting of council within two (2) months after the end of the month to which the statement relates.

The statement of financial activity for the period's ending 30 April 2015, financial statements, bank reconciliation and list of accounts paid for the period's ending 30 April 2015 are hereby presented for Council's information.

Comment

Council is requested to accept the monthly statement of financial activity, financial statements, bank reconciliation and list of payments as presented.

Monthly Financial Report for the period ending 30 April 2015

ATTACHMENT 8

Consultation

Chief Executive Officer
Finance Officer

Statutory Environment

Section 6.4 Local Government Act 1995, Part 6 – Financial Management, and regulation 34 Local Government (Financial Management) Regulation 1996.

Policy Implications

Nil

Financial Implications

Financial implications and performance to budget are reported to Council on a monthly basis

Strategic Implications

Community Strategic Plan 2013-2023

Goal 5 – A strong and Effective Organisation

Outcome 5.2: Accountable decision making and resource allocation through effective governance.

Strategy 5.2.1: Ensure Councils decision making process is effective and transparent

Strategy 5.2.3: Ensure appropriate funds are available to implement current and future action plans

Voting Requirement

Simple Majority

Officer Recommendation

That Council

1. Endorse all Cheque, EFT, BPay, wages, transport payments, transfers to investments, credit card payments and other direct debits and transfers as listed from the Municipal and Trust Fund totalling \$133,308.19 for the period ending 30 April 2015
2. Receive the bank reconciliations for the period ended 30 April 2015
3. Receive the financial statements for the period ended 30 April 2015

COUNCIL DECISION – ITEM 10.4.1

MOVED: Cr B Dowsett

SECONDED: Cr C Ferguson

That Council:

1. Endorse all Cheque, EFT, BPay, wages, transport payments, transfers to investments, credit card payments and other direct debits and transfers as listed from the Municipal and Trust Fund totalling \$133,308.19 for the period ending 30 April 2015
2. Receive the bank reconciliations for the period ended 30 April 2015
3. Receive the financial statements for the period ended 30 April 2015

CARRIED 7/0

10.4.2 ADDRESSING RECOMMENDATION 2 & 3 FROM THE PROBITY AUDIT REPORT DATED 2 APRIL 2015 IN RELATION TO RATES

FILE REFERENCE: 10.1.16

DISCLOSURE OF INTEREST: Nil

DATE: 8 May 2015

PREVIOUS MEETING REFERENCE: Item 13.1; 16 April 2015

AUTHOR: Durga Ojha, Manager Finance & Administration

Summary

Council needs to address the recommendations two and three in relation to rates as addressed in the probity audit report dated 2 April 2015.

Background

The Council is aware of the probity audit report dated 2 April 2015 which highlighted errors in our rating methodology, namely GRV incorrect rates in the dollar and GRV & UV minimum rates (as raised in 2014/15 rates billing).

As per the following recommendations from the probity audit report:

- 1 "That 2014/15 rates on the 40 GRV - Residential properties which were incorrectly based on a rates in the dollar of 6.5 cents, be reassessed at the rate of 7.5 cents imposed and new rates notices issued. As an alternative to issuing new rate notices, the Council may consider resolving to write-off the additional rates or to grant a concession to affected properties equivalent to the additional rates"
- 2 "That the rates record be amended to remove the minimum payments of \$850 and \$1,700 unlawfully levied on the two Special Use and six Mining properties respectively; and new rate notices issued and refunds made where necessary."

Comment

In addressing the above recommendations, Council agreed at the 16 April Ordinary Meeting to do the following:

- 1 "Review and prepare a report for Council at the May 2015 Ordinary Meeting of Council. Consider the implications and make recommendations to resolve this matter prior to the end of the financial year 2015."
- 2 Review and prepare a report for Council at the May 2015 Ordinary Meeting of Council. Consider the implications and make recommendations to resolve this matter prior to the end of the financial year 2015.

The Manager of Finance & Administration, Durga Ojha, has conducted an investigation in relation to the implications associated with each recommendation and suggests the following actions:

Item 1 – As per Item 8.1 - 17 July 2014 Ordinary Meeting of Council - 2014/15 Budget, Council resolved to adopt the rate in the dollar for GRV residential at 7.5 cents. However when rates notices were sent to rate payers, 6.5 cents rate in the dollar was levied. Therefore 40 GRV properties with the Gross Rental Value of \$490,534 were under rated by 1 cent in dollar. This equates to \$4,905 worth of rates not being levied.

Item 2 – Similarly, as per agenda item 8.1 – 17 July 2014 Ordinary Meeting of Council – 2014/15 Budget, Council has adopted to levy \$700 as the minimum rate for two (2) GRV special use properties and \$850 for six (6) UV mining tenements. However when rate notices were sent, \$850 minimum rates were levied for those two GRV special use properties and \$1,700 were levied for 6 mining tenements. Therefore two (2) GRV special use properties were overrated by \$300 and six (6) UV mining tenements were overrated by \$5,100 collectively.

It is suggested that the Council address these problems in the following manner;

Item 1: It would be in the best interests of the Council to write off the additional rates not levied to save large administrative cost and negative community perceptions towards the council for a minimal gain.

Item 2: Since the Council levied the incorrect amount of minimum rates adopted as part of 2014/15 Budget. The Local Government Act 1995 section 6.35 states that the Council has no option than to refund the overcharged rates for Two (2) Special Use GRV properties and six (6) UV rated Mining tenements.

Consultation

Chief Executive Officer
Manager of Finance & Administration

Statutory Environment

Section 6.35 Local Government Act 1995,

Policy Implications

Nil

Financial Implications

Item 1 – If the council decided to writes off the additional rates which would be levied as 7.5 in a dollar as against 6.5 was levied for forty (40) GRV properties with the Gross Rental Value of \$490,534. This equates to the write off of \$4,905.

Item 2- To rectify item two the council need to refund two (2) special use GRV equals the amount of \$300 and six (6) UV rated mining tenements equals the amount \$5,100

Strategic Implications

Community Strategic Plan 2013-2023

Goal 5 – A strong and effective Organisation

Outcome 5.1: Accessible customer Services and information systems.

Strategy 5.1.1: Promote and deliver responsive customer services

Outcome 5.2: Accountable decision making and resource allocation through effective governance

Strategy 5.2.1: Ensure the Council's decision making process is effective and transparent

Strategy 5.2.2: Ensure the organisation's governance structure, policies and procedures are current and relevant

Voting Requirement

Absolute Majority

Officer Recommendation

That Council:

1. Write off the \$4,905.00 which is the short fall of GRV residential rates being levied at 6.5 cents in the dollar instead of 7.5 cents in the dollar.
2. Refund the incorrect rates levied on two (2) Special Use GRV properties at \$150 each equals top \$300.00 in total and six (6) UV rated Mining Tenements at \$850 each to a total of \$5,100.00.

COUNCIL DECISION – ITEM 10.4.2

MOVED: Cr B Whitely

SECONDED: Cr W Gowland

That Council:

1. Write off the \$4,905.00 which is the short fall of GRV residential rates being levied at 6.5 cents in the dollar instead of 7.5 cents in the dollar.
2. Refund the incorrect rates levied on two (2) Special Use GRV properties at \$150 each equals top \$300.00 in total and six (6) UV rated Mining Tenements at \$850 each to a total of \$5,100.00.

CARRIED 5/2

- 11 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
Nil

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

COUNCIL DECISION – ITEM 12.1

MOVED: Cr J McNeil

SECONDED: Cr B Whitely

That Council considers the following new business of an urgent nature

**12.1 PLANNING APPLICATION – NEW OUTBUILDING ON LOT 14 CHARLTON ROAD,
WANDERING**

12.2 ROAD PROGRAM 2015 - 2020

CARRIED 7/0

COUNCIL Resolution to break for Afternoon Tea

MOVED: Cr B Dowsett

SECONDED: Cr B Whitely

That the Meeting be adjourned for 15 minutes for afternoon tea at 3.07pm

CARRIED 7/0

COUNCIL Resolution to recommence the Meeting

MOVED: Cr W Gowland

SECONDED: Cr J Mc Neil

That the Meeting to recommence at 3.34pm

CARRIED 7/0

**12.1 PLANNING APPLICATION – NEW OUTBUILDING ON LOT 14 CHARLTON ROAD,
WANDERING**

NAME OF APPLICANT: Carol and Warwick Bailey

FILE REFERENCE: TBC

Attachments: Plans 1 to 3

**AUTHOR: Alexander George Thamm – Planning Officer (Shire of
Kalamunda)**

DATE OF REPORT: 15 of May 2014

SUMMARY

This report recommends that a planning application submitted by Carol and Warwick bailey to construct a new outbuilding (shed) and water tank on Lot 14 Charlton Road, Wandering be approved subject to conditions.

BACKGROUND

The applicant is seeking Council's planning approval to construct a new outbuilding and associated water tank on Lot 14 Charlton Road, Wandering.

Lot 14 is located to the north of the Wandering town site, with primary access from Mellows Road which is located near Charlton Road and North Bannister - Wandering Road. The lot falls within the Wandering Downs subdivision and is surrounded by vacant residential lots. The lot comprises a total area of approximately 2.0 Hectares and is zoned Rural-Residential under the Shires LPS No. 3 (See Attachment 1).

Under the terms of the information and plans submitted in support of the application the following is proposed:

7. Construction of a new 164.5m² Zincalume outbuilding, measuring 9.4 metres by 17.5 metres (See Attachment 2);
8. Construction of a water tank to the south of the proposed dwelling, measuring a total area of 164.5m² (See Attachment 3);
9. The proposed outbuilding will be used for domestic storage and hobby purposes;
10. All storm water disposal will be disposed of onsite;

COMMENT

Lot 14 Zoning & proposed land use permissibility

Lot 14 is classified 'Rural-Residential' zone under the Shire of Wandering's current operative Town Planning Scheme No.3 (TPS No.3).

The objectives outlined for rural-residential zoned land within the shire states:

- e) *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.*
- f) *To generally select areas that are within approximately 8 kilometres of the town of Wandering to facilitate the provision of services to residents.*
- g) *To make provision for retention of the rural landscape and amenity in a manner consistent with the orderly and proper planning of such areas.*
- h) *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.*

Under the terms of TPS No.3 the development of an outbuilding on a vacant lot could be considered a prohibited use (an 'X' use) on any land classified under the 'Rural-Residential' zoning if deemed to meet the land use definition 'Storage Yard' under the Shires LPS No. 3. The definition is as follows

"Storage yard"

- *Means premises used for the storage of goods, equipment, plant or materials related to a particular trade.*

However for all intents purposes, the outbuilding is associated with the future development of a single house and is reflective of an ancillary outbuilding. The justification given for withholding the application for the new residence primarily relates to the transitioning between the landowners current urban lifestyle to their future rural lifestyle and undecided allocation of a serviceable area for the future septic system.

Compliance with Development Standards

After completing an assessment of the proposal against the development standards prescribed in TPS No.3 and the Shire's current 'Outbuildings' policy, the assessment has confirmed that it satisfies the majority of standards except for the following:

1. The total area of the proposed new shed (i.e. 'outbuilding') exceeds the maximum permitted area prescribed for an outbuilding of zincalume construction in the Shire's 'Outbuildings' policy (i.e. 164.5 m² in lieu of 85m²);

The following points elaborate on the non-compliance issues outlined above:

Point 1: Outbuildings Policy Clause (a) (ii) – 'Size of Outbuildings'

Within the Shire's 'Outbuildings' policy the maximum allowable floor area for any zincalume outbuilding is limited to 85 m² on properties zoned Rural-Residential

The Shire must consider whether or not to approve this proposed variation to the requirements of Shire's 'Outbuildings' policy and must determine whether or not the size of the new shed on Lot 16 is likely to have a detrimental impact upon the amenity and character of the immediate locality

It is concluded from a detailed assessment of the application that the proposed variation is unlikely to have any adverse impacts for the following reasons:

- i) The new shed will not have any adverse impacts on the local streetscape in terms of its bulk and scale due to its location and orientation towards Charlton Road at the front of the lot as it meets the prescribed setbacks with the Shires TPS No. 3; and
- ii) The new shed provides for the effective use of all available space on the land which will benefit its future occupants

CONCLUSION

It is concluded from a detailed assessment of the application that the proposal to construct a new single outbuilding (shed) and water tank on Lot 14 Charlton Road, Wandering is unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality. However consideration should be given as to whether approve a domestic outbuilding on a vacant lot. As the proposed development will allow easier transition for the landowners from their current place of residence to Lot 14

Charlton Road the application is recommended to be approved by Council subject to the imposition of a number of conditions to ensure the development proceeds in a proper and orderly manner.

STATUTORY & TOWN PLANNING

Planning & Development Act (2005)

Shire of Wandering Town Planning Scheme No.3

POLICY IMPLICATIONS

Shire of Wandering Local Planning Policy – *'Outbuildings: Residential & Rural Residential Zones'*

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple majority required.

OFFICER RECOMMENDATION

That the application for planning approval submitted by the applicant and owners Carol and Warwick Bailey to construct a new outbuilding (shed) and water tank on Lot 14 Charlton Road, Wandering be **APPROVED** in accordance with the information and plans submitted in support of the application subject to compliance with the following conditions and advice notes:

Conditions

11. The proposed finished floor level of the new shed shall not to exceed 500mm above the natural ground unless otherwise approved by Council.
12. The development is to be undertaken in a manner consistent with the information and plans submitted in support of the application.
13. The proposed crossover and all on-site vehicle access ways shall be constructed and maintained to the specifications and satisfaction of the Shire of Wandering.
14. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Wandering.
15. The new shed shall have a maximum wall height of 3.0 metres and a maximum roof height of 4.0m metres.
16. The new shed shall be of zincalume construction with a total floor area not exceeding 164.5m².
17. The new shed shall be used for domestic purposes only unless otherwise approved by Council.
18. A Schedule 6 – Application for Planning Approval for a new single house shall be submitted to the Shire of Wandering within 18 months of the completion of the outbuilding (Shed).

Advice Notes

11. The development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Wandering having first been sought and obtained.
12. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
13. The new outbuilding (shed) are required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.
14. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
15. No construction works shall commence on the land prior to 7am without the Shire's written approval.
16. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Wandering Town Planning Scheme No.3 and may result in legal action being initiated by the local government.

COUNCIL DECISION – ITEM 12.1

MOVED: Cr J Price

SECONDED: Cr B Dowsett

That the application for planning approval submitted by the applicant and owners Carol and Warwick Bailey to construct a new outbuilding (shed) and water tank on Lot 14 Charlton Road, Wandering be **APPROVED** in accordance with the information and plans submitted in support of the application subject to compliance with the following conditions and advice notes:

Conditions

19. The proposed finished floor level of the new shed shall not to exceed 500mm above the natural ground unless otherwise approved by Council.
20. The development is to be undertaken in a manner consistent with the information and plans submitted in support of the application.
21. The proposed crossover and all on-site vehicle access ways shall be constructed and maintained to the specifications and satisfaction of the Shire of Wandering.
22. All stormwater generated by the proposed development shall be managed and disposed of to the specifications and satisfaction of the Shire of Wandering.
23. The new shed shall have a maximum wall height of 3.0 metres and a maximum roof height of 4.0m metres.
24. The new shed shall be of zincalume construction with a total floor area not exceeding 164.5m².
25. The new shed shall be used for domestic purposes only unless otherwise approved by Council.
26. A Schedule 6 – Application for Planning Approval for a new single house shall be submitted to the Shire of Wandering within 18 months of the completion of the outbuilding (Shed).

Advice Notes

17. The development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Wandering having first been sought and obtained.
18. A completed building permit application must be submitted to and approved by the Shire's Building Surveyor prior to the commencement of any construction on the land.
19. The new outbuilding (shed) are required to comply in all respects with the National Construction Code of Australia. Plans and specifications which reflect these requirements are required to be submitted with the building permit application.
20. The noise generated by any activities on-site including machinery motors or vehicles shall not exceed the levels as set out under the Environmental (Noise) Regulations 1997.
21. No construction works shall commence on the land prior to 7am without the Shire's written approval.
22. Failure to comply with any of the conditions of this planning approval constitutes an offence under the provisions of the *Planning and Development Act 2005* and the Shire of Wandering Town Planning Scheme No.3 and may result in legal action being initiated by the local government.

LOST 7/0

12.2 ROAD PROGRAM 2015 - 2020

Name of Applicant: Shire of Wandering

File Reference: 33.1.12

Author: Amanda O'Halloran CEO

Date of Report: 20 May 2015

Previous Meeting Reference: Nil

Summary

Council are requested to adopt, a five year road construction and maintenance program to align with Councils Strategic, Asset Management and Long Term Financial Plans.

Background

Council has a need to implement a 5 year Road Construction and Maintenance plan. The reasons being for Strategic Direction, Staff Planning, to apply for funding and general planning and direction from Council to achieve the best Asset Preservation Model for Councils Road Network.

Comment

A full investigation has been done on the best way forward for Councils future road works. Council has three main fund funding sources, outside its own contribution, these being:-

- **Regional Road Group.** This is State money distributed by the Regional Road Group. To access these funds Council must apply through a process outlined in the Groups MCA Manual. These funds being contested means that Council's application must achieve a high point's score. This is achieved by high road traffic counts, use of road e.g. school bus route or heavy haulage route. Improvement treatment details such as improved geometry, drainage, environmental etc. These funds are allocated on a one third Council two thirds MRWA. This money can be spent only on roads listed in the Roads 2025 Document. Applications must be made by each September for the next financial year.
- **Roads to Recovery.** This is Federal money distributed at a set rate per year this Council's allocation is \$101,000 per year. This money is to be spent on any council road over and above Regional Road Group and Council's funding.
- **Black Spot.** These Funds are distributed through MRWA. To access these funds application must be made highlighting the treatment needed to remedy a dangerous section of road. A safety audit by a qualified person must be submitted with the application. Applications must be made by June 30 for the next financial year.

As can be seen by approving a long term plan staff can do all the preliminary investigations required to apply for funds. It also defines the way forward for Council in regards to future road works.

Roads selected have been taken from other Council Documents and applications made on behalf of Council

Attachments

Consultation

CEO

Works Manager

Statutory Environment

Main Roads Regional Road Group, Roads to Recovery.

Financial Implications

Council makes allowances for road works under the Activity of Transport in each year's budget. For example in 2015-2016 Budget:

	MRWA/Federal	COUNCIL
• RRG		
North Bannister – Wandering Road	\$194,167	\$97,083
Fourteen Mile Brook Road	\$135,833	\$67,937
• Roads To Recovery	\$101,098	
• Black Spot	\$523,548	
• Maintenance		\$404,000
• Mulching	\$ 47,600	

This equates to a total road construction and maintenance program of \$1,571,266

Strategic Implications

Community Strategic Plan 2013-2023

Goal 4 – Infrastructure and services that are well planned and delivered.

Outcome 4.1: Infrastructure that is well constructed, maintained and utilised

Strategy 4.1.1: Maintain and further develop roads at appropriate standards

Strategy 4.1.2: Develop a strategy for the effective management of Shire owned land and buildings

Strategy 4.1.3: Ensure Shire facilities and buildings are maintained to agreed levels of service

Strategy 4.1.4: Develop asset management plans for all Shire infrastructure and assets that consider current and future needs and are linked to the Long Term Financial Plan

Policy Implications

There are no policy implications.

Voting Requirement

Simple Majority Required

Recommendation

That Council:

1. Adopt the 5 Year Roads Construction and Maintenance Plan as attached
2. Review the plan annually in line with the Annual Budget process.

COUNCIL DECISION – ITEM 12.2

MOVED: Cr J Price

SECONDED: Cr B Dowsett

That Council:

1. Adopt the 5 Year Roads Construction and Maintenance Plan as attached
2. Review the plan annually in line with the annual Councillor Road Inspection held in March.

CARRIED 7/0

Officer resolution was amended to confirm the timeframe for the annual inspection and to ensure that it coincided with established Council process.

13 CONFIDENTIAL ITEMS

COUNCIL Resolution to Close the Meeting

MOVED: Cr W Gowland

SECONDED: Cr B Whitely

That Council:

That Council close the meeting to the public at 3.50 pm pursuant to sub section 5.23 (2) (e) of the Local Government Act 1995.

CARRIED 7/0

13.1 CONTRACTUAL MATTERS CHIEF EXECUTIVE OFFICER

File Reference: 1.2.1.31

**Authors Name
And Position:** Amanda O'Halloran CEO

**Name of Applicant
Respondent:** Nil

**Disclosure of Financial
Interest:** Yes, This Item refers to CEO's Contract

**Previous Meeting
Reference:** Nil

Report/Attachment is Confidential as per Local Government Act 1995, Section 5.23 (2)(a).

COUNCIL DECISION 13.1

MOVED: Cr J Price

SECONDED: Cr B Whitely

That Council:

1. NOTE the information provided, discuss with the CEO progress achieved over the four months since employment commenced and give guidance on areas requiring more or less emphasis
2. INVITE the CEO to submit an update on progress to the July 2015 meeting of the Council as the basis of considering the transition from the "probationary period to the substantive contract
3. INVITE the CEO to recommend to the July meeting of the Council a detailed process for the on-going review of performance of the Chief Executive Officer

CARRIED: 7/0

COUNCIL Resolution to Open the Meeting

MOVED: Cr C Ferguson

SECONDED: Cr B Whitely

That Council re-open the meeting to the public at 4.29 pm pursuant to sub section 5.23 (2) (e) of the Local Government Act 1995 and read the resolution passed if any public are present.

CARRIED: 7/0

14 TIME AND DATE OF NEXT MEETING

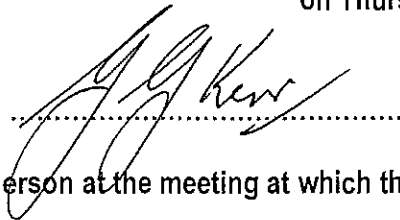
Next Ordinary Council meeting to be held on Thursday 18 June 2015 at 1:30pm

15 CLOSURE OF MEETING

The Shire President declared the meeting closed at 4.31pm

These Minutes were confirmed at the Ordinary Council Meeting
on Thursday 18 June 2015.

Signed:



Presiding Person at the meeting at which the minutes were confirmed

Date:

18-06-2015.

