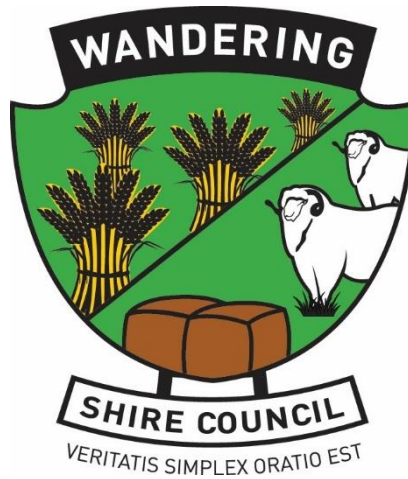




AGENDA

Special Council Meeting

Wednesday 05 August 2026

3:30pm

Council Chambers, 22 Watts Street, Wandering

OUR VISION

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

This Ordinary Council Meeting will be recorded in line with Section 5.23A of the *Local Government Act 1995*.

Electronic copies of minutes and agendas are available for download from the Shire of Wandering website www.wandering.wa.gov.au

Notice of Meeting

Dear Elected Members, Residents and Ratepayers,

A Special Council Meeting of the Shire of Wandering will be held on Wednesday 05 August 2026 in the Council Chambers commencing at 3:30pm. The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

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.

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.



Dr Alistair Pinto
Chief Executive Officer

29 July 2026

INFORMATION FOR THE PUBLIC ATTENDING COUNCIL MEETINGS

PUBLIC QUESTION TIME:

The Shire of Wandering welcomes community participation during public question time.

1. All Council meetings are open to the public, except for matter raised by Council under “Confidential Reports”.
2. Members of the public may ask a question at an ordinary Council Meeting under “Public Question Time”.
3. A member of the public who raises a question during question time must:
 - a. be in attendance at the meeting.
 - b. first state their name and address.
 - c. direct the question to the Presiding Member.
 - d. ask the question briefly and concisely.
 - e. limit any preamble to matters directly relevant to the question and
 - f. ensure that the question is not accompanied by any expression of opinion, statement of fact or other comment, except where necessary to explain the question.
4. Each member of the public is entitled to ask a maximum of 3 questions. Questions must be related to the items on the agenda only. Questions on items not related to the agenda, within the remit of the local government, may be taken on notice and a response provided after the meeting.
5. Written notice of each question should be given to the Chief Executive Officer a minimum of one working day prior to the commencement of the meeting. Questions may be submitted via email to reception@wandering.wa.gov.au or submitted in written format at the Shire Office reception. A summary of each question and the response will be included in the meeting minutes.
6. When a question is unable to be answered at the Council Meeting a written answer will be provided prior to the next ordinary meeting of Council.

Council Meeting Information:

Councillors may from time to time have a financial interest in a matter before Council. Councillors must declare an interest and the extent of the interest in the matter on the agenda. The Councillor must leave the meeting whilst the matter is discussed and cannot vote on the agenda item.

Members of staff, who have delegated authority from Council to act on certain matters, may from time to time have a financial interest in a matter on the agenda. The member of staff must declare that interest and generally the presiding member of the meeting will advise the Officer if he/she is to leave the meeting.

Should an elector wish to have a matter placed on the agenda the relevant information should be forwarded to the Chief Executive Officer two weeks prior to an ordinary council meeting to allow the matter to be fully researched by a Shire Officer. An agenda item, including a recommendation, will then be submitted to Council for consideration. The agenda closes the Friday week prior to the Council Meeting (i.e. ten (10) days prior to the meeting).

Agendas for Ordinary Council Meetings are available on the Shire website seventy-two (72) hours prior to the meeting and the public are invited to view a copy at the Shire Office. Printed copies can be made available from the Shire Administration Office for a printing fee, as per the Fees and Charges Schedule.

Agenda items submitted to Council will include a recommendation for Council consideration. Electors should not interpret and/or act on the recommendations until after they have been considered by Council. Please note the Disclaimer on page 2.

Public Inspection of Unconfirmed Minutes (Regulation 13) - A copy of the unconfirmed Minutes of Ordinary and Special Council Meetings will be available for public inspection from the Shire of Wandering Office and the Shire of Wandering website within ten (10) working days after the Meeting.

Dr. Alistair Pinto
Chief Executive Officer

TABLE OF CONTENTS

1.	DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS	5
2.	RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE	5
2.1	Attendance	5
2.2	Apologies	5
3.	PUBLIC QUESTION TIME	5
4.	PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS	5
5.	DISCLOSURE OF INTEREST	5
6.	CHIEF EXECUTIVE OFFICER REPORTS	6
6.1	Proposed Sale of Industrial Lots - Lot 11 on Deposited Plan 424646	6
6.2	Proposed Sale of Industrial Lots - Lot 12 on Deposited Plan 424646	8
7.	CLOSURE OF MEETING	11

1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member to declare the meeting open.

2. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE

2.1 Attendance

Elected Members

Cr. Sheryl Little	Shire President (Presiding Member)
Cr. Alan Price	Deputy President
Cr. Lou Cowan	
Cr. Gillian Hansen	
Cr. Peter Latham	
Cr. Andrew Thompson	

Staff

Dr. Alistair Pinto	Chief Executive Officer
Karl Mickle	Operations Manager

Members of the Public

2.2 Apologies

2.3 Leave of Absence

3. PUBLIC QUESTION TIME

4. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

5. DISCLOSURE OF INTEREST

Name	Item No.	Interest	Nature

6. CHIEF EXECUTIVE OFFICER REPORTS

6.1 Proposed Sale of Industrial Lots - Lot 11 on Deposited Plan 424646

File Reference:	N/A
Date:	29 July 2026
Location:	Shire of Wandering
Applicant:	N/A
Author:	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	CONFIDENTIAL: Contract for Sale of Land Lot 11
Previous Reference:	N/A

Summary:

Council to consider the proposed sale of Lot 11 in the Shire of Wandering Light Industrial Area.

Background:

The Shire has undertaken the development of additional industrial lots within the Light Industrial Area (LIA) to increase the availability of industrial land and support economic development within the district.

Upon completion of the subdivision and development works, the Shire obtained independent market valuations for the lots from a qualified valuer.

Council has resolved to dispose of the industrial lots and has engaged Elders Real Estate Narrogin to market and facilitate the sale of the lots on the Shire's behalf.

Comment:

The purchaser's name and sale price for this industrial lot is not being disclosed at this stage. The Shire has advertised multiple lots for sale and this disclosure could prejudice future negotiations and undermine the Shire's commercial position, whilst competing purchasers are still in the market.

Following sale of all currently advertised industrial lots the purchasers and sale prices, can be made available upon request.

Consultation:

Executive Team
Shire Councillors

Council has had several discussions in relation to the sale of these industrial lots over General Planning Forum meetings, since the start of the calendar year.

As part of this, Council discussed the addition of special conditions for sale and/or caveats on the titles. The intention was to;

- To encourage timely development of the lots post sale.
- To protect the Shire's strategic planning objectives.
- To provide enforcement leverage, if sale conditions are not met.
- To improve fairness and transparency about obligations and timelines to purchasers at the start of the process.

In determining the pricing methodology for the industrial lots, Council considered the costs of land development, marketing and disposal expenses, and other relevant commercial factors to establish a competitive sale price and maximise recovery of the Shire's investment.

Statutory Environment:

The proposed disposal of Lot 11 is subject to the requirements of Section 3.58 of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996. Execution of the Contract of Sale and Transfer of Land documentation is to be undertaken in accordance with Section 9.49A of the Local Government Act 1995.

Policy Implications:

The following policy is relevant to this item:
Policy 22 - Use of Common Seal.

Financial Implications:

The Shire will incur costs to advertise and dispose of the industrial lots. Council has made provision for this expenditure within the adopted 2026-2027 Annual Budget.

Strategic Implications:

Improve Our Financial Position

Our Goals	Our Strategies
The Wandering Shire is financially sustainable	• Improve accountability and transparency. • Develop an investment strategy that plans for the future and provides cash backed reserves to meet operational needs. • Prudently manage our financial resources to ensure value for money. • Reduce reliance on operational grants.

Risk Implications:

Risk	Low
The Shire is not reliant on the sale of the industrial lots for revenue generation in the 2026-2027 financial year. The offer includes all special conditions required by the Shire, which have been accepted by the buyer.	

Voting Requirements:

Absolute Majority

Officer Recommendation:

That Council:

1. Accept the offer received for Lot 11 on Deposited Plan 424646 for the purchase price detailed in the confidential report.
2. Authorise the Chief Executive Officer to execute all documentation necessary to complete the transaction.
3. Authorise the application of the Common Seal where required.

Moved: _____

Seconded: _____

Carried

For/Against: Cr Little ☐ Cr Price ☐ Cr Cowan ☐ Cr Hansen ☐ Cr Latham ☐ Cr Thompson ☐

6.2 Proposed Sale of Industrial Lots - Lot 12 on Deposited Plan 424646

File Reference:	N/A
Date:	31 July 2026
Location:	Shire of Wandering
Applicant:	N/A
Author:	Chief Executive Officer
Authorising Officer	Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	CONFIDENTIAL: Contract for Sale of Land Lot 12 CONFIDENTIAL: Buyers' block proposal
Voting Requirements:	Absolute Majority
Previous Reference:	Nil

Summary:

Council to consider the proposed sale of Lot 12 in the Shire of Wandering Light Industrial Area.

Background:

The Shire has undertaken the development of additional industrial lots within the Light Industrial Area (LIA) to increase the availability of industrial land and support economic development within the district.

Upon completion of the subdivision and development works, the Shire obtained independent market valuations for the lots from a qualified valuer.

Council has resolved to dispose of the industrial lots and has engaged Elders Real Estate Narrogin to market and facilitate the sale of the lots on the Shire's behalf.

Comment:

The purchaser's name and sale price for this industrial lot is not being disclosed at this stage. The Shire has advertised multiple lots for sale and this disclosure could prejudice future negotiations and undermine the Shire's commercial position, whilst competing purchasers are still in the market.

Following sale of all currently advertised industrial lots the purchasers and sale prices, can be made available upon request.

The buyer has included a special condition within the offer to buy i.e. Special Condition which states: "Approved Purpose – the Approved Purpose referred to in Special Condition 7.2 above is Industry – Light, Motor vehicle Repair and Caretakers Dwelling, as described in the Shire of Wandering Town Planning Scheme Number 3".

The buyers' proposal letter which outlines their intent of use of the land also clearly states the caretakers dwelling is a vital part of their offer to buy. The dwelling has been identified as needed to house workers and a supervisor with a total of 2 bedrooms needed. The letter clearly states that if there is no dwelling it will be uneconomical for the buyer to conduct the proposed project.

The buyer has also provided a draft schematic diagram showing the proposed layout of the lot and this includes a caretakers dwelling.

Within the Town Planning Scheme Number 3, a caretakers dwelling is zoned "D" within an industrial area. This means that the use is not permitted unless the local government has exercised its discretion by granting planning approval.

The buyer has previously been provided feedback in relation to their initial offer and the exclusion of caretaker dwellings within future offers. This is because the Shire cannot agree to a contractual

condition that effectively guarantees or predetermines the outcome of a future planning application for a discretionary ("D") use. The buyer was informed that the Shire would be prepared to consider any future planning application on its merits, subject to compliance with the Scheme and all relevant planning considerations.

The inclusion of the Caretaker's Dwelling as an Approved Purpose within this offer is problematic because it may reasonably be inferred that, by accepting the Offer, the Shire has indicated a willingness to approve or otherwise support that use. As the proposed Caretaker's Dwelling is a discretionary ("D") use under Town Planning Scheme No. 3, any future application must be subject to a separate and impartial planning assessment. The Shire cannot enter into contractual arrangements that may create a legitimate expectation of approval, or which could be perceived as fettering the Council's future statutory discretion in determining a planning application.

Consultation:

Executive Team
Shire Councillors

Council has had several discussions in relation to the sale of these industrial lots over General Planning Forum meetings, since the start of the calendar year.

As part of this, Council discussed the addition of special conditions for sale and/or caveats on the titles. The intention was to;

- To encourage timely development of the lots post sale.
- To protect the Shire's strategic planning objectives.
- To provide enforcement leverage, if sale conditions are not met.
- To improve fairness and transparency about obligations and timelines to purchasers at the start of the process.

In determining the pricing methodology for the industrial lots, Council considered the costs of land development, marketing and disposal expenses, and other relevant commercial factors to establish a competitive sale price and maximise recovery of the Shire's investment.

Statutory Environment:

The proposed disposal of Lot 12 is subject to the requirements of Section 3.58 of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996. Execution of the Contract of Sale and Transfer of Land documentation is to be undertaken in accordance with Section 9.49A of the Local Government Act 1995.

Policy Implications:

The following policy is relevant to this item:

Policy 22 - Use of Common Seal.

Town Planning Scheme (TPS) Number 3

Financial Implications:

The Shire will incur costs to advertise and dispose of the industrial lots. Council has made provision for this expenditure within the adopted 2026-2027 Annual Budget.

Strategic Implications:

Improve Our Financial Position

Our Goals	Our Strategies
The Wandering Shire is financially sustainable	• Improve accountability and transparency. • Develop an investment strategy that plans for the future and provides cash backed reserves to meet operational needs. • Prudently manage our financial resources to ensure value for money. • Reduce reliance on operational grants.

Risk Implications:

Risk	HIGH
The Shire is not reliant on the sale of the industrial lots for revenue generation in the 2026-2027 financial year.	
The offer includes all special conditions required by the Shire, which have been accepted by the buyer.	
The Buyer has within Special Condition 10 defined Approved Purpose to include a Caretakers Dwelling, as described in the Shire of Wandering Town Planning Scheme Number 3.	

Voting Requirements:

Absolute Majority

Officer Recommendation:

That Council rejects the offer received for Lot 12 on Deposited Plan 424646 for the purchase price detailed in the confidential report for the reasons outlined in this report.

Moved: _____

Seconded: _____

Carried

For/Against: Cr Little ☐ Cr Price ☐ Cr Cowan ☐ Cr Hansen ☐ Cr Latham ☐ Cr Thompson ☐

7. CLOSURE OF MEETING

The Presiding Member to declare the meeting closed.