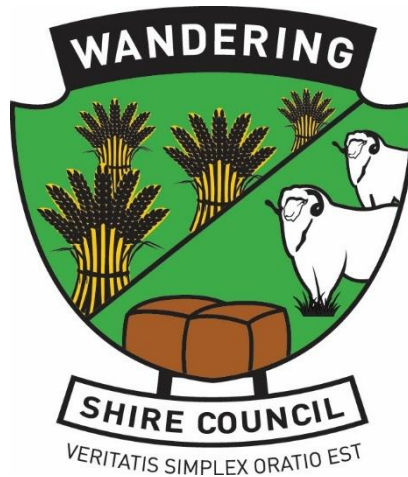




MINUTES

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.

These Minutes of the Special Council meeting held 05 August 2026 are confirmed as a true and correct record of proceedings without amendment. Confirmed on 20/08/2026 by the Presiding Member, Cr S Little.

.....
Cr. Sheryl Little, Shire President

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

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.

A handwritten signature in black ink, appearing to read 'A. Pinto'.

Dr Alistair Pinto
Chief Executive Officer

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1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Presiding Member to declare the meeting open at 3:30pm.

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

Nil

2.3 Leave of Absence

N/A

3. PUBLIC QUESTION TIME

No members of the public present.

4. PETITIONS / DEPUTATIONS / PRESENTATIONS / SUBMISSIONS

Nil

5. DISCLOSURE OF INTEREST

No conflicts of interest declared.

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

010826

Moved: Cr. Price

Seconded: Cr. Cowan

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.

Carried 6/0

For: Cr Little, Cr Price, Cr Cowan, Cr Hansen, Cr Latham, Cr Thompson

Against: Nil

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

020826

Moved: Cr. Latham

Seconded: Cr. Thompson

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.

Carried 6/0

For: Cr Little, Cr Price, Cr Cowan, Cr Hansen, Cr Latham, Cr Thompson

Against: Nil

7. CLOSURE OF MEETING

The Presiding Member to declare the meeting closed at 3:36pm.