



WANDERING SHIRE COUNCIL

Minutes of Meeting

Thursday 17 July 2014

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1 DECLARATION OF OPENING /ANNOUNCEMENT OF VISITORS

The meeting was opened by the Shire President at 1:38pm.

2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

Attendance:

G Kerr President
B Dowsett Deputy President
J McNeil Councillor
W Gowland Councillor
J Price Councillor
C Ferguson Councillor
M Whitely Chief Executive Officer

Apologies: Nil

Leave of Absence Previously Granted: B Whitely Councillor

Visitors: Mrs Juliet Young (1:41 - close)

3 DISCLOSURE OF INTERESTS

Nil

4 PUBLIC QUESTION TIME

Mrs Juliet Young enquired as to what Shire were doing in relation to her previous requests with regard to Mr Conway at 99 Echidna Close. The CEO provided Mrs Young with an update which included Council's course of action to be taken in the coming weeks.

There being no further questions the President proceeded with the meeting allowing a period of 15 minutes of questions from the public up until 1:56pm

5 APPLICATIONS FOR LEAVE OF ABSENCE

1:2014/15

Moved Cr Dowsett Seconded Cr Price that Cr McNeil be granted a leave of absence for the Ordinary Council Meeting to be held Wednesday 20 August 2014.

CARRIED 6-0

6 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

6.1 Shire of Wandering Ordinary Meeting – 19 June 2014

2:2014/15

Moved Cr Price Seconded Cr McNeil that the minutes of the Shire of Wandering Ordinary Meeting held 19 June 2014 be confirmed as a true and correct record of proceedings after the amendment to Item 8.5.

CARRIED 6-0

7 COUNCILLOR REPORTS

Councillor Kerr

Meetings Attended

WALGA Central Country Zone

Opening of the Shire of Boddington Offices

Martin Aldridge, Member for Agriculture

Councillor McNeil

Questions Without Notice

Road Maintenance – Pot holes on North Bannister Wandering Rd

Asked if there was a need to obtain medical clearances for staff on a periodical basis

Garden Maintenance of Staff Housing

Road Maintenance – various culverts

Roadside Spraying – Blackberries near Tanglefoot

Councillor Ferguson

Questions Without Notice

Road Maintenance – Culvert on O'Leary Rd

8 MATTERS REQUIRING COUNCIL DECISION

8.1 2014/15 Budget

NAME OF APPLICANT: Shire of Wandering
FILE REFERENCE: 10.1.4
AUTHOR: CEO

BACKGROUND

Council met on Thursday 3 July 2014 to discuss the Draft Budget for the 2014/15 financial year. Council had detailed discussions on the Operating Budget, Capital Expenditure, Road Replacement, Plant Replacement and other major programs for the 2014/15 financial year. A copy of the finalised budget from that meeting is at **Attachment 2**.

As part of the budget adoption and to enable rate notices to be finalised, the following items also need to be endorsed by Council;

- Rate in the \$ for GRV and UV properties
- Adoption of material variances allowance
- Minimum values for GRV and UV properties
- Discount on early payment of rates
- Interest on late payment of rates and administration charge for instalment options
- Payment options and instalment dates
- Service Charges for 2014/15 financial year

COMMENT

An absolute majority is required for the adoption of the budget.

STATUTORY & TOWN PLANNING

Section 6.2 & 6.3 of the Local Government Act 1995

Financial Management Regulations 2007

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

As per the Shire of Wandering 2014/15 Budget

STRATEGIC IMPLICATIONS

Corporate Business Plan
Long Term financial Plan
Plant Replacement Program
Road Replacement Program
Community Strategic Plan
Workforce Plan

OFFICER RECOMMENDATION

That Council;

1. Adopt the 2014/15 Annual Budget as presented
2. That Council adopt a materiality of \$1,000 and 10% when comparing Year to Date (YTD) Actual v YTD Budget figures for the 2014/15 financial year
3. Adopt the 2014/15 Schedule of Fees and Charges
4. That the rate in the dollar are set as follows for the 2014/15 financial year;
Gross Rental Values (GRV) 7.500 cents
GRV Special Use Values 8.500 cents
Rural Unimproved Values (UV) 0.5250 cents
Rural Residential Unimproved Values 0.7000 cents
5. That a minimum rate of \$700 for all GRV properties and \$850 for all UV Properties be adopted for 2014/15
6. That a discount of 10% of the assessed rate be given for payment of the rates by Friday 22 August 2014 for the single payment option
7. That an interest rate of 11% is imposed for the late payment of 2014/15 rates
8. That a 5.5% interest rate and administration charge of \$60 per instalment option apply
9. Minimum instalment to remain at \$200
10. Maximum Seniors Rebate for 2014/15 being \$276.42 for Shire Rates apply
11. Domestic Kerbside and Commercial Kerbside pickup service charge of \$240.00
12. That Council adopt the following options for payment of 2014/15 rates for which the issue date will be Friday 18 July 2014:
 - 1st Instalment Friday 22 August 2014
 - 2nd Instalment Friday 24 October 2014
 - 3rd Instalment Friday 19 December 2014
 - 4th Instalment Friday 20 February 2015

[Attachment 2](#)

Council RESOLVED to discuss Agenda Items 8.2 through to 8.7 prior to discussing Agenda Item 8.1

9:2014/15

Moved Cr Dowsett, Seconded Cr Ferguson that Council;

1. Adopt the 2014/15 Annual Budget as presented
2. That Council adopt a materiality of \$1,000 and 10% when comparing Year to Date (YTD) Actual v YTD Budget figures for the 2014/15 financial year
3. Adopt the 2014/15 Schedule of Fees and Charges
4. That the rate in the dollar are set as follows for the 2014/15 financial year;
Gross Rental Values (GRV) 7.500 cents
GRV Special Use Values 8.500 cents
Rural Unimproved Values (UV) 0.5250 cents
Rural Residential Unimproved Values 0.7000 cents
5. That a minimum rate of \$700 for all GRV properties and \$850 for all UV Properties be adopted for 2014/15
6. That a discount of 10% of the assessed rate be given for payment of the rates by Friday 22 August 2014 for the single payment option
7. That an interest rate of 11% is imposed for the late payment of 2014/15 rates
8. That a 5.5% interest rate and administration charge of \$60 per instalment option apply
9. Minimum instalment to remain at \$300
10. Maximum Seniors Rebate for 2014/15 being \$276.42 for Shire Rates apply
11. Domestic Kerbside and Commercial Kerbside pickup service charge of \$240.00
12. That Council adopt the following options for payment of 2014/15 rates for which the issue date will be Friday 18 July 2014:
 - 1st Instalment Friday 22 August 2014
 - 2nd Instalment Friday 24 October 2014
 - 3rd Instalment Friday 19 December 2014
 - 4th Instalment Friday 20 February 2015

CARRIED 5-1

8.2 Planning Application – Lot 28199 White Road, Wandering

NAME OF APPLICANT: Don White / Modus Compliance Pty Ltd
FILE REFERENCE: A171
AUTHOR: CEO

BACKGROUND

At the January 2013 Ordinary Council Meeting a planning application was submitted by Mr Shane Kelliher on behalf of the current landowners (i.e. Messrs James & Robert Kelliher) to construct two (2) additional grouped dwellings on Lot 6654 (No.350) Wandering-Pingelly Road, Wandering. At that meeting Council resolved as per below;

718:2012/13

Moved Cr Dowsett, Seconded Cr McNeil that the application for planning approval submitted by Mr Shane Kelliher on behalf of the current landowners (i.e. Messrs James & Robert Kelliher) to construct two (2) additional grouped dwellings on Lot 6654 (No.350) Wandering-Pingelly Road, Wandering be APPROVED in accordance with the details of the information and plans submitted in support of the application subject to compliance with the following conditions and advice notes:

1. The development is to be substantially commenced within a period of two (2) years from the date of this approval. If the development is not substantially commenced 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 earthworks or construction on the land.
3. The proposed development is 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.
4. 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.
5. No construction works shall commence prior to 7.00am without the Shire's written approval.
6. 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 6-0

An application has since been received from Mr Don White to construct one of the two previously approved dwellings at a separate location being Lot 28199 White Road, Wandering. Details of the proposed dwelling are shown at **Attachment 3**.

A separate building application and sewage treatment have been lodged with the application however construction cannot commence until planning approval is obtained from Council.

COMMENT

The applicant is proposing to construct a dwelling where an existing dwelling already exists, so by definition the application is considered a "group dwelling" since there will be more than one dwelling on the one title if the application is approved. It should be noted that the existing dwelling at Lot 28199 White Road, Wandering is on a 76.1 hectare title of land.

Lot 28199 is currently classified 'Rural' zone under the Shire of Wandering Town Planning Scheme No.3 (TPS No.3) and the development and use of any land in the Shire for the purposes of 'grouped dwellings' is not expressly listed in the Zoning Table of TPS No.3. As such the application must be assessed in accordance with the specific requirements of clause 4.4.2 of TPS No.3.

Clause 4.4.2 of TPS No.3 states that when considering an application proposing the development and/or use of any land for the purposes of a 'use not listed' in the Zoning Table of TPS No.3 the local government may determine that the use:

- i) is consistent with the objectives of the particular zone and is therefore permitted;
- ii) may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or
- iii) is not consistent with the objectives of the particular zone and is not therefore permitted.

From the above it would appear that (ii) could be considered for this application.

TPS No.3 does not contain any development standards specific to the development and/or use of 'Rural' zoned land for 'grouped dwelling' purposes however public advertising of the application for a minimum required period of 14 days is required in accordance with the specific requirements of clause 9.4 of TPS No.3.

There is the opportunity for Council to approve the proposed construction of the new dwelling as ancillary accommodation, however the conditions imposed for ancillary accommodation are very specific in the purpose for which the dwelling is to be occupied.

STATUTORY & TOWN PLANNING

- Planning & Development Act (2005)
- Shire of Wandering Town Planning Scheme No.3
- Shire of Wandering Local Planning Strategy
- State Planning Policy No.3.4 – Natural Hazards and Disasters
- Planning for Bush Fire Protection Guidelines (Edition 2, May 2010)

POLICY IMPLICATIONS

Nil

COMMUNITY CONSULTATION

Public advertising of the application is required for a minimum required period of 14 days in accordance with the specific requirements of clause 9.4 of TPS No.3.

FINANCIAL IMPLICATIONS

Regulatory Building & Planning fees are applicable.

STRATEGIC IMPLICATIONS

Nil

OFFICER RECOMMENDATION

That following a period of 14 days public advertising and on the basis that no objections are made with regards to the proposed development, that Council approve the construction of a further one (1) dwelling at Lot 28199 White Road, Wandering.

[Attachment 3](#)

3:2014/15

Moved Cr Dowsett, Seconded Cr Price that following a period of 14 days public advertising and on the basis that no objections are made with regards to the proposed development, that Council approve the construction of a further one (1) dwelling at Lot 28199 White Road, Wandering.

CARRIED 6-0

8.3 Application for a Home Occupation

NAME OF APPLICANT: Mrs Lisa Boddy
FILE REFERENCE: A400
AUTHOR: CEO

BACKGROUND

In March 2014 Mrs Lisa Boddy wrote to Council requesting permission to operate a home business at Lot 26 North Wandering Road, Wandering. The purpose of the request was to allow consultations to occur at the property for personal training sessions that would be scheduled at the Wandering Community Centre oval. At the March 2014 Meeting Council made the following resolution;

62:2013/14

Moved Cr Price, Seconded Cr Ferguson that Council approve the home business application at Lot 26 North Wandering Road, Wandering on the basis that only public consultations are conducted at the premises and that there is to be no sale of retail goods at Lot 26 North Wandering Road, Wandering relating to the personal training services.

CARRIED 6/0

Since approval was granted at the March 2014 Ordinary Council Meeting a further request has been received from Mrs Boddy to conduct the personal training sessions at her dwelling at Lot 26 North Wandering Road, Wandering. Details of the request are detailed at **Attachment 4**.

COMMENT

As previously stated at the March 2014 Meeting there is nothing in the Shire of Wandering Town Planning Scheme zoning table relating specifically to a Personal Training however Council have the discretion to allow the proposal if it meets the conditions of a Home Business.

The definition of a Home Business as documented on page 42 of the Town Planning Scheme is;

home occupation: means an occupation carried out in a dwelling or on land around a dwelling by a resident of the dwelling which:

- (a) does not employ a person not a member of the occupier's household;***
- (b) will not cause injury to or prejudicially affect the amenity of the neighbourhood;***
- (c) does not occupy an area greater than 20m² ;***
- (d) does not display a sign exceeding 0.2 m² in area;***
- (e) does not entail the retail sale, display or hire of goods of any nature;***
- (f) in relation to vehicles and parking, will not result in the requirement for a greater number of parking facilities than normally required for a single house or an increase in traffic volumes in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles; and***
- (g) does not entail the use of an essential service of greater capacity than normally required in the zone.***

Council have already granted approval for the home business subject to the conditions listed above in the resolution. As per the application the proposed area that would be used for personal training is less than 20m² as specified in condition (c).

STATUTORY & TOWN PLANNING

Shire of Wandering Town Planning Scheme No.3

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

OFFICER RECOMMENDATION

That Council approve the home business to conduct personal training consultations at Lot 26 North Wandering Road, Wandering on the basis that all training consultations are carried out in the area specified in the application and that there are no retail sale of goods relating to personal training services as previously specified in Council's resolution in March 2014.

[Attachment 4](#)

4:2014/15

Moved Cr Price, Seconded Cr Ferguson that Council approve the home business to conduct personal training consultations at Lot 26 North Wandering Road, Wandering on the basis that all training consultations are carried out in the area specified in the application and that there are no retail sale of goods relating to personal training services as previously specified in Council's resolution in March 2014.

CARRIED 6/0

8.4 Wandering Wheatbelt Wine Awards

NAME OF APPLICANT: Darralyn Ebsary, Secretary Wheatbelt Wine Awards
FILE REFERENCE: 18.1.28
AUTHOR: CEO

BACKGROUND

A letter was received from the Secretary of the Wheatbelt Wine Awards inviting the Shire of Wandering to participate in the 2014 Wandering Wheatbelt Wine Awards. This year will mark the 10th consecutive year in which the Wandering Wheatbelt Wine Awards will be held.

There are three different levels of sponsorship again this year which are as follows;

GOLD	\$1,000 Sponsorship and you receive 2 tickets to the Wine Awards
SILVER	\$500 Sponsorship and you receive 1 ticket to the Wine Awards
BRONZE	\$250 Sponsorship and you receive a set of wine glasses

Sponsors will also be recognised on a banner displayed on the evening as well as other forms of advertising on menus, flyers, website and local papers.

COMMENT

Council have allowed provision in the 2014/15 Budget to allow the opportunity to make a contribution towards the Wheatbelt Wine Awards.

Last year Council purchased a Silver sponsorship for the 2013 Wandering Wheatbelt Wine Awards under the same conditions as are being offered for this year's event and in previous years the Shire have also provided the use of photocopying services free of charge.

STATUTORY & TOWN PLANNING

Shire of Wandering Town Planning Scheme No.3

POLICY IMPLICATIONS

Shire of Wandering Outbuilding Policy

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

OFFICER RECOMMENDATION

That Council purchase a SILVER sponsorship for the 2014 Wandering Wheatbelt Wine Awards and offer to provide the photocopying of menus and flyers free of charge.

[Attachment 5](#)

5:2014/15

Moved Cr McNeil, Seconded Cr Gowland that Council purchase a SILVER sponsorship for the 2014 Wandering Wheatbelt Wine Awards and offer to provide the photocopying of menus and flyers free of charge.

CARRIED 6/0

8.5 Oversized Outbuilding – Lot 87 Redgum Court, Blackboy Springs

NAME OF APPLICANT: Mr Lindsay Greenham
FILE REFERENCE: A446
AUTHOR: CEO

BACKGROUND

An application for planning approval from Mr Lindsay Greenham has been received to erect a 14.5m x 7.5m Shed at his property on Lot 87 Redgum Court, Blackboy Springs. Details of the shed dimensions are shown at **Attachment 6**.

COMMENT

The area of the shed (105m²) is well under the allowed 150m² floor area required under the Shire of Wandering's Outbuilding Policy, however the 4.3m height of the shed exceeds the 4m height allowed for a gabled roof under the Shire's Policy.

Mr Greenham also has a separate application being considered for the relocation of his building envelope, however this matter is being dealt with separately by the CEO and EHO Officer.

STATUTORY & TOWN PLANNING

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

Nil

OFFICER RECOMMENDATION

That Council approve the construction of the 14m x 7.5m Shed at Lot 87 Redgum Court, Blackboy Springs as per the specifications in the application.

[Attachment 6](#)

6:2014/15

Moved Cr Dowsett, Seconded Cr McNeil that That Council approve the construction of the 14m x 7.5m Shed at Lot 87 Redgum Court, Blackboy Springs as per the specifications in the application.

CARRIED 5/1

8.6 List of Accounts – June 2014

NAME OF APPLICANT: Shire of Wandering
FILE REFERENCE: 10.1.16
AUTHOR: Accounts Officer

BACKGROUND

Attached is a list of accounts for Council consideration.

COMMENT

Nil

STATUTORY & TOWN PLANNING

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

2013/14 Budget

STRATEGIC IMPLICATIONS

Nil

OFFICER RECOMMENDATION

That all Cheque, EFT, wages, transport payments, transfers to investments, credit card payments, creditor payments and other vouchers from the Municipal and Trust Fund totalling \$621,551.69 be passed for payment.

[Attachment 7](#)

7:2014/15

Moved Cr Ferguson, Seconded Cr Gowland that all Cheque, EFT, wages, transport payments, transfers to investments, credit card payments, creditor payments and other vouchers from the Municipal and Trust Fund totalling \$621,551.69 be passed for payment.

CARRIED 5/1

8.7 Financial Reports – June 2014

NAME OF APPLICANT: Shire of Wandering
FILE REFERENCE: 10.1.16
AUTHOR: Acting CEO

BACKGROUND

Separately attached are the DRAFT monthly Financial Statements for the period 30 June 2014.

COMMENT

Refer to Finance Report on page 15.

STATUTORY & TOWN PLANNING

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Shire of Wandering 2013/14 Budget

STRATEGIC IMPLICATIONS

Nil

OFFICER RECOMMENDATION

That Council endorse the DRAFT monthly Financial Statements for the period ending 30 June 2014.

[Attachment 8](#)

8:2014/15

Moved Cr Dowsett, Seconded Cr Kerr that Council endorse the DRAFT monthly Financial Statements for the period ending 30 June 2014.

CARRIED 6/0

The meeting was adjourned at 2:58pm for afternoon tea

The meeting commenced at 3:20pm after the break for afternoon tea with all Councillors in attendance

After the resumption from afternoon tea Council returned to Agenda Item 8.1

9 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

Nil

11 NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 17 July 2014 at 1:30pm

12 CLOSURE OF MEETING

There being no further business for discussion the Shire President closed the meeting at 5:06 pm

These Minutes were confirmed by Council at the Ordinary Council Meeting on Wednesday 20 August 2014.

CR G G KERR, President