

## ORDER OF BUSINESS

### 1. Declaration of Opening/Announcement of Visitors

1:34pm – The President welcomed all present and declared the meeting open.

### 2. Record of Attendance/Apologies/Leave of Absence

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**Attendance:**

GG Kerr	President
BE Dowsett	Deputy President
JC Schorer	Councillor
KJ Barge	Councillor
JR McNeil	Councillor
J Price	Councillor
C Ferguson	Councillor
M Whitely	CEO

**Guests:**

M Watts	1:34pm – 1:43pm
B Cornish	1:34pm – 1:43pm
J Cornish	1:34pm – 1:43pm

### 3. Public Question Time

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There were three attendees for public question time – Mr M Watts, Mr B Cornish and Mrs J Cornish.

Mr Watts read to Council from a prepared statement his concerns relating to the proposed Bowling Green development. A copy of the letter was provided to Council to address the concerns raised by Mr Watts.

Mr Cornish asked if a date for the Electors Meeting had been fixed. He was informed that Council would be adopting the 2011/12 financials and setting a date for the Electors Meeting at this meeting.

Mrs Cornish stated that she had been informed that personal photos previously located on the old Community Resource Centre had been deleted. The CEO replied that he would look into the matter for Mrs Cornish.

### 4. Applications for Leave of Absence

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Nil

### 5. Confirmation of Minutes of Previous Meetings

Shire of Wandering Ordinary Meeting held 21 February 2013

*There was much discussion by Council with regards to the tabled minutes relating to Agenda Item 8.2. There appeared to be some divide as to whether a second motion was formally moved after the original motion had been defeated.*

*The meeting was adjourned at 2.12pm to allow the CEO to telephone the Department of Local Government to seek advice on several issues raised. The meeting recommenced at 2.42pm.*

735:2012/13

Moved Cr Schorer, Seconded Cr Kerr that the minutes of the Shire of Wandering Ordinary Meeting held 21 February 2013 be moved in their current on the recommendation that Agenda Item 8.2 be raised for discussion in General Business at the current meeting.

DEFEATED 4-3

*The reason for the minutes of the Ordinary Meeting held 21 February 2013 not being confirmed was in relation to Agenda 8.2 were it was felt that the narration in the minutes provided had omitted a further motion which had subsequently been moved after the original motion had been defeated.*

*As a result of the minutes not be confirmed the meeting was again adjourned at 3.04pm to allow the CEO to seek direction as to whether the meeting should proceed or be closed.*

*The meeting recommenced at 3.22pm on advice from the CEO that the February 2013 minutes be left as unconfirmed and tabled for confirmation at the April 2013 meeting.*

## 6. COUNCILLOR REPORTS

### President Kerr

Meetings Attended

Regional Road Group Wheatbelt South

### Councillor Price

Meetings Attended

CBH Growers Forum

Questions Without Notice

Directional signage to Boddington on Wandering Pingelly Rd and Fourteen Mile Brook Rd

### Councillor Schorer

Meetings Attended

Hotham Williams Economic Development Alliance

## 7. MATTERS REQUIRING COUNCIL DECISION

### 7.1 CEO Contract

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 1.2.21  
**AUTHOR:** CEO

#### SUMMARY:

At the February 2013 Meeting a resolution was moved and consequently defeated that Council:

1. Acknowledge and accept the CEO's involvement in Red Wing Solutions Pty Ltd as per Clause 3.2(1)f of the CEO contract of employment
2. Allow the CEO's involvement in Red Wing Solutions Pty Ltd on basis that the CEO fulfils his obligations under Section 3 of the Agreed Terms of the CEO contract of employment.
3. Write to the CEO approving his involvement in Red Wing Solutions Pty Ltd.

#### COMMENT:

The reason for the recommendation being defeated as minuted was that Council felt there was a conflict of interest. In light of additional information which was not made available to Council at the February 2013 I would like to make the suggestion that Council reconsider the original agenda item. Details of the additional information will disclosed at the meeting.

#### RECOMMENDATION:

For Council consideration.

*The CEO declared an interest in Agenda Item 7.1 and requested to stay in the meeting to which Council agreed. The CEO asked that Council reconsider the agenda item previously discussed at the February 2013 meeting on the basis that advice from various local government agencies be considered in view of the CEO's perceived conflict of interest with his involvement with Red Wing Solutions Pty Ltd.*

736:2012/13

Moved Cr Schorer, Seconded Cr Dowsett that Council:

1. Acknowledge and accept the CEO's involvement in Red Wing Solutions Pty Ltd as per Clause 3.2(1)f of the CEO contract of employment
2. Allow the CEO's involvement in Red Wing Solutions Pty Ltd on basis that the CEO fulfils his obligations under Section 3 of the Agreed Terms of the CEO contract of employment.
3. Write to the CEO approving his involvement in Red Wing Solutions Pty Ltd.

CARRIED 4-3

## 7.2 Installation of Pool – 13 Dunmall Drive Wandering

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NAME OF APPLICANT: CEO  
FILE REFERENCE: 1.2.21  
AUTHOR: CEO

### SUMMARY:

At the February 2013 Meeting a resolution was moved and consequently defeated that Council, in accordance with Clause 5.1(3) and 5.1(5) of the CEO employment contract, approve a variation to the CEO remuneration package in relation to a salary sacrificing arrangement.

### COMMENT:

The reason for the recommendation being defeated as minuted was that Council felt the recommendation put forward at the February 2013 meeting had changed from the previous recommendation resolved by Council at the November 2012 meeting.

In light of additional information which was not made available to Council at the February 2013 I would like to make the suggestion that Council reconsider the original agenda item. Details of the additional information will disclosed at the meeting.

### RECOMMENDATION:

For Council consideration.

*The CEO declared an interest in Agenda Item 7.2 and requested to stay in the meeting to explain the reason why the recommendation put forward at the February 2013 meeting had changed from the original recommendation put forward at the November 2012 meeting. Council agreed for the CEO to remain in the meeting.*

*The CEO explained to Council the reason for the revised recommendation was to eliminate any potential FBT implications for the Shire.*

*Under the original recommendation agreed to in November 2012 if the pool was owned by the CEO and installed on Council owned property then a fringe benefit transaction would take place if and when Council proceeded with the purchase of the pool.*

*With the revised recommendation the pool would be owned by the Shire with the CEO making rental contributions over the term of his 3 year contract and as a result there would be no fringe benefit transaction as the remote housing exemption would apply under the proposed arrangement.*

*The CEO left the meeting at 4:18pm and returned at 4:55pm.*

**737:2012/13**

**Moved Cr Barge, Seconded Cr Ferguson that Council give the CEO permission to install a pool on the basis that;**

- 1. All costs associated with the installation of the pool in the first instance are paid by the CEO**
- 2. All establishment and ongoing running costs associated with the pool including the replacement of equipment would be the responsibility of the current CEO during his tenure**
- 3. Council to discuss at the end of the current CEO's tenure the decision to either purchase the pool at cost from the CEO or request that the pool is removed and that the hole is filled and garden reinstated.**

**CARRIED 4-3**

**(Cr Barge specifically requested that his vote be recorded)**

### **7.3 Road Inspection**

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 33.1.21  
**AUTHOR:** CEO

**SUMMARY:**

A road inspection was carried out by Council on Wednesday 13 March 2013 and Council discussed in length the findings from the road inspection on completion of the road inspection.

**COMMENT:**

The priorities identified by Council from the road inspection should now be used to establish the priority road network plans when determining the 2013/14 road program and submissions for the 2014/15 Regional Road Group projects.

**RECOMMENDATION:**

For Council discussion.

**738:2012/13**

**Moved Cr Dowsett, Seconded Cr McNeil that Council review the Regional Road Group Program at the April meeting.**

**CARRIED 7-0**

### **7.4 Integrated Planning – Draft Community Strategic Plan**

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 1.1.21  
**AUTHOR:** CEO

**SUMMARY:**

Council to consider the draft of the Community Strategic Plan with a view to endorsement prior to an advertised public comment period

**COMMENT:**

As part of the Integrated Planning process, Council is required to develop a Strategic Community Plan.

The Strategic Community Plan states the community's long term (10+ years) vision, values, aspirations and priorities with consideration to Councils other documented plans and resourcing capabilities.

Its purpose is to drive the development of place-based plans, issue-based strategies, corporate business plan and other Local Government informing strategies (such as Workforce Plan, Asset Management Plan and 10 YR Financial Plan).

The Local Government (Administration) Regulations 1996 were amended accordingly to include the following;

**19C. Strategic community plans, requirements for (Act s. 5.56)**

*(1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*

*(2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.*

*(3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.*

*(4) A local government is to review the current strategic community plan for its district at least once every 4 years.*

*(5) In making or reviewing a strategic community plan, a local government is to have regard to —*

*(a) the capacity of its current resources and the anticipated capacity of its future resources; and*  
*(b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and*

*(c) demographic trends.*

*(6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.*

*(7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine\* whether or not to adopt the plan or the modifications.*

*\*Absolute majority required.*

*(8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

*(9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*

*(10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.*

With the consultation phase of the project completed, the consultant has now presented a draft copy of the Plan for Council's consideration.

Council's endorsement of the Plan is required, prior to advertising for public comment. Public submissions should be received by close of business on Friday 5th April 2013.

It is proposed the finalised Plan will then be submitted for adoption by Council at the Ordinary Council meeting in April for Council discussion and endorsement.

The Draft Community Strategic Plan establishes the community's vision for the future, including aspirations and service expectation and has regard to current and future resource capacity, demographic trends and strategic performance measurement which Council aims to achieve through the Annual Budget each year.

**RECOMMENDATION:**

That Council endorses the Draft Strategic Community Plan 2013- 2023 as presented, and that the document is advertised for public comment for a two week period until Friday 5th April 2013.

[Attachment 2](#)

**739:2012/13**

**Moved Cr Schorer, Seconded Cr Ferguson that Council endorses the Draft Strategic Community Plan 2013- 2023 as presented, and that the document is advertised for public comment for a two week period until Friday 5th April 2013.**

**CARRIED 7-0**

## 7.5 Execution of Documents

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 1.4.1  
**AUTHOR:** CEO

### **SUMMARY:**

For Council, under the current legislative framework, to provide authorisation to specified staff to sign documents on behalf of the Shire of Wandering that do not require the affixing of the Common Seal

### **COMMENT:**

. In order to carry out its functions efficiently and effectively, a Local Government has the ability to delegate its powers and duties to the Chief Executive Officer (or to another staff member, in some cases).

With respect to the execution of documents on behalf of the Shire the CEO currently does not have delegated authority to execute documents and apply the Common Seal of the Shire of Wandering on behalf of Council generally.

Amendments to the Local Government Act 1995, in 2010, have amended the statutory requirement with respect to affixing the Common Seal and execution of documents generally.

As a consequence of some confusion with respect to the legal requirements for a document to be validly executed on behalf of a Local Government, amendments were made to Part 9 of the Local Government Act 1995, by inserting new sections 9.49A and 9.49B.

Section 9.49A clarifies that local governments may use the common seal to execute documents or alternatively have the signed on behalf of the local government by authorized persons, thus overcoming a common law view that the seal must be used in all circumstances. Section 9.49B sets out the details of contract formalities.

A consequential amendment was also made to section 5.43 [limits on delegations to the CEO] which specifies that that the power of the Council to authorize a person to sign documents cannot be delegated to the CEO.

These amendments will therefore require an amendment to the current delegation of authority to the CEO with respect to the signing of documents under seal. Currently a delegation does not exist.

Additionally, there is a requirement to specify persons authorized to sign documents that do not require the affixing of the common seal.

This report deals only with the authorisations for signing of documents. The amendment required to any delegations is handled under a separate report - Review of Delegations

In view of the range of documents that would be impacted by this report, and the issue identified by the Department of Local Government, the item was discussed with staff from another Local Government and other professionals in the industry. In discussions, there are only a hand full of Local Governments who comply with this issue. The Shire of Kalamunda is one of those Local Governments. The contents and format of this report have been based on the Shire of Kalamunda report.

The Officer Recommendations have been drafted in accordance with those presented to the Council at the Shire of Kalamunda. Legal advice was obtained by the Shire of Kalamunda prior to drafting the report and recommendations

Section 9.49A - Execution of Documents, provides:

(1) A document is duly executed by a local government if:-

(a) the common seal of the local government is affixed to it in accordance with subsections (2) and (3); or  
(b) it is signed on behalf of the local government by a person or persons authorised under subsection (4) to do so.

(2) The common seal of a local government is not to be affixed to any document except as authorised by the local government.

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(3) The common seal of the local government is to be affixed to a document in the presence of:-

(a) the mayor or president; and

(b) the chief executive officer or a senior employee authorised by the chief executive officer, each of whom is to sign the document to attest that the common seal was so affixed.

(4) A local government may, by resolution, authorise the Chief Executive Officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

(5) A document executed by a person under an authority under subsection (4) is not to be regarded as a deed unless the person executes it as a deed and is permitted to do so by the authorization.

(6) A document purporting to be executed in accordance with this section is to be presumed to be duly executed unless the contrary is shown.

(7) When a document is produced bearing a seal purporting to be the common seal of the local government, it is to be presumed that the seal is the common seal of the local government unless the contrary is shown.

Section 9.49B – Contract formalities, provides:-

(1) Insofar as the formalities of making, varying or discharging a contract are concerned, a person acting under the authority of a local government may make, vary or discharge a contract in the name of or on behalf of the local government in the same manner as if that contract was made, varied or discharged by a natural person.

(2) The making, variation or discharge of a contract in accordance with subsection (1) is effectual in law and binds the local government concerned and other parties to the contract.

Subsection (1) does not prevent a local government from making, varying or discharging a contract under its common seal.

The proposals contained in the Officers Recommendations will ensure that the Shire of Wandering complies with the requirements introduced to the Local Government Act 1995 and raised by the audit from the Department of Local Government

**RECOMMENDATION:**

That Council authorises the following Officers of the Shire of Wandering to sign documents on behalf of the Shire of Wandering, as specified:-

(i) the Chief Executive Officer;

any document, including Deeds, that is necessary or appropriate to be signed for these officers to carry out their functions and duties under any written law.

(ii) the Works Supervisor;

(iii) the Finance Officer

any document, excluding Deeds, that is necessary or appropriate to be signed to carry out the officer's functions and duties under any written law

**740:2012/13**

**Moved Cr Schorer, Seconded Cr McNeil that Council authorises the following Officers of the Shire of Wandering to sign documents on behalf of the Shire of Wandering, as specified:-**

**(i) the Chief Executive Officer;**

**any document, including Deeds, that is necessary or appropriate to be signed for these officers to carry out their functions and duties under any written law.**

**(ii) the Works Supervisor;**

**(iii) the Finance Officer**

**any document, excluding Deeds, that is necessary or appropriate to be signed to carry out the officer's functions and duties under any written law**

**CARRIED 6-1**

## 7.6 Review of Delegations

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 1.4.1  
**AUTHOR:** CEO

### **SUMMARY:**

The Local Government Act 1995 (Section 5.46) requires a local authority to review all delegations made under the Act on an annual basis. Accordingly a list of current Delegations authorised by Council is hereby presented to elected members for review and amendment where considered necessary

### **COMMENT:**

In order to carry out its functions efficiently and effectively, Council has the ability to delegate its powers and duties to the Chief Executive Officer (or to another staff member, in some cases).

Section 5.46 of the Local Government Act 1995 requires each Council to review its delegations at least once every financial year.

Council last reviewed its delegations on 20 September 2012. The current delegations must therefore be reviewed by 30 June 2012.

The current delegations of Council, adopted in September 2012, plus a number of subsequent delegations, are shown in (Attachment 1).

The review under taken by staff in preparation of this report has revealed that most of the delegations are appropriate and provide an effective framework for the efficient operation of the Shire through the responsible discharge of the those powers and duties delegated by Council.

Section 5.42 of the Local Government Act 1995 states that –

“A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.” (absolute majority required);

- Limits on delegations to CEO’s – s.5.43;
- Requirement for review – s.5.46.

Similar provisions apply in other Acts and the Shire’s Local Planning Scheme No 3

Council’s policies are currently being reviewed to ensure that any limitations on delegation are clearly stated and policies are consistent with reviewed delegations

### **RECOMMENDATION:**

That Council:

1. Notes the review of the Delegation Register.
2. Endorses the delegations to the Chief Executive Officer and other staff as contained in (Attachment )3

[Attachment 3](#)

**741:2012/13**

**Moved Cr Price, Seconded Cr Barge that the review of Delegation Register be conducted at the April meeting and that a copy of the previously adopted Delegation Register be provided.**

**CARRIED 4-3**



**7.7 Subdivision Application – Lot 12 & Lot 10039 Deans Rd Wandering**

**NAME OF APPLICANT:** PH & KE Gow (Licensed Surveyors) on behalf of Mr Allan John Deane  
**FILE REFERENCE:** A268  
**AUTHOR:** Messrs Joe Douglas & Carlo Famiano – Consultant Town Planners  
 (Urban & Rural Perspectives)

**SUMMARY:**

This report recommends that a subdivision application submitted to the Western Australian Planning Commission (WAPC) by PH & KE Gow (Licensed Surveyors) on behalf of Mr Allan John Deane (Landowner) and referred to the Shire for review and comment be unconditionally supported by Council.

**BACKGROUND:**

PH & KE Gow (Licensed Surveyors), on behalf of the current landowner, has submitted a subdivision application to the Western Australian Planning Commission (WAPC) seeking approval to realign the common boundaries between two (2) existing ‘Rural’ zoned lots to provide legal road frontage to one of the lots which is currently ‘landlocked’ (i.e. Lot 10039).

Lots 12 & 10039 are located approximately 6 kilometres north-east of the Wandering townsite and north of Deans Road in the locality of Wandering (see Plan 1).

Lot 12 is an irregularly shaped lot which comprises a total area of approximately 126.3 hectares and has direct frontage an access to two unnamed, unconstructed road reserves along its southern and western boundaries. Lot 10039 is a rectangular shaped lot located immediately adjacent to the northern boundary of Lot 12. Lot 10039 comprises a total area of approximately 40.47 hectares and does not have direct frontage or access to any gazetted or constructed roadways (i.e. it is currently ‘landlocked’) (see Plan 2).

A review of recent Landgate aerial photography indicates that despite their current ‘Rural’ zoning classification in the Shire of Wandering Town Planning Scheme No.3, Lots 12 & 10039 have never been developed or used for any specific agricultural purpose/s and are heavily vegetated throughout. Notwithstanding this fact Lot 12 does contain a small shed, dam and associated water catchment area in its south-eastern corner as well as a number of informal access tracks and firebreaks throughout. Lot 10039 does not contain any significant improvements aside from boundary fencing and firebreaks (see Plan 3).

The proposed boundary realignment, as illustrated in the attached Plan 4, will result in the following changes to the current lot areas:

Lot Particulars	Existing Land Area (Approx.)	Proposed Land Area (Approx.)
Existing Lot 12	126.3 ha	-
Existing Lot 10039	40.47 ha	-
Proposed ‘Lot A’	-	85.83 ha
Proposed ‘Lot B’	-	80.94 ha

**COMMENT:**

In considering the subdivision application Council is required to have due regard for any relevant provisions contained in the following planning documents prior to submitting its response to the WAPC:

- Shire of Wandering Town Planning Scheme No.3;
- Shire of Wandering Local Planning Strategy;
- WAPC Development Control Policy No. DC 3.4 – ‘*Subdivision of Rural Land*’;
- WAPC Development Control Policy No.DC 1.1 – ‘*Subdivision of Land - General Principles*’.
- WAPC *Planning for Bush Fire Protection Guidelines (Edition 2)*; and
- EPA Position Statement No.2 – *Environmental Protection of Native Vegetation in Western Australia (Clearing of Native Vegetation with Particular Reference to the Agricultural Area)*.

Following a detailed review and assessment of the subdivision proposal and follow up discussion with the

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Department of Planning's Wheatbelt Planning Team, the reporting officers have formed the view that the proposal generally satisfies and complies the specific standards and requirements contained in the abovementioned documents and may therefore be supported by Council without the need to impose any conditions.

It is contended, based on advice received from the Department of Planning, that the issues associated with: access to the properties via the unnamed, unconstructed road reserve abutting the southern boundary of the proposed new lots;

- a) the limited, sustainable supply of water for domestic, land management and fire management purposes;
- b) the fire safety risks associated with the large stands of native vegetation should the land be developed for any specific purpose in the future; and
- c) the impacts associated with the possible clearing of native vegetation to accommodate boundary fencing, fire breaks, internal accessways and building envelope areas,

can and should be addressed by the Shire at the time of any subsequent development of the land through application of the various provisions contained in the Shire of Wandering Town Planning Scheme No.3.

### FINANCIAL IMPLICATIONS

Nil

### STATUTORY & TOWN PLANNING IMPLICATIONS

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

### POLICY IMPLICATIONS

- WAPC Development Control Policy No.DC 3.4 – *Subdivision of Rural Land*
- WAPC Development Control Policy No.DC 1.1 – 'Subdivision of Land - General Principles'

### COMMUNITY CONSULTATION

Not required

### STRATEGIC IMPLICATIONS

- Shire of Wandering Local Planning Strategy

### RECOMMENDATION:

That Council advise the Western Australian Planning Commission that it unconditionally supports the application submitted by PH & KE Gow (Licensed Surveyors) on behalf of Mr Allan John Deane (Landowner) to subdivide Lots 12 & 10039 Deans Road, Wandering in accordance with the details of the plan submitted in support of the application.

### [Attachment 4](#)

**742:2012/13**

**Moved Cr Dowsett, Seconded Cr Kerr that Council advise the Western Australian Planning Commission that it supports the application submitted by PH & KE Gow (Licensed Surveyors) on behalf of Mr Allan John Deane (Landowner) to subdivide Lots 12 & 10039 Deans Road, Wandering in accordance with the details of the plan submitted in support of the application. Further, that the applicant be informed that by Council supporting the application this does not mean there will be any future road improvements to the landholdings and secondly, while Council accepts that fire breaks will no longer be a requirement that the applicant gives serious consideration to maintaining fire breaks in the future due to the nature of the terrain.**

**CARRIED 7-0**

***The reason for the amendment to the original recommendation was that Council felt it was necessary to;***

- 1. Emphasise that while they support the subdivision application the responsibility of road infrastructure falls onto the person doing the subdivision.***
- 2. Make note that the landholding is heavily vegetated and would benefit from additional fire control measures***

**7.8 Bitumen & Blue Metal Tenders**

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 33.1.6  
**AUTHOR:** CEO

**SUMMARY:**

Tenders were called in November 2012 and again followed up in February 2013 for the supply of bitumen and blue metal for the completion of the Crossman Dwarda Rd.

The following tenders were received and all pricing is GST Exclusive;

**Supply of Bitumen & Aggregate**

	<b>Supply &amp; Application of 95/5 (6,400m<sup>2</sup>)</b>	<b>Supply &amp; Application of 98/2 (28,800m<sup>2</sup>)</b>	<b>TOTAL COST</b>
Bitumen Surfacing	\$3.97m <sup>2</sup>	\$2.48m <sup>2</sup>	\$96,832
Bitutek	\$3.52m <sup>2</sup>	\$2.59m <sup>2</sup>	\$97,120

Expressions of interest were also received from RNR Contracting and Fulton Hogan however neither were able to complete the works within the required period.

**COMMENT:**

Bitumen Surfacing were engaged by Council 2 years ago for the works program that included the North Bannister Wandering and North Wandering Roads. Bitutek are a recently formed company consisting of many of staff and operators from RNR Contracting. Bitutek have been used by many Councils during the 2012/13 financial year and come highly recommended.

**RECOMMENDATION:**

For Council discussion.

743:2012/13

Moved Cr Kerr, Seconded Cr McNeil that Council award the contract for the supply of bitumen and aggregate to Bitutek for the Crossman Dwarda Rd.

**CARRIED 7-0**

**7.9 2011/12 Financial Report**

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 10.1.5  
**AUTHOR:** CEO

**SUMMARY:**

Butler Settineri conducted their final site visit on Thursday 25 October 2012 in preparation to finalise the Financial Report. The Financial Report has now been completed and the 2011/12 Annual Report is tabled at **Attachment 5**.

**COMMENT:**

Council have 56 days to hold the Electors Meeting after the Annual Report has been adopted meaning the latest the Electors Meeting could be held is Thursday 16 May 2013. A signed auditors report will be made available at the meeting.

**RECOMMENDATION:**

That Council adopt the 2011/12 Financial Report and select a date for the Electors Meeting to be held prior to 17 May 2013.

[Attachment 5](#)

744:2012/13

Moved Cr Dowsett, Seconded Cr McNeil that Council adopt the 2011/12 Financial Report and hold the Annual Electors Meeting at 7.30pm on Thursday 18 April 2013 in the Wandering Community Centre.

**CARRIED 7-0**

## 7.10 2012/13 Budget Review

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**NAME OF APPLICANT:** CEO  
**FILE REFERENCE:** 10.1.4  
**AUTHOR:** CEO

**SUMMARY:**

Part 33A of the Local Government (Financial Management) Regulations 1996A requires a review of each Local Government's annual budget to take place between 1 January and 31 March, with details of the review to be submitted to Council within 30 days of completion of the review.

**COMMENT:**

The Budget Review is currently being undertaken for the 8 month period ending 28 February 2013 and will be distributed at the meeting for Council discussion.

**RECOMMENDATION:**

For Council information.

745:2012/13

Moved Cr Dowsett, Seconded Cr Schorer that Council accept the recommendations from the budget review for the period 1 July 2012 to 28 February 2013, continuing to adopt the original 2012/13 Budget without change for the remainder of the 2012/13 financial year.

CARRIED 7-0

## 7.11 National Broadband Network

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**NAME OF APPLICANT:** NBNC Co  
**FILE REFERENCE:** 7.1.1  
**AUTHOR:** CEO

**SUMMARY:**

A Strategic Engagement Report from NBNC Co has been released documenting the proposed rollout of the National Broadband Network (NBN) in the Shire of Wandering. The report is tabled at **Attachment 6** for Council information.

Council feedback in regards to the NBN rollout is encouraged for future community consultation.

**RECOMMENDATION:**

For Council information.

[Attachment 6](#)

*Resolved by Council that the information tabled be received*

## 7.12 2013 Bushfire Advisory Committee AGM

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**NAME OF APPLICANT:** Graeme Parsons  
**FILE REFERENCE:** 7.1.1  
**AUTHOR:** CEO

**SUMMARY:**

A letter was received 12 March 2013 from Graeme Parsons, Captain of the Hastings Bush Fire Brigade, that Council give consideration to holding the 2013 Bushfire Advisory Committee Annual General Meeting ("AGM") during April.

**COMMENT:**

In the past few years the Bushfire Advisory Committee AGM has been held in May at the conclusion of each fire season. Council has discussed on several occasions the timing of the meeting and now seems an opportune time to determine the date and time for this year's AGM.

**RECOMMENDATION:**

That Council set a date for the 2013 Bushfire Advisory Committee AGM allowing sufficient time for Bush Fire Brigades to hold their AGM's and attend the meeting.

[Attachment 7](#)

**746:2012/13**

**Moved Cr Dowsett, Seconded Cr McNeil that the 2013 Bushfire Advisory Committee AGM be held at 7.30pm on Tuesday 9 April 2013 in the Council Chambers.**

**CARRIED 7-0**

## **7.13 Pumphreys Bridge Shed**

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**NAME OF APPLICANT:** Lions Club of Wandering  
**FILE REFERENCE:** 18.1.1  
**AUTHOR:** CEO

**SUMMARY:**

In September 2012 the CEO wrote to the Lions Club of Wandering ("Lions Club") to inform the Club that Council had allocated an amount of \$5,000 towards the restoration of the shed at Pumphreys Bridge.

In the letter to the Lions Club it was explained that it was Council's intention to purchase materials to the value of \$5,000 on the basis that the Lions Club would be interested in taking on the restoration of the shed as a suitable project during the 2012/13 financial year.

In the letter dated 18 February 2013 the Lions Club have indicated that they are willing to take on the project and the budgeted cost is \$4,000.

**COMMENT:**

There is provision of \$5,000 in the 2012/13 Budget for the restoration of the shed at Pumphreys Bridge.

**RECOMMENDATION:**

That Council pay for the cost of materials up to the value of \$5,000, as per the 2012/13 Budget, to enable the Lions Club of Wandering to undertake the restoration of the shed at Pumphreys Bridge as a community project.

[Attachment 8](#)

*Cr McNeil declared an interest in Agenda Item 7.13 but was not required to leave the meeting.*

**747:2012/13**

**Moved Cr Price, Seconded Cr Barge that Council contribute \$4,000 towards the Lions Club of Wandering for the restoration of the shed at Pumphreys Bridge.**

**CARRIED 6-0**

## **7.14 Request for Funding – Lions Club of Wandering**

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**NAME OF APPLICANT:** Lions Club of Wandering  
**FILE REFERENCE:** 18.1.1  
**AUTHOR:** CEO

**SUMMARY:**

In the letter dated 18 February 2013 the Lions Club of Wandering ("Lions Club") have expressed an interest in undertaking a history project to locate and identify the old timber mill sites that operated within the district.

The Lions Club are seeking financial support from the Shire of Wandering for the supply of plaques and signs. No nominal figure has been requested at this stage as it is unknown at this point in time just how many sites will be identified during the process.

**COMMENT:**

There is no provision in the 2012/13 Budget for such a request, however given that the anticipated timing of the project is likely to be completed in the 2013/14 financial year Council have the ability to support the project and set aside funds in the 2013/14 Budget.

**RECOMMENDATION:**

That Council support the Lions Club of Wandering Timber Mill history project and make provision for the supply of appropriate signage and plaques in the 2013/14 Budget to the value of \$3,000.

[Attachment 9](#)

*Cr McNeil declared an interest in Agenda Item 7.14 but was not required to leave the meeting.*

748:2012/13

Moved Cr Ferguson, Seconded Cr Schorer that Council support the Lions Club of Wandering Timber Mill history project and make provision for the supply of appropriate signage and plaques in the 2013/14 Budget.

CARRIED 6-0

## 7.15 Shire Boundaries

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**NAME OF APPLICANT:** Department of Local Government  
**FILE REFERENCE:** 33.1.9  
**AUTHOR:** CEO

**SUMMARY:**

At the May 2012 Ordinary Meeting Council resolved to support the resolution moved at the April 2012 Shire of Pingelly Ordinary Council Meeting for the amendment to the Shire boundary along the York Williams Road. A letter has since been received from the Department of Local Government on 21 February 2013 notifying Council that the amendment to the district boundary between the Shires of Wandering and Pingelly on the York Williams Rd will take effect on 1 July 2013.

**COMMENT:**

As a result of the boundary amendment the Dattening townsite has now been split between the Shires of Wandering and Pingelly. Should either Shire wish to amend the Dattening townsite boundary further consultation will be required with the State Land Services.

**RECOMMENDATION:**

For Council information.

[Attachment 10](#)

*Resolved by Council that the information tabled be received*

## 7.16 List of Accounts – February 2013

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**NAME OF APPLICANT:** Finance Officer  
**FILE REFERENCE:** N/A  
**AUTHOR:** Finance Officer

**SUMMARY:**

Attached is a list of accounts for Council consideration.

**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 \$209,487.01 be passed for payment.

[Attachment 11](#)

749:2012/13

Moved Cr Schorer, Seconded Cr Ferguson 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 \$209,487.01 be passed for payment.

CARRIED 7-0

## 7.17 Financial Reports – February 2013

NAME OF APPLICANT: CEO  
FILE REFERENCE: N/A  
AUTHOR: CEO

**SUMMARY:**

Separately attached are the monthly Financial Statements for the period 28 February 2013.

**RECOMMENDATION:**

That Council endorse the monthly Financial Statements for the period ending 28 February 2013.

[Attachment 12](#)

750:2012/13

Moved Cr Dowsett, Seconded Cr Barge that Council endorse the monthly Financial Statements for the period ending 28 February 2013.

CARRIED 7-0

## 8. NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 18 April 2013 at 12:00pm.

## 9. CLOSURE OF MEETING

There being no further business the meeting was closed at 7.14pm

These Minutes were confirmed by Council at the Ordinary Council Meeting  
on Thursday 18 April 2013.

CR G G KERR, President