

ORDER OF BUSINESS

1. Declaration of Opening/Announcement of Visitors

1:32pm – The President welcomed all present and declared the meeting open.

2. Record of Attendance/Apologies/Leave of Absence

Attendance:

GG Kerr	President
BE Dowsett	Deputy President
JC Schorer	Councillor
KJ Barge	Councillor
J Price	Councillor
C Ferguson	Councillor
M Whitely	CEO
P Rawlings	Manager Admin & Finance (1:34pm - 4:08pm)

Apologies:

JR McNeil	Councillor
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Visitors:

M Watts	1:34pm – 1:49pm
T Martin	1:34pm – 2:26pm

3. Public Question Time

Mr Max Watts circulated to Council a list of questions in relation to the proposed bowling green, skate park and other recreational activities and sought clarification on these matters. Since the nature of queries raised by Mr Watts was not in direct relation to any matters tabled in the Agenda for discussion a separate response will be forwarded to Mr Watts. Mr Watts also passed on his appreciation to Council for the recent road maintenance that is being carried out throughout the Shire.

4. Applications for Leave of Absence

1:2013/14

Moved Cr Dowsett, Seconded Cr Schorer that Cr Ferguson be granted a leave of absence for the Shire of Wandering Ordinary Meeting to be held 19 September 2013.

CARRIED 5-0

5. Confirmation of Minutes of Previous Meetings

Shire of Wandering Ordinary Meeting held 18 July 2013

2:2013/14

Moved Cr Price, Seconded Cr Ferguson that the minutes of the Shire of Wandering Ordinary Meeting held 18 July 2013 be confirmed as a true and correct record.

CARRIED 6-0

6. COUNCILLOR REPORTS

President Kerr

Meetings Attended

WALGA Local Government Convention
Wheatbelt South Aged Care Feasibility Group

Questions Without Notice

Signage - Moramocking Road/Fuller Road corner

Deputy President Dowsett

Meetings Attended

WALGA Local Government Convention

Questions Without Notice

Weed control on town oval
Classification for Councillor Awards
Clarification on Shire Boundaries for grader operators
Suitability of Local Phone Directory photographs

Councillor Ferguson

Questions Without Notice

More care required when grading as guide posts on Young Rd and Codjatotine Mooterdine have been knocked over and rolled into the road
Firebreaks on Ricks Rd/Sheoak Rd
Fire Break Event Slider

Councillor Price

Questions Without Notice

Positioning of Shire Shorts in the Wandering Echo
Outside crew to pick up rubbish after lunch
Cost Analysis for additional CRC opening hours

Councillor Schorer

Meetings Attended

WALGA Local Government Convention

Questions Without Notice

Road Maintenance – installation of culverts on Reid Rd
Weed spraying - Crossman Dwarda Rd

7. MATTERS REQUIRING COUNCIL DECISION

7.1 2013/14 Budget Adoption

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

SUMMARY:

Council met on Tuesday 30 July 2013 at the Wandering Community Centre to discuss the Draft Budget for the 2013/14 financial year. Council had detailed discussions on the Operating Budget, Capital Expenditure, Fees & Charges, Road Replacement, Plant Replacement and other major programs for the 2013/14 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 (based on a 3% increase)
- 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 2013/14 financial year

COMMENT:

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

RECOMMENDATION

That Council;

1. Adopt the 2013/14 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
3. Adopt the 2013/14 Schedule of Fees and Charges
4. That the rate in the dollar of 5.9388 cents for Gross Rental Values (GRV), 7.9449 cents for GRV Special Use Values and 0.4704 cents for Unimproved Values (UV) be adopted for 2013/14
5. That a minimum rate of \$539 GRV and \$734 UV be adopted for 2013/14
6. That a discount of 10% of the assessed rate be given for payment of the rates by Friday 27 September 2013 for the single payment option
7. That an interest rate of 11% is imposed for the late payment of 2013/14 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 2013/14 being \$269.94 for Shire Rates apply
11. Domestic Kerbside and Commercial Kerbside pickup service charge of \$223.00
12. That Council adopt the following options for payment of 2013/14 rates for which the issue date will be Friday 23 August 2013:
 - 1st Instalment Friday 27 September 2013
 - 2nd Instalment Friday 29 November 2013
 - 3rd Instalment Friday 31 January 2014
 - 4th Instalment Friday 28 March 2014

[Attachment 2](#)

The Manager Administration and Finance left the meeting at 2:42pm and returned at 2:45pm.

In addition to the items included in the recommendation Council also considered two separate items in relation to the budget adoption.

Contribution towards the Wandering Annual Fair

The CEO raised the issue that while provision was made in the budget for the Wandering Annual Fair Council had not previously discussed how this contribution would be allocated. Council discussed a number of various allocations leading to the following resolution.

3:2013/14

Moved Cr Schorer, Seconded Cr Dowsett that Council approve the use of the Cheetaning St oval, Geoff Marsh Pavilion and portable shade structures free of charge and in addition Council will reimburse costs associated with the day to the value of \$2,500 on the production of receipts from the Wandering Fair Committee for this amount.

CARRIED 6-0

Borrowing Facility

The CEO raised the topic of putting in the budget provision for a borrowing facility of \$1m. The loan would not automatically be raised, however provision could be made in the budget for such a facility to take advantage of current low interest rates on offer from WA Treasury and funds could be leveraged to fund future projects. Council discussed in detail the option to borrow funds leading to the following resolution.

4:2013/14

Moved Cr Kerr, Seconded Cr Schorer that Council make provision in the 2013/14 Budget to borrow funds to the value of \$1m.

DEFEATED 4-3

The President used his casting vote to keep the status quo and not to make provision in budget for a loan facility.

With there being no further discussion on items previously discussed in the 2013/14 Budget the original recommendation was moved.

5:2013/14

Moved Cr Schorer, Seconded Cr Dowsett that Council;

1. Adopt the 2013/14 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
3. Adopt the 2013/14 Schedule of Fees and Charges
4. That the rate in the dollar of 5.9388 cents for Gross Rental Values (GRV), 7.9449 cents for GRV Special Use Values and 0.4704 cents for Unimproved Values (UV) be adopted for 2013/14
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 - 1st Instalment Friday 27 September 2013
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CARRIED 6-0

7.2 Planning Application - New Dam on Lot 8465 Corser Rd, Hastings

NAME OF APPLICANT: Mr Ross Jones (Landowner)
FILE REFERENCE: A234
AUTHOR: Messrs Joe Douglas & Carlo Famiano – Consultant Town Planners
(Urban & Rural Perspectives)

SUMMARY:

This report recommends that a planning application submitted by Mr Ross Jones (Landowner) to construct a new dam on Lot 8465 Corser Road, Hastings be approved by Council subject to the imposition of a number of conditions.

BACKGROUND:

The applicant is seeking Council's planning approval to construct a new dam to service and provide for the future possible expansion of the existing intensive agricultural use on Lot 8465 Corser Road, Hastings.

Lot 8465 is located approximately twenty two (22) kilometres north-east of the Wandering townsite. The land is irregular in shape, comprises a total area of approximately 48.628 hectares and has direct frontage and access to Corser Road along its south-western boundary (see Plans 1 & 2).

Lot 8465 has been extensively cleared and is currently used for intensive agricultural purposes (i.e. olive plantation). Lot 8465 is moderately sloping and comprises some scattered stands of natural vegetation throughout including two water courses which traverse the central and western portions of the land. The property also contains a number of physical improvements associated with its current rural use including one (1) single detached dwelling, sheds, dams, water storage tanks, internal access tracks and fencing (see Plan 3).

Council is advised that one of the existing dams on Lot 8645 in close proximity to the proposed new dam currently straddles the common boundary with the adjoining Lot 8464 which is under separate ownership. It is understood that this dam is currently used to service the rural activities being undertaken on the adjoining Lot 8464 with no infrastructure or capacity available for usage by the owner of Lot 8465. Council should note that this existing dam does not form part of this application and any access and usage rights thereto is a civil matter to be resolved by the parties concerned.

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

- i) Construction of a new 10 metre long, 10 metre wide and 6 metre deep dam in the north-eastern corner of the property comprising earth banks with a gradient of 1:3 (see Plans 4 & 5);
- ii) The new dam will have a setback of approximately 40 metres from the subject land's north-eastern rear boundary and a 10 metre setback from its north-western side boundary;
- iii) The new dam will utilise an existing pump and associated reticulation system currently used to irrigate the existing olive plantation; and
- iv) The catchment area associated with the new dam will be contained within Lot 8465 (see Plan 6).

It is significant to note that the application does not provide any details regarding the nature and scope of any possible grading or contouring works within the catchment area for the new dam or arrangements for the discharge and management of water from the dam spillway. As such it is recommended that a condition be imposed on any approval that may be issued by Council requiring the applicant to prepare and submit additional information and plans to the Shire to clarify and/or address these matters.

COMMENT:

Current Zoning & Land Use Permissibility

Lot 8465 is classified 'Rural' zone under the Shire of Wandering's current operative Town Planning Scheme No.3 (TPS No.3).

Council's stated objectives for the development and use of any land classified 'Rural' zone are as follows:

- (a) *to ensure the continuation of broad-hectare agriculture in the district encouraging where appropriate the retention and expansion of agricultural activities;*
- (b) *to provide for diversification and intensive agricultural uses in suitable areas;*
- (c) *to consider non-rural uses where they can be shown to be of benefit to the district and not detrimental to the natural resources or the environment;*
- (d) *to allow for facilities for tourists and travellers and for recreation uses; and*
- (e) *to have regard to use of adjoining land at the interface of the Rural zone with other zones to avoid adverse effects on local amenities.*

The current use of the subject land for the cultivation of olives is most appropriately defined in Schedule 1 of TPS No.3 as 'intensive agriculture' which is a use class considered to be consistent with the objectives of the land's current 'Rural' zoning classification.

MINUTES FOR THE MEETING HELD 15 AUGUST 2013

The development and use of any land classified 'Rural' zone for the purposes of 'intensive agriculture' is listed in the Zoning Table of TPS No.3 as an 'A' use which means it is not permitted unless the local government has exercised its discretion by granting planning approval after giving specific notice in accordance with clause 9.4 of TPS No.3.

In this instance the reporting officers have formed the view that the proposed construction of a new dam on Lot 8465 is 'incidental' to the current approved use of the land for 'intensive agricultural' purposes and may therefore be approved by Council without the need for public advertising.

TPS No.3 Development Standards & Requirements

An assessment of the proposal by the reporting officers against the development standards prescribed in TPS No.3 has confirmed that it satisfies the majority of standards and requirements except for the following:

- i) The proposed rural dam comprises a setback of 10 metres from the north-western side boundary in lieu of a minimum required setback of 20 metres as prescribed in Clause 5.17.1 of TPS No.3.

The following is a brief discussion of this non-compliance issue:

Clause 5.17.1 – Site requirements (setbacks)

Clause 5.17.1 of TPS No.3 states that the minimum setback from the side or rear boundary for all development on land classified 'Rural' zone shall be 20 metres. Under the terms of the plans submitted in support of the application the new dam on Lot 8465 is proposed to have a setback of only 10 metres from the north-western side boundary.

In light of the proposed setback variation, the Shire's Administration wrote to the owner of the adjoining Lot 8464 seeking comment on the suitability of the proposal. Council is advised that at the conclusion of the fourteen (14) day consultation period the Shire did not receive any feedback or comment from the adjoining landowner. As such it is reasonable to assume that the adjoining landowner has no concerns with or objections to the proposal.

Having regard for the specific requirements of Clause 5.17.1 of TPS No.3, the objectives of the land's current 'Rural' zoning classification and the outcomes from recent consultation with the adjoining landowner, the reporting officers have formed the view that the proposed boundary setback variation for the new dam is capable of being supported by Council for the following reasons:

- It is unlikely to compromise the orderly and proper planning of the locality;
- It is unlikely to compromise or have any negative impact upon the continued use of the subject land for agricultural purposes;
- It is unlikely to cause any serious land use conflicts or have a detrimental impact upon the continued operation of other existing established rural uses in the immediate locality; and
- It is unlikely to have a detrimental impact upon the visual amenity or character of the immediate locality.

CONCLUSION:

It is concluded from a detailed assessment of the application that the proposal to construct a new dam on Lot 8465 Corser Road, Hastings is capable of being implemented in a proper and orderly manner and is unlikely to have a negative impact on the general amenity, character, functionality and safety of the immediate locality subject to compliance with a number of conditions.

FINANCIAL IMPLICATIONS

Nil

STATUTORY & TOWN PLANNING IMPLICATIONS

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

COMMUNITY CONSULTATION

Not required however the Shire's Administration wrote to the current owner of the adjoining Lot 8464 Corser Road, Hastings seeking comment on the proposal. As previously mentioned the Shire did not receive any feedback or comment from the adjoining landowner at the conclusion of the fourteen (14) day consultation period.

STRATEGIC IMPLICATIONS

Shire of Wandering Local Planning Strategy

RECOMMENDATION:

That the application for planning approval submitted by Mr Ross Jones (Landowner) to construct a new dam on Lot 8465 Corser Road, Hastings 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:

Conditions

1. Additional information and plans are required to be prepared and submitted to the Shire of Wandering for consideration and approval by the Shire's Chief Executive Officer prior to the commencement of any development on the land. The additional plans are to be suitably scaled and are required to clearly illustrate the following:
 - i) The nature and scope of any possible grading or contouring works within the catchment area for the new dam on the subject land; and
 - ii) Arrangements for the discharge and management of water from the dam spillway.
2. The development shall be undertaken in accordance with the details contained in the plans originally submitted in support of the application as well as the additional plans required by Condition No.1 above if and when these plans are approved by the Shire of Wandering.
3. Any discharge of water from the dam spillway shall be managed and disposed of within the legally designated boundaries of Lot 8465 Corser Road, Hastings to the satisfaction of the Shire of Wandering.
4. All existing native vegetation on Lot 8465 shall be retained and preserved to the satisfaction of the Shire of Wandering. Any proposal to remove or clear any existing vegetation will require the prior approval of the Shire of Wandering.

Advice Notes

1. The development shall be completed within a period of two (2) years from the date of this approval. If the development is not completed within this period the approval will lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the Shire of Wandering having first been sought and obtained.
2. 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.
3. No construction works shall commence on the land prior to 7am without the Shire's written approval.
4. 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.

[Attachment 3](#)

6:2013/14

Moved Cr Ferguson, Seconded Cr Barge that the application for planning approval submitted by Mr Ross Jones (Landowner) to construct a new dam on Lot 8465 Corser Road, Hastings 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:

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- 2. The development shall be undertaken in accordance with the details contained in the plans originally submitted in support of the application as well as the additional plans required by Condition No.1 above if and when these plans are approved by the Shire of Wandering.**

3. Any discharge of water from the dam spillway shall be managed and disposed of within the legally designated boundaries of Lot 8465 Corser Road, Hastings to the satisfaction of the Shire of Wandering.

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3. No construction works shall commence on the land prior to 7am without the Shire's written approval.

4. 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

7.3 List of Accounts – July 2013

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 \$478,047.03 be passed for payment.

[Attachment 4](#)

7:2013/14

Moved Cr Dowsett, 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 \$478,047.03 be passed for payment.

CARRIED 6-0

Council adjourned for afternoon tea at 3.30pm

Council returned from afternoon tea at 4:00pm

7.4 Financial Reports – July 2013

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

SUMMARY:

Separately attached are the DRAFT monthly Financial Statements for the period 30 June 2013.

RECOMMENDATION:

That Council endorse the DRAFT monthly Financial Statements for the period ending 30 June 2013.

[Attachment 5](#)

8:2013/14

Moved Cr Schorer, Seconded Cr Barge that Council endorse the DRAFT monthly Financial Statements for the period ending 30 June 2013 and the monthly Financial Statements for the period ending 31 July 2013.

CARRIED 6-0

7.5 Financial Reports – July 2013

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

SUMMARY:

Separately attached are the monthly Financial Statements for the period 31 July 2013.

RECOMMENDATION:

That Council endorse the monthly Financial Statements for the period ending 31 July 2013.

[Attachment 6](#)

8:2013/14

Moved Cr Schorer, Seconded Cr Barge that Council endorse the DRAFT monthly Financial Statements for the period ending 30 June 2013 and the monthly Financial Statements for the period ending 31 July 2013.

CARRIED 6-0

8. NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 19 September at 1:30pm

9. CLOSURE OF MEETING

There being no further business for discussion the President closed the meeting at 5:12pm.

**These Minutes were confirmed by Council at the Ordinary Council Meeting
on Thursday 19 September 2013.**

CR G G KERR, President