

**Minutes of the Ordinary Meeting held in the
Council Chambers, Wandering
on Thursday 15 March 2012**

1. Declaration of Opening/Announcement of Visitors

7:05am – 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
C Ferguson	Councillor
J Price	Councillor
JC Schorer	Councillor
JR Mcneil	Councillor
KJ Barge	Councillor
M Whitely	CEO
G Mathewson	Works Supervisor (9:00am – close)

Apologies:

Nil

3. Public Question Time

Nil

4. Applications for Leave of Absence

Nil

5. Confirmation of Minutes of Previous Meetings

Shire of Wandering Ordinary Meeting held 16 February 2012

609:2011/12

Moved Cr Price, Seconded Cr Barge that the minutes of the Shire of Wandering Ordinary Meeting held 16 February 2012 be confirmed as a true and correct record.

CARRIED 7-0

6. COUNCILLOR REPORTS

Councillor McNeil

Questions Without Notice

Geoff Marsh Pavilion

Councillor Barge

Questions Without Notice

Wreath for Anzac Day

By-law for fire breaks

7. MATTERS REQUIRING COUNCIL DECISION

7.1 Retaining Walls – Lot 44 Dowsett Street Wandering

NAME OF APPLICANT: David Burnes
FILE REFERENCE: A284
AUTHOR: EHO/BS

SUMMARY:

An application to build limestone retaining walls on the above mentioned Lot has been received. Due to the fact that the walls are on the Lot boundaries an Application For Planning Approval has been required and submitted. The application and supporting documents are attached for Council's information.

COMMENT:

The applicant has advised verbally that the maximum height of the walls along the front boundary is to be 1200mm tapering down to nothing in line with the slope of the land. Council may wish to consult the owners of the adjoining properties one of whom is the applicant and the other at Lot 43 White Street lives in Queensland and the ground level along this boundary on Mr Burnes's property is already approximately 500 – 600mm difference in height to Lot 43.

Other similar types of walls have been constructed within the town in Down Street, Dunmall Drive and Humes Court so precedence has been set in allowing such construction to be undertaken.

RECOMMENDATION:

That Council approves the construction of retaining walls on the Lot boundaries of Lot 44 Dowsett Street wandering as per the attached plan subject to payment of a Town Planning Fee of \$139.00. The walls are not to be constructed until a building licence has been issued.

[Attachment 2](#)

610:2011/12

Moved Cr Dowsett, Seconded Cr McNeil that Council approves the construction of retaining walls on the Lot boundaries of Lot 44 Dowsett Street wandering as per the attached plan subject to payment of a Town Planning Fee of \$139.00. The walls are not to be constructed until a building licence has been issued.

CARRIED 7-0

7.2 2011 Compliance Return

OF APPLICANT: CEO
FILE REFERENCE: 18.1.14
AUTHOR: CEO

SUMMARY:

The annual compliance audit return for Local Governments covering the period 1 January 2011 to 31 December 2011 needs to be formally adopted by Council and forwarded to the Department by 31 March 2012.

RECOMMENDATION:

That Council adopt the 2011 Compliance Audit Return for Local Governments covering the period 1 January 2011 to 31 December 2011.

[Attachment 3](#)

610:2011/12

Moved Cr McNeil, Seconded Cr Ferguson that Council adopt the 2011 Compliance Audit Return for Local Governments covering the period 1 January 2011 to 31 December 2011.

CARRIED 7-0

7.3 Budget Review

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 Governments 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.

A review has been conducted for the 8 month period ending 29 February 2012. Local Government (Financial Management) Regulations 1996 require Council to either adopt the Budget Review, or alternatively make further recommendations on the Budget Review process.

RECOMMENDATION:

Council accept the recommendations from the budget review for the period 1 July 2011 to 29 February January 2012, continuing to adopt the original 2011/12 Budget without change for the remainder of the 2011/12 financial year.

[Attachment 4](#)

611:2011/12

Moved Cr Dowsett, Seconded Cr Barge that Council accept the recommendations from the budget review for the period 1 July 2011 to 29 February January 2012, continuing to adopt the original 2011/12 Budget without change for the remainder of the 2011/12 financial year.

CARRIED 7-0

7.4 Application for Tavern License – Hotham Ridge Winery

NAME OF APPLICANT: Wouter Denig & Leonard Bruin – Hotham Ridge Winery
FILE REFERENCE: A306
AUTHOR: Joe Douglas, URP

SUMMARY:

An application was received 6 March 2012 from Hotham Ridge Winery seeking a letter of support from the Shire of Wandering in regards to an application for a Tavern Liquor License.

At the August 2009 Ordinary Meeting Council resolved to support an application for a Special Facility Liquor License at the Hotham Ridge Winery Pty Ltd subject to a condition that any activity or further development of the Winery complies with Council's planning, health and building requirements.

Since the above meeting Council lodged an objection to Department of Racing, Gaming & Liquor in October 2012 when it was brought to Council's attention that an application for a Tavern License had been applied for and advertised for public comment.

COMMENT:

The information received from Hotham Ridge Winery was passed onto Joe Douglas, Urban & Rural Perspectives and here are his comments;

1. It is our view that the Shire should not support the application for a tavern license for the property until such time as the owners/operators of the Hotham Ridge Winery prepare and lodge a suitable planning application to the Shire seeking Council's planning approval for the full range of uses proposed to be undertaken on the land. A full assessment of the proposed development then needs to be undertaken in the context of the Shire's current operative Local Planning Scheme and any associated policies.
2. We consider that the application for a tavern license is premature and should only be considered by the Shire once planning approval has been issued for all of the proposed uses on the land which we

MINUTES FOR THE MEETING HELD 15 MARCH 2012

note are significant and have potential to have a number of impacts that require appropriate management.

3. The request to rezone a portion of the land to accommodate the proposed development and use is considered unnecessary as the range of activities proposed to be undertaken on the land have significant scope to be approved under the land's current 'Rural' zoning classification in the Shire's Local Planning Scheme. We don't see a need for the owners/operators of the Hotham Ridge Winery to go to the significant expense and delays associated with rezoning the land when planning approval can in fact be issued by Council in a much shorter timeframe if it resolves to do so following consideration of a detailed planning application.
4. The planning application will need to provide specific details of all proposed development and usage on the land including all proposed physical improvements, hours of operation of the proposed business activities, staff and patron numbers, vehicle access and parking arrangements etc. A comprehensive report outlining the proposal needs to be prepared and should be supported by some very clear plans including an overall site development plan illustrating the general configuration of all existing and proposed improvements.
5. It is important to also note that any planning application submitted for the property is required to address the specific requirements of clause 5.17.3 of the Shire's Local Planning Scheme which clearly states that when considering an application for planning approval on land classified 'Rural' zone the local government must have due regard for the following:
 - (a) any sensitive or incompatible uses which may require buffer separation from the proposed use (e.g. the hay plant on the property located immediately east);
 - (b) evidence of a sustainable water supply that does not rely on catchment outside the lot, or damming of a stream that will impact on the water availability for another lot or lots;
 - (c) soil conditions, slope, soil type, rock, potential for water logging, foundation stability, and how the application has addressed these site characteristics; and
 - (d) proposals for treatment and disposal of waste products.

All of the above matters will need to be addressed in any planning application submitted to the Shire in order for Council to make a final determination on any development proposal for the land.

6. Given the nature of some of the proposed uses it is likely that any planning application received will need to advertise for public comment for a minimum period of 14 days. It is therefore paramount that the proponent prepares and submits suitable information to ensure that the proposal presented to both the public and Council is sufficient to enable comments and a final decision to be made. It is therefore recommended that owners/operators of the Hotham Ridge Winery engage a suitably qualified consultant to prepare the required documentation and plans in support of the planning application.
7. In light of all of the above we recommend that the Shire write to the owners/operators of the Hotham Ridge Winery advising that the Shire is not willing to consider or support the application for a tavern license for the property until such time as a suitable planning application is prepared and submitted to the Shire seeking Council's planning approval for the full range of uses proposed to be undertaken on the land. If the Shire would like us to draft up the required correspondence please let me know and I'll make the necessary arrangements.

RECOMMENDATION:

That Council request a full agenda item to be prepared by Urban & Rural Perspectives for consideration at the April Ordinary Council meeting.

[Attachment 5](#)

611:2011/12

Moved Cr Schorer, Seconded Cr Dowsett that Council request a full agenda item to be prepared by Urban & Rural Perspectives for consideration at the April Ordinary Council meeting.

CARRIED 7-0

7.5 Russell Goodricks's Best Country Towns

NAME OF APPLICANT: Sheryl Jenkinson, MRG TV
FILE REFERENCE: 1.3.2
AUTHOR: CEO

SUMMARY:

Sheryl Jenkinson from MRG TV has been in contact offering an opportunity to promote the Shire in a segment called Russell Goodrick's Best Country Towns on Perth Television - West TV Digital Channel.

The program is specifically focused on Country Living – the options, the benefits, the unique lifestyle and appeal. It promotes not only the tourism aspects, but also the opportunities in purchasing a home, a business and raising a family. It could include community events, activities, sporting clubs or local amenities. The program will be hosted by former Channel 9 Newsreader Russell Goodrick.

The program will be;

- screened on West TV – Channel 44 in Metropolitan Perth, in Peak (twice) and Off peak (twice) = 150,000 audience per episode = (Total 1.2million viewers)
- screened on Foxtel Aurora 183 across Australia 3 times per month for 3 months = (potential 8.1m audience per month)
- The segment will be uploaded to MRGTV, MRGTV's Channel on YouTube, individual Council Websites

The cost of \$9,000 (GST Exclusive), excludes travel and accommodation costs if they are required, but covers the costs of pre-production, scriptwriting, up to 6 hours on location, a presenter, video production crew, all editing, graphics and background music for each segment. It also includes uploading to individual websites and supply of programs DVD (one for each town/shire) for in-house or public presentation and the raw footage can also be utilised for further promotional opportunities.

COMMENT:

The concept of putting together a commercial advertising segment certainly has merit and the ability to use the three minute segment for future promotion of the area also has its benefits. The question that needs to be asked is whether Council considers the \$9,000 + GST to be a good investment for the target audience that will be reached?

There is only provision of \$2,000 made in the 2011/12 Budget for sundry promotions. If Council were to proceed with the segment then could be taken from Other Economic Services were \$20,000 has been allowed for community and sporting groups.

RECOMMENDATION:

For Council consideration.

[Attachment 6](#)

RESOLVED that Council do not participate in the Russell Goodrick Country Towns segment.

7.6 List of Accounts – February 2012

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 \$586,780.43 be passed for payment.

[Attachment 7](#)

612:2011/12

Moved Cr Ferguson, Seconded Cr Barge 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 \$586,780.43 be passed for payment.

CARRIED 7-0

7.7 Financial Reports – February 2012

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

SUMMARY:

Separately attached are the monthly Financial Statements for the period 29 February 2012.

RECOMMENDATION:

That Council endorse the monthly Financial Statements for the period ending 29 February 2012.

[Attachment 8](#)

613:2011/12

Moved Cr Dowsett, Seconded Cr McNeil that Council endorse the monthly Financial Statements for the period ending 29 February 2012.

CARRIED 7-0

9. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

Nil

10. NEXT MEETING

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

11. CLOSURE OF MEETING

There being no further business the meeting closed at 9:55am

These Minutes were confirmed by Council at the Ordinary Council Meeting on Thursday 19 April 2012.

CR G G KERR, President