

**Minutes of the Ordinary Meeting held in the
Council Chambers, Wandering
on Thursday 19 April 2012**

1. Declaration of Opening/Announcement of Visitors

1:30pm – 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

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 15 March 2012

614:2011/12

Moved Cr Schorer, Seconded Cr Price that the minutes of the Shire of Wandering Ordinary Meeting held 15 March 2012 be confirmed as a true and correct record.

CARRIED 7-0

Boddington SuperTown Project Team Meeting held 23 February 2012

615:2011/12

Moved Cr Schorer, Seconded Cr McNeil that the minutes of the Boddington SuperTown Project Team Meeting held 23 February 2012 be received.

CARRIED 7-0

6. COUNCILLOR REPORTS

President Kerr

Meetings Attended

Wandering Primary School Anzac Day Service

Dryandra Equestrian Centre opening

Questions Without Notice

Fire infringement notices

Deputy President Dowsett

Questions Without Notice

Traffic Hazard Signs need to be in place for all contractors working in the Shire

Councillor McNeil

Questions Without Notice

Spraying (Blackberries) at Wandering Downs

Councillor Barge

Questions Without Notice

Ants near Community Resource Centre

Councillor Price

Meetings Attended

Lure Meeting

Questions Without Notice

York Williams Rd

Grahams Rd

7. MATTERS REQUIRING COUNCIL DECISION

7.1 Bush Fire Advisory Meeting

NAME OF APPLICANT: CEO

FILE REFERENCE: 4.1.1

AUTHOR: CEO

SUMMARY:

Pursuant to the Bush Fires Act a Committee Meeting is required to advise Council regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of firebreaks in the district, prosecutions for breaches of the Bush Fires Act, the formation of bush fire brigades, the ensuring of cooperation and co-ordination of bush fire brigades in their efforts and activities and any other matter relating to bush fire control.

COMMENT

A copy of a draft Fire Break Order/Fire Control Notice has been tabled for discussion.

Given the queries we have received this year regarding contiguous landholdings and adjoining leased properties, should there be further clarification of these particular situations in the Fire Control Notice?

It is suggested that if there are any proposed changes to be made these amendments can be forwarded to each of the brigades along with the agenda prior to Bush Fire Advisory the meeting.

RECOMMENDATION:

That the Bush Fire Advisory Meeting be held on Tuesday 8 May 2012 at 7.30pm in the Council Chambers and that the CEO extend an invitation to FESA and all Wandering Brigades to attend the meeting with the proposed Fire Break Order tabled for adoption at the meeting.

[Attachment 3](#)

616:2011/12

Moved Cr Dowsett, Seconded Cr McNeil that the Bush Fire Advisory Meeting be held on Tuesday 8 May 2012 at 7.30pm in the Council Chambers and that the CEO extend an invitation to FESA and all Wandering Brigades to attend the meeting.

CARRIED 7-0

7.2 Footpaths & Kerbing

OF APPLICANT: CEO
FILE REFERENCE: 33.1.15
AUTHOR: CEO

SUMMARY:

2010/11 Country Local Government Funding (CLGF) has been allocated in the Budget for footpaths and kerbing in the town site. In total \$52,000 is allocated for footpaths and \$32,000 for kerbing.

The footpaths will be 2m wide, 100mm thick and the cost to supply and deliver including labour with a picture frame and broom finish is \$42m². Pricing is based on the Shire preparing a level compacted surface.

The kerbing will be angled kerbing the same as is currently installed around town and the price to supply and install is \$16 a metre based on any site works being prepared by the Shire.

The following streets have been identified as requiring footpaths;

- Watts Street (near Trigger) 55m
- Vintage Machinery Shed 150m
- Cheetaning Street 160m
- Down Street 100m
- Gnowing Street 170m
- White Street 110m
- 745m**

While the following streets require kerbing;

- Hotham Street 100m
- Cheetaning Street 160m
- Gnowing Street 65m
- Michibin Street 175m
- Down Street 405m
- Westwood Road 75m
- White Street 160m
- Humes Way 100m
- Dowsett Street 130m
- 1,370m**

Total cost would be \$31,290 for the footpaths and \$21,920 for the kerbing which would allow \$30,790 for Shire salaries and overhead allocations.

COMMENT:

2010/11 CLGF funds need to be expended 24 months after the Financial Assistance Agreement has been signed, which was back in April 2011.

The footpaths (105m) and kerbing (300m) have been put on hold for Dunmall Drive until further drainage studies have been completed.

RECOMMENDATION:

That Council proceed with the proposed footpath and kerbing program.

617:2011/12

Moved Cr Dowsett, Seconded Cr Schorer that Council proceed with the proposed footpath and kerbing program.

CARRIED 7-0

7.3 2010/11 Annual Report

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

SUMMARY:

Butler Settineri signed off on the financial ending 30 June 2011 and a copy of the audit Report is attached. There were no concerns raised following the completion of the audit.

COMMENT:

A copy of the financials ending 30 June 2011 and the Audit Report were distributed to attendees of the 2011 Electors Meeting and further copies will be made available on the evening.

RECOMMENDATION:

That Council adopt the 2010/11 Annual Report.

[Attachment 4](#)

618:2011/12

Moved Cr McNeil, Seconded Cr Barge that Council adopt the 2010/11 Annual Report.

CARRIED 7-0

7.4 Housing Allowance

NAME OF APPLICANT: CEO
FILE REFERENCE: 1.2.2
AUTHOR: CEO

SUMMARY:

At present full time staff that have their own housing receive a housing subsidy. The subsidy currently paid is \$31 week and is paid in lieu of having to provide subsidised housing as part of their employment conditions.

COMMENT:

The rental value of housing in Wandering at the moment is around the \$250 per week for a 3x1 house. Therefore there is a financial benefit for the Shire to rent these properties out privately as opposed to providing the housing for employees.

Increasing the housing subsidy may also act as an incentive for people to purchase properties within the Shire.

RECOMMENDATION:

That Council increase the housing allowance from \$31 a week to \$100 week.

619:2011/12

Moved Cr Barge, Seconded Cr McNeil that Council increase the housing allowance from \$31 a week to \$100 week.

CARRIED 7-0

7.5 Sea Container Policy

NAME OF APPLICANT: CEO
FILE REFERENCE: 1.2.2
AUTHOR: CEO

SUMMARY:

The use of sea containers and transportable structures for purposes other than the transportation of goods has the potential to have a negative impact upon the visual amenity of areas in which they are located due to the general size and appearance of such structures.

In considering any application for planning consent to use a sea container or transportable structure, Council should have regard to the objectives and provisions of its Town Planning Scheme and may take into account any matters relevant to Town and Regional Planning, the public interest in general and the locality surrounding the proposed development in particular.

COMMENT:

In order to guard against the potential negative impact of such usage, it is strongly recommended that Council adopt some form of official policy on the use of sea containers and transportable structures. I have put together a draft policy outlining the requirements for housing sea containers in all zones within the Shire of Wandering and this is shown at **Attachment 5**. Basically the policy allows for sea containers to be stored in all areas provided a building license and council conditions are met.

RECOMMENDATION

That Council adopt the Sea Container Policy for the Shire of Wandering.

[Attachment 5](#)

620:2011/12

Moved Cr Ferguson, Seconded Cr Barge that Council revisit the Sea Container policy at the May Ordinary Meeting.

CARRIED 7-0

7.6 Wandering Annual Fair

NAME OF APPLICANT: Wandering Annual Fair Committee
FILE REFERENCE: 18.1.27
AUTHOR: CEO

SUMMARY:

A letter has been received from the Annual Fair Committee requesting monetary support for the 2012 Fair. In addition to seeking financial support the Committee have also requested that Council look at upgrading the ablution block, installing a covered BBQ area bituminise the front entrance.

COMMENT

Last year the Shire provided for free the use of the Cheetaning Street oval and Geoff Marsh Pavilion, paid for the fliers and contributed \$1,000 towards sponsoring an activity on the day. The cost to produce the fliers last year was \$325.

Since the last Annual Fair the Shire has purchased a number of different activities as part of the Dry Season funding which could be loaned to the Committee for use on the day rather than providing a cash contribution. Two activities that would be suitable are the velcro wall and the sumo suits.

RECOMMENDATION:

That Council approve the use of the Cheetaning St oval and Geoff Marsh Pavilion for free, pay \$350 towards the cost for the fliers to be printed, supply both the Velcro wall and sumo suits for activities on the day and advise the Committee that the other matters raised would be discussed by Council during the budget process.

[Attachment 6](#)

621:2011/12

Moved Cr Barge, Seconded Cr McNeil that Council adopt approve the use of the Cheetaning St oval and Geoff Marsh Pavilion for free, pay \$350 towards the cost for the fliers to be printed, supply both the Velcro wall and sumo suits for activities on the day and advise the Committee that the other matters raised would be discussed by Council during the budget process.

CARRIED 7-0

7.7 Wandering Primary School P&C

NAME OF APPLICANT: Wandering Primary School
FILE REFERENCE: 8.1.1
AUTHOR: CEO

SUMMARY:

A letter has been received from the Wandering Primary School P&C requesting funds towards a shade shelter for the Kindergarten / Pre-primary centre. The cost of the shade shelter is approximately \$4,500 and the P&C are requesting that the Shire contribute \$2,000.

COMMENT

If Council were keen to proceed there are funds allocated in the budget under Other Economic Services for community and sporting groups.

RECOMMENDATION:

For Council Consideration.

[Attachment 7](#)

622:2011/12

Moved Cr Ferguson, Seconded Cr Price that Council contribute 1/3 of the \$4,500 requested for the shade shelter at the Kindergarten / Pre-primary centre.

DEFEATED 4-3

7.8 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:

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 2011 when it was brought to Council's attention that an application for a Tavern License had been applied for and advertised for public comment.

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.

An invitation was extended to Councillors to attend Hotham Ridge Winery for a tour of the premises on Saturday 24 March which was attended by Cr Dowsett, Cr McNeil, Cr Ferguson, Cr Price and the CEO (as a proxy for Cr Kerr).

COMMENT:

A letter from the Department of Racing, Liquor and Gaming (“the Department”) dated 28 July 2011 is attached for Council information at **Attachment 8**. The letter outlines that the Department would not support a Special Facility license under Section 46(2) of the Liquor Control Act 1988 and suggested that applying for a Tavern or Hotel license would be a more suitable option.

After speaking with the Department of Racing, Liquor and Gaming the advice I received was that the Council would be able to approve a tavern license and place certain restrictions on this license as they deemed appropriate.

RECOMMENDATION:

That Council support the application for a tavern license from Hotham Ridge Winery subject to any special conditions as deemed appropriate by Council.

[Attachment 8](#)

Council adjourned for afternoon tea at 4:05pm.

Council returned from afternoon tea and commenced the meeting again at 4:25pm.

623:2011/12

Moved Cr Dowsett, Seconded Cr McNeil that Council support the application for a tavern license from Hotham Ridge Winery on the basis that the Hotham Ridge Winery will sell liquor for consumption on premises, being Hotham Ridge produced wine including contract made wine, boutique and low alcohol beers and cocktails and that only packaged Hotham Ridge wine will be sold off premises.

CARRIED 4-3

7.9 Request for Fuel Storage – 3 Michibin Street

NAME OF APPLICANT: Lee Muller
FILE REFERENCE: A20
AUTHOR: CEO

SUMMARY:

A letter has been received from Lee Muller seeking permission to store bulk fuel at her premises at 3 Michibin Street for the purpose of refuelling the school bus.

Under the zoning table a fuel depot is only a permitted use on Industrial zoned land. The definition of a fuel depot under the Town Planning Scheme means ***premises used for the storage and sale in bulk of solid, or liquid, or gaseous fuel, but does not include a service station and specifically excludes the sale by retail into the final users vehicle of such fuel from the premises***. Since fuel is not being sold the definition of a fuel depot should not be applied.

Under the Town Planning Scheme, subsection (f) of the definition for a home occupation, which means an occupation carried out in a dwelling or on land around a dwelling, does not allow for provision for fuelling;

“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”

Section 5.11.2 of the Town Planning Scheme also states that ***“the setback area shall not be used for the parking of vehicles which are being wrecked or repaired, nor for the stacking or storage of fuel, raw materials, products or by-products, or waste of manufacture”***.

COMMENT:

It is my understanding that the fuel was stored at the Shire Depot prior to be relocated to its current location. Lee has stated in her letter that Council was not consulted when the fuel tank was relocated from the depot and this seems to be the main source of the problem.

RECOMMENDATION:

For Council consideration.

[Attachment 9](#)

624:2011/12

Moved Cr McNeil, Seconded Cr Price that the bulk fuel currently stored at 3 Michibin Street is removed by 19 May 2012 and that Council offer to house the fuel at the shire depot until such time that the 24 hour fuel facility is operational at which time the fuel tank is to be removed immediately from the Shire depot.

CARRIED 7-0

7.10 Bridge No. 0425 Wandering Narrogin Rd

NAME OF APPLICANT: CEO
FILE REFERENCE: 33.1.5.6
AUTHOR: CEO

SUMMARY:

Main Roads have recently carried out routine inspections of bridge structures in the district and the inspection report findings for the above mentioned structure are tabled for Council information.

RECOMMENDATION:

For Council information.

[Attachment 10](#)

RESOLVED by Council that the information be received

7.11 Bridge No. 3066A Carabin Rd

NAME OF APPLICANT: CEO
FILE REFERENCE: 33.1.5.13
AUTHOR: CEO

SUMMARY:

Main Roads have recently carried out routine inspections of bridge structures in the district and the inspection report findings for the above mentioned structure are tabled for Council information.

RECOMMENDATION:

For Council information.

[Attachment 11](#)

RESOLVED by Council that the information be received

7.12 Bridge No. 3067A Dwarda East Rd

NAME OF APPLICANT: CEO
FILE REFERENCE: 33.1.5.14
AUTHOR: CEO

SUMMARY:

Main Roads have recently carried out routine inspections of bridge structures in the district and the inspection report findings for the above mentioned structure are tabled for Council information.

RECOMMENDATION:

For Council information.

[Attachment 12](#)

RESOLVED by Council that the information be received

7.13 Expressions of Interest - Excavator

NAME OF APPLICANT: CEO
FILE REFERENCE: 22.1.1
AUTHOR: CEO

SUMMARY:

Expressions of Interest were called through the WALGA Preferred Suppliers system online for a 20 Tonne Excavator. Attachments requested where a trenching bucket, batter bucket, ripper tyne, mulching head and tilting quick hitch. Where pricing was not submitted for any of these attachments an average price was used as an estimate. All prices are GST Exclusive.

Make	Model	HP	Warranty	Price	Comments
Volvo	EC210CLC	167	48mths/8000hrs	\$279,700	
JCB	JS220LC	172	36mths/6000hrs	\$294,450	Estimate for groomer & quick hitch
Hitachi	ZX200LC-3	165	48mths/8000hrs	\$313,550	
Westrac	320DLQ	138	36mths/6000hrs	\$358,657	
Komatsu	HB215LC	139	36mths/6000hrs	\$367,200	Estimate used for mulching head

Financing options for the machine were also sought from 5 companies on the WALGA Preferred Suppliers list. Of these suppliers the best financing options were from Capital Finance with the best two options being;

1. 12 monthly repayments of \$26,846 with a NIL balloon payment / residual
2. 18 monthly repayments of \$18,247 with a NIL balloon payment / residual

COMMENT:

The purchase of an Excavator was not in the 2011/12 Budget so Council must move a motion for the machine to be purchased.

RECOMMENDATION:

That Council proceed with the purchase of the Volvo EC210CLC with attachments for \$279,700 and finance the purchase through Capital Finance over 18 months.

[Attachment 13](#)

625:2011/12

Moved Cr Price, Seconded Cr Ferguson that Council proceed with the purchase of the Volvo EC210CLC with attachments for \$279,700 and finance the purchase through Capital Finance over 18 months.

CARRIED 7-0

7.14 Public Liability Claim

NAME OF APPLICANT: Shane Francis/Friedman Lurie Singh & D'Angelo
FILE REFERENCE: 22.1.1
AUTHOR: CEO

SUMMARY:

Notice has been received from Friedman Lurie Singh & D'Angelo of their intention to seek compensation for their client Shane Francis for damages sustained in an accident on Saturday 31 December 2011 at the Codjatonine Bridge.

A letter has also been received from Shane Francis seeking compensation from the incident to the value of \$13,430.

COMMENT:

I have not responded to either of the letters and both letters have been forwarded to our insurers for comment.

RECOMMENDATION:

For Council information.

[Attachment 14](#)

RESOLVED by Council that the information be received

7.15 List of Accounts – March 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 \$221,006.20 be passed for payment.

[Attachment 15](#)

626:2011/12

Moved Cr Schorer, Seconded Cr Dowsett 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 \$221,006.20 be passed for payment.

CARRIED 7-0

7.16 Financial Reports – March 2012

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

SUMMARY:

Separately attached are the monthly Financial Statements for the period 31 March 2012.

RECOMMENDATION:

That Council endorse the monthly Financial Statements for the period ending 31 March 2012.

[Attachment 16](#)

627:2011/12

Moved Cr Dowsett, Seconded Cr Ferguson that endorse the monthly Financial Statements for the period ending 31 March 2012.

CARRIED 7-0

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

Nil

9. NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 17 May 2012 commencing at 1:30pm

10. CLOSURE OF MEETING

There being no further business the meeting closed at 6:12pm

**These Minutes were confirmed by Council at the Ordinary Council Meeting
on Thursday 17 May 2012.**

CR G G KERR, President