

**Minutes of the Ordinary Meeting held at the
Wandering Community Centre
on Thursday 18 October 2012**

1. Declaration of Opening/Announcement of Visitors

1:38pm – 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
JR Mcneil	Councillor
J Price	Councillor
JC Schorer	Councillor
KJ Barge	Councillor
C Ferguson	Councillor
M Whitely	CEO
J Hobson	Works Supervisor (3:05pm – 3:30pm)

Apologies:

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 18 September 2012

684:2011/12

Moved Cr Price, Seconded Cr Ferguson that the minutes of the Shire of Wandering Ordinary Meeting held 18 September 2012 be confirmed as a true and correct record.

CARRIED 7-0

6. COUNCILLOR REPORTS

President Kerr

Meetings Attended

Hotham Ridge Winery

Deputy President Dowsett

Questions Without Notice

Australia Day

Council Citizen of the Year Award – call for nominations

Councillor McNeil

Questions Without Notice

Tree Pruning – Pumphreys Rd

Tree Pruning – North Wandering Rd

Codjatonine Mooterdine – remove heaps from Kelvin Price's property

North Wandering – tree root appearing near the golf club

Sheoak Rd – tree cleared from road has been pushed over the adjoining property owners fence

Gravel royalties – are the Shire looking to get more gravel from Cr McNeil's property

Signs left on roadside verges – George Rd

CEO contract

Caravan Park – After Hours Contact Details

Licensing

Men's Shed

Waiting for invoice for reserved plots at Wandering Cemetery

Line marking on Wandering Pingelly Rd

Rental Policy for Council Employees to maintain garden areas

Councillor Barge

Questions Without Notice

Is there a reason for slow progress on the Crossman Dwarda Rd

Councillor Price

Questions Without Notice

Tree Pruning – Wandering Pingelly Rd

York Williams – culvert near driveway needs to be cleared

Councillor Schorer

Meetings Attended

BHP Worsley Alumina Mine Community Liaison Committee

Questions Without Notice

Clearing on fence lines from debris when the excavator is in use

Roadside clearing on Reid Rd

7. MATTERS REQUIRING COUNCIL DECISION

7.1 Cemetery Plaques

NAME OF APPLICANT: CEO
FILE REFERENCE: 6.1.1
AUTHOR: CEO

SUMMARY:

Council have discussed for some time now to update the plaques for the Wandering Cemetery and samples plaques have now been obtained. The samples have been acquired from West Coast Sheet Metal & Laser Cutting and will cost \$6.10 + GST per plaque. In total there are 655 plots in the Wandering Cemetery which equates to \$4,000 + GST to complete the cemetery. The sample will be made available at the meeting.

COMMENT

There is provision in the budget for \$10,000 for the purchase of cemetery plaques.

RECOMMENDATION:

For Council consideration.

685:2011/12

Moved Cr Dowsett, Seconded McNeil Cr that Council authorise the CEO to proceed with the cemetery plaques similar to the sample distributed but with a longer spike.

CARRIED 7-0

7.2 Pumphreys Bridge Tennis Club

NAME OF APPLICANT: Bruce Dowsett, Pumphreys Bridge Tennis Club
FILE REFERENCE: 24.1.3
AUTHOR: CEO

SUMMARY:

A letter has been received from the Pumphreys Bridge Tennis Club requesting financial support from Council for the erection of a fence at the Pumphreys Bridge tennis courts.

COMMENT:

The Tennis Club have indicated that they already have the materials and I have requested several quotes for the installation of the fencing which should be available for distribution at the meeting.

There are sufficient funds in the Budget if Council decide to provide financial support to have the perimeter fence installed.

RECOMMENDATION:

For Council decision.

[Attachment 2](#)

Cr Dowsett declared an interest in Agenda Item 7.2 however was not required to leave the meeting but did abstain from voting

686:2011/12

Moved Cr McNeil, Seconded Cr Barge that Council take responsibility for erecting the new fence at the Pumphreys Bridge with the donated materials.

CARRIED 6-0

7.3 Small Business Centre Wheatbelt South

NAME OF APPLICANT: Govt of Western Australia, Small Business Development Corporation
FILE REFERENCE: 18.1.21
AUTHOR: CEO

SUMMARY:

A letter was received from the Small Business Development Corporation that the Small Business Centre Wheatbelt South located in Narrogin will now be delivered by a consultant appointed by the Small Business Development Corporation.

Previously the program was delivered to 19 Local Governments through the Wheatbelt South branch of the Small Business Centre where the regional offices were located in Narrogin and Jerramungup.

A letter is also attached from the Chairperson of the Great Southern Regional Business Association (Inc.) explaining the situation.

COMMENT:

Council made a financial contribution of \$1,000 towards the Small Business Centre Wheatbelt South for the 2012/13 financial year and these funds will still be used to help deliver the program via the consultant appointed by the Small Business Development Corporation.

RECOMMENDATION:

For Council information.

[Attachment 3](#)

RESOLVED that the information be received by Council

7.4 Narrogin Agriculture College

NAME OF APPLICANT: Western Australian College of Agriculture - Narrogin
FILE REFERENCE: 8.1.1
AUTHOR: CEO

SUMMARY:

A letter has been received from the Narrogin Agriculture College regarding the opportunity to sponsor an award at this year's Graduation Day which will be held on Friday 16 November 2012. Sponsorship over \$300 entitles the sponsor to sole naming rights and acknowledgement in the program.

COMMENT:

No provision was made in the budget for such a donation, however there are limited funds available should Council wish to contribute towards an award.

RECOMMENDATION:

For Council discussion.

[Attachment 4](#)

Cr Dowsett declared an interest in Agenda Item 7.4 but was not required to leave the meeting

RESOLVED that Council do not make a donation to the Narrogin Agriculture College

7.5 Application to Clear Native Vegetation

NAME OF APPLICANT: Mr Afon Edwards
FILE REFERENCE: 11.1.2
AUTHOR: CEO

SUMMARY:

The Department of Environment and Conservation has received an application from Mr Afon Edwards to clear native vegetation across 73 sites in crown land and unallocated land for the purposes of apiary site maintenance and one of these sites is located within the Shire of Wandering.

COMMENT

In total 3 of the proposed sites are located in the Shire of Wandering.

RECOMMENDATION:

That Council advise the Department of Environment and Conservation that the Shire of Wandering has no objection to the clearing of the native vegetation across the proposed sites.

[Attachment 5](#)

687:2011/12

Moved Cr McNeil, Seconded Cr Schorer that Council advise the Department of Environment and Conservation that the Shire of Wandering has no objection to the clearing of the native vegetation across the proposed sites.

CARRIED 7-0

7.6 Proposed Purchase of Plant

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

SUMMARY:

The CEO has been approached by a recent employee if Council would be interested in purchasing a used 3.5 tonne excavator. The proposed machine for purchase is a 2005 Kubota U35-3 excavator on rubber tracks with 3500 hours on the odometer. The machine also comes with 4 buckets, being a 300mm, 450mm, 600mm and 1200mm bucket and has spare teeth and pins as accessories. The asking price for the machine is \$15,000 + GST.

COMMENT

The proposed purchase of the Kubota U35-3 Excavator is an unbudgeted item and requires a separate motion to be moved if Council decision to proceed with the purchase.

It was the intention of the CEO to hire a similar machine for the installation of damaged culverts sustained in the flood damage event on 30-31 December 2011. The cost to hire a similar machine is \$360 a day (GST Inclusive) from Tru Blu Hire in Boddington. Further information on the purchase of the machine will be provided at the meeting.

RECOMMENDATION:

For Council discussion and consideration.

688:2011/12

Moved Cr Schorer, Seconded Cr McNeil that Council offer an amount of \$15,000 + GST for the purchase of the used Kubota U35-3 Excavator.

CARRIED 4-3

Council adjourned for afternoon tea at 3:29pm

Council returned from afternoon tea at 3:59pm

7.7 Hotham Ridge Winery

NAME OF APPLICANT: CEO
FILE REFERENCE: A306
AUTHOR: CEO

SUMMARY:

A further Directions Hearing at the State Administrative Tribunal was held on 4 October 2012 where the orders made at that particular hearing are shown at **Attachment 6**. Further information received by the applicant addressing the orders imposed at the above tribunal hearing is also shown in the attachment.

COMMENT

Due to the nature of this item and the fact that the matter is being heard at the State Administration Tribunal this agenda item will be included under separate cover.

RECOMMENDATION:

For Council discussion and consideration.

[Attachment 6](#)

689:2011/12

Moved Cr McNeil, Seconded Cr Price that Council authorise the Shire Administration to:

- 1. Advise the landowners and the State Administrative Tribunal (SAT) that Conditions 2, 3, 4, 5 & 10 of the Shire's original planning approval dated the 19th July 2012 to formalise the current use of Lot 6 (No.586) Wandering-Pingelly Road, Wandering for the purposes of a restaurant, function/reception centre and educational establishment have not been met to the satisfaction of the Shire of Wandering including the reasons for that conclusion as outlined in the above report;**
- 2. Request SAT to make arrangements at the third directions hearing scheduled to be held on the 23rd October 2012 to bypass mediation and proceed to a full hearing to consider and determine the validity and appropriateness of Conditions 2, 3, 4, 5 & 10 of the Shire's original planning approval dated the 19th July 2012;**
- 3. Following SAT's final determination of the landowners' request for review of the matter and assuming SAT's decision confirms the validity and appropriateness of Conditions 2, 3, 4, 5 & 10 of the Shire's original planning approval, instruct the Shire's solicitors to issue a written notice to the landowners instructing them to immediately cease the approved restaurant, function/reception centre and educational establishment uses on the land until such time as the requirements of the abovementioned conditions have been met to the satisfaction of the Shire of Wandering;**
- 4. Undertake a further site inspection and meeting with the landowners sixty (60) days after issuance of the notice referred to in point 2 above to determine whether or not Conditions 2, 3, 4, 5 & 10 of the Shire's original planning approval have been satisfied to enable the issuance of final clearances and thereby allow the approved uses to continue; and**
- 5. In the event that the landowners fail to comply with the notice referred to in point 2 above and have not taken the appropriate steps to satisfy Conditions 2, 3, 4, 5 & 10 of the Shire's original planning approval, instruct the Shire's solicitors to initiate legal proceedings against the landowners for failure to comply with the specific requirements of the Shire of Wandering Town Planning Scheme No.3 and the Planning and Development Act 2005.**

CARRIED 7-0

7.8 List of Accounts – September 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 \$226,180.88 be passed for payment.

[Attachment 7](#)

690:2011/12

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 \$226,180.88 be passed for payment.

CARRIED 7-0

7.9 Financial Reports – September 2012

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

SUMMARY:

Separately attached are the monthly Financial Statements for the period 30 September 2012.

RECOMMENDATION:

That Council endorse the monthly Financial Statements for the period ending 30 September 2012.

[Attachment 8](#)

691:2011/12

Moved Cr McNeil, Seconded Cr Schorer that Council endorse the monthly Financial Statements for the period ending 30 September 2012.

CARRIED 7-0

8. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

When discussing the Environmental Health Officers Report Cr Barge declared an interest in the subject matter relating to the building progress at 14 Cheetaning Street and left the meeting at 5:32pm.

Council had general discussions in relation to the building progress in relation to 14 Cheetaning Street and the CEO informed Council of the findings from the site visit as explained to him by the temporary EHO/BS since there was no report circulated to Council.

Council had in depth discussion on the upcoming expiry of the temporary residence granted to Mr & Mrs Barge which was due to expire on Friday 16 November 2012, the day after the November Council meeting. Council were concerned that Mr Barge had not requested a further extension on the temporary residence when it seemed unlikely that the residence would be completed by 16 November 2012.

It was AGREED by Council that the matter needed to be brought to the attention of Mr Barge.

Cr Barge returned to the meeting at 5:50pm.

On returning to the meeting the question was asked of Cr Barge if it was his intention to seek a further extension to the 12 month temporary residence granted in November 2011. After further discussion Council informed Cr Barge that if it was his intention to extend the temporary residence then a written request needed to be made to Council for further consideration at the November 2012 Ordinary Meeting.

10. NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 15 November 2012 commencing at 1:30pm

12. CLOSURE OF MEETING

There being no further business the meeting closed at 6:21pm

These Minutes were confirmed by Council at the Ordinary Council Meeting on Thursday 15 November 2012.

CR G G KERR, President