

ORDER OF BUSINESS

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**Minutes of the Ordinary Meeting held in the
Council Chambers, Wandering
on Thursday 21 April 2011**

1. Declaration of Opening/Announcement of Visitors

2:03pm - The President welcomed all present and declared the meeting open.

2. Record of Attendance/Apologies/Leave of Absence

Attendance:

BE Dowsett	President
GG Kerr	Deputy President
KJ Price	Councillor
DF White	Councillor
JC Schorer	Councillor
JR Mcneil	Councillor
KJ Barge	Councillor
M Whitely	CEO
G Mathewson	Works Supervisor (2:23pm – 6:18pm)

Apologies:

3. Public Question Time

As there were no members of the public present there were no questions asked.

4. Applications for Leave of Absence

Nil

5. Confirmation of Minutes of Previous Meetings

Shire of Wandering Ordinary Meeting held 17 March 2011

483:2010/11

Moved Cr Price, Seconded Cr Kerr that the minutes of the Shire of Wandering Ordinary Meeting held 17 March 2011 to be confirmed as a true and correct record.

CARRIED 7-0

6. COUNCILLOR REPORTS

President Dowsett

Meetings Attended

Wandering Primary School Anzac Day Service

CY O'Connor forum at the Wandering Community Resource Centre

Councillor McNeil

Meetings Attended

Vintage Machinery Shed

Reported that the Landcare meeting was held while away on leave and was unable to attend

Questions Without Notice

Requested the Shire buy Judy Kerr some chocolates in appreciation of her morning tea earlier in the day on the road inspection

Councillor Barge

Meetings Attended

Vintage Machinery Shed

Questions Without Notice

Wandering Pingelly Rd sign

Fuller Rd sign

Councillor Price

Questions Without Notice

Insurance for Fire Control Officers

Requested that provision of \$1,500 be made in the 2011/12 budget for signage at the Vintage Machinery Shed

7. MATTERS REQUIRING COUNCIL DECISION

7.1 Road Inspection

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

SUMMARY:

As Council would be aware we will be conducting the annual road inspection prior to the April Ordinary Meeting. A map is attached showing the proposed roads for the road.

SUMMARY:

Following the road inspection it will be timely to have discussions on the findings from the road inspection to identify the priority roads for the 2011/12 Draft Budget

RECOMMENDATION:

That Council use the information gathered from the road inspection to complete the Road Replacement Program for the 2011/12 budget process.

[Attachment 2](#)

There was general discussion on the findings from the road inspection and projects for the 2011/12 Roads to Recovery and Regional Road Group program were identified. The Wandering Pingelly Rd and Crossman Dwarda Rd were identified as priority projects from Regional Road Group funding, while the York Williams Rd was identified as a priority road for the Roads to Recovery funding. Both road programs would be discussed in greater detail in the 2011/12 Road Replacement Program during the 2011/12 Budget process.

484:2010/11

Moved Cr Barge, Seconded Cr Price that Council use the information gathered from the road inspection to complete the Road Replacement Program for the 2011/12 budget process.

CARRIED 7-0

7.2 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. It is suggested that any proposed changes be made so that the notice can be forwarded to each of the brigades with the agenda prior to the meeting.

RECOMMENDATION:

That the Bush Fire Advisory Meeting be held on Tuesday 10 May 2011 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](#)

485:2010/11

Moved Cr White, Seconded Cr Kerr that the Bush Fire Advisory Meeting be held on Tuesday 10 May 2011 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.

CARRIED 7-0

7.3 Fencing Local Law

NAME OF APPLICANT: CEO
FILE REFERENCE: 2.2.5
AUTHOR: CEO

SUMMARY:

Under the Shire of Wandering Town Planning Scheme No. 3 (TPS) no provision has been made that deals with boundary fencing for Residential zoned land. As a result of there being no provision under the TPS the provisions and conditions contained in the Residential Design Codes of Western Australia (i.e. the R-Codes) are applied.

Under element 6.2.5 of the R-Codes any fencing / gates proposed to be constructed along or within the primary street setback area is required to be visually permeable and must not exceed a height of 1.2 metres above the natural ground level. If the fencing does not meet these requirements Council's formal approval to a variation to the R-Codes is needed prior to installation and will require a full planning assessment and report to Council.

COMMENT:

Under the existing Town Planning Scheme Council are protected under the R-Codes, however the lack of any such ruling for fencing requirements does make it difficult at times when providing landowners with exact detail as to what they can and cannot build.

It is significant to note that the Shire does not currently have a local law dealing with boundary fencing on private land. I've checked the State Law Publisher website and there is no evidence of a current operative local pertaining to fencing in the Shire of Wandering. Given this fact it may be prudent for Council to consider adopting a suitable local law that deals with fencing. I've attached some example of fencing local laws that Council may wish to consider to deal with boundary fencing issues in the future.

The question is whether Council feel there is a need to have a specific local law for fencing requirements or whether Council believe that the default conditions under the R-Codes are sufficient.

RECOMMENDATION:

For Council discussion.

[Attachment 4](#)

486:2010/11

Moved Cr McNeil, Seconded Cr Barge that there is currently no need to create a Local Law for Fencing and that the default provisions and conditions contained in the Residential Design Codes of Western Australia are sufficient.

CARRIED 7-0

7.4 Country Local Government Fund

NAME OF APPLICANT: CEO
FILE REFERENCE: 12.1.9
AUTHOR: CEO

SUMMARY:

The release of monies under the individual component of the 2010/11 Country Local Government Fund (CLGF) this financial year has been dependant on a number of conditions needing to be met. These conditions include;

- The preparation and submission of a Forward Capital Works Plan before 31 December 2010
- The above plan being endorsed by the Department of Regional Development and Lands
- Acquittal of funds for the 2008/09 CLGF funds
- Signing of a Financial Assistance Agreement

Similarly, funding sought under the regional component of the 2010 CLGF will not be released until such time that;

- A regional business case was submitted
- The above plan being endorsed by the Department of Regional Development and Lands
- Signing of a Financial Assistance Agreement

COMMENT:

Funding for all 2010/11 CLGF has been delayed due to the Department of Regional Development and Lands reviewing the Forward Capital Works Plans, Regional Business Cases and 2008/09 Acquittals.

A letter dated 5 April 2011 and received 8 April 2011 was received from Department of Regional Development and Lands (the Department) confirming that the Financial Assistance Agreement for the individual component of the 2010/11 CLGF allocation has now been signed by the Department. Once these monies have been deposited into the Shire of Wandering's nominated bank account then the projects can be commenced.

A letter was also received by email on 7 April 2011 requesting further information for the Regional Business case submitted for the fuel facility project. This information has since been forwarded to the Department and a Financial Assistance Agreement (FAA) has been completed and must now be signed by the Shires of Wandering, Kulin and Wickepin prior to forwarding to the Department.

Funding cannot be spent retrospectively so any projects receiving 2010/11 CLGF funding must not commence until these monies have been deposited into Council's bank account.

There is much frustration within the sector at the processes that have been in place to deal with the 2010/11 CLGF funding, in particular the inability to be able to access funding to commence projects budgeted for completion in the 2010/11 financial year. I have also written to Mr Terry Waldron raising concerns at the unworkable timeframes that seem to be in place and the perception that regional local governments almost look like they are being set up to fail given these unworkable timeframes. A copy of the letter has been attached.

RECOMMENDATION:

For Council information only.

[Attachment 5](#)

7.5 Coming Events Sign

NAME OF APPLICANT: CEO
FILE REFERENCE: 29.1.2
AUTHOR: CEO

SUMMARY:

Attached is a proof of a Coming Events sign that I am proposing would be made and located at the northern and southern entry points to town. The sign is mounted on a frame and attached to stainless steel posts and costs \$1,990 + GST for each sign. The sliders that are displayed on the sign are additional, costing \$85 for each event, \$45 for each month and \$20 for each date (all prices are GST exclusive). All up the cost of the signage with the sliders would be approximately \$5,500 + GST depending on how many of the sliders are purchased.

The purpose of the sign would be to advertise local events that are coming up in the calendar year. Such events may include Council Meetings, Annual Fair, Movie Nights, Wheatbelt Wine Awards, Millfarm Scramble, etc. It would not be my recommendation that local group meetings such as CWA, Lions Club, P&C, Playgroup, Golf Club, Cricket Club, etc be advertised as these events are unlikely to generate any tourism interest.

COMMENT:

There is provision in the budget for town entrance statements and coming events signage for the amount of \$13,500. The current estimate for the town entrance signs is \$7,000 - \$8,000 which would leave \$5,500 - \$6,500 for the purchase of the coming events signage.

RECOMMENDATION:

That Council proceed with the purchase of the coming events signage.

[Attachment 6](#)

<p>487:2010/11 Moved Cr White, Seconded Cr McNeil that Council proceed with the purchase of the coming events signage.</p> <p style="text-align: right;">CARRIED 4-3</p>

7.6 Request for Donation – Australian Rural Road Group Inc

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

SUMMARY:

A letter has been received from the Australian Rural Road Group Inc (ARRG) inviting the Shire of Wandering to join the ARRG. The annual fee is \$100 with an additional \$900 requested as a voluntary contribution. Further information about the ARRG is tabled in the attachment.

COMMENT:

There is no specific provision made in the budget for such a request.

RECOMMENDATION:

That Council decline the offer to become a member of the Australian Rural Road Group Inc.

[Attachment 7](#)

<p>488:2010/11 Moved Cr Price, Seconded Cr Schorer that Council decline the offer to become a member of the Australian Rural Road Group Inc.</p> <p style="text-align: right;">CARRIED 7-0</p>

7.7 Application for Proposed Motel Units – Lot 11 Watts Street

NAME OF APPLICANT: M & T Gelissen
FILE REFERENCE: 13.1.5.4
AUTHOR: CEO

SUMMARY:

An application has been received from the proprietors of the Wandering Tavern for a proposed 6 unit motel site to be located at the above address.

COMMENT:

At the time of preparing the agenda the application had only just been submitted and Peter Haas the Building Officer is yet to pass comment on the proposal. The plans for the propose units have been included for Council to review the plans prior to the meeting where a further update will be provided.

RECOMMENDATION:

For Council information and further discussion.

[Attachment 8](#)

<p>489:2010/11 Moved Cr White, Seconded Cr McNeil that Council are supportive of the proposal and pending further discussion between the Building Officer and the Wandering Tavern that updated plans are resubmitted to Council prior to the commencement of building.</p> <p style="text-align: right;">CARRIED 7-0</p>
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7.8 Subdivision Application – Lot 189 North Wandering Road

NAME OF APPLICANT: LD White/Brook & Marsh Pty Ltd
FILE REFERENCE: 172
AUTHOR: CEO

SUMMARY:

A letter from the Western Australian Planning has been received advising of an application received from the owners of the above property to subdivide the lot. The application is proposing that the subdivision will result in three commercial blocks ranging in size from 2,364m² to 3,224m².

COMMENT:

Council have previously received informal advice from Mrs Margaret White of her intentions to create the additional commercial zoned blocks, so it comes as no surprise that Council has now received a formal application. Council needs to consider what conditions would be imposed if they are to support the application, especially given the proximity of the proposed blocks being on the main street.

RECOMMENDATION:

For Council discussion.

[Attachment 9](#)

Cr White declared an interest in Agenda Item 7.8 but was not required to leave the room, however Cr White did abstain from voting.

<p>490:2010/11 Moved Cr Kerr, Seconded Cr Schorer that Council advise the Western Australian Planning Commission that they are supportive of the proposed subdivision.</p> <p style="text-align: right;">CARRIED 6-0</p>

7.9 Request for Funds – Northern Country Zone

NAME OF APPLICANT: Murray Brown, Northern Country Zone
FILE REFERENCE: 18.1.4
AUTHOR: CEO

SUMMARY:

A letter has been received from the Northern Country Zone requesting funds from regional local governments for the upgrade of the No. 3 State Barrier Fence. The project involves upgrading 572km's of fence line to dog proof standard which has an estimated cost of \$460,000.

COMMENT:

The letter makes the recommendation that if all Council's contributed \$3,000 towards the project then there would be sufficient funds to carry out the scope of works. There is a further suggestion that Council's could allocate these funds in either ordinary budget considerations or from their regional component of Country Local Government Funds.

RECOMMENDATION:

For Council discussion.

[Attachment 10](#)

491:2010/11

Moved Cr Schorer, Seconded Cr McNeil that Council write a letter of support to the Northern Country Zone for their project but decline their request for funding.

CARRIED 7-0

7.10 Schorer Road Industrial Subdivision

NAME OF APPLICANT: CEO
FILE REFERENCE: 2.1.10
AUTHOR: CEO

SUMMARY:

At the April 2010 Ordinary Meeting Council agreed to make payment of \$202,500 for the 27,608 m² parcel of land located on Lot 51 Wandering Pingelly Road for a future industrial subdivision. Included in the offer was the option to purchase the additional 21,372m² parcel land within 12 months for a purchase price of \$157,500 as per the original contract for sale agreement.

Currently there is an application with the Western Australian Planning Commission to excise the land purchased in April 2010 from remainder of Lot 51 Wandering Pingelly Road so that this parcel of land can be transferred into the Shire of Wandering's name.

COMMENT:

The option to purchase the additional parcel of land is due to expire on 15 April 2011 however Mr Joe Schorer has agreed to extend this deadline so that the matter can be considered at this Council meeting. Provision of \$100,000 was made in the 2010/11 Budget for various subdivisions so if Council decide to proceed with the purchase of the land then a motion to purchase the land outside of budgetary conditions will be required.

RECOMMENDATION:

For Council discussion.

[Attachment 11](#)

Cr Schorer declared an interest in Agenda Item 7.10 and left the meeting at 4.04pm

492:2010/11

Moved Cr White, Seconded Cr Barge that Council does not exercise the option to purchase the additional 21,372m² parcel of land for \$157,500 as per the original contract for sale agreement.
CARRIED 5-1

Cr Schorer returned to the meeting at 4:16pm

7.11 Caravan Park - Geoff Marsh Pavilion

NAME OF APPLICANT: CEO
FILE REFERENCE: 24.1.1
AUTHOR: CEO

SUMMARY:

The Caravan Park is located just off Cheetaning Street in the main town site of Wandering and the existing facilities are very basic and tired. There are limited amenities with no cooking or BBQ facilities available and there are no defined recreational or rest areas at the current site. There is currently a need for quality short term accommodation in Wandering and converting the Geoff Marsh Pavilion into an area that can be utilised by residents at the caravan park will result in providing quality amenities and helping to promote tourism in the area. The updated facilities would also be utilised during the Wandering Annual Fair each year.

COMMENT:

The concept of a bush kitchen has been thrown for the Geoff Marsh Pavilion. I have looked at several different options, especially options relating to outdoor kitchens and have attached several designs that are available. The outdoor kitchens shown in the Kitchen Alfresco catalogue range from \$20,000 - \$25,000 and while they would be great this is not an option with only a \$20,000 budget. The other outdoor kitchen is one that is stocked at Bunning's and it is essentially a stainless steel gourmet barbeque with bench preparation areas and a sink and retails for \$2,000.

The area could also be fitted out with some simple and low cost outdoor furniture ideas (the outdoor setting in the attachment as an example retails for \$249 at Bunning's), which would allow a greater portion of the budget to spent on flooring, electrical work, plumbing, windows and what I suspect would be the most expensive part of the conversion (as I am still waiting on quotes), changing the front of the shed to allow easy access to the kitchen amenities.

Overall I believe that a very successful refurbishment of The Geoff Marsh Pavilion could be carried out well within the \$20,000 budget.

RECOMMENDATION:

That Council proceed with the bush kitchen concept at the Geoff Marsh Pavilion up to the value of \$20,000 as per the 2010/11 Budget.

[Attachment 12](#)

AGREED that the CEO liaise with Cr Barge to obtain some further costings for the proposed works at the Geoff Marsh Pavilion.

7.12 Small Business Centre Wheatbelt South

NAME OF APPLICANT: Scott Ballantyne, Small Business Centre Wheatbelt South
FILE REFERENCE: 18.1.21
AUTHOR: CEO

SUMMARY:

A letter was received from the Small Business Centre Wheatbelt South seeking a financial contribution for the 2011/12 financial year. The Wheatbelt South branch of the Small Business Centre group services 19 Local Governments with regional offices located in Narrogin and Jerramungup.

COMMENT

The amount requested for 2011/12 is \$1,556 which is \$556 more than the 2010/11 financial contribution of \$1,000 made towards the Small Business Centre Wheatbelt. The 2011/12 contribution has been calculated on the basis of the number of registrations per shire and the additional funding requested will be used for further staffing to be used within the region.

RECOMMENDATION:

For Council consideration.

[Attachment 13](#)

493:2010/11 Moved Cr Kerr, Seconded Cr McNeil that Council make a contribution of \$1,000 to the Small Business Centre Wheatbelt South for the 2011/12 financial year.	CARRIED 5-1
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7.13 List of Accounts – March 2011

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 \$297,544.40 be passed for payment.

[Attachment 14](#)

495:2010/11 Moved Cr McNeil, Seconded Cr Kerr 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 \$297,544.40 be passed for payment.	CARRIED 7-0
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7.14 Financial Reports – March 2011

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

SUMMARY:

Separately attached are the monthly Financial Statements for the period ending 31 March 2011.

RECOMMENDATION:

That Council endorse the monthly Financial Statements for the period ending 31 March 2011.

[Attachment 15](#)

496:2010/11 Moved Cr Schorer, Seconded Cr McNeil that Council endorse the monthly Financial Statements for the period ending 31 March 2011.	CARRIED 7-0
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8. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

8.1 Application for Planning Approval – 503 Wandering Pingelly Rd

NAME OF APPLICANT: Murray Brown, Northern Country Zone
FILE REFERENCE: A6
AUTHOR: EHO/BS

An Application For Planning approval to locate a second hand transportable building at Lot 4516 No 503 Wandering-Pingelly Road Wandering. It is intended to use the transportable for household storage and future use as a photographic studio. The applicants are applying for a Home Business under the Shire of Wandering Town Planning Scheme No 3.

The applicants intend processing photographs within the building with the possibility of eventually setting up to take portrait photographs as well as using part of the building for household storage. The photographs processed will be digital photographs with no chemicals being used to process them.

COMMENT

The property at Lot 4516 Wandering-Pingelly Road is zoned "Rural" under the Town planning Scheme No 3. A Home Business in a Rural zone is a "D" use which "means that the use is not permitted unless the local government has exercised its discretion by granting planning approval".

A home business is defined as follows under the Town planning Scheme No.3 as follows;

home business: means a business, service or profession carried out in a dwelling or on land around a dwelling by an occupier of the dwelling which -

- (a) does not employ more than 2 people not members of the occupier's household;
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood;
- (c) does not occupy an area greater than 50 square metres, except that for land in the Rural zone under the Scheme the local government may permit an area up to 200 square metres;
- (d) does not involve the retail sale, display or hire of goods of any nature;
- (e) in relation to vehicles and parking, does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood, and does not involve the presence, use or calling of a vehicle more than 3.5 tonnes tare weight, except that for land in the Rural zone under the Scheme the local government may permit the presence and use of up to 3 vehicles of more than 3.5 tonnes tare weight; and
- (f) does not involve the use of an essential service of greater capacity than normally required in the zone;

The applicants have stated that the Home Business will not employ more than 2 people not members of the occupiers' household.

The building is 28.3m² with a 1.8m wide verandah on three sides which is under the 200m² for Rural zoned land. The transportable building in question is an ex sales office and plans and photos of the building are attached to this report.

Council has a Town Planning Policy on relocated dwellings but has no policy on other relocated buildings. It should be noted that the building will be located so as not to be visible from the road, is located behind the dwelling on site and over the requisite set back distances from the boundary required for a Rural zone.

RECOMMENDATION:

That Council permit the applicants B whitely and A Yzerman to operate a Home Business of a photographic studio at Lot 4516 No 503 Wandering-Pingelly Road Wandering subject to the following conditions:

1. Car parking constructed to a gravel standard to accommodate two vehicles.
2. Signs advertising the Home Business not to exceed 0.2m²
3. Building licence to be issued prior to relocation of the building and classification certificate issued prior to the building being occupied.

The CEO declared an interest in the Late Item 8.1 but was not required to leave the meeting.

494:2010/11

Moved Cr Schorer, Seconded Cr Price that Council permit the applicants B whitely and A Yzerman to operate a Home Business of a photographic studio at Lot 4516 No 503 Wandering-Pingelly Road Wandering subject to the following conditions:

1. Car parking constructed to a gravel standard to accommodate two vehicles.
2. Signs advertising the Home Business not to exceed 0.2m²
3. Building licence to be issued prior to relocation of the building and classification certificate issued prior to the building being occupied.

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 May 2011 commencing at 11:00am

11. CLOSURE OF MEETING

There being no further business the meeting closed at 6:22pm

These Minutes were confirmed by Council at the Ordinary Council Meeting on Thursday 19 May 2011.

CR B E DOWSETT, Chairman