

**Minutes of the Ordinary Meeting held in the
Council Chambers, Wandering
on Thursday 18 August 2011**

1. Declaration of Opening/Announcement of Visitors

11:00am - 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
JC Schorer	Councillor
JR Mcneil	Councillor
KJ Barge	Councillor
M Whitely	CEO
G Mathewson	Works Supervisor (3:30pm – close)

Apologies:

DF White	Councillor
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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 21 July 2011

530:2011/12

Moved Cr Price, Seconded Cr McNeil that the minutes of the Shire of Wandering Ordinary Meeting held 21 July 2011 to be confirmed as a true and correct record.

CARRIED 6-0

6. COUNCILLOR REPORTS

Deputy President Kerr

Meetings Attended

Wandering Community Resource Centre

Questions Without Notice

Kubbine Rd – Gravel sheeting

Councillor Price

Meetings Attended

WALGA AGM

Questions Without Notice

Codjatotine Hastings Rd (near Glens Rd)

Council adjourned the meeting at 12:05pm to allow representatives from Bauxite Resources to make a presentation on their existing and proposed bauxite exploration activities within the southern half of Western Australia. Such activities included mining tenements currently held in the Shire of Wandering, although the greater focus of the presentation was on their existing Bindoon operations. There was some general discussion between Council and the Bauxite Resources representatives prior to breaking for lunch.

531:2011/12

Moved Cr Kerr, Seconded Cr McNeil that Council adjourn for lunch at 12:52pm.

CARRIED 6-0

Council returned from lunch and commenced the meeting again at 2:17pm.

7.1 2011/12 Budget Adoption

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

SUMMARY:

Council met on Monday 1 August 2011 at the Shire Council Chambers to discuss the Draft Budget for the 2011/12 financial year. Council discussed in great detail the Operating Budget, Capital Expenditure, Fees & Charges, Road Replacement, Plant Replacement and other major programs for the 2011/12 financial year. The following changes made to the draft budget;

Account Description	Draft Budget	Final Budget	Variance
OPERATING STATEMENT			
Rates	\$606,854	\$593,588	(\$13,266)
Bowling Green Grants	\$200,000	\$0	(\$200,000)
Men's Shed Grant	\$100,000	\$80,000	(\$20,000)
Recreation Park – Lotterywest Grant	\$50,000	\$37,205	(\$12,795)
Storm Damage Reimbursements	\$0	\$300,000	\$300,000
Turf Reimbursements	\$0	\$2,193	\$2,193
Roads To Recovery Funding	\$72,692	\$78,441	\$5,749
Presidents Allowance	\$1,000	\$2,000	(\$1,000)
Election Expenses	\$1,600	\$3,200	(\$1,600)
Regional CLGF	\$0	\$362,943	(\$362,943)
Storm Damage Costs	\$0	\$186,273	(\$186,273)
Road Maintenance	\$268,149	\$283,149	(\$15,000)
CAPITAL EXPENDITURE			
Bowling Green	\$430,000	0	\$430,000
Cemetery – Fencing & Shade Structure	\$0	\$20,000	(\$20,000)
Drainage – Dunmall Drive	\$0	\$25,000	(\$25,000)
Portable Traffic Lights	\$0	\$10,000	(\$10,000)
Gnowing Street Residence	\$10,000	\$15,000	(\$5,000)
Community Centre	\$17,000	\$20,000	(\$3,000)
Men's Shed	\$150,000	\$100,000	\$50,000
Bobcat/Plant Trailer	\$50,000	\$60,000	(\$10,000)
Excavator & Float	\$310,000	\$0	\$310,000
Generator	\$1,500	\$3,000	(\$1,500)
Mosquito Fogger	\$6,000	0	\$6,000
Mill Street Subdivision	\$40,000	\$240,000	(\$200,000)
Transfer to Land & Building Reserve	\$10,177	\$210,177	(\$200,000)
Transfer to Plant Reserve	\$15,000	\$174,508	(\$159,508)
Transfer to Office Equipment Reserve	\$600	\$20,600	(\$20,000)
Creditors & Accruals	\$700,278	\$337,335	\$362,943
NET MOVEMENT			\$0

MINUTES FOR THE MEETING HELD 18 AUGUST 2011

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)
- 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 2011/12 financial year

COMMENT:

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

RECOMMENDATION

That Council;

1. Adopt the 2011/12 Annual Budget as presented
2. Adopt the 2011/12 Schedule of Fees and Charges
3. That the rate in the dollar of 5.4980 cents for Gross Rental Values (GRV), 7.3458 cents for GRV Special Use Values and 0.4354 cents for Unimproved Values (UV) be adopted for 2011/12
4. That a minimum rate of \$508 GRV and \$692 UV be adopted for 2011/12
5. That a discount of 10% of the assessed rate be given for payment of the rates by Friday 30 September 2011 for the single payment option
6. That an interest rate of 11% is imposed for the late payment of 2011/12 rates
7. That a 5.5% interest rate and administration charge of \$60 per instalment option apply
8. Minimum instalment to remain at \$200
9. Maximum Seniors Rebate for 2011/12 being \$257.45 for Shire Rates apply
10. Domestic Kerbside and Commercial Kerbside pickup service charge of \$210.00
11. That Council adopt the following options for payment of 2011/12 rates for which the issue date will be 26 August 2011:
 - 1st Instalment Friday 30 September 2011
 - 2nd Instalment Friday 25 November 2011
 - 3rd Instalment Friday 27 January 2012
 - 4th Instalment Friday 30 March 2012

[Attachment 2](#)

532:2011/12

Moved Cr Schorer, Seconded Cr McNeil that Council;

1. **Adopt the 2011/12 Annual Budget as presented**
2. **Adopt the 2011/12 Schedule of Fees and Charges**
3. **That the rate in the dollar of 5.4980 cents for Gross Rental Values (GRV), 7.3458 cents for GRV Special Use Values and 0.4354 cents for Unimproved Values (UV) be adopted for 2011/12**
4. **That a minimum rate of \$508 GRV and \$692 UV be adopted for 2011/12**
5. **That a discount of 10% of the assessed rate be given for payment of the rates by Friday 30 September 2011 for the single payment option**
6. **That an interest rate of 11% is imposed for the late payment of 2011/12 rates**
7. **That a 5.5% interest rate and administration charge of \$60 per instalment option apply**
8. **Minimum instalment to remain at \$200**
9. **Maximum Seniors Rebate for 2011/12 being \$257.45 for Shire Rates apply**
10. **Domestic Kerbside and Commercial Kerbside pickup service charge of \$210.00**
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 - **1st Instalment Friday 30 September 2011**
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 - **4th Instalment Friday 30 March 2012**

CARRIED 6-0

7.2 2012/13 Regional Road Group Program

NAME OF APPLICANT: CEO
FILE REFERENCE: 12.1.6
AUTHOR: CEO

SUMMARY:

Submissions for the 2012/13 Regional Road Group project applications are due to be completed and submitted by Thursday 1 September 2011. Main Roads have indicated that there will be a greater emphasis on compliant traffic data when considering future funding allocations. This implies that traffic data submitted for each road project must have been gathered in the 24 months leading up to the submission and comprise of either;

- 1 traffic count, minimum duration 8 weeks (representing a peak period); or
- 2 traffic counts, each of minimum duration 14 days and separated by a minimum period of 6 weeks (also representing a peak period); or
- 3 or more traffic counts, each of minimum duration 10 days (representing average daily traffic).

COMMENT:

As discussed at the draft budget meeting, projects for the Regional Road Group program need to be submitted 12 months prior to the works commencing.

Roads eligible under the Regional Road Group program are;
North Banister Wandering Road
Wandering Pingelly Road
Wandering Narrogin Road
Crossman Dwarda Road
Fourteen Mile Brook Road
Dwarda East Road
North Wandering Road (from Wandering School to Kubbine Rd)
Kubbine Road

As part of the 2012/13 road project applications for the Regional Road Group a 5 year road program has been prepared to assist with the application. The 5 year road program is not set in stone and can be modified as Council see appropriate and the attached program should be looked upon as a good starting point, with the reality being that many of the priorities identified will change over the life of the 5 year program.

RECOMMENDATION:

That Council submit the Crossman Dwarda Rd upgrade as their submission for the 2012/13 Regional Road Program.

[Attachment 3](#)

533:2011/12

Moved Cr Price, Seconded Cr Barge that Council submit the Crossman Dwarda Rd upgrade as their submission for the 2012/13 Regional Road Program.

CARRIED 6-0

7.3 Russell Goodrick's Best Country Town

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.

West TV commenced in May 2010 and attracts over 800,000 unique viewers. MRGTV has been offered a Peak time slot of 7pm Thursdays following the one hour International News - that has a proven record of 70,000 viewers. The program will be repeated the following Monday and twice again meaning over 150,000 viewers. The program then goes nationally on Foxtel and then on-line.

For the past 15 years MRG has been the largest independent producer of television programs in Western Australia having produced over 2,000 programs - some 16,000 to 20,000 segments. Sample productions can be viewed at www.mrginternational.com/videos

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 and Logie Award winner Russell Goodrick and a highly skilled crew of professional presenters.

The program will be

- screened on West TV – Channel 44 Perth for 4 viewings (2 @ 7pm and 2 @ 11.30am)
- screened on Foxtel Aurora 183 Channel nationally " twice per month" for a period of 3 months
- The segment will be uploaded to your individual web site and MRG TV's web site as well as uploaded to MRG TV's "YouTube" Channel, Face Book and available for "Twitter".
- Receive a complimentary DVD

There are 7 "three minute segments" available and the cost is \$9,000 + GST, which includes all production and airtime costs and uploading the video onto the Shire's website.

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.

534:2011/12

Moved Cr Schorer, Seconded Cr Kerr that Council does not participate in the Russell Goodrick's Best Country Town segment on West TV.

CARRIED 6-0

7.4 Lot 8 Pollard Road – Temporary Accommodation

NAME OF APPLICANT: R & E Houghton
FILE REFERENCE: A 383
AUTHOR: EHO/BS

SUMMARY:

A letter has been sent to Ron & Evelyn Houghton on 3 August 2011 advising them that their Planning Approval Temporary accommodation which was granted on 6 May 2008 had expired.

The Planning approval was issued with the following conditions

1. A building Licence must be obtained prior to commencement of construction of temporary dwelling – *Which was done Permit No 38/07/08*
2. Town Planning approval and a Building Licence to be obtained for permanent residence within six months of the date of this approval - *This has not occurred*
3. Approval is granted to occupy the temporary dwelling for a period of twelve months from the date of the building licence issued for your permanent residence – *Application for building licence for the permanent dwelling has not been received*
4. Septic Tanks or alternative to be installed to the satisfaction of the Environmental Health Officer – *This has occurred*

On 22 June 2009 the then CEO Greg Powell wrote to the owners stating that the Planning Approval had not been complied with and requesting written advice as to what was happening.

The owners responded with a letter dated 15 September 2009 asking for the Planning approval to be extended for another 6 months due to the credit crisis that prevented them from carrying out their plan to build on the site.

Mr Powell and I met with the owners on 14 October 2009 where this issue was discussed where they showed concept plans of the residence they intend building.

The next piece of correspondence was from the owners dated 7 July 2010 requesting copies of the plans for a patio and shed to enable them to secure a loan through a bank.

On 3 August 2011 a letter was sent to the owners stating that the planning Approval had expired and conditions 2 & 3 of that approval had not been complied with and stating the intention to place the matter before Council for determination. A copy of the owner's response is shown at **Attachment 4**.

COMMENT:

Mr & Mrs Houghton have claimed financial difficulties for not being able to comply with the requirements of the Planning Approval and whilst I can sympathise with their plight it does not alter the fact that the non compliance is there. As well as the septic system is designed for short term use suitable for temporary accommodation for no longer than 6 months with a single tank & 8 metre length leach drain.

If Council decides to allow the Houghton's to continue using the temporary accommodation then it should insist that plans for the permanent residence be submitted within a specified time frame and proof be furnished that they have had loan applications rejected. If these documents cannot be produced within the time frame specified then the approval lapses and they be required to vacate the site.

RECOMMENDATION:

For Council discussion and decision.

[Attachment 4](#)

535:2011/12

Moved Cr Schorer, Seconded Cr Kerr that Council allow the Houghton's to continue using the temporary accommodation on the basis that plans for the permanent residence be submitted within 12 months. If these documents cannot be produced within the time frame specified then the approval lapses and they be required to vacate the site.

CARRIED 6-0

7.5 Telstra Lease Agreement – Lot 12 Watts St, Wandering

NAME OF APPLICANT: Jones Lang Laselle/Telstra
FILE REFERENCE: A144.2
AUTHOR: CEO

SUMMARY:

In June 2011 Jones Lang LaSelle, agents acting on behalf of the Telstra Corporation, forwarded a proposed lease agreement for the Telstra Telephone exchange located at Lot 12 Watts St, Wandering.

At the June Ordinary Meeting Council resolved seek further advice in regards to relocating the existing Telstra Exchange and the proposed rental payments of the future lease agreement. A letter (**Attachment 5**) along with a summarised email was sent to Jones Lang Laselle and a copy of their response is shown at **Attachment 6**.

COMMENT

There is provision for Council to seek legal advice and be reimbursed up to the value of \$750 so there could be some merit in having a legal practitioner look over the document.

RECOMMENDATION:

That Council proceed to get further legal advice for the proposed lease agreement

[Attachment 5 – Letter to Jones Lang Laselle](#)

[Attachment 6 – Letter from Jones Lang Laselle](#)

536:2011/12

Moved Cr Barge, Seconded Cr McNeil that the CEO advise Jones Lang Laselle (acting on behalf of Telstra) that Council are not looking to renew the Telstra lease agreement beyond the existing lease period which expires in 2013.

CARRIED 6-0

7.6 Subdivision – Lot 51 Ferguson Way

NAME OF APPLICANT: Western Australian Planning Commission
FILE REFERENCE: 2.1.10
AUTHOR: CEO

SUMMARY:

A letter has been received from the Western Australian Planning Commission (WAPC) advising they are prepared to endorse the above mentioned subdivision once the conditions outlined in their letter have been fulfilled. A copy of the letter from the WAPC is enclosed at **Attachment 7**.

COMMENT

I have spoken with Brook & Marsh about the conditions imposed on the subdivision, in particular the Western Power requirements, and will discuss this in more detail with Council at the meeting.

RECOMMENDATION:

For Council information.

[Attachment 7](#)

7.7 Native Seed Collection

NAME OF APPLICANT: Greening Australia
FILE REFERENCE: 1.10.1
AUTHOR: CEO

SUMMARY:

Greening Australia write seeking permission to collect native seed for a period of 12 months from within reserves vested in the Shire of Wandering.

COMMENT:

All staff employed by Greening Australia are licensed under the Wildlife Conservation Act (1950) and are required to abide by the conditions of this license.

Last year a permit was granted to Greening Australia for the collection of native seed. One of the conditions in issuing the permit was that 10% of the seed collected was to be given to the Shire. I contacted Greening Australia as to whether they collected any native seed in the Shire of Wandering and am currently waiting for a response.

An alternative to requesting 10% of the seed collected is to charge an administration fee which would negate the permit holder stating that they did not collect seed in the period granted.

RECOMMENDATION:

That Council give permission to Greening Australia to collect native seeds from within reserves vested in the Shire of Wandering under the following terms and conditions:

- All persons collecting native seed are to be licensed according to the Wildlife Conservation Act 1950 and will abide by the conditions of this licence,
- Permission is for the period from the date of approval until 30 June 2012,
- Collection is to only be undertaken by Greening Australia staff members,
- Appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds,
- All care to be taken to avoid the disturbance of fauna habitat, and
- All care to be taken to avoid any disturbance that may lead to soil degradation.
- 10% of seed collected within the Shire of Wandering is to be retained by the Wandering Shire Council for the replanting of native flora areas in our region, failure to do so may see the cancellation of the licence or refusal to renew for the following year.

[Attachment 8](#)

537:2011/12

Moved Cr Kerr, Seconded Cr Schorer that Council give permission to Greening Australia to collect native seeds from within reserves vested in the Shire of Wandering under the following terms and conditions:

- **All persons collecting native seed are to be licensed according to the Wildlife Conservation Act 1950 and will abide by the conditions of this licence,**
- **Permission is for the period from the date of approval until 30 June 2012,**
- **Collection is to only be undertaken by Greening Australia staff members,**
- **Appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds,**
- **All care to be taken to avoid the disturbance of fauna habitat, and**
- **All care to be taken to avoid any disturbance that may lead to soil degradation.**
- **An administration fee of \$200 be charged for the license**

CARRIED 6-0

7.8 Subdivision – Lot 19784 Edwards Road, Wandering

NAME OF APPLICANT: PH & KE Gow
FILE REFERENCE: A6
AUTHOR: CEO

SUMMARY:

An application has been received for the subdivision of the above location. The subdivision would create two lots of approximately 86 hectares and 115 hectares respectively from the existing single title. A copy of the application is shown at **Attachment 9**.

COMMENT:

I have spoken with Joe Douglas from Urban & Rural Perspectives and he has indicated that the proposed subdivision is not straight forward under the current Town Planning Scheme. Given the complexity with the issues of concern a request has been made to the Western Australian Planning Commission to extend the time for comment from 25 August 2011 until 16 September 2011 so that the matter can be researched and discussed in detail at the September meeting.

RECOMMENDATION:

For Council information.

[Attachment 9](#)

7.9 Subdivision – Lot 16 Pennington Road, Wandering

NAME OF APPLICANT: PH & KE Gow
FILE REFERENCE: A213
AUTHOR: CEO

SUMMARY:

An application has been received for the subdivision of the above location. The subdivision would create two lots of 41.39 hectares and 49.41 hectares respectively from the existing 90.88 rural landholding at the corner of Pennington Road and Wandering Pingelly Road. A copy of the application is shown at **Attachment 10**.

COMMENT:

I have spoken with Joe Douglas from Urban & Rural Perspectives and he has indicated that the proposed subdivision is not straight forward under the current Town Planning Scheme. Given the complexity with the issues of concern a request has been made to the Western Australian Planning Commission to extend the time for comment from 25 August 2011 until 16 September 2011 so that the matter can be researched and discussed in detail at the September meeting.

RECOMMENDATION:

For Council information.

[Attachment 10](#)

7.10 List of Accounts – July 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 \$536,170.52 be passed for payment.

[Attachment 11](#)

538:2011/12

Moved Cr Schorer, Seconded Cr Price 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 \$536,170.52 be passed for payment.

CARRIED 6-0

7.11 Financial Reports – July 2011

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

SUMMARY:

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

RECOMMENDATION:

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

[Attachment 12](#)

539:2011/12

Moved Cr Schorer, Seconded Cr Kerr that Council endorse the monthly Draft Financial Statements for the period ending 31 July 2011.

CARRIED 6-0

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 21 July 2011 at a time to be confirmed.

10. CLOSURE OF MEETING

There being no further business the meeting closed at 4:55pm

These Minutes were confirmed by Council at the Ordinary Council Meeting on Thursday 15 September 2011.

CR B E DOWSETT, Chairman