

ORDER OF BUSINESS

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- 2 **RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
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**Minutes of the Ordinary Meeting held in the
Council Chambers, Wandering
on Wednesday 18 March 2010**

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
DF White	Councillor
JR Mcneil	Councillor
KJ Barge	Councillor
JC Schorer	Councillor
M Whitely	CEO

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 February 2010

335:2009/10

Moved Cr Price, Seconded Cr McNeil that minutes of the Shire of Wandering Ordinary Meeting held 17 February 2010 to be confirmed as a true and correct record.

CARRIED 7-0

6. MATTERS REQUIRING COUNCIL DECISION

6.1 Oversize Shed – Lot 20 O’Connell Road, Blackboy Springs

NAME OF APPLICANT: Mark & Pamela Flint
FILE REFERENCE: 240
AUTHOR: EHO/BS

SUMMARY:

A planning application has been lodged for an oversized shed on the above mentioned Lot owned by Mark & Pamela Flint. The Lot is located in the Blackboy Springs area. The subject Lot is 5.03 hectares in area.

COMMENT

The floor area of the shed is 144m² which complies with the Town Planning Policy – Outbuildings; Residential And Rural Residential Zones of 150m² for Lots between 2-10 hectares.

The shed does not comply with the Policy requirements of wall height of 3 metres being 3.1 metres, overall height of 4 metres being 4.65 metres at the apex and colourbond construction with the roof being zincalume. The walls of the shed are colourbond construction.

I have been in contact with the owner who has advised “that was how the plans came” and he is amenable to changing the roof to colourbond.

The height of the shed at the walls and the apex seem to be standard practice for the type of shed from the manufacturer and it is recommended that the shed be approved with the requirement that the roof be colourbond construction.

RECOMMENDATION:

That planning approval be granted to the applicants, Mark and Pamela Flint to construct a shed exceeding the height requirements in the Town Planning Policy – Outbuildings; Residential And Rural Residential Zones with the roof and walls to be constructed of colourbond subject to the payment of the requisite fee.

336:2009/10

Moved Cr Barge, Seconded Cr Kerr that planning approval be granted to the applicants, Mark and Pamela Flint to construct a shed exceeding the height requirements in the Town Planning Policy – Outbuildings; Residential And Rural Residential Zones with the roof and walls to be constructed of colourbond subject to the payment of the requisite fee.

CARRIED 7-0

6.2 Illegal Building – Lot 99 Echidna Close, Blackboy Springs

NAME OF APPLICANT: EHO/BS
FILE REFERENCE: 458
AUTHOR: EHO/BS

SUMMARY:

As a result of an enquiry from a real estate agent an inspection of the above property was undertaken. The agent was concerned that the owner was trying to sell the property with a caravan and building (solid annex) on the site and passing it as being an approved structure.

A search of Council’s records has revealed that there are unpaid rates owing on the property and that no approval has been granted for the caravan or the building (solid annex) to be erected. The inspection of the site also revealed that the caravan is located approximately three metres from the property boundary and not within the building envelope.

COMMENT

There is a requirement for plans for all buildings erected on a site to be inspected and approved by the local government as per Section 374 of the Local Government (Miscellaneous Provisions) Act. There may be an argument that a solid annex is not a building and thus is not covered by this Act. In fact a solid annex constructed on a caravan park does not require a building licence to be issued by the local government to be built but it requires approval from the local government and must be built according to the Building Code of Australia as per the Caravan Parks and Camping Grounds Act.

It should be noted that Lot 99 Echidna Close is not a caravan park and as such is not covered by these provisions.

The annex attached to the caravan could be classified as a Class 10a building which is a non-habitable building being a private garage, shed, or the like. Class 10 buildings in areas zoned rural residential zones require an application for building and approval prior to being constructed as per Schedule 2 of the Building Regulations.

It should also be noted that there is a building envelope nominated on this Lot and that the van and the building (annex) are not located therein. A similar circumstance also exists at Lot 94 O’Connell Road with a solid annex being attached to a caravan on site.

Therefore the building (annex) has been built without approval and built outside the building envelope and it is recommended that a Notice under the provisions of Section 401 of the Local Government (Miscellaneous Provisions) Act to take the building down.

The requirement to take down such buildings will send a clear message to ratepayers and residents to make the necessary applications prior to undertaking construction work and may assist in halting the proliferation of illegal buildings and the proliferation of sub standard accommodation on the Lots in question.

It is also recommended that Council delegates to the Chief Executive Officer the authority to issue Notices under this Act.

RECOMMENDATION:

That Council,

1. Authorises the Chief Executive Officer to issue a Notice under the provisions of section 401 of the Local Government (Miscellaneous Provisions) Act to the owner of Lot 99 Echidna Close Wandering (Blackboy Springs) to take the illegal building erected on the Lot down and,
2. Delegate authority to the Chief Executive Officer to issue Notices as per the provisions of the Local Government (Miscellaneous Provisions) Act

337:2009/10

Moved Cr White, Seconded Cr McNeil that Council;

1. Authorises the Chief Executive Officer to issue a Notice under the provisions of section 401 of the Local Government (Miscellaneous Provisions) Act to the owner of Lot 99 Echidna Close Wandering (Blackboy Springs) to take the illegal building erected on the Lot down and,
2. Delegate authority to the Chief Executive Officer to issue Notices as per the provisions of the Local Government (Miscellaneous Provisions) Act.

CARRIED 7-0

6.3 Lions Club – Community Centre Hire Fee

NAME OF APPLICANT: Lions Club of Wandering
FILE REFERENCE: 18.1.1
AUTHOR: CEO

SUMMARY:

The Lions Club have written to Council requesting to hire the Community Centre for the purpose of playing badminton one night a week and have asked if Council would consider charging the Lions Club only a nominal hire fee to use the facilities.

COMMENT:

The 2009/10 Schedule of Fees & Charges adopted by Council sets out a Badminton hire fee of \$300 per annum based on the Community Centre being used once a week, with a further \$150 charged for every day/night the centre is used in addition to the annual hire arrangement.

Given that we are nearing the end of the financial year I am of the opinion that the hire fee should be calculated on a pro rata basis. This would then allow the Lions Club to get the Badminton nights up and running and allow the Lions Club to monitor the community interest and it would also allow Council the opportunity to review the Badminton hire fee charges during the 2010/11 budget process.

RECOMMENDATION:

That Council charge the Lions Club a hire fee of \$75 for the remainder of the 2009/10 financial year and the annual hire fee be reviewed in the 2010/11 Budget.

[Attachment 2](#)

Cr McNeil declared an interest in Agenda Item 6.3, however Council resolved that Cr McNeil did not need to leave the meeting.

338:2009/10

Moved Cr White, Seconded Cr McNeil that Council charge the Lions Club a hire fee of \$75 for the remainder of the 2009/10 financial year and the annual hire fee be reviewed in the 2010/11 Budget.

CARRIED 6-0

6.4 Relocation of Wandering Public Library

NAME OF APPLICANT: Wandering Telecentre
FILE REFERENCE: 10.1.16
AUTHOR: CEO

SUMMARY:

At the February meeting Council agreed to support the proposed relocation of the Public Library to the Wandering Telecentre on the basis of Council making an annual contribution of \$10,000 to the Telecentre and that the Telecentre then be responsible all other costs relating to the damage, loss, repair or replacement costs associated with library equipment or resources, IT infrastructure, support, maintenance and replacement costs, stationary and freight costs associated with the library and insuring all library stock.

COMMENT:

Unfortunately Council's proposal at the February meeting conflicts with the standard contract agreement template used between Shires and Telecentres which stipulates that the Shire must meet the costs associated with damage, freight, insurance, etc under their agreement with the State Library.

Below are the costs incurred for the library for the 2007/08, 2008/09 & 2009/10 (YTD) financial years'

	2007/08	2008/09	2009/10
Lost & Damaged Stock	0	15	0
IT Infrastructure	210	2,395	1,147
Freight	592	800	606
Insurance	63	53	85
Total Costs	\$865	\$3,263	\$1,838

In summary the total cost incurred for the past 3 financial years is approximately \$2,000 per annum. On this basis it is my suggestion that Council adjust their original offer by lowering the annual contribution to reflect the operating costs that will be incurred each financial year.

RECOMMENDATION:

That Council relocate the Wandering Public Library from the Shire Offices to the Wandering Telecentre under the following conditions;

- The Shire of Wandering make an annual contribution of \$8,000 per annum to the Wandering Telecentre, to be increased by a minimum of CPI each financial year.
- The Shire of Wandering will be responsible for any damage, loss, repair or replacement costs associated with library equipment and resources
- The Shire of Wandering will be responsible for all IT infrastructure, support, maintenance and replacement costs
- The Shire of Wandering will be responsible for all stationary and freight costs associated with the library
- The Shire of Wandering will be responsible for insuring all library stock

Cr Barge declared an interest in Agenda Item 6.4, however Council resolved that Cr Barge did not need to leave the meeting.

339:2009/10

Moved Cr McNeil, Seconded Cr Kerr that Council relocate the Wandering Public Library from the Shire Offices to the Wandering Telecentre under the following conditions;

- **The Shire of Wandering makes an annual contribution of \$8,000 per annum to the Wandering Telecentre, to be increased by a fixed amount of \$250 per annum during the contract period.**
- **The Shire of Wandering will be responsible for any damage, loss, repair or replacement costs associated with library equipment and resources**
- **The Shire of Wandering will be responsible for all IT infrastructure, support, maintenance and replacement costs**
- **The Shire of Wandering will be responsible for all stationary and freight costs associated with the library**
- **The Shire of Wandering will be responsible for insuring all library stock**

CARRIED 6-0

6.5 Front Loader & Attachments – John Deere 6115D

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

SUMMARY:

Since arriving in February I have noticed there have been a number of occasions when a front loader was needed to either remove a tree, push up the refuse site, dig a hole, etc close to town but the Cat 924G Loader has not been in close proximity. This means it must make its way back into town, complete the job then return back to where it came from.

COMMENT:

Often a lot of time is wasted in moving plant and an additional machine with a loader would certainly be advantageous, especially for the depot, refuse site and road maintenance issues surrounding the town. Whether the additional costs are justified is the matter for discussion.

I have made some enquiries with Greenline Pingelly and the cost to supply and install a front loader, 2.1m³ bucket and pallet fork comes to \$13,369 + GST. If Council were to proceed with a front loader and attachments the purchase will need to vote at the meeting as they are unbudgeted items.

RECOMMENDATION:

For Council consideration.

[Attachment 3](#)

Following discussions on Agenda Item 6.5, Council requested the CEO contact Lat Fuller from Greenline Pingelly to get some further specifications on the loader and attachments. Mr Fuller was unable to be contacted at the time and Council moved on to discuss agenda Item 6.6.

340:2009/10

Moved Cr Kerr, Seconded Cr White that Council leave the meeting at 11:53am to inspect the Wandering Town Park area for discussion with Mr Len Zuks, then proceed to break for lunch after consultation with Mr Zuks was completed.

CARRIED 7-0

The meeting commenced from lunch at 2:29pm

During Lunch Mr Fuller was contacted and Cr Schorer spoke with him as to the specifications of the loader and attachments, with Mr Fuller confirming that the proposal was inclusive of quick lock attachments for the loader.

341:2009/10

Moved Cr Schorer, Seconded Cr Kerr that Council purchase the front loader and attachments for the John Deere 6115D from Greenline Pingelly for \$13,369 + GST.

CARRIED 7-0

6.6 Wandering Town Park Project

NAME OF APPLICANT: CEO
FILE REFERENCE: 20.1.6
AUTHOR: CEO

SUMMARY:

As discussed at the December Ordinary Meeting an invitation was extended to Len Zuks to attend a meeting to discuss with Council the sculpture he is constructing for the area located near the toilet block. Len will be in attendance at the March meeting and this could present a good opportunity for Council to ask Len for his views and/or ideas for any other projects Council may have in mind such as entrance statements.

COMMENT:

I met with Len Zuks at his property in Banjup earlier in the week to view some of his work and I have attached some photos to give Council an idea of some of the projects he has undertaken.

RECOMMENDATION:

For Council information

[Attachment 4](#)

Council RESOLVED that the CEO follow up on the following matters in relation to the Wandering Town Park project;

- **Contact Highline in regards to the shed for the machinery centre with the exterior of the shed to be green in colour and the roof to be straw/wheat in colour**
- **The path to the toilets be widened to allow disabled access**
- **Temporary wall to be built around the existing sand area**
- **The remaining area to be prepared with the view to having the sculpture arrive in December 2010**

6.7 2009 Compliance Return

NAME OF APPLICANT: CEO
FILE REFERENCE: 18.1.4
AUTHOR: CEO

SUMMARY:

The annual compliance audit return for Local Governments covering the period 1 January 2009 to 31 December 2009 needs to be formally adopted by Council and forwarded to the Department by 31 March 2010. Currently I am having difficulty in retrieving the User Name and Password required to access the site to complete the return and will distribute the completed return to Councillors at the meeting.

RECOMMENDATION:

That Council adopt the 2009 Compliance Audit return for Local Governments covering the period 1 January 2009 to 31 December 2009.

[Attachment 5 \(To be distributed at the meeting\)](#)

Copies of the 2009 Compliance Return were distributed for discussion.

342:2009/10

Moved Cr McNeil, Seconded Cr Barge that Council adopt the 2009 Compliance Audit return for Local Governments covering the period 1 January 2009 to 31 December 2009.

CARRIED 7-0

6.8 Road Inspection

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

SUMMARY:

At the February meeting it was discussed that a road inspection be conducted in April.

COMMENT:

My thoughts are that we set aside a day for the road inspection and the date I am proposing is Friday 9 April 2010 which is the Friday before the Ordinary Council Meeting in April.

I can arrange to hire a bus for the day and we can all meet and depart from the Shire Offices. I also see this as a good opportunity to have a BBQ after the road inspection, inviting all Staff and Councillors to attend.

RECOMMENDATION:

A road inspection be conducted on Friday 9 April 2010 commencing at 8am from the Shire of Offices, to be followed by a BBQ at the Depot with Councillors and Staff commencing at 4pm.

343:2009/10

Moved Cr Schorer, Seconded Cr McNeil that Council conduct a road inspection on Thursday 15 April 2010. The bus will depart the Shire Offices at 7am with lunch to be taken at the completion of the road inspection and the Ordinary Council Meeting to commence at 2pm.

CARRIED 7-0

6.9 Road Maintenance Program

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

SUMMARY:

I have spoken with Cr Price who has raised several concerns regarding the York Williams Road as to;

1. The condition of the road in particular the final 3km section that adjoins the Williams boundary
2. The quality of gravel currently being used for the gravel sheeting
3. Sourcing contractors to enable the Shire to complete additional gravel sheeting
4. Looking at a long term maintenance plan for the York Williams Road due to increased heavy traffic along the road

COMMENT:

There are sections on the York Williams Road that require gravel sheeting and road maintenance. There are also other roads in a similar condition throughout the Shire that need attention and these roads will be addressed at the road inspection.

The 2009/10 Budget allowed \$25,000 under Council Funded Works for gravel sheeting along the York Williams but these works were carried out earlier in the year. There is however \$265,000 allocated for Salaries & Wages, Public Works Overheads and Plant Operation costs under Road Maintenance and this currently where the exiting works are being funded from.

There is also an allocation of \$45,000 in the Budget under Road Maintenance for contractors. While there have been no costs incurred for contractors to date carrying out road maintenance. I am unsure if this provision includes costs relating to pushing up gravel which are currently costed directly to individual road programs and will seek clarification on this at the meeting.

If contractors are to be sourced my suggestion is to allow approximately \$1,000 per day per item of plant used which is based on the Shires current private works rates and a standard 8.5 hour day.

RECOMMENDATION:

For Council discussion.

Council RESOLVED that any unscheduled works on the York Williams Road, or any other mentioned roads, be reviewed following the road inspection in April 2010, with the York Williams Road listed as a priority road for the road inspection.

6.10 CSRFF Small Grants Funding Round

NAME OF APPLICANT: CEO
FILE REFERENCE: 12.1.3
AUTHOR: CEO

SUMMARY:

The next round of Small Grants funding under Department of Sport and Recreation closes on 31 March 2010 and projects submitted must be endorsed by Council. The Small Grants program is for projects up to \$150,000 and must be acquitted by 15 June 2011.

COMMENT:

CSRFF Grant funding can be requested from the Department of Sport and Recreation for up to 1/3rd of the total project cost.

My proposed project is the upgrade of the oval at the Community Centre. This would involve, but not be restricted to the following components of the project;

1. Resurfacing the oval (ie. Levelling, top soil, sand, etc)
2. Installing reticulation
3. Returfing the oval
4. Replacing the fence

The viability of the project is dependent on a number of factors mainly;

1. Successfully acquiring \$30,000 for a grant I applied for in February
2. Obtaining use of the water supply from the Water Corporation for a nominal fee
3. Being successful in the current CSRFF Small Grants funding round

I have estimated the cost of the project to \$150,000 and this would be funded as below;

DSR Grant	\$50,000
RCLIP Grant	\$30,000
Cricket Club & Other Donated Materials	\$17,500
Shire of Wandering	<u>\$52,500</u>
Total Project Cost	\$150,000

I will explain in more detail at the meeting how the project has been costed, but effectively the Shire's contribution of \$52,500 includes \$40,000 which relates to Salaries & Plant costs and \$12,500 which is the cash component for materials.

RECOMMENDATION:

That Council support the submission for the upgrade of the Wandering Community Centre Oval under the current CSRFF Small Grants funding round.

344:2009/10

Moved Cr McNeil, Seconded Cr Schorer that Council support the submission for the upgrade of the Wandering Community Centre Oval under the current CSRFF Small Grants funding round subject to final approval in the 2010/11 budget.

CARRIED 7-0

6.11 Roadside Vegetation

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

SUMMARY:

At the February meeting Council asked the CEO to seek further advice from the Department of Environment and Conservation to clarify Council's responsibilities in relation to the clearing of roadside vegetation.

I have spoken with Peter Lacey from the Department of Environment and Conservation in Narrogin and he is currently preparing some information for me which I will present to Council at the meeting.

RECOMMENDATION:

For Council information.

The CEO informed Council that information was still pending in relation to the clearing of roadside vegetation and further information would be distributed at the April meeting.

6.12 Regional Transition Group Process

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

SUMMARY:

As part of the Local Government Reform process the Minister has notified individual Shires of his intention to form Regional Transition Groups (RTG's) with the view of these RTG's transitioning into a single entity by 2013. The Regional Transitional Grouping for Wandering includes the areas of Wandering, Boddington, Pingelly and Brookton.

The RTG meeting between these 4 shires was held in February at the Shire of Boddington where Boddington made it very clear they were not interested in having discussions with either Pingelly or Brookton, but they would entertain the idea of talking with Wandering.

The President and I will be meeting with the CEO and President from the Shire of Boddington to discuss whether Wandering and Boddington would be interested in forming a Regional Transition Group between the two Shires.

COMMENT:

Councils opting to take part in the Regional Transition Group must lodge notice of their intention to participate with the Minister by Friday 26 March 2010.

Both the President and CEO will update Council on the outcome of the meeting with the Shire of Boddington at the meeting. Attached is a copy of the contract template for the RTG process.

RECOMMENDATION:

For Council discussion.

[Attachment 6](#)

345:2009/10

Moved Cr Price, Seconded Cr McNeil that Council advise the Minister for Local Government that;

- 1. The Shire of Wandering will not be forming a Regional Transition Group with the Shires of Boddington, Pingelly and Brookton,**
- 2. That the Shire of Wandering considered the Shire of Boddington as a Regional Transition Group partner but decided not to enter into an agreement with the Shire of Boddington with regards to forming a Regional Transition Group, and**
- 3. The Shire of Wandering continue to pursue resource sharing opportunities with the Shire of Boddington and surrounding Shires**

CARRIED 5-2

6.13 List of Accounts

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

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 \$229,994.39 be passed for payment.

[Attachment 7](#)

346:2009/10

Moved Cr Price, 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 \$229,994.39 be passed for payment.

CARRIED 7-0

6.14 Financial Reports

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

SUMMARY:

Separately attached are the monthly Financial Statements for the period ending 28 February 2010.

RECOMMENDATION:

That Council endorse the monthly Financial Statements for the period ending 28 February 2010.

[Attachment 8](#)

347:2009/10

Moved Cr Schorer, Seconded Cr McNeil that Council endorse the monthly Financial Statements for the period ending 28 February 2010.

CARRIED 7-0

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

Nil

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

Nil

9. COUNCIL INFORMATION BULLETIN

President Dowsett

Meetings Attended

Central Country Zone

Questions Without Notice

Bush Fire Advisory Board Meeting to be scheduled for Wednesday 5 May 2010 at 7:30pm in the Shire Council Chambers with notification of the meeting to be sent to all local fire brigade secretaries and Gary Hanson from the Narrogin FESA branch.

Deputy President Kerr

Questions Without Notice

Banners on the terrace

Councillor McNeil

Questions Without Notice

Raised concerns at the number of roads where the bitumen edges were pushing up and requested this be added to the road inspection

Councillor Barge

Questions Without Notice

Enquired as to the progress of the noxious weed spraying program

Councillor Price

Meetings Attended

Central Country Zone

Councillor Schorer

Questions Without Notice

Several areas on the Moramocking Road to be reviewed at the road inspection including the recent corner alignment that has been reconstructed.

Informed Council he had received several requests from residents regarding the availability of the Shire Shorts and asked if copies could be either faxed or emailed to those who provided their details to the Shire.

10. NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 15 April 2010 commencing at 2:00pm.

11. CLOSURE OF MEETING

As there was no further business for discussion the meeting was closed at 7:12pm

**These Minutes were confirmed by Council at the Ordinary Council Meeting
on 15 April 2010.**

CR B E DOWSETT, Chairman