

ORDER OF BUSINESS

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- 2 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE**
- 3 PUBLIC QUESTION TIME**
- 4 APPLICATIONS FOR LEAVE OF ABSENCE**
- 5 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**
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- 10 DATE AND TIME OF NEXT MEETING**
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**Minutes of the Ordinary Meeting held in the
Council Chambers, Wandering
on Thursday 19 August 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:

Nil

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 15 July 2010

401:2010/11

Moved Cr Barge, Seconded Cr McNeil that the minutes of the Shire of Wandering Ordinary Meeting held 15 July 2010 be confirmed as a true and correct record.

CARRIED 7-0

Shire of Wandering Special Meeting held 6 August 2010

402:2010/11

Moved Cr Kerr, Seconded Cr Schorer that the minutes of the Shire of Wandering Special Meeting held 6 August 2010 be confirmed as a true and correct record.

CARRIED 7-0

6. MATTERS REQUIRING COUNCIL DECISION

6.1 Illegal Building – Lot 17 North Bannister Wandering Road

NAME OF APPLICANT: CEO
FILE REFERENCE: 392
AUTHOR: CEO

SUMMARY:

After serving a Notice of Prosecution in June 2010 a hearing was scheduled for the Narrogin Magistrates Court on Thursday 12 August 2010 for the above dispute. At the request of Mr Ray Knight and Mr Rick Aiken the CEO met with Mr Knight and Mr Aiken (who was acting on behalf of Ms Lynleigh Gourdes and Mr Ray Knight) on Monday 2 August. At the meeting both Mr Knight and Mr Aiken expressed their desire to settle the dispute without the matter going to court.

COMMENT:

It appears that the shed has been built outside the building envelope. The shed is 178m² in area and is clad in second hand zincalume material. Council's Town Planning Policy – Outbuildings; Residential And Rural Residential Zones in Lots 2 – 10 hectares in area permits sheds up to 150m² which are required to be clad in colourbond. A building licence to construct the shed has not been issued and as a consequence has been constructed illegally.

There are a number of options open to Council in this matter and the decision as to which option to pick will be determined by the outcome desired by Council.

Council could look at still pursuing the legal action to get a court order to get the shed removed from the property or alternatively require the owner to apply for a Building Approval Certificate. Council could also require an application to relocate the building envelope and a planning application for the oversized shed.

If Council allows the owner to apply for a Building Approval Certificate it should require that the structure be inspected and certified by a practising structural engineer and for the shed to be clad in new colourbond steel sheeting. Council should also require all fees to be paid upfront before processing the Building Approval Certificate Application which includes any levies.

The court hearing set down for 12 August 2010 has been adjourned to allow Council the opportunity to review the dispute and resolve the matter without taking any further legal action.

RECOMMENDATION

That Council requires the owner to:

1. Make Town Planning Application to relocate the building envelope and;
2. Make Town planning Application for an oversized shed and;
3. Make application for a Building Approval Certificate in which Council would require a practising structural engineer to inspect and certify the shed structure and for the shed to be clad in new colourbond steel sheeting
4. All legal costs associated incurred by Council to be recovered from the owner(s) of the property
5. Council requires all of the above applications to be forwarded for approval within eight (8) weeks of the date of this resolution

[Attachment 2](#)

401:2010/11

Moved Cr McNeil, Seconded Cr Kerr that Council requires the owner to:

1. Make Town Planning Application to relocate the building envelope and;
2. Make Town planning Application for an oversized shed and;
3. Make application for a Building Approval Certificate in which Council would require a practising structural engineer selected by Council to inspect and certify the shed structure and for the shed to be clad in new colourbond steel sheeting, and
4. All legal costs associated with the matter incurred by Council to be recovered from the owner(s) of the property, and
5. Council requires all of the above applications to be forwarded for approval within eight (8) weeks of the date of this resolution.

CARRIED 7-0

6.2 2010/11 Budget Adoption

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

SUMMARY:

The 2010/11 Budget has been distributed with the following changes made to the draft budget;

Account Description	Draft Budget	Final Budget	Variance
OPERATING STATEMENT			
E031001 Members Travelling	1,700	0	1,700
E031002 Conference Expenses	14,500	19,500	(5,000)
E031005 Councillors Allowances	9,600	0	9,600
E078001 Contribution to Medical Centre	2,350	0	2,350
E092001 Housing General Maintenance	11,200	13,700	(2,500)
E135015 Other Economic Services	20,000	45,000	(25,000)
R113006 Other Grants	179,320	79,320	(100,000)
CAPITAL EXPENDITURE			
Pingelly SES	25,000	10,000	15,000
Bowling Green	300,000	0	300,000
Recreation Park	70,000	0	70,000
Motor Vehicle Purchases	30,000	20,000	10,000
Sundry Plant Purchases	3,000	4,000	(1,000)

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 5% 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 2010/11 financial year

COMMENT:

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

The meeting was adjourned at 12:13pm and Mr Joe Douglas from Urban & Rural Perspectives was invited into the Council Chambers

Mr Douglas provided Council with a brief summary of his working history and involvement with local government in the area of town planning and project management. There was some general discussion and Council were invited to present any queries to Mr Douglas.

402:2010/11

Moved Cr Kerr, Seconded Cr White that Council break for lunch at 12:35pm

CARRIED 7-0

The meeting commenced again at 2:00pm

After the luncheon break there was more general discussion on current town planning issues facing the Shire, including the proposed subdivision at Lot 16 Pennington Rd.

Joe Douglas left the meeting at 2:18pm at which point discussion continued on with the adoption of the budget

Council had detailed discussion on all facets of the budget and decided to make only one significant change to the draft budget and this was to not to proceed with the purchase of a used backhoe for \$50,000 and that these funds were now to be transferred into the Land & Building Reserve.

RECOMMENDATION

That Council;

1. Adopt the 2010/11 Annual Budget as presented
2. Adopt the 2010/11 Schedule of Fees and Charges
3. That the rate in the dollar of 5.3388 cents for Gross Rental Values (GRV), 7.1321 cents for GRV Special Use Values and 0.4227 cents for Unimproved Values (UV) be adopted for 2010/11
4. That a minimum rate of \$493 GRV and \$672 UV be adopted for 2010/11
5. That a discount of 10% of the assessed rate be given for payment of the rates by Friday 24 September 2010 for the single payment option
6. That an interest rate of 11% is imposed for the late payment of 2010/11 rates
7. That a 5.5% interest rate and administration charge of \$45 per instalment option apply
8. Minimum instalment to remain at \$200
9. Maximum Seniors Rebate for 2010/11 being \$249.95 for Shire Rates apply
10. Domestic Kerbside and Commercial Kerbside pickup service charge of \$200.00
11. That Council adopt the following options for payment of 2010/11 rates for which the issue date will be 20 August 2010:
 - 1st Instalment Friday 24 September 2010
 - 2nd Instalment Friday 26 November 2010
 - 3rd Instalment Friday 28 January 2011
 - 4th Instalment Friday 25 March 2011

[Attachment 3](#)

403:2010/11

Moved Cr McNeil, Seconded Cr Barge that Council

1. Adopt the 2010/11 Annual Budget as presented with an amendment made to transfer \$50,000 into the Land & Building Reserve instead of purchasing a used backhoe
2. Adopt the 2010/11 Schedule of Fees and Charges
3. That the rate in the dollar of 5.3388 cents for Gross Rental Values (GRV), 7.1321 cents for GRV Special Use Values and 0.4227 cents for Unimproved Values (UV) be adopted for 2010/11
4. That a minimum rate of \$493 GRV and \$672 UV be adopted for 2010/11
5. That a discount of 10% of the assessed rate be given for payment of the rates by Friday 24 September 2010 for the single payment option
6. That an interest rate of 11% is imposed for the late payment of 2010/11 rates
7. That a 5.5% interest rate and administration charge of \$45 per instalment option apply
8. Minimum instalment to remain at \$200
9. Maximum Seniors Rebate for 2010/11 being \$249.95 for Shire Rates apply
10. Domestic Kerbside and Commercial Kerbside pickup service charge of \$200.00
11. That Council adopt the following options for payment of 2010/11 rates for which the issue date will be 20 August 2010:

1st Instalment	Friday 24 September 2010
2 nd Instalment	Friday 26 November 2010
3 rd Instalment	Friday 28 January 2011
4 th Instalment	Friday 25 March 2011

CARRIED 6-1

6.3 Request for Sea Container – Lot 26 North Bannister Wandering Road Wandering

NAME OF APPLICANT: Kurt Boddy
FILE REFERENCE: A400
AUTHOR: CEO

SUMMARY:

Mr Kurt Boddy has written to Council seeking permission to have a 20ft sea container on his property at Lot 26 North Bannister Wandering Road. The container will be used to store building materials for building that is anticipated to commence in the next 3 years, after which point Mr Boddy would like to keep the sea container on the property. The proposed location of the sea container is outside of the building envelope and Mr Boddy has previously sought, and received permission to move the building envelope.

COMMENT:

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.

There are several concerns relating to the sea container request;

1. The proposed location of the sea container being outside of the building envelope
2. Proposed location is less than 20m from the neighbouring Lot 24 North Bannister Wandering Rd
3. No building application for the property has been received
4. Mr Boddy is requesting that the sea container remain at the property on completion of building

RECOMMENDATION

That Council allow the sea container at Lot 26 North Bannister Road with the following conditions;

1. The sea container is to be located at the rear of the building envelope
2. An application for a building license is submitted
3. The sea container is allowed to be stored on the property for a period no longer than 2 years from the date of the building license application is issued
4. The sea container is to be painted a neutral colour to blend in with the surroundings
5. The sea container is to be removed from the property on completion of the building or after the expiration of the 2 year period from when the building application is issued, whichever comes first.

Attachment 4

404:2010/11
Moved Cr Price, Seconded Cr McNeil that Council allow the sea container at Lot 26 North Bannister Road with the following conditions;

1. The sea container is to be located at the rear of the building envelope
2. An application for a building license is submitted
3. The sea container is allowed to be stored on the property for a period no longer that 2 years from the date of the building license application is issued
4. The sea container is to be painted a neutral colour to blend in with the surroundings
5. The sea container is to be removed from the property on completion of the building or after the expiration of the 2 year period from when the building application is issued, whichever comes first.

CARRIED 7-0

6.4 Application for Short Term Accommodation – 8735 Albany Highway, Bannister

NAME OF APPLICANT: William Munday
FILE REFERENCE: A114
AUTHOR: CEO

SUMMARY:

Mr William Munday has written to Council seeking authorisation to set up a short term accommodation facility at his property located at 8735 Albany Highway, Bannister.

COMMENT

Mr Munday has met with both the CEO and Building Officer to have preliminary discussions as to what he is proposing to build at his property. From the information gathered by the CEO it would appear that Mr Munday is requesting permission to build a one off short term accommodation facility that will be utilised by up to 200 contractors working at the Newmont Gold Mine for a period not exceeding 7 months.

The difficulty appears to be defining what the exact use of the application will be and whether this use is considered a permitted use under the Town Planning Scheme.

Currently the existing facilities on the premises have been used for Rural Tennis camps. Under the Town Planning Scheme education establishments, defined as a premise used for the purposes of education and includes a school, tertiary institution, business college, academy or other education centre, are allowed on Rural zoned properties and it would be under this category that the existing facilities would most likely have been permitted.

Under the Town Planning Scheme there does not appear to be anything specific that relates to short term accommodation, however there is provision for holiday accommodation and a restaurant to be allowed on Rural properties while on the other hand it clearly states that either a Hotel or Motel are not permitted uses under the Rural zoning table.

There may also be provision for Council to consider the application if the property was considered to be a Special Use zone.

RECOMMENDATION:

For Council Information.

Attachment 5

405:2010/11

Moved Cr McNeil, Seconded Cr White that Council allow a short term accommodation facility at 8735 Albany Highway, Bannister on the basis that CEO seek further advice and ensure that the proposal complies with;

1. The Shire of Wandering Town Planning Scheme
2. Building and health requirements
3. Liquor licensing requirements
4. Any other statutory requirements under the umbrella of the Shire

CARRIED 7-0

6.5 Application for Commercial Subdivision – Avon Location 775

NAME OF APPLICANT: Margaret White
FILE REFERENCE: A172
AUTHOR: CEO

SUMMARY:

Mrs Margaret White has written to Council seeking approval to subdivide a portion of land zoned commercial on Avon Location 775.

COMMENT

Avon Location 775 is zoned Rural with the exception of a small parcel of land located adjacent Watts Street which is zoned Commercial. The different zonings shown on Avon Location are both located on the one title.

It still seems a little unclear exactly what Mrs White's intentions are in relation to the subdivision with the exception that she intends to subdivide the portion of land zoned commercial and that access to the commercial blocks would be from Watts Street.

RECOMMENDATION:

That Council approve, in principal, the parcel of commercial land adjacent Watts Street on Avon Location 775, to be subdivided subject to the subdivision complying with the Town Planning Scheme and being approved by Council.

[Attachment 6](#)

Cr White declared an interest in both Agenda Items 6.5 & 6.8 and left the meeting at 3:38pm

406:2010/11

Moved Cr Schorer, Seconded Cr Kerr that Council approve, in principal, the parcel of commercial land adjacent Watts Street on Avon Location 775, to be subdivided subject to the subdivision complying with the Town Planning Scheme and being approved by Council.

CARRIED 6-0

Council agreed to discuss Agenda Item 6.8 while Cr White was out of the meeting

Cr White returned to the meeting at 3:50pm

6.6 Small Business Centre Wheatbelt South

NAME OF APPLICANT: Anthony Howe, Small Business Centre Wheatbelt South
FILE REFERENCE: 18.1.21
AUTHOR: CEO

SUMMARY:

A letter has been received from the Small Business Centre Wheatbelt South seeking a financial contribution of \$1,000 for the 2010/11 financial year.

COMMENT

The Wheatbelt South branch of the Small Business Centre group services 19 Local Governments with regional offices located in Narrogin and Jerramungup. During the 2009/10 financial year a recorded 32 client contact sessions were carried out within the Shire of Wandering. There was no financial contribution made by the Shire of Wandering in the 2009/10 financial year.

No provision was made in the 2010/11 Budget specifically for the Small Business Centre Wheatbelt South branch, however there are funds allocated in the budget under Other Economic Services should Council decide to make a contribution.

RECOMMENDATION:

That Council makes a contribution of \$1,000 to the Small Business Centre Wheatbelt South branch for the 2010/11 financial year.

[Attachment 7](#)

408:2010/11

Moved Cr Price, Seconded Cr Kerr that Council makes a contribution of \$1,000 to the Small Business Centre Wheatbelt South branch for the 2010/11 financial year.

CARRIED 7-0

6.7 Regional Landfill Study

NAME OF APPLICANT: Lindsay Stephens, Landform Research
FILE REFERENCE: 13.1.13
AUTHOR: CEO

SUMMARY:

Lindsay Stephens of Landform Research was engaged by the Wagin Regional Waste Group to conduct a study to identify suitable sites for a Regional Waste Site.

COMMENT

Several areas were identified in the study with the two most prominent sites located North West of Narrogin and a site West of Highbury. The site located North West of Narrogin contained the largest group of Councils within the Wagin Waste Group, this being 8 and Wandering was one of these Councils.

The key to the success of such a project will be to;

1. Identify a site centrally located for all those Shires wanting to participate
2. Obtaining the land from the landowner
3. Get as many Councils on board as possible
4. Structuring the transfer costs in such a manner so as not to make the project cost prohibitive for certain Shires

There is provision in the budget to contribute towards facilitating additional research in identifying a Regional Waste site.

RECOMMENDATION:

That Council support the concept of a Regional Waste Facility.

[Attachment 8](#)

409:2010/11 Moved Cr Barge, Seconded Cr Price that Council support the concept of a Regional Waste Facility.	CARRIED 7-0
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6.8 Property Access – 6 Watts Street

NAME OF APPLICANT: Christine Carter
FILE REFERENCE: A34
AUTHOR: CEO

SUMMARY:

Christine Carter has written to Council expressing her concerns as to the difficulty associated with accessing her mother's property at 6 Watts Street, Wandering.

COMMENT

There is reference made in the letter from Christine Carter that a neighbouring property had a similar problem and the matter was addressed by Council. The letter also implies that the problem accessing the problem is a direct result of the Council raising the entrance level from White St and securing a footpath around the property.

RECOMMENDATION:

For Council discussion.

[Attachment 9](#)

407:2010/11 Moved Cr McNeil, Seconded Cr Barge that Council address the issues raised in relation to accessing 6 Watts St by reducing the existing decline entering the property and covering the area with material to help reduce problems accessing the property by foot.	CARRIED 6-0
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6.9 Wandering Tavern

NAME OF APPLICANT: Marcel & Toni Gelissen
FILE REFERENCE: 13.1.5.4
AUTHOR: CEO

SUMMARY:

Marcel and Toni Gelissen have written to Council seeking permission to erect a sign where the existing island is located at the front of the Wandering Tavern. The sign would be a timber and iron wagon wheel arrangement and erected in line with the "horses came first" theme.

COMMENT

The island is currently maintained by the Shire and is not the most aesthetically pleasant structure. Other than acting as a barricade between the Hotel and the main street, there does not appear to be too much of a necessity to maintain the existing island in the current formation.

RECOMMENDATION:

That Council allow the Wandering Tavern to erect the signage arrangement on the condition that the Wandering Tavern is responsible for the maintenance of the island.

[Attachment 10](#)

410:2010/11

Moved Cr Schorer, Seconded Cr McNeil that Council allow the Wandering Tavern to erect the signage arrangement on the condition that the island is not removed under any circumstances and that the Wandering Tavern is responsible for the maintenance of the island.

CARRIED 7-0

6.10 List of Accounts

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 \$550,784.45 be passed for payment.

[Attachment 11](#)

411:2010/11

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 \$550,784.45 be passed for payment.

CARRIED 7-0

6.11 Financial Reports

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

SUMMARY:

Separately attached are the monthly Financial Statements for the period ending 31 July 2010.

RECOMMENDATION:

That Council endorse the monthly Financial Statements for the period ending 31 July 2010.

[Attachment 12](#)

412:2010/11

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

8.1 Plant Tenders

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

SUMMARY:

In the 2010/11 Budget we have allowed for the following major plant items;

- Purchase of a Prime mover
- Purchase of a side tipper
- Trade in 2006 Isuzu Tandem axle truck

RECOMMENDATION:

That Council advertise tenders for;

- Supply & delivery of 1 x prime mover 260kw to 350kw range
- Outright purchase of 2006 Isuzu FVZ F3 Tandem Axle truck @ 40,000km (WD 458)
- Supply and delivery of Tri Axle Side Tipper

413:2010/11

Moved Cr White, Seconded Cr Schorer that Council advertise tenders for;

- Supply & delivery of 1 x prime mover 260kw to 350kw range
- Outright purchase of 2006 Isuzu FVZ F3 Tandem Axle truck @ 40,000km (WD 458)
- Supply and delivery of Tri Axle Side Tipper

CARRIED 7-0

9. COUNCIL INFORMATION BULLETIN

President Dowsett

Questions Without Notice

Requested that the data for the road counters form part of the Works Report

Deputy President Kerr

Questions Without Notice

Moramocking Rd requires grading

Logging signs on North Wandering Rd need to be removed

Councillor White

Questions Without Notice

White Rd requires grading

Councillor McNeil

Questions Without Notice

There is a sign laying on the Albany Hwy between Halfway House and the Wandering turnoff

York gums near Ian Turton's need to be pruned

Councillor Barge

Questions Without Notice

Informed Council he had been approached by the Wandering Tavern to see if the Shire would look at planting some trees on the eastern boundary directly adjacent the tavern.

Councillor Price

Questions Without Notice

Bannister Rd requires grading

Asked if there had been any further development with the plans for the Office Refurbishment

Councillor Schorer

Questions Without Notice

Enquired as to the progress of the oval refurbishment

10. NEXT MEETING

Next Ordinary Council meeting to be held on Thursday 16 September 2010 commencing at 11:00am

11. CLOSURE OF MEETING

As there was no further business for discussion the meeting was closed at 5:52pm

**These Minutes were confirmed by Council at the Ordinary Council Meeting
on Thursday 16 September 2010.**

CR B E DOWSETT, Chairman