

Shire of Goomalling



COUNCIL MEETING MINUTES

July 2021

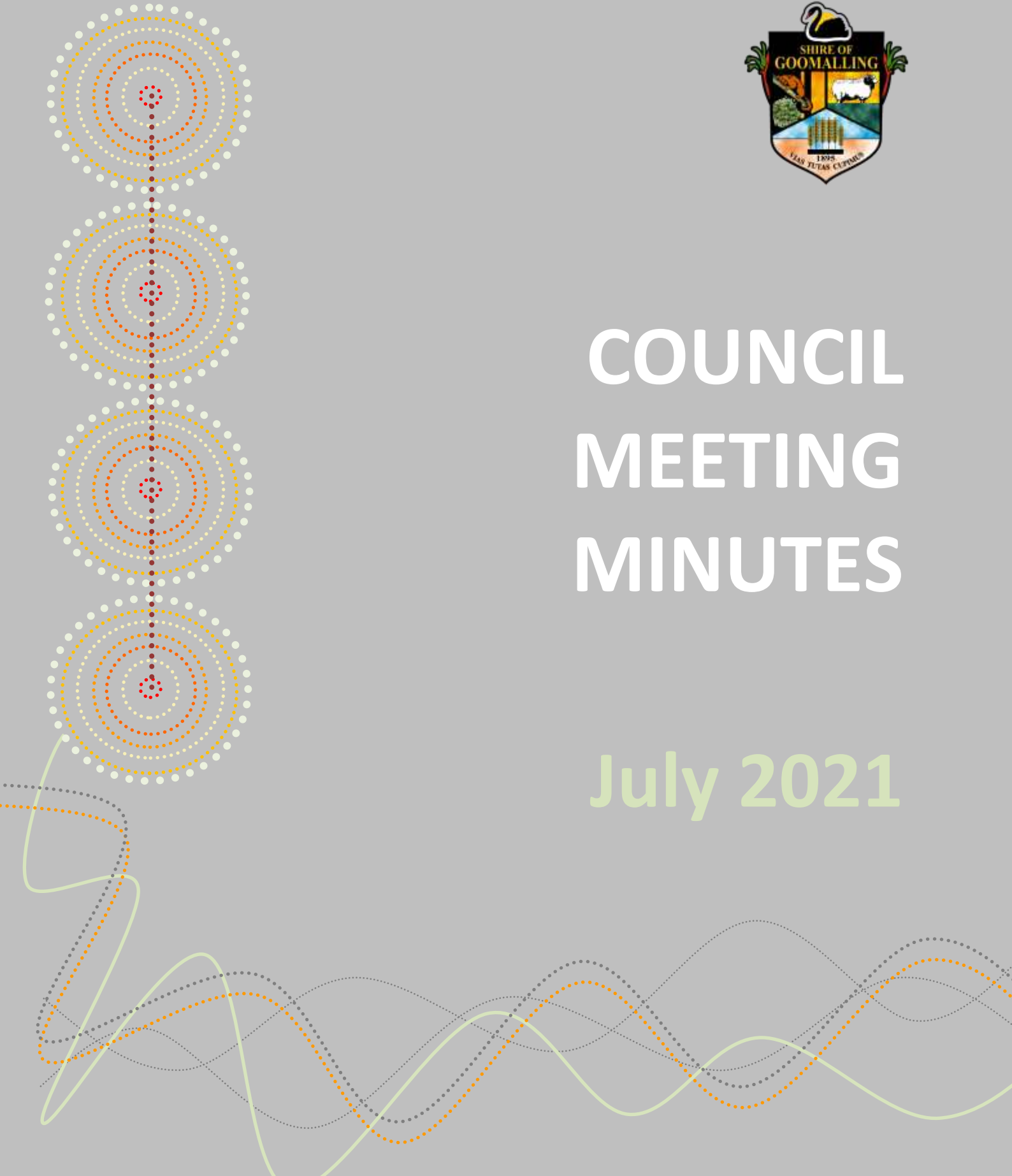




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NYOONGAR ACKNOWLEDGEMENT

We acknowledge this land that we meet on today is part of the traditional lands of the Nyoongar people and that we respect their spiritual relationship with their country. We also acknowledge the Nyoongar Ballardong people as the custodians of the greater Goomalling/Koomal area and that their cultural and heritage beliefs are still important to the living Nyoongar Ballardong people today.

NOTICE OF MEETING

Meeting No. 6 of 2021 of the Shire of Goomalling Council to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Wednesday, 21 July 2021 beginning at 3.39pm.

1. DECLARATION OF OPENING & ANNOUNCEMENT OF VISITORS

2. RECORD OF ATTENDANCE/APOLOGIES & APPROVED LEAVE OF ABSENCE

2.1. Attendance

Council	Vice President & Chairperson	Cr Roland Van Gelderen
	Councillor	Cr Christine Barratt
	Councillor	Cr Casey Butt
	Councillor	Cr Julie Chester
	Councillor	Cr Rodney Sheen
Administration	Chief Executive Officer	Mr Peter Bentley
	Finance Manager	Miss Natalie Bird
	Works Manager	Mr David Long

2.2. Apologies

Apologies were received from Cr Barry Haywood and Cr Brendon Wilkes for the non-attendance at today's meeting.

2.3. Approved Leave of Absence

Nil

3. DECLARATION OF:

- FINANCIAL INTEREST
- MEMBERS IMPARTIALITY INTEREST
Cr Van Gelderen declared an impartial interest in item 12.1
- PROXIMITY INTEREST

4. PUBLIC QUESTION TIME

Nil

5. APPLICATION FROM MEMBERS FOR LEAVE OF ABSENCE

Moved Cr Sheen and seconded Cr Barratt that Council grant Cr Chester and Cr Butt leave of absence for the next ordinary Council meeting 18 August 2021.

CARRIED 5/0
Simple majority



6. CONFIRMATION AND RECEIVING OF MINUTES & BUSINESS ARISING

6.1 Ordinary Meeting of Council held Wednesday 16 June 2021

RESOLUTION 368

Moved Cr Chester Seconded Cr Barratt that the Ordinary Meeting of Council held on 16 June 2021, be confirmed as a true and correct record of proceedings.

CARRIED 5/0
Simple majority

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

- Cr Chester & Cr Haywood attended the Avon Midland Ward 25 June 2021
- Cr Chester, Cr Sheen, Cr Butt, Cr Barratt, Cr Wilkes, Cr Haywood & Cr Van Gelderen attended Budget workshop 7 July 2021
- Cr Chester attended Mortlock Sports Council 14 July 2021

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS



9. OFFICERS' REPORTS

9.1 SCHEDULE OF ACCOUNTS PAID 1 JUNE 2021 to 30 JUNE 2021

File Reference	Not applicable
Disclosure of Interest	Nil
Applicant	Not Applicable
Previous Item Numbers	No Direct
Date	14 July 2021
Author	Kylie Burling, Accounts Payable
Authorising Officer	Natalie Bird, Finance Manager
Attachments <ol style="list-style-type: none"> 1. Schedule of Payments - June 2021 2. Corporate Credit Card Statements May 2021 	

Summary

FUND VOUCHERS AMOUNT

EFT 3226 to 3334	\$449,550.47
Direct Debits 8467 to 8471	\$32,898.88
Cheques 15251-15261	\$32,022.36
Payroll JNL 6476 & 6486	\$93,170.00
Super DD13334 & 13353	\$16,732.89
TOTAL	\$624,374.60

Voting Requirements

Simple Majority



OFFICERS' RECOMMENDATION

That the Council:

Approve vouchers from the Municipal Fund and Trust Fund as detailed:

EFT 3226 to 3334	\$449,550.47
Direct Debits 8467 to 8471	\$32,898.88
Cheques 15251-15261	\$32,022.36
Payroll JNL 6476 & 6486	\$93,170.00
Super DD13334 & 13353	\$16,732.89
TOTAL	\$624,374.60

RESOLUTION 369

Moved Cr Butt seconded Cr Barratt that the officer's recommendation be adopted.

**CARRIED 5/0
Simple Majority**



9.2 FINANCIAL REPORT FOR JUNE 2021

File Reference	Not Applicable
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	15 July 2021
Author	Natalie Bird, Finance Manager
Authorising Officer	Natalie Bird, Finance Manager
Attachments	
1. Monthly Financial Report to 30 June 2021	

Summary

In accordance with the *Local Government (Financial Management) Regulations 1996*, to follow is the presentation of the Monthly Financial Reports to Council.

Background

Monthly Financial Reports are to be presented to Council and are to be received by Council resolution.

Statutory Environment

Local Government Act 1995 – Section 6.4 (as amended)
Local Government (Financial Management) Regulations 1996 – Clause 34 and 35

Policy Implications

No specific policy regarding this matter.

Financial Implications

Ongoing management of Council funds

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
4.1.4	Provide reporting processes in a transparent, accountable and timely manner

Voting Requirements

Simple Majority



OFFICERS' RECOMMENDATION

That the Council:

1. Receive the Monthly Financial Report to 30 June 2021

RESOLUTION 370

Moved Cr Chester seconded Cr Barratt that the officer's recommendation be adopted.

**CARRIED 5/0
Simple Majority**



9.3 PROPOSED WEDDING VENUE (RECEPTION CENTRE), CAMPING, HOLIDAY HOUSE AND ANCILLARY DEVELOPMENT

File Reference	Bowen
Disclosure of Interest	Edge Planning & Property receive payment for planning advice to the Shire and declare a Financial Interest (section 5.70 of the <i>Local Government Act 1995</i>)
Applicant	Mark & Natalee Bowen
Previous Item Numbers	No Direct
Date	12 July 2021
Author	Steve Thompson – Consultant Planner
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	
1. Application letter and plans 2. Location plan	

Summary

For Council to consider whether the proposed uses of wedding venue (reception centre) and holiday house at Lot 101 (No. 1900) Goomalling-Toodyay Road, Wongamine are consistent with the objectives and purposes of the Rural 2 Zone – Wongamine to enable advertising of the Development Application.

Background

The Shire has received a Development Application for wedding venue (reception centre), holiday house, glamping accommodation (camping area) and ancillary development. The existing dwelling is proposed to be used for short-stay accommodation (holiday house). Other ancillary development is also proposed. The proposed development is to be known as Hamptons Farm Estate. Details submitted by the applicant are in Attachment 1.

The applicant set out the following:

- The Hamptons Farm Estate will offer the grounds and the house for weddings and accommodation. Most weddings are expected to be scheduled over the weekends, with an average attendance of 150 – 250 guests;
- The wedding venue will be set up the day before the wedding and packed up the day after the wedding;
- Most weddings are expected to utilise a marquee for the event;
- All events and weddings are required to hire portable toilets/bathrooms. These will be erected for each event;
- Glamping accommodation - Hamptons Farm Estate will offer guests and attendees glamping accommodation. Each tent will accommodate 2 – 4 guests with an average of 20 – 30 tents per wedding to cater for 60 – 120 guests. The tents are 5 x 5 metres and will be erected and removed for each event;
- House accommodation - the dwelling will be let out for short-term accommodation, to accommodate a maximum of 12 people. No food or beverage will be offered;
- Food catering - no food or beverage will be offered for weddings and events. Catering will be an externally provided service;



- Liquor licence - Hamptons Farm Estate will be a BYO venue, with all liquor management to be provided by a caterer;
- All weddings will require a wedding planner and venue manager in attendance. The venue manager will be responsible for visitor behaviour and ensuring noise impacts are appropriate and meet the *Environmental Protection (Noise) Regulations 1997*;
- Weddings will adhere to appropriate noise control measures with amplified music to cease after midnight. and the wedding shut down at 1.00am. There are currently no dwellings on the neighbouring properties;
- Transport and parking - an average attendance of 150 – 250 guests per wedding is expected. Hamptons Farm Estate and wedding planners will be recommending that guests carpool and utilise the bus service for transport to and from the wedding to minimise the number of cars. Given the utilisation of the bus service, an average of 40-60 cars per wedding is expected, with a maximum of 125 cars. There is good visibility on the Goomalling-Toodyay Road to the east and west of the existing driveway;
- Signage - a sign (2.5m high, 2.4 wide) is proposed to be erected inside the farm property near the entrance. The sign will not be illuminated;
- Rubbish disposal - all events and weddings will dispose of all rubbish from the site after the event;
- Bush fire risk mitigation - the venue is located outside of the bushfire prone area, however weddings are expected to run all year round. To mitigate against fire risk, Hamptons Farm Estate will adhere to all fire risk regulations with terms and conditions stipulating that no candles, sparklers, fireworks, flame-based décor or open fires are to be used during the restricted fire season; and
- Safety Management Plan will be provided to the wedding planner for each wedding which will include an induction on evacuation procedures.

Lot 101 (No. 1900) Goomalling-Toodyay Road is located approximately 28 km south-west of the Goomalling townsite in the locality of Wongamine (see Attachment 2).

The property is 28.23 hectares in area, contains a dwelling and a shed, is largely cleared and is used for cropping. Surrounding properties are generally used for cropping.

The property is zoned 'Rural 2 Zone - Wongamine' in the *Shire of Goomalling Town Planning Scheme No. 3 (TPS3)*. Further details in the Statutory Environment section.

Consultation

Subject to Council's decision, the Development Application will be subject to community and stakeholder consultation for 42 days in accordance with *Planning and Development (Local Planning Schemes) Regulations 2015*.

Statutory Environment

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Goomalling Town Planning Scheme No. 3



TPS3 clause 3.5.5 Rural 2 Zone – Wongamine states the following:

‘The objective for the zone is to ensure that buildings and other development on the prevailing small rural lots are not unduly intrusive onto the rural landscape.

Council policies will therefore be to;

- a) require that planning approval be obtained for all buildings, including a residence;
- b) require that outbuildings, including sheds, garages and the like be sited so that the outbuilding is no closer to the road frontage of a lot than the front wall of any residence on the lot;
- c) assess applications for planning approval for a residence or other building to ensure minimal intrusion onto the rural landscape and consider requiring relocation of the building or tree planting for screening purposes where this is considered desirable and practicable;
- d) protect the land from closer development which would detract from the rural character and amenity of the area.’

Table 2 – Development Table sets a minimum boundary setback of 50 metres from the road frontage boundary and 20 metres from other boundaries.

As set out in the Zoning Table in TPS3, ‘Camping Area’ (includes glamping accommodation) is an ‘SA’ use in Rural 2 Zone - Wongamine’. This means that the Council may, at its discretion, permit the use after advertising the application. A ‘wedding venue’ (reception centre) and ‘holiday house’ are a ‘use not listed’ in the Zoning Table. Uses not listed may be considered pursuant to Clause 3.2.5 of TPS3.

Clause 3.2.5 of TPS3 states:

- ‘3.2.5 If the use of land for a particular purpose is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes, the Council may;
- a) determine that the use is not consistent with the objectives and purpose of the particular zone and is therefore not permitted; or
 - b) determine by absolute majority that the proposed use is consistent with the objectives and purposes of the zone and thereafter follow the advertising procedures of Clause 6.2 in considering an application for Planning Consent.’

Policy Implications

Nil

Financial Implications

The applicant has paid the Development Application fee. The applicant has a right of review to the State Administrative Tribunal to review the Council’s decision. If this occurred, the Shire would have associated costs.

P R E S I D E N T _ _ _ _ _

D A T E _ _ _ _ _



Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
1.2.6	Provide to the community quality regulatory services
2.2.2	Facilitate and support the development of tourist accommodation in the district.

Comment/Conclusion

The purpose of this report is not to assess in detail the merits of the proposal. Instead, it is to consider whether the proposed 'uses not listed' of wedding venue (reception centre) and holiday house are consistent with the objectives and purposes of the Rural 2 Zone – Wongamine as outlined in TPS3.

It is suggested that the proposed uses of wedding venue (reception centre) and holiday house are consistent with the objectives and purposes of the Rural 2 Zone – Wongamine noting:

- The existing dwelling and proposed development are well setback from Goomalling-Toodyay Road and other lot boundaries;
- Given the dwelling is existing and most other proposed structures are temporary, there will be minimal intrusion on the rural landscape. There are also opportunities for tree planting; and
- The area's rural character and amenity will be protected subject to effective on-going management of the proposed uses.

If Council agrees with the Officer's Recommendation, the Development Application will be advertised to the community and to stakeholders for 42 days. Following advertising, the Development Application will be assessed in greater detail.

Subject to feedback from the community and stakeholders, it is expected that some of the matters to consider with the Development Application include:

- Addressing land use compatibility with adjoining/nearby properties. This includes recognising existing farming operations have a 'right to farm' without interruption (including harvesting) and considering possible impacts from events and guests including music and other noise;
- Effective management of guests and visitors and preparation and implementation of a Management Plan;
- Preparation and implementation of an Emergency Evacuation Plan;
- The proposal will provide a range of economic and job creation benefits for the area;
- Traffic safety and addressing Main Roads Western Australia requirements; and
- If proposed uses are considered appropriate, whether the development approval is initially limited for a set time period (such as 5 years) or whether to issue an 'opened ended' approval.



As outlined in the Officer Recommendation, if no objections are received from the community or stakeholders, the Shire's Chief Executive Officer to be delegated responsibility to determine the Development Application.

Subject to the outcomes on the Development Application, there are additional various separate health and building considerations to later address.

Voting Requirements

Absolute Majority

OFFICERS' RECOMMENDATION

That the Council:

1. Pursuant to Clause 3.2.5 of the *Shire of Goomalling Town Planning Scheme No. 3*, determines that the proposed 'uses not listed' of wedding venue (reception centre) and holiday house, detailed in the Development Application for Lot 101 (No. 1900) Goomalling-Toodyay Road, Wongamine, are consistent with the objectives and purposes of the Rural 2 Zone - Wongamine.
2. Note the Development Application will be advertised for public comment in accordance with Clause 64(3)(a) and Clause 66 of Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.
3. Subject to no submissions raising objections, endorse the Shire's Chief Executive Officer being delegated responsibility to determine the Development Application.

RESOLUTION 371

Moved Cr Barratt seconded Cr Sheen that the officer's recommendation be adopted.

**CARRIED 5/0
Absolute Majority**



9.4 AMENDMENTS TO WALGA CONSTITUTION

File Reference	
Disclosure of Interest	Nil
Applicant	WA Local Government Association
Previous Item Numbers	No Direct
Date	13 July 2021
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments 1. Copy of the Proposed Constitutional Changes	

Summary

- A number of amendments are proposed to the WALGA Constitution;
- Amendments are necessary:
 - To remove requirements for delegates to attend annual and special general meetings in person; and,
 - As a result of WALGA’s change of financial year end to 30 June, from the previous 31 May year end.
- Other amendments are proposed to:
 - Allow a second vote to be conducted if two candidates tie in an election for President or Deputy President;
 - Clarify the application process for Ordinary and Associate Members;
 - Simplify the process for providing notice of State Council meetings;
 - Allow motions at Special State Council meetings to be passed with a simple, as opposed to absolute, majority, except as required elsewhere in the Constitution, such as the absolute majority requirement to adopt the budget; and,
 - Tidy up outdated wording.



- The proposed amendments to the Constitution were passed at the 7 July 2021 State Council meeting by a Special Majority.

- Consequently, these Constitutional Amendments are now being put to the 20 September 2021 Annual General Meeting.

Background

Amendments to the Constitution are required to allow delegates to attend and vote virtually through a videoconference, webinar or other platform at Annual or Special General Meetings of the Association if required.

In addition, WALGA has this year changed its financial year end from 31 May to 30 June. The 30 June year end means that WALGA’s financial year now aligns with Local Governments’ year end. Amendments to clauses relating to the budget, termination of membership and the timeframe for holding the AGM are required as a result of this change.

The requirement to amend the Constitution has provided an opportunity to amend the election procedure for WALGA President and Deputy President. The proposed change would enable a second ballot to be held if two or more candidates are tied for the position. This aligns with the procedure in the *Local Government Act 1995* for the election by Council of Mayors, Presidents, Deputy Mayors and Deputy Presidents.

Other minor changes to remove outdated and tidy up wording are proposed, as per the mark-up version of the Constitution attached.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
	Not directly dealt with in the Community Strategic Plan

Comment/Conclusion

Amendments to the Constitution require endorsement by a special (75 percent) majority at State Council, as well as a 75 percent majority at an Annual General Meeting or Special General Meeting.



As the proposed amendments were endorsed by State Council at the 7 July meeting, they are now being put to the 20 September 2021 WALGA Annual General Meeting.

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION

That the Council:

1. Review the attached proposed changes to the WALGA constitution and direct Councils Delegates to the WALGA AGM to support the proposals.

RESOLUTION 372

Moved Cr Sheen seconded Cr Chester that Council support the proposed changes to the WALGA constitution.

**CARRIED 5/0
Simple Majority**



9.5 WALGA AGM VOTING DELEGATES

File Reference	
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	13 July 2021
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	1.

Summary

Council to select its delegates for the 2021 WALGA AGM.

Background

Historically Councillors Haywood and Van Gelderen have been Councils delegates to the WALGA AGM. As delegates they are empowered to vote on Councils behalf at the AGM on any matter that arises that will affect the operations of the association or any other business that affects Goomalling.

Generally, the agenda for the AGM will be distributed so that Councillors can give direction to its delegates with regard to the various items.

Consultation

Statutory Environment

- *Local Government Act 1995*

Policy Implications

Council does not have a specific policy regarding this matter.

Financial Implications

There are no direct financial implications with regard to this item.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
	This item is not directly dealt with within the Community Strategic Plan

Comment/Conclusion

Nil further



Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION

That the Council:

Endorse Councillors Haywood and Van Gelderen as its delegates to the WALGA AGM to be held in September 2021 at Crown Perth.

RESOLUTION 373

Moved Cr Chester seconded Cr Barratt that the officer's recommendation be adopted.

**CARRIED 5/0
Simple Majority**



9.6 ADOPTION OF 2021/2022 BUDGET

File Reference	03-06
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	13 July 2021
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	
1. Copy of Budget Documents	

Summary

To present to Council the 2021/22 Budget with increases in differential rates which will equate to a 5% increase on the previous year's yield for adoption.

Background

During the course of 2020 Council has continued to react to many issues related to the COVID-19 Pandemic. This included modified working conditions for staff at times, modified operations at the Medical Practice, reductions operating revenues and increased costs in undertaking normal business operations. This continued into the 2021 financial year to a lesser degree, however there was still an impact to our bottom line.

Council had to take into account the effects of the pandemic in framing last year's budget and has had some other curly issues to deal with in the 2021 year which has led to a significant deficit for the year.

Local Governments must give local public notice of the intention to levy in 2021/22 differential rates and minimum payments and consequently we have called for public submissions, which council must consider before imposing the 2021/22 differential rates and minimum payments.

Local Governments must publish the differential rates on the Local Government's website, as applicable within 10-days of the Council resolution to impose them.

In accordance with section 6.34 of the *Local Government Act 1995*, the revenue estimated to be yielded by the general rates imposed for the 2021/22 financial year will be 100% of the 2021/212 Budget expenditure over and above what is covered by all other revenue sources.

Consultation



Statutory Environment

The Local Government Act 1995 and the Local Government (Financial Management) Regulations 1996 provide prescriptive guidelines for the formal adoption of Council Budgets.

6.32. Rates and service charges

- (1) When adopting the annual budget, a local government
 - (a) in order to make up the budget deficiency, is to impose* a general rate on rateable land within its district, which rate may be imposed either
 - (i) uniformly; or
 - (ii) differentially;
 - (b) may impose* on rateable land within its district
 - (i) a specified area rate; or
 - (ii) a minimum payment; and
 - (c) may impose* a service charge on land within its district.

*** Absolute majority required.**
- (2) Where a local government resolves to impose a rate it is required to
 - (a) set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and
 - (b) set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.
- (3) A local government
 - (a) may, at any time after the imposition of rates in a financial year, in an emergency, impose* a supplementary general rate or specified area rate for the unexpired portion of the current financial year; and
 - (b) is to, after a court or the State Administrative Tribunal has quashed a general valuation, rate or service charge, impose* a new general rate, specified area rate or service charge.

*** Absolute majority required.**
- (4) Where a court or the State Administrative Tribunal has quashed a general valuation the quashing does not render invalid a rate imposed on the basis of the quashed valuation in respect of any financial year prior to the financial year in which the proceedings which resulted in that quashing were commenced.

6.35. Minimum payment

- (1) Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.
- (2) A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.
- (3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than
 - (a) 50% of the total number of separately rated properties in the district; or
 - (b) 50% of the number of properties in each category referred to in subsection (6), on which a minimum payment is imposed.
- (4) A minimum payment is not to be imposed on more than the prescribed percentage of
 - (a) the number of separately rated properties in the district; or
 - (b) the number of properties in each category referred to in subsection (6), unless the general minimum does not exceed the prescribed amount.
- (5) If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.
- (6) For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories
 - (a) to land rated on gross rental value;
 - (b) to land rated on unimproved value; and
 - (c) to each differential rating category where a differential general rate is imposed.

Policy Implications

Nil

Financial Implications

The setting of the Shire's Annual Budget is a key decision made by Council on an annual basis. It is imperative that all Councillors fully understand the Budget and recognise the implications of decisions that have been made regarding resource allocation for the following 12 months as a result of the adoption of the Budget.



Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
	The Shire of Goomalling Community Strategic Plan identifies a number of key objectives and strategies based upon a sustainable future. The 2021/22 Budget as presented is in keeping with Council's Strategic direction.

Comment/Conclusion

The Council needs to adopt the budget in four (4) separate motions. Council has had into take into consideration other legislative requirements that have arisen from the COVID-19 pandemic.

Voting Requirements

Simple Majority



OFFICERS' RECOMMENDATION

That the Council:

RECOMMENDATION 1

That the Fees and Charges and Rental Charges included within the budget document and the following Service Charges be adopted in accordance with the provisions of the Local Government Act 1995 and the Health Act 1911.

Local Government Act 1995 – Service Charges 2021/2022

Health Act 1911

Refuse Removal Charges

Refuse Goomalling	\$285.00
Refuse –additional bin	\$285.00
Refuse Jennacubbine	\$305.00
Refuse Wongamine	\$30.00
Refuse Konnongorring	\$305.00
Refuse –additional bin	\$305.00
Recycling – Kerbside Collection	\$85.00
240 Litre Wheelie Bin	at cost
Tipping Fee - cubic metre – Non Residents	\$20.00

Sewerage

Residential	-	08.3136 cents in the dollar Minimum Charge \$695.00
Commercial	-	08.3136 cents in the dollar Minimum charge \$695.00
Vacant Lot	-	\$695.00 per property
Minor Fixture Charge	-	\$238.00
Major Fixture Charge	-	\$775.00
Additional Fixtures	-	\$97.00

BY ABSOLUTE MAJORITY

RESOLUTION 374

Moved Cr Chester seconded Cr Butt that the officer's recommendation be adopted.

**CARRIED 5/0
Absolute Majority**



RECOMMENDATION 2

That the following General Rates for 2021/22 be adopted in accordance with the requirements of Section 6.32 of the Local Government Act 1995:

That the following Rates in the Dollar be adopted for the Shire of Goomalling for the year ending 30 June 2022:-

Gross Rental Values	(Towns)
Residential	11.2872 cents in the dollar
Commercial	12.6916 cents in the dollar
Industrial	12.1715 cents in the dollar
Urban Farmland	10.8711 cents in the dollar

Unimproved Values	(Rural)
Rural Zone 2	00.6363 cents in the dollar
Special Rural	01.2625 cents in the dollar
General Zone 3	00.6918 cents in the dollar

MINIMUM RATES

That the minimum rate for Gross Rental Values and UV properties are set as follows for the various rate categories set as follows:

Minimum Rates

GRV Residential	\$979.00 per assessment
GRV Commercial	\$927.00 per assessment
GRV Industrial	\$567.00 per assessment
GRV Urban Farmland	\$737.00 per assessment
UV Rural Zone 2	\$1,015.00 per assessment
UV Special Rural	\$1,133.00 per assessment
UV General Zone 3	\$1,231.00 per assessment

Discount

No early settlement discount to be offered in the 2021/22 Budget.

BY ABSOLUTE MAJORITY

RESOLUTION 375

Moved Cr Chester seconded Cr Barratt that the officer's recommendation be adopted.

**CARRIED 5/0
Absolute Majority**



RECOMMENDATION 3

PAYMENT OPTIONS

That Council, in accordance with the provisions of section 6.45 and 6.50 of the Local Government Act 1995, offers the following payment options for the payment of rates:-

(a) Single Instalment

Payment in full within 35 days of the date of issue of the rate notice.

(b) Two Instalments

The first instalment of 50% of the total current rates, ESL, refuse charges, instalment charges plus the total outstanding arrears payable, within 35 days from the date of issue of the rate notice.

The second instalment of 50% of the total current rates, ESL, refuse charges and instalment charges, payable 4 months from the due date of the first instalment.

(c) Four Instalments

The first instalment of 25% of the total current rates, ESL, refuse charges and instalment charges plus the total outstanding arrears payable, within 35 days from the date of issue of the rate notice.

The second, third and fourth instalments, each of 25% of the current rates, ESL, refuse charges and instalment charges, payable at two monthly intervals after the due date of the first instalment.

INTEREST AND ADMINISTRATION CHARGES FOR INSTALMENT OPTIONS

That Council, in accordance with the provisions of section 6.45 of the Local Government Act 1995 imposes an Administration Fee of \$10 per instalment notice together with an interest charge of 5.5%, both of which applies to the second instalment of the Two Instalment option, and the second, third and fourth instalments of the Four Instalment option.

LATE PAYMENT PENALTY INTEREST

That Council, in accordance with the provisions of section 6.13 and 6.51 of the Local Government Act, and Regulations 19A and 70 of the Local Government (Financial Management) Regulations 1996, adopts an interest rate of 7% per annum. Penalty interest will apply to all charges which remain unpaid after 35 days from the date of issue of the rate notice.

Excluded are eligible pensioners, deferred pensioner rates and current instalment amounts not yet due.

BY ABSOLUTE MAJORITY

RESOLUTION 376

Moved Cr Butt seconded Cr Barratt that the officer's recommendation be adopted.

**CARRIED 5/0
Absolute Majority**



RECOMMENDATION 4

That the Council adopts the Budget under the Local Government Act 1995 Section 6.2 for the Shire of Goomalling for the year ending 30 June 2022, incorporating:

- Operating Statement
- Statement of Cash Flows
- Statement of Non-Operating Incomes and Expenditures
- Rate Setting Statement
- Statement of Rating Information
- Other supporting documents and schedules
- (Including the 10 Year Plant Replacement Program, 2021/22 Road Program)

BY ABSOLUTE MAJORITY

RESOLUTION 377

Moved Cr Barratt seconded Cr Butt that the officer's recommendation be adopted.

**CARRIED 5/0
Absolute Majority**

RECOMMENDATION 5

That Council adopts the following Annual Members Meeting Attendance Fees and Allowances for 2021/22 in accordance with the requirements of Sections 5.99 and 5.99(A) of the Local Government Act 1995 and Regulations 34A and 34B, and the Annual President Allowance for 2020/21 in accordance with the requirements of and Section 5.98(5) of the Local Government Act 1995 be adopted :

Presidential Allowance:	\$2,500.00 Per Annum
Deputy President Allowance:	\$625.00 Per Annum
Councillor Sitting Fees:	
Council Meeting – President	\$200.00 Per Meeting
Council Meeting – Councillor	\$100.00 Per Meeting
Committee Meeting – President	\$100.00 Per Meeting
Committee Meeting – Councillor	\$50.00 Per Meeting
Travel Allowance:	\$0.9554c / km

BY ABSOLUTE MAJORITY

RESOLUTION 378

Moved Cr Sheen seconded Cr Chester that the officer's recommendation be adopted.

**CARRIED 5/0
Absolute Majority**



RECOMMENDATION 6

That Council adopts, in accordance with the provisions of the *Local Government (Financial Management) Regulations 1996* section 34(5), the material variance as reported in the Statement of Financial Activity in the financial year ending 30 June 2022 of 10% or \$10,000.

BY ABSOLUTE MAJORITY

RESOLUTION 379

Moved Cr Sheen seconded Cr Butt that the officer's recommendation be adopted.

**CARRIED 5/0
Absolute Majority**



9.7 MELBOURNE CUP – JENNACUBBINE PROGRESS ASSOCIATION

File Reference	
Disclosure of Interest	Nil
Applicant	Jennacubbine Progress Association
Previous Item Numbers	No Direct
Date	13 July 2021
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	
1. Copy of letter from Jennacubbine Progress Association 2. Other materials associated	

Summary

Consider assistance requested by the Jennacubbine Progress Association for the upcoming local viewing opportunity of the actual Melbourne Cup.

Background

The Jennacubbine Progress Association has been successful in hosting a viewing opportunity for the Melbourne Cup this year. The Association is planning a gala day with the opportunity for various community organisations to purchase stall sites for the day, families with an association with Jennacubbine to enter a sweep to escort the cup to the hall and a number of other activities which are designed to raise funds for the Jennacubbine War Memorial Upgrade.

The opportunity represents a once in a lifetime opportunity to view the cup up close and have a photo opportunity with it.

The date of the event is Wednesday 18th August 2021 and will conflict with the LGIS Golf event being hosted by the Council, and a Wedding at Konnongorring Hall as well. It is understood that the Association had no input into the date of the event, this is dictated by the schedule arranged by the Victorian Racing Club. This will stretch our resources in ensuring that the various equipment and staff required to meet all of our obligations are in place. The CEO and Works Manager will work together to ensure that we can provide the best result possible, however where resources are not available, we will honour the first in commitments, as the priority.

Consultation

The CEO has had discussion with Cathie and Joe Bowen regarding the event and the Works Manager has been involved in some of those discussions.

Statutory Environment

- *Local Government Act (1995)*



Policy Implications

The Council does not have a specific policy related to this matter.

Financial Implications

Council would incur several thousand dollars in unbudgeted expense by adopting this recommendation.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
2.2.1	Advocate, promote and market the Shire as a place to live, work and visit
2.2.5	Develop partnerships to actively support visitor growth
2.2.6	Provide relevant tourist information and marketing services
2.3.3	Facilitate and create sustainable business and community partnerships

Comment/Conclusion

The Association has requested the following assistance;

1: Grounds and Hall:

Clean up surrounds, gutters, roof maintenance and as appropriate levelling of grounds and laying blue metal.

Culverts cleaned / re-laid at Hall gate entry and along the road beside the Hall to drain into railway side.

Levelling of grounds adjacent to the Memorial / Tavern, removal of dead trees.

Temporary Toilet block plumbed into Hall toilet system before the event.

- Council staff will, where possible, undertake as much of the ground and building maintenance as possible.
- Culverts will be cleaned however relating may be a difficult prospect. This will be managed by the Works Manager as is appropriate.
- Levels will be modified as are possible within the vacant land area adjacent to the Memorial. Staff will ensure that no other infrastructure is likely to be affected.
- Temporary Toilet blocks are now managed by the Shire of Northam. It is not clear at this stage if the Association requires these from Council or just plumbing services to connect.

2: Road Signage:

We need BEBAKINE Rd to be closed to traffic from 8.00am – 12.30 pm as this will be the site for people and horses to 'Escort the Cup' from the Jennacubbine Racecourse into town.



Signage mentioning SLOW / EVENT AHEAD on Yarramony, Lawler, Tyndall Rds all of Friday 18th August.

No Entry signs along the Hall side of the railway line. Spare BUNTING – appreciated.

- Bebakine Road is a local Road and can be closed to through traffic, however we will need to allow local access to any residents requiring access on the day. Advertising will in place to reduce any likely conflict and to alert residents of the event. A Traffic Management Plan will be required and this will likely have a cost of between \$1,000 and \$2,500 which Council would have to absorb.
 - We will provide any other signage we have available appropriate for the event.
- 3: Speakers: Borrow for the day if available for HALL and WAR MEMORIAL use. [There will be a LONG TAN service conducted by the Vietnam Vets at 3.00pm at the Memorial.]
- The Association is requesting use of this equipment which is not generally hired out. There is no fee listed to hire the equipment in its fees and charges so Council can, if it is satisfied, loan the equipment to the Association.
- 4: Bus Shuttle Service – using the Goomalling bus to run elderly / disabled people to their locations on Bebakine Road for the escort event.
- It is unclear as to whether there is an expectation that Staff will man the bus on the day. Should Resources be thin, it may be a requirement that the Association needs to provide its own driver. This will be clearer as we get closer to these events. It is assumed that the Association is requiring concessional treatment for the use of the bus.
- 5: **Contact Mailing List** – that your office could assist by forwarding INVITATIONS for the ESCORT event to localities across the Goomalling Shire, using the Shire Rate Payer’s mailing list. URGENT. All other mailings and invitations are being handled by ourselves.
- It is assumed that the Association is requesting that the Council provide the required stationery, copying, postage and any other costs along with the actual mailing list. It is not clear at this stage as to whether this will include all ratepayers or just local Jennacubbine addresses. The full rate base mailout could run to \$1,000 or more – Council has some 826 property assessments.



The hosting of the Melbourne Cup is a once in a lifetime opportunity for the residents to have close contact with this piece of sporting history.

Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION

That the Council:

1. Agree to supply the Goomalling Community Bus to the Jennacubbine Progress Association for the Melbourne Cup Event at no cost but that all other hire conditions be met with regard to cleaning etc;
2. Agree to supply, at no cost, the Council small speaker system for the Melbourne Cup event;
3. Agree to close Bebakine Road for the morning of the event and to absorb the cost of the Traffic Management Plan into its operational budget;
4. Agree to provide cleanup of the Jennacubbine Townsite to the best standard reasonably possible for the event;
5. Agree to provide mailing addresses from Councils database, stationery, copying and postage costs for invitations to the event for residents of the Shire of Goomalling.

RESOLUTION 380

Moved Cr Chester seconded Cr Butt that the officer's recommendation be adopted.

**CARRIED 5/0
Simple Majority**



9.8 SALE OF PROPERTY – 19 BOWEN STREET

File Reference	N/A
Disclosure of Interest	Nil
Applicant	Catherine Kelly and Chris Egan
Previous Item Numbers	No Direct
Date	13 July 2021
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	1.

Summary

Council to deal with offer to purchase 19 Bowen Street Goomalling

Background

Following the recent tender for 1 Grange Street, Chris Egan and Catherine Kelly have made an offer to the Council of \$35,000 for 19 Bowen Street. The amount is equal to the current written down value of the property and following research of local sales over the past several months, represents a fair market value for the lot.

Consultation

Catherine Kelly and Chris Egan

Statutory Environment

Local Government Act (1995)

3.58. Disposing of property

- (1) In this section —
 - dispose** includes to sell, lease, or otherwise dispose of, whether absolutely or not;
 - property** includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

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and

- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
- (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

[Section 3.58 amended: No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

Policy Implications

Nil

Financial Implications

The disposition has been budgeted.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	

Comment/Conclusion

Recent sales of a lesser value have been noted but given the size and location of this particular lot, the valuation of \$35,000 is reasonable and will represent a fair value for both the Council and the proponent.

Voting Requirements

Simple Majority



OFFICERS' RECOMMENDATION

That the Council:

1. Declare that the valuation of 19 Bowen Street is \$35,000 based upon recent sales of local lots;
2. Agree to sell the property to Chris Egan and Catherine Kelly for that price subject to a 14-day period for public comment; and
3. Delegate authority to the CEO to complete the sale of the lot subject to there being no adverse submissions from the public.

RESOLUTION 381

Moved Cr Chester seconded Cr Butt that the officer's recommendation be adopted.

**CARRIED 5/0
Simple Majority**



9.9 APPLICATION OF COMMON SEAL – GRANT OF RIGHT OF BURIAL NO. 130

File Reference	
Disclosure of Interest	Nil
Applicant	William & Robin Meyer
Previous Item Numbers	No Direct
Date	13 July 2021
Author	Tahnee Bird, Community Development Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	NIL

Summary

The purpose of the report is to endorse affixation of the Shire of Goomalling Common Seal to the Schedule “B” Form of Grant of Right of Burial No. 130 for William and Robin Meyer to validate the grant.

Background

Application was received from William & Robin Meyer for the Grant of Right of Burial for Grave No. 94 A & B of the niche wall of the Goomalling Cemetery. The applicable fee of was received on 25 June 2021, receipt number 83960.

The Common Seal is to be affixed to validate the Grant No 130 for William and Robin Meyer.

Consultation

No consultation was carried out

Statutory Environment

Cemeteries Act 1986

Policy Implications

There is no specific policy relating to this matter

Financial Implications

There are no specific financial implications relating to this matter

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
1.2.6	Provide to the community quality regulatory services

Comment/Conclusion



Voting Requirements

Simple Majority

OFFICERS' RECOMMENDATION

That the Council:

1. Endorse the affixing of the Common Seal to the Schedule "B" Goomalling Public Cemetery Form of Grant of Right of Burial, Grant No. 130 for William and Robin Meyer.

RESOLUTION 382

Moved Cr Barratt seconded Cr Butt that the officer's recommendation be adopted.

**CARRIED 5/0
Simple Majority**



10. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11. NEW BUSINESS OF AN URGENT NATURE AGREED TO BY RESOLUTION OF COUNCIL

Moved Cr Barratt, seconded Cr Butt

That Council agree for the late items to be dealt with.

CARRIED 5/0
By Simple Majority



11.1 DELEGATION REGISTER UPDATE

File Reference	
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	20 July 2021
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	1. Revised Delegations and Authorisations

Summary

Council is required to review the Delegations Register at least once in each year. The attached Delegations and Authorisations need to be adopted by the Council. The CEO inadvertently missed the sub-delegation for the authorising of payments for other staff in the June review.

Background

Section 5.18 of the Local Government Act 1995, requires a local government to keep a Register of Delegations and review the delegations at least once every financial year. The aim of delegated authority is to assist with improving the time taken to make decisions subject to any constraints determined by Council or by the relevant legislation. The Delegations Register is consistent with the Shire's Community Strategic Plan directions, including its obligations at law to carry out the statutory responsibilities of Local Government.

The Register identifies the relevant document(s) from which the delegated authority is derived, including legislation and policies. This has been provided to enable cross-referencing between the delegations and other relevant documents.

Consultation

Councils Auditor – Butler Settineri

Statutory Environment

- Local Government Act 1995 (As Amended)

5.41. Functions of CEO

The CEO's functions are to —

- (a) advise the council in relation to the functions of a local government under this Act and other written laws; and



- (b) ensure that advice and information is available to the council so that informed decisions can be made; and
- (c) cause council decisions to be implemented; and
- (d) manage the day to day operations of the local government; and
- (e) liaise with the mayor or president on the local government's affairs and the performance of the local government's functions; and
- (f) speak on behalf of the local government if the mayor or president agrees; and
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees); and
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
- (a) this Act other than those referred to in section 5.43; or
 - (b) the Planning and Development Act 2005 section 214(2), (3) or (5).

* Absolute majority required.

- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

[Section 5.42 amended: No. 1 of 1998 s. 13; No. 28 of 2010 s. 70.]

5.43. Limits on delegations to CEO

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority of the council;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
- (h) any power or duty that requires the approval of the Minister or the Governor;
- (i) such other powers or duties as may be prescribed.

[Section 5.43 amended: No. 49 of 2004 s. 16(3) and 47; No. 17 of 2009 s. 23; No. 16 of 2019 s. 23.]



5.44. CEO may delegate powers and duties to other employees

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of delegation.
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —
 - (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
 - (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a delegation under this section.
- (5) In subsections (3) and (4) —
conditions includes qualifications, limitations or exceptions.

[Section 5.44 amended: No. 1 of 1998 s. 14(1).]

5.45. Other matters relevant to delegations under this Division

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
 - (a) a delegation made under this Division has effect for the period of time specified in the delegation or where no period has been specified, indefinitely; and
 - (b) any decision to amend or revoke a delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —
 - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
 - (b) a CEO from performing any of his or her functions by acting through another person.

5.46. Register of, and records relevant to, delegations to CEO and employees

- (1) The CEO is to keep a register of the delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.



Policy Implications

Council does not have a specific policy regarding Delegations beyond the delegations themselves.

Financial Implications

Nil

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
4.2.2	Promote a culture of continuous improvement processes and resource sharing
4.2.3	Use resources efficiently and effectively
4.2.4	Recruit and retain suitably qualified, experienced and skilled staff and Elected Members
4.2.6	Provide responsive high-level customer service

Comment/Conclusion

The Delegated Authority Register 2020/21, was presented to Council in May 2020 and shows delegations loosely grouped by area and contains delegations from the Council to CEO, authorisations from Council to its other Officers and authorisations from the CEO to other staff.

The following definitions are provided to explain the variance between the Sections.

Delegation from the Council to the CEO – Are instances where the Council delegates the undertaking of certain roles and responsibilities to the CEO.

Authorisation by Council – Are instances when an officer or class of officers is formally authorised to act on behalf of the local government in respect to policing specific legislation and the legislation requires that the authorisation be provided by the local government rather than or in addition to the Chief Executive Officer. This applies only to legislation other than that related directly to the Local Government Act 1995, for the Bush Fires Act 1954.

Authorisations by Chief Executive Officer – Are instances where an officer or class of officer is authorised to take relevant action in relation to a specific legislation, regulation or local law. This is an executive function of the Chief Executive Officer in relation to the Local Government Act 1995 and in other Acts the Chief Executive Officer is empowered to authorise individuals or classes of employees.

It should be noted that powers cannot be delegated to individual elected members, except in the case of the President as specified in the Bush Fires Act 1954 (currently under review). A delegation to elected members can only be made to a committee and then the committee must comply with the requirements of the Local Government Act 1995 where a delegated authority exists.

Voting Requirements

Simple Majority

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OFFICERS' RECOMMENDATION

That the Council:

Adopt the reviewed Delegation for authorising payments, as presented.

RESOLUTION 383

Moved Cr Sheen seconded Cr Barratt that the officer's recommendation be adopted.

**CARRIED 5/0
Simple Majority**



12. MATTERS BEHIND CLOSED DOORS

The meeting be closed to the public in accordance with section 5.23 Local Government Act 1995, 5.5.23(2))

- Matters affecting employee(s)
- Personal affairs of any person(s), including financial and/or commercial contracts
- Commercial Confidentiality
- Legal advice/matters
- Public safety/security matters where public knowledge may be prejudicial.

12.1 CONFIDENTIAL – TENDER, 1 GRANGE STREET

File Reference	Tender 01/2021
Disclosure of Interest	Nil
Applicant	Confidential
Previous Item Numbers	No Direct
Date	13 April 2021
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	1.

RESOLUTION 384

Moved Cr Chester seconded Cr Sheen that Council accept the offer for the property and direct the CEO accordingly to accept the offer.

**CARRIED 5/0
Simple Majority**



13. INFORMATION BULLETIN

RESOLUTION 385

Moved Cr Chester seconded Cr Sheen information bulletin be received.

***CARRIED 5/0
Simple majority***

14. MEETING CLOSURE

The Shire President thanked everyone for their attendance at today's meeting and declared the meeting closed at 4.50 pm