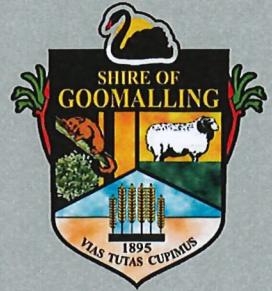
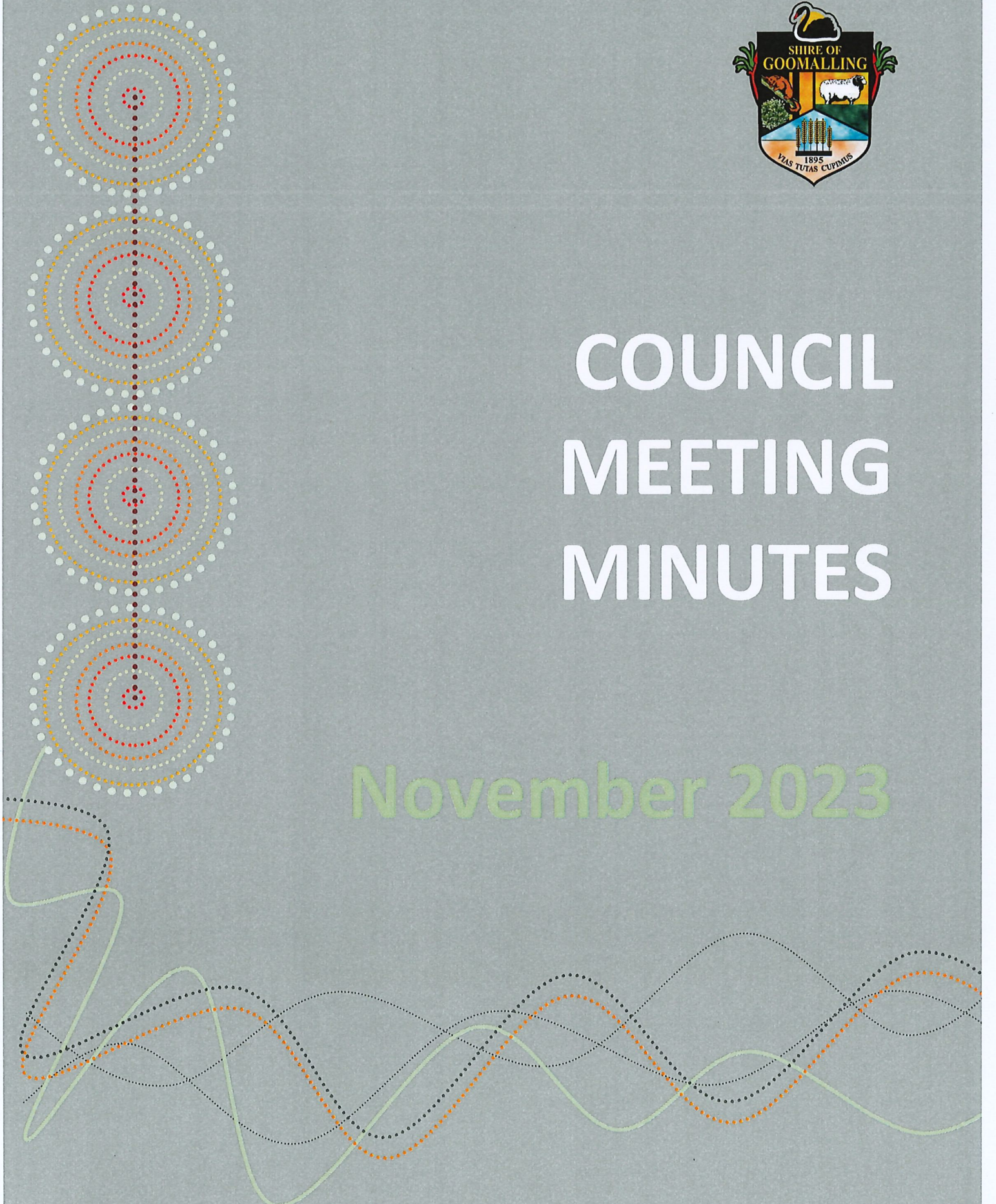


Shire of Goomalling



**COUNCIL
MEETING
MINUTES**

November 2023



SHIRE OF GOOMALLING
 AGENDA FOR ORDINARY MEETING OF COUNCIL
 WEDNESDAY 16 NOVEMBER 2023



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SHIRE PRESIDENT:

Jmchesta

DATE: 20-12-23

SHIRE OF GOOMALLING
AGENDA FOR ORDINARY MEETING OF COUNCIL
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SHIRE PRESIDENT: _____

Jmchester

DATE: 20-12-23



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. 11 of 2023 of the Shire of Goomalling Council to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Wednesday, 15 November 2023 beginning at 5.18pm.

1. DECLARATION OF OPENING & ANNOUNCEMENT OF VISITORS

The Chief Executive Officer declared the meeting open at 5.18 pm.

Visitors from CBH attended the meeting at 5.18 pm

Aaron Lohman, CBH Group
Charlotte Martin, CBH Group, Charlotte
Harry Norman, CLE Town Planning + Design

2. SWEARING IN OF NEWLY ELECTED COUNCILLORS

The CEO accepted declarations from the following newly elected Councillors;

Cr Elect Barry Haywood
Cr Elect Casey Butt
Cr Elect Brendon Wilkes
Cr Elect Roly Van Gelderen

3. ELECTION OF THE SHIRE PRESIDENT

The Chief Executive Office conducted the election of the Shire President by the Councillors.

There was one (1) written nomination from Cr Julie Chester and the Chief Executive Officer called for more nominations from the floor, there were no more nominations.

The Chief Executive Officer declared Cr Julie Chester Shire President from 2023 to 2025.

4. ELECTION OF THE DEPUTY SHIRE PRESIDENT

As the returning officer, the Chief Executive Officer conducted the election of the Deputy Shire President.

There was one (1) written nomination from Cr Roland Van Gelderen and the Chief Executive Officer call for more nominations from the floor, there were no more nominations.

SHIRE PRESIDENT:

Jmchester

DATE:

20.12.23



The Chief Executive Officer declared Cr Roland Van Gelderen Deputy Shire President from 2023 to 2025.

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

5.1. Attendance

Council	Shire President	Cr Julie Chester
	Shire Deputy President	Cr Roland Van Gelderen
	Councillor	Cr Barry Haywood
	Councillor	Cr Christine Barratt
	Councillor	Cr Casey Butt
	Councillor	Cr Brendon Wilkes
	Councillor	Cr Mark Ashton
Administration	Chief Executive Officer	Mr Peter Bentley
	Finance Manager	Miss Natalie Bird
	Works Manager	Mr David Long

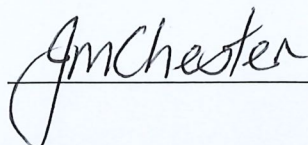
5.2. Apologies

Nil

5.3. Approved Leave of Absence

Nil

SHIRE PRESIDENT:



DATE: 20.12.23



6. DECLARATION OF:

- FINANCIAL INTEREST
- MEMBERS IMPARTIALITY INTEREST –
 - Cr Mark Ashton declared impartiality interest in item 14.2 due to being the owner of Goomalling Pharmacy.
 - Cr Barratt declared impartiality interest in item 14.2 due to undertaking work on behalf of Bendigo Bank.
 - Cr Haywood declared impartiality interest in item 14.2 due to being a shareholder of Bendigo Bank.
 - Natalie Bird, Deputy Chief Executive Office declared impartiality interest due to being a shareholder of Bendigo Bank.
- PROXIMITY INTEREST

7. PUBLIC QUESTION TIME

8. APPLICATION FROM MEMBERS FOR LEAVE OF ABSENCE

9. CONFIRMATION AND RECEIVING OF MINUTES & BUSINESS ARISING

- 9.1 Ordinary Meeting of Council held Wednesday 15 October 2023
- 9.2 Advisory Committee Meeting – Pioneers Pathway 16 October 2023
- 9.3 Bush Fire Brigades Advisory Committee Annual General Meeting 11 October 2023

RESOLUTION 716

Moved Cr Haywood, seconded Cr Chester that the minutes for Ordinary Meeting of Council held Wednesday 15 October 2023 be confirmed as a true and correct record of proceedings.

CARRIED 7/0

RESOLUTION 717

Moved Cr Van Gelderen, seconded Cr Wilkes that Council receives the minutes of Advisory Committee Meeting – Pioneers Pathway 16 October 2023 and Bush Fire Brigades Advisory Committee Annual General Meeting 11 October 2023.

CARRIED 7/0

10. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

- Shire President, CEO and Deputy Shire President attended AROC meeting on 13 November 2023.
- Cr Chester attended School Leaders on Monday, 13 November 2023.
- Cr Chester, Cr Ashton attended LHAC meeting on Wednesday, 15 November 2023.
- Cr Wilkes attended Mortlock Sports Council on 18 October 2023 and 08 November 2023.
- Cr Barrett attended Local Emergency Management (LEMC) meeting on 09 November 2023.

SHIRE PRESIDENT:



DATE: 20.12.23



11. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil

SHIRE PRESIDENT:

Jmchester

DATE:

20.12.23



12. OFFICERS' REPORTS

RESOLUTION: 718

Moved Cr Butt, seconded Cr Barratt that:

Council's Standing Orders be suspended to allow a change in the Order of Business to enable Item 14.1 Proposed New Rail Siding – Konnongorring to be dealt with at 5.33pm to accommodate representatives attending from CBH Group.

CARRIED 7/0

14.1 PROPOSED NEW RAIL SIDING - KONNONGORRING

File Reference	...
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	CBH Group
Previous Item Numbers	Various including Resolution 636 on 17 May 2023
Date	9 November 2023
Author	Steve Thompson – Consultant Planner
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	<ol style="list-style-type: none"> 1. Application letter 2. Context plan – shows exempt works area and development approval area 3. Extract of design drawings 4. Public Transport Authority correspondence


Summary

For Council to consider a proposal for a new rail siding adjacent to the CBH facility at Konnongorring.

Background

The existing Konnongorring CBH facility includes rail loading facilities, which have been operating at capacity for a number of years, resulting in delays and inefficiencies along the main rail line.

The Shire has received a Development Application from CBH Group for a new rail siding adjacent to their handling and storage facilities at Konnongorring. The Development Application proposes to remove a portion of the existing rail siding and facilitate the development of a new rail siding track closer to CBH's landholding (Lot 300), to alleviate delays on the mainline.

SHIRE PRESIDENT: 

DATE: 20.12.23



The new rail siding is located within sections of rail reserve, unmade road reserves, Lot 10 and a portion of CBH's landholding (Lot 300) in Konnongorring. The application area covers a total of 34.2 hectares across a number of land parcels.

The application proposes to upgrade the existing rail siding as outlined in Attachments 1, 2 and 3 to this report. In summary, the proposal includes the following:

- A new 1.15km rail siding within the rail reserve corridor and the eastern portion of Lot 300;
- Removal of a portion of the existing rail siding;
- A new rail maintenance access track along the western portion of the rail reserve boundary;
- The clearing of 0.16 hectares of remnant (native) vegetation;
- Temporary turnout installation pads and laydown areas; and
- Associated earthworks and drainage.

Separate to the Development Application, a component of the proposed rail siding works are located within the area defined as 'Corridor Land' under the *Rail Freight Systems Act 2000*. These works are considered as 'public works' in accordance with section 6 of the *Planning and Development Act 2005* (Act) and therefore exempt from Development Approval under the town planning scheme. Attachments 1 and 4 to this report provide background.

The Development Application only seeks Development Approval for the works located outside the 'Corridor Land' (Development Approval Area) shown on the Context Plan (Attachment 2). The following works are subject to the Development Application to be determined by Council:

- A 0.56km portion of rail siding within the rail reserve corridor and the eastern portion of Lot 300;
- Two sections of maintenance access track along the western portion of the rail reserve boundary;
- A contractor laydown area within the portion of unmade road reserves between Lot 300 and the rail corridor; and
- Associated earthworks and drainage works.

The applicant has submitted the following technical reports and plans in support of the application:

- Detailed Design Plans (BG&E Resources);
- Site Context Plan (CLE Ref. 3244-76H-01);
- Environmental Memo (CBH);
- Drainage Design Report (BG&E Resources); and
- Rail Noise Impact Assessment Report (SLR).

Due to the size of the documents, the technical reports are not attached but can be made available to Councillors upon request.

A portion of unmade road reserves (vested with the Shire) are included with the Development Application. This is because the proposed rail siding, associated maintenance access track

SHIRE PRESIDENT: _____

Jm Chester

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crosses through this section of unmade road, connection to an existing drainage culvert and use of the land as a temporary laydown area for construction. The use of this land was considered by Council, at its 17 May 2023 Ordinary Meeting, where it resolved the following at Resolution 636:

'That the Council:

1. Advise the proponent that Council has no issues with the proposed use of the unmade road reserve as for construction laydown purposes during the construction phase of the project.
2. Has no issues with the proposed rail siding and associated access track crossing the unmade road reserve at the Konnongorring site.
3. Agrees to the proposal to re-site the road closed signage referred to in the proposal.
4. Delegates authority to the CEO to sign the Development Application for the project on Councils behalf as the owner/controller of subject land.'

Once constructed the rail siding will be owned by the State Government and managed and maintained by Arc Infrastructure.

Consultation

CBH has consulted with relevant stakeholders.

The current Development Application has not been subject to community and stakeholder consultation. It is a discretionary decision of Council whether or not to undertake advertising on the Development Application. Noting the existing rail siding and the proposed works are located no closer to nearby residences, the Shire administration suggest that no advertising is required for this Development Application.

Statutory Environment

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Goomalling Town Planning Scheme No. 3 (TPS3)

Local Government Act 1995

Land ID 4090928 & 3123951 are reserved as 'Railway Purposes' in TPS3. The objectives for 'Railway Purposes' is 'to set aside land for railway and other authorised purposes.' The proposed rail siding satisfies the objectives of TPS3 and reflects the purpose of the 'Railway Purposes' reserve by facilitating the efficient movement and loading of grain which supports farming and rural pursuits in Konnongorring and its surrounds.

Lot 300 is zoned 'Rural 3 – General Farming' in TPS3. TPS3 objectives for this zone include to maintain the rural economy of the Shire, protect the rural landscape and environment generally and 'to ensure minimal intrusion onto the rural landscape and the amenity of adjoining properties.' The minor rail incursion into Lot 300 and the associated earthworks design, does not affect the viability of rural pursuits on CBH's landholding.

Policy Implications

Nil

Financial Implications

SHIRE PRESIDENT: *JmChester*

DATE: 20.12.23



The applicant has not as yet paid the Development Application fee as this is subject to negotiation as a significant part of the works are potentially exempt as public works. 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.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2029	
Outcome 2.3	Actively support and develop local and new business
Outcome 3.2	Manage assets and infrastructure in a sustainable manner
Strategy 3.2.4	Provide commercial and industrial land aligned to economic needs and growth

Comment/Conclusion

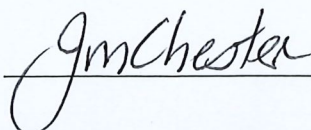
The Development Application proposes a major redevelopment to support the Konnongorong CBH grain facility.

The Public Transport Authority and CBH are of the view that the works within the 'Corridor Land' are consistent with the matters raised in section 6 (2) (a) and (b) of the *Planning and Development Act 2005*. It is suggested the applicant's letter satisfies section 6 (3) of the Act given consistency with TPS3 and that the works address orderly and proper planning.

It is recommended that Council conditionally approve the Development Application given:

- The rail siding is existing and the improved rail siding will assist to lower heavy vehicle use;
- It proposes an upgrade to the rail network which supports a more efficient and productive local agricultural industry;
- It is consistent with the current use of the land and will provide a significant increase in storage and fast rail loading that will ease the strain on the road transport system;
- It is consistent with the planning framework;
- The Rail Noise Impact Assessment Report demonstrates that the new rail siding will meet the requirements of *State Planning Policy 5.4 Road and Rail Noise* and the *Environmental Protection (Noise) Regulations 1997*;
- The Drainage Design Report demonstrates that the proposed drainage infrastructure can adequately accommodate convey site and upstream run of without any impact to the existing main rail line or any other surrounding infrastructure or properties;
- The Environmental Memo confirms there is no evidence of breeding and foraging habitat for the Carnaby's Black Cockatoo and no threatened or priority flora species recorded;
- The Aboriginal Archaeological and Ethnographic Assessment found no new Aboriginal heritage sites (archaeological or ethnographic) within the survey area. The Ballardong representatives gave their consent for the project to proceed across the survey area;
- The proposed rail siding is not expected to create significant additional impacts on the amenity of the area;

SHIRE PRESIDENT:



DATE: 20.12.23



- Subject to addressing drainage, dust and noise, there are expected to be manageable environmental impacts;
- It supports growing the district economy and supports job creation; and
- Development conditions can assist to control the use and management of the development.

Voting Requirements

Simple Majority

RESOLUTION: 719

Moved Cr Barratt, seconded Cr Haywood that Council:

Grants development approval to CBH Group for a new rail siding on various land parcels at Konnongorring (outlined in Attachment 11.1.1), subject to the following conditions:

1. This approval shall expire if the development hereby approved has not been substantially commenced within a period of three years from the date hereof, or within any extension of that time (requested in writing prior to the approval expiring) that may be granted by the local government. Where the Development Approval has lapsed no further development is to be carried out.
2. The development hereby approved must be carried out in accordance with the plans and reports submitted with the application, addressing all conditions, or otherwise amended by the local government and shown on the approved plans and these shall not be altered and/or modified without the prior knowledge and written consent of the local government.
3. The Drainage Design Report to be implemented and maintained to the satisfaction of the local government.
4. The applicant/operator to implement dust control measures to the satisfaction of the local government on an on-going basis.
5. Any lighting devices are to be positioned and shielded so as not to cause any direct, reflected or incidental light to encroach beyond the property boundaries, in accordance with *Australian Standard AS4282/1997*.
6. Within 6 months of the proposed upgrade being completed, the applicant/operator to commission a short term noise monitoring survey to confirm operational noise levels at nearby receivers and to undertake mitigations measures as required to the satisfaction of the local government. Following this, to commission a short term noise monitoring survey if there are any sustained noise complaints received and to undertake mitigations measures (as required) to reduce impacts on nearby receivers to the satisfaction of the local government.

Advice

A) The applicant/operator is encouraged to review noise levels through construction.

B) If the applicant is aggrieved by this determination there is a right of review by the State Administrative Tribunal in accordance with the *Planning and Development Act 2005* Part 14. An application must be made within 28 days of the determination.

CARRIED: 7/0

SHIRE PRESIDENT: _____

Gm Chester

DATE: _____

20.12.23



RESOLUTION 720

Moved Cr Haywood, seconded Cr Van Gelderen that Council's Standing Orders resume at 5.41pm and the Order of business Recommence with Item 12.1 Standing Committees and Council Delegates.

CARRIED 7/0

** 5.41 pm - Aaron Lohman, CBH Group, Charlotte Martin, CBH Group and Harry Norman, CLE Town Planning + Design left the meeting.

12.1 STANDING COMMITTEES AND COUNCIL DELEGATES

File Reference	4.12
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	11 November 2023
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	Nil

Summary

Council to determine on what committees members will represent Council and in what capacity.

Background

After each election Council elects a new President, Deputy President and also appoints members to these committees. Following is a list of the various committees.

Finance Committee & Audit Committee

Whole of Council

Jennacubbine Hall & Recreation Ground Committee

Konnongorring Hall & Recreation Ground Committee

WA Local Government Association

Municipal Museum Committee

Rural Water Council

SHIRE PRESIDENT: JmChester

DATE: 20.12.23



School Bus Committee

Avon Community Development Foundation

Shire Of Goomalling Reserves Advisory Management Committee
Whole Council

Goomalling Community Op Shop Committee

Drum Muster Committee

Friends Of The Cemetery
Whole Council

Chief Bush Fire Control Officer & Deputy Chief Bush Fire Control Officer
Chief Bush Fire Control Officer Mr L White
Deputy Chief Bush Fire Control Officer Mr Brady Anderson

AROC – Avon Regional Organisation Of Councils
Councillors
Chief Executive Officer

Avon Sub Group Wheatbelt North Regional Road Group
Councillors
Chief Executive Officer & Works Manager

Development Assessment Panel

Shire Medical Surgery Advisory Committee

Tidy Towns Advisory Committee
Whole Council

Youth Group Advisory Committee
Whole Council

Mortlock Sports Council

Consultation
Nil other.

Statutory Environment
Local Government Act 1995

Policy Implications
Nil Specific

Financial Implications
There are no direct financial impacts resulting from this item.

SHIRE PRESIDENT: *Jm Chester*

DATE: 20.12.23



Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028

This matter is not directly dealt with within the Community Strategic Plan

Comment/Conclusion

Voting Requirements

Simple Majority

RESOLUTION 721

Moved Cr Barratt, seconded Cr Wilkes that Council:

That the Council:

Endorse the following appointments to:-

Finance Committee & Audit Committee

Whole of Council

Jennacubbine Hall & Recreation Ground Committee

Councillor JM Chester

Councillor CL Barratt

Konnongorring Hall & Recreation Ground Committee

Councillor BJ Haywood

Councillor RK Van Gelderen

Councillor BJ Wilkes

Avon Midland Zone (WALGA)

Councillor JM Chester } Deputy Councillor BJ Haywood

Councillor RK Van Gelderen } Deputy Councillor CL Barratt

Municipal Museum Committee

Councillor MP Ashton } Deputy Councillor CL Barratt

Councillor BJ Wilkes

Rural Water Council

Councillor JM Chester } Deputy Councillor CM Butt

School Bus Committee

Councillor BJ Haywood

SHIRE PRESIDENT:

Jm Chester

DATE:

20.12.23



Councillor MP Ashton

Avon Community Development Foundation

Councillor CL Barratt } Proxy Councillor Cr MP Ashton

Shire Of Goomalling Reserves Advisory Management Committee

Whole Council

Goomalling Community Op Shop Committee

Councillor CR CM Butt

Drum Muster Committee

Councillor JM Chester

Councillor CL Barratt

Friends Of The Cemetery

Whole Council

Chief Bush Fire Control Officer & Deputy Chief Bush Fire Control Officer

Chief Bush Fire Control Officer

Mr L White

Deputy Chief Bush Fire Control Officer

Mr Brady Anderson

AROC – Avon Regional Organisation Of Councils

Councillor JM Chester

Deputy CR RK Van Gelderen

Chief Executive Officer

Avon Sub Group Wheatbelt North Regional Road Group

Councillor RK Van Gelderen

Deputy Councillor JM Chester

Chief Executive Officer & Works Manager

Development Assessment Panel

Councillor JM Chester

Proxy - Councillor Cr CL Barratt

Councillor RK Van Gelderen }

Proxy - Councillor CR BJ Haywood

Shire Medical Surgery Advisory Committee

Councillor BJ Wilkes

Proxy - Councillor RK Van Gelderen

SHIRE PRESIDENT:

JmChester

DATE:

20.12.23

SHIRE OF GOOMALLING
AGENDA FOR ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 NOVEMBER 2023



Councillor BJ Haywood

Proxy - Councillor Cr CL Barratt

Tidy Towns Advisory Committee

Whole Council

Youth Group Advisory Committee

Whole Council

Mortlock Sports Council

Councillor BJ Wilkes

Proxy - Councillor CR CM Butt

CARRIED 7/0

SHIRE PRESIDENT

JmChester

DATE: 20.12.23



12.2 SHIRE OF WANDERING – LOCAL GOVERNMENT SUSTAINABILITY

File Reference	4.12
Disclosure of Interest	Nil
Applicant	Shire of Wandering
Previous Item Numbers	No Direct
Date	11 November 2023
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	1. Copy of the Development Application

Summary

Cr Ian Turton, Shire President – Shire of Wandering has sought Council's involvement or support for potential ongoing dialogue or representation with the Department of Local Government and the Minister regarding compliance and the ongoing costs related to it and reform in general.

Background

President Turton sent a letter to the Minister regarding the high costs of compliance for smaller local governments. A copy of that letter is attached for Council's information as is Minister Michael's response.

In short Cr Turton's letter argues that high compliance costs, a reliance on or a desire for a one size fits all approach, and reforms that add to administrative costs are a disproportionately more significant burden on smaller rural Councils and that there seems to be little recognition of this.

Cr Turton is advocating for an administrative based extra Financial Assistance Grant to recognise this effect.

Consultation

Nil

Statutory Environment

Local Government Act 1995

Shire of Goomalling Town Planning Scheme No 3

Planning and Development Act 2005

Policy Implications

Nil

Financial Implications

Nil

SHIRE PRESIDENT:



DATE: 20.12.23



Strategic Implications

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

Comment/Conclusion

Cr Turton has invited the Council to participate in ongoing discussions in this matter.

Voting Requirements

Simple Majority

RESOLUTION: 722

Moved Cr Haywood, seconded Cr Wilkes that Council:

Determine whether it would like to participate in further discussions on this matter and direct the CEO to respond accordingly and,

That Chief Executive Officer write to Shire of Wandering outlining that the Council believes that are underfunded for compliance issues, auditing costs and the like put significant strain on its budges and would be open to further discussions on the topic.

CARRIED 7/0

SHIRE PRESIDENT:

Jim Chester

DATE:

20.12.23



12.3 GOOMALLING SWIMMING CLUB – USING SEASON PASSES FOR SWIMMING CLUB

File Reference	11.03
Disclosure of Interest	Nil
Applicant	Goomalling Swimming Club
Previous Item Numbers	Nil
Date	7 November 2023
Author	Natalie Bird – Deputy Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	Nil

Summary

Council to determine if it is prepared to allow the Goomalling Swimming Club members to be able to use their season passes when attending swimming club.

Background

The committee of the Goomalling Swimming Club have asked if the Council would allow its members to be able to utilise their Season Passes when they attended the pool for Swimming Club meet on Monday afternoon between the hours of 3.00pm – 4.30 pm. Council recently advised the opening hours of the pool and as it is listed in our fees and charges, the patrons cannot use their season passes, for in-term swimming, vacation swimming and swimming club.

The reasoning for this is that these are usually held outside the working hours of the pool manager so the attendees have to contribute to the cost of a Council employee opening the pool outside the advertised hours.

As Swimming Club is now held during the hours the pool manager is present, there is no extra cost to Council.

Consultation

Nil.

Statutory Environment

Local Government Act 1995

SHIRE PRESIDENT:

Handwritten signature of Jim Chester in black ink.

DATE: 20.12.23



Policy Implications

Nil

Financial Implications

There are no direct financial impacts resulting from this item.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028

Not directly dealt with

Comment/Conclusion

For the past 5 years the previous pool manager has allowed the patrons with Swimming Pool season passes use them for swimming club entry as well.

Therefore, after seeing the advertisement of the hours of the pool the question was asked if this would be no longer the case.

It would be appropriate for the Council to continue the practice of charging any patrons attending the pool outside it normal hours of operation which includes In-term Swimming and Vacation Swimming, but as the Swimming Club is now operating during the pool managers normal hours perhaps it is appropriate for its members be able to use their Swimming Pool Season Passes.

As this is a charge which is part of our fees and charges, Council must make any decision to amend or waive such fees, the administration staff, including the CEO, do not have the power to do so.

Voting Requirements

Simple Majority

RESOLUTION:

1. Amend its fees and charges to allow the use of the Swimming Pool season passes by Swimming Club members when attending Swimming Club during normal pool operating hours.

MOTION LAPSED

SHIRE PRESIDENT

Jmchester

DATE: 20-12-23



12.4 SCHEDULE OF ACCOUNTS PAID 1 OCTOBER TO 31 OCTOBER

File Reference	Not applicable
Disclosure of Interest	Nil
Applicant	Not Applicable
Previous Item Numbers	No Direct
Date	09 November 2023
Author	Natalie Brid, Finance Manager
Authorising Officer	Natalie Bird, Finance Manager
Attachments	
1. Schedule of Payments – October 2023 2. Corporate Credit Card Statements September 2023	

Summary

FUND VOUCHERS AMOUNT

EFT 5886 to 5990	\$579,014.72
Direct Debits 8601 to 8603	\$25,440.31
Cheques 15486 to 15492	\$19,344.85
Payroll JNL 6916,6921	\$117,819.00
Super DD16788, 16907 & 16977	\$21,219.84
TOTAL	\$762,838.72

Voting Requirements

Simple Majority

RESOLUTION: 723

Moved Cr Haywood, seconded Cr Wilkes that Council:

That the Council:

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

FUND VOUCHERS AMOUNT

EFT 5886 to 5990	\$579,014.72
Direct Debits 8601 to 8603	\$25,440.31
Cheques 15486 to 15492	\$19,344.85
Payroll JNL 6916,6921	\$117,819.00
Super DD16788, 16907 & 16977	\$21,219.84
TOTAL	\$762,838.72

SHIRE PRESIDENT:

Jmchester

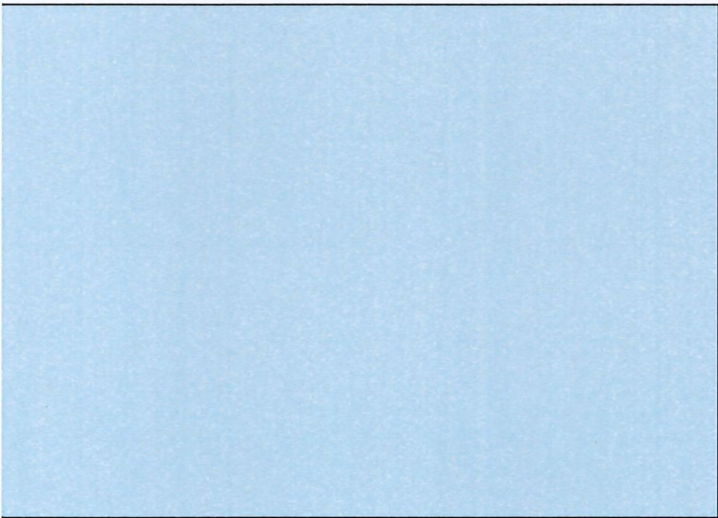
DATE:

20.12.23

SHIRE OF GOOMALLING
AGENDA FOR ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 NOVEMBER 2023



CARRIED 7/0



SHIRE PRESIDENT: Jim Chester

DATE: 20.12.23



12.5 FINANCIAL REPORT FOR OCTOBER 2023

File Reference	Not Applicable
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	09 November 2023
Author	Natalie Bird, Finance Manager
Authorising Officer	Natalie Bird, Finance Manager
Attachments	Monthly Financial Report to 31 October 2023

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

SHIRE PRESIDENT: *Jmchester*

DATE: 20.12.23

SHIRE OF GOOMALLING
AGENDA FOR ORDINARY MEETING OF COUNCIL
WEDNESDAY 16 NOVEMBER 2023



RESOLUTION: 724

Moved Cr Haywood, seconded Cr Barratt that Council:

Receive the Monthly Financial Report to 31 October 2023.

CARRIED 7/0

SHIRE PRESIDENT:

Jim Chester

DATE: 20-12-23



13. ELECTED MEMBERS MOTION OF WHICH PREVIOUS NOITCE HAS BEEN GIVEN

Nil

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

14.2 CONTIRBUTION FOR POOL ENTRANCE FEES

File Reference	...
Disclosure of Interest	Nil
Applicant	Jenni Shaw
Previous Item Numbers	Nil
Date	9 November 2023
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	Nil

Summary

For Council to consider a proposal from Jenni Shaw for a group of businesses and individuals to contribute \$5,000.00 to the Council in place of charging Pool entrance fees for the balance of the 2023/24 Financial year.

Background

Jenni Shaw has written to Council offering a contribution of \$5,000.00 which has been kindly donated by the following businesses in lieu of charging pool entry fees for the balance of the current financial year;

D French & Co
HA Schell & Co
Leeming Farms
Bendigo Bank
WA Country Chemist
Goomalling Farmshed

This generous offer comes following the similar offer from GO Service of \$3,000.00 to apply for weekend admission as a free service.

Consultation

Nil other

Statutory Environment

SHIRE PRESIDENT: *Jim Chester*

DATE: 20-12-23



Local Government Act (1995)

Policy Implications

Nil

Financial Implications

Council recorded revenue from the pool of approximately \$8,000.00 in the 2022/2023 financial year. This donation together with the previous donation from GO Service is equal to this amount.

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2029

	This matter is not directly dealt with within the Strategic Plan

Comment/Conclusion

If Council accepts these donations, Jenni would like it to be commenced as soon as possible. Some people may have already purchased season passes and Council will need to ascertain as to whether it will provide a refund to those people having already done so.

It will be of significant benefit for the local community and visitors to have free admission and Council staff will ensure that the businesses involved are afforded proper recognition for their kind donations..

Jenni has spoken to Cr Van Gelderen to make sure that GO Service has no problems with this further donation toward the service.

Voting Requirements

Simple Majority

RESOLUTION: 725

Moved Cr Van Gelderen, seconded Cr Butt that Council:

Accepts the kind offer of a \$5,000 donation from D French & Co, HA Schell & Co, Leeming Farms, Bendigo Bank, WA Country Chemist and Goomalling Farmshed as payment for all regular swimming pool admissions for the 2023/2024 financial year as outlined by Ms Jenni Shaw.

CARRIED: 7/0

SHIRE PRESIDENT:

Jm Chester

DATE:

20.12.23



14.3 PROPOSED NEW CREDIT CARD

File Reference	...
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	Nil
Date	15 November 2023
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments Nil	

Summary

For Council to consider a new credit card for the replacement Yilgarn LAG officer.

Background

DPIRD has advised that there will be a change in LAG Coordinator for Yilgarn. The new officer will have a period of time with the existing officer and will require a credit card as they are issued to individuals, not each group. The new officers name is Michael Fitzgerald and will commence duties on the 4th December 2023 with the incumbent, Robbie Della Bosca finishing up 22 December.

There will be a short crossover period where two cards will be in operation but the LAG will be responsible for the costs as per usual.

Consultation

Nil other

Statutory Environment

Local Government Act (1995)

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2029	
	This matter is not directly dealt with within the Strategic Plan

SHIRE PRESIDENT: *Jim Chester*

DATE: 20.12.23



Comment/Conclusion

Council must authorise the issuance of new credit cards.

Voting Requirements

Simple Majority

RESOLUTION: 726

Moved Cr Barratt, seconded Cr Van Geldern that Council:

Approves the issue of a credit card to Mr Michael Fitzgerald from the Skeleton Weed Yilgarn LAG to replace the card currently held by Mr Robbie Della Bosca with all costs to be billed to the Yilgarn LAG.

CARRIED: 7/0

15. MATTERS BEHIND CLOSED DOORS

RESOLUTION: 727

Moved Cr Butt, seconded Cr Van Gelderen that:

The meeting be closed to the public in accordance with section 5.23 Local Government Act 1995, 5.5.23 (2) at 6.16pm.

CARRIED: 7/0

SHIRE PRESIDENT: _____

grm Chester

DATE: _____

20.12.23



15.1 CONFIDENTIAL – CEO REMUNERATION

File Reference	Personnel
Disclosure of Interest	CEO – involves his remuneration
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	11 October 2021
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	

Summary

Council to determine whether to amend the CEO's remuneration.

Background

As part of the 2023/2024 Budget the Council made provision for all staff to have a 5% pay increase. This included the CEO whose increase only takes effect following a determination through the performance review process as at his anniversary date in September.

At its September Ordinary Meeting the Council was asked to determine whether to conduct a performance review on the CEO given that he had given notice that he will be taking 6 months long service leave at half pay at the beginning of the 2024 calendar and had suggested that given that he would only have 3 months left of his employment contract term following that leave and that he would not be seeking a further contract term, that the Council may wish to commence recruitment a new CEO toward the end of the 2023 year.

The CEO had also agreed to continue in acting role in the unlikely event that Council struggled to find a suitable candidate and to provide any support necessary in the interim to assist the Deputy CEO while she undertook the acting role while he was on leave.

As part of the performance review process, Council determines any increase to the CEO's remuneration however during the debate on the matter of the review there was no reference to this by the Council. The CEO asked whether there was to be a review of the remuneration to which Cr Chester replied no.

Consultation

Nil

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

While this expenditure was budgeted the Council has determined not to make any adjustment.

SHIRE PRESIDENT: _____

Jm Chester

DATE: _____

20.12.23



Strategic Implications

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

Comment/Conclusion

At a discussion with the Shire President following that meeting the CEO asked as to whether there was an issue with his performance over the previous year that he should be aware of as this was an unusual situation where all other staff were afforded a cost of living increase yet the CEO was excluded, particularly given that no significant issues had been raised regarding the CEO's performance prior.

It is my understanding that the Shire President has since discussed this matter with the Council and he has asked that this item be prepared.

Voting Requirements

Simple Majority

RESOLUTION: 728

Moved Cr Haywood, seconded Cr Ashton that Council:

:

1. Has determined that the CEO will not receive the budgeted salary increase paid to all other staff.
2. Will provide the CEO with a one off payment of \$3,000.00 in recognition of the four months that he will work prior to departure on leave as the substantive CEO but subsequent to his anniversary date.

CARRIED 7/0

RESOLUTION 729

Moved Cr Barratt, seconded Cr Wilkes to:

Open meeting to the public at 6.18pm.

CARRIED: 7/0

SHIRE PRESIDENT

JmChester

DATE:

20.12.23



16. INFORMATION BULLETIN

RESOLUTION 730

Moved Cr Wilkes, seconded Cr Barratt that Council:

Received the Information Bulletin for October 2023

CARRIED 7/0

SHIRE PRESIDENT: _____

JmChester

DATE: 20.12.23



16. INFORMATION BULLETIN

16.1 INWARD CORRESPONDENCE LISTING

Elizabeth Pudwell – Executive Assistant/Governance Officer

Date Received	From	Description	File #	Distribution
23-10-2023	Wheatbelt Development Commission	Local Government Board Nominations		Cr Haywood email 23-10-2023
23-10-2023	Shire of Wandering	Letter to Hon David Michael – increasing operating costs at the Shire		Cr Haywood Email 23-10-2023
25-10-2023	Asbestos Education Committee	National Asbestos Awareness Month Invitation		Cr Haywood Email 25-10-2023
25-10-2023	AROC	AROC Officers Group Notes		Cr Haywood Email 25-10-2023
25-10-2023	AROC	AROC Sports marketing Australia – Latest Tourism Research Data		Cr Haywood Email 25-10-2023

SHIRE PRESIDENT:

JmChester

DATE: 20.12.23



16.2 ACTION LIST
 Peter Bentley

Item No	Action Required	Status		Comments
		In prog	complete	
32	<ul style="list-style-type: none"> Give Mr Reiger a further 60 days to comply with the Demolition Order; and If not completed within this timeframe, then Council will carry out the demolition of the house that has been subject to previous orders of Council, in accordance to <i>Section 140 of the health (Miscellaneous Provisions) Act 1911</i> and recover the cost from the owners. 	√		
34	<ul style="list-style-type: none"> Give Mr Reiger a futher 60 days to comply with the Clean Up Order; and If not completed wihin this timeframe, then Council will carry out the Clean-up of Lot 239 that has been subject to previous orders of Council, in accordance to Section 140 of the Health (Miscellaneous Provisions) Act 1911 and recover the cost from the owners. 			

SHIRE PRESIDENT: *gmChester*

DATE: 20.12.23



16.3 CEO'S REPORT
Peter Bentley

SHIRE PRESIDENT: _____

GmChester

DATE: _____

20.12.23