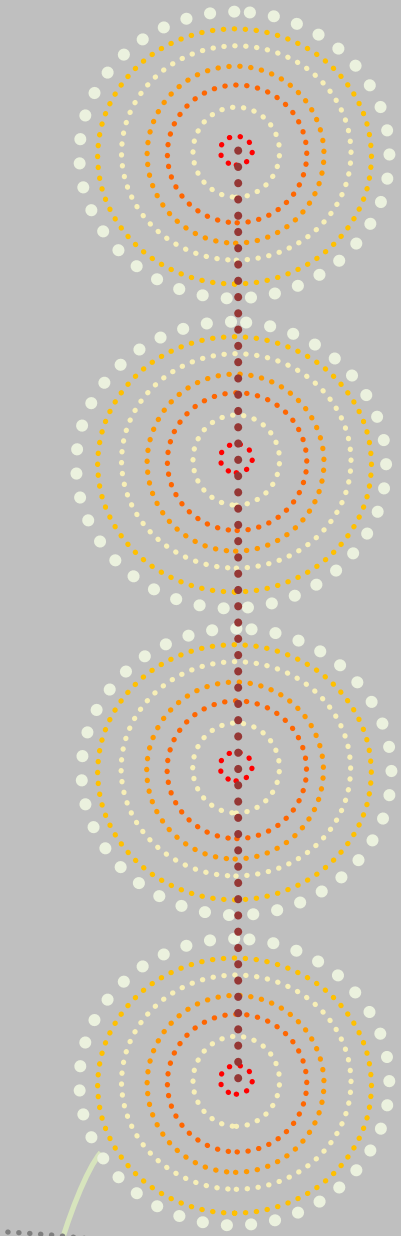


# Shire of Goomalling



## SPECIAL COUNCIL MEETING MINUTES

29 April 2020





## **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**

Special Meeting of the Shire of Goomalling Council to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Wednesday, 29 April 2020 beginning at 5.00pm.

### **1. DECLARATION OF OPENING & ANNOUNCEMENT OF VISITORS**

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

#### **2.1. Attendance**

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

#### **2.2. Apologies**

Apologies were received from Councillor Wilkes for today's meeting.

### **3. OFFICERS' REPORTS**

#### **3.1 REPORT TO MINISTER FOR LOCAL GOVERNMENT**

<b>DATE:</b>	25 April 2020
<b>SUBJECT:</b>	2018-2019 Audit Management Letter
<b>PROPONENT:</b>	Shire of Goomalling
<b>LOCATION:</b>	Whole of the Shire
<b>AUTHOR:</b>	Peter Bentley – Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	5.1
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

To consider a report prepared by the CEO for the Minister for Local Government as per Section 7.12A of the Local Government Act (1995)

#### **BACKGROUND**

Council had its 2019 Audit completed earlier this year and the Auditor highlighted a number of issues it considered variously between minor and significant. The Audit was qualified on the basis that Council rated its own properties which is in contravention of the Accounting Standards as it overstates Council's revenue and expenditure in doing so.



There were a number of other issues that were mentioned within the management letter and the CEO has responded to these matters in some cases prior to the conduct of the audit, in some cases commenced the actions to rectify prior to the audit and in other cases implemented change following the audit.

### **STATUTORY IMPLICATIONS**

#### **7.12A. Duties of local government with respect to audits**

- (1) *A local government is to do everything in its power to —*
  - (a) *assist the auditor of the local government to conduct an audit and carry out the auditor's other duties under this Act in respect of the local government; and*
  - (b) *ensure that audits are conducted successfully and expeditiously.*
- (2) *Without limiting the generality of subsection (1), a local government is to meet with the auditor of the local government at least once in every year.*
- (3) *A local government must —*
  - (aa) *examine an audit report received by the local government; and*
  - (a) *determine if any matters raised by the audit report, require action to be taken by the local government; and*
  - (b) *ensure that appropriate action is taken in respect of those matters.*
- (4) *A local government must —*
  - (a) *prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and*
  - (b) *give a copy of that report to the Minister within 3 months after the audit report is received by the local government.*
- (5) *Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government's official website.*

*[Section 7.12A inserted: No. 49 of 2004 s. 8; amended: No. 5 of 2017 s. 19.]*

### **POLICY IMPLICATIONS**

Nil

### **FINANCIAL IMPLICATIONS**

Ongoing management of Council operations

### **STRATEGIC IMPLICATIONS**

C2 Maintain and strengthen the Shire's capability and capacity.  
C2.1 Operate in a financially sustainable manner (medium term).

### **OFFICER COMMENT**

The Council is required to review the matters raised within the management letter and to determine what, if any, action is required to deal with the matters. In addition, the CEO must produce a report for the Council as to what, if any, action should be taken to deal with these matters. Following Council's determination of required actions, the CEO must provide a copy of the report to the Minister for Local Government and also publish that report on its website within 14 days of providing the report to the Minister.



Little of the information is new and Council has been dealing with a number of these issues over the past eighteen months, making changes, reviewing practices, policies and changing the financial accountabilities which we work under. With regard to the reviews of systems, certainly we have made an amazing amount of headway and we have ceased a number of practices over this time but there will always be more to do.

Many of the issues canvassed within this report and the management letter were reported to the residents and ratepayers in successive newsletters and releases in 2018 and 2019 and were discussed at length at the 2019 Annual Electors Meeting.

The report asks that the minister also recognise the limited resources that we are working with at this time and that the improvements to our systems and processes already made be recognised as well as the weaknesses that may be identified. Improvement is a journey, not a destination and we are well and truly on that journey.

#### **ATTACHMENTS**

Report to the Minister for Local Government

#### **VOTING REQUIREMENT**

Simple Majority

#### **RECOMMENDATION**

That Council consider the attached Report for the Minister for Local Government regarding the Shire of Goomalling 2019 audit and;

1. Endorse the comments and actions of the CEO outlined within the report and the 2019 Management Letter;
2. Instruct the CEO to provide a copy of the report to the Minister for Local Government following this meeting;
3. Publish a copy of this report on Council's website within 14 days of sending to the Minister.

<b>188. RESOLUTION (Officer recommendation)</b>
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**Moved Cr Chester, seconded Cr Van Gelderen**

**That Council consider the attached Report for the Minister for Local Government regarding the Shire of Goomalling 2019 audit and;**

- 1. Endorse the comments and actions of the CEO outlined within the report and the 2019 Management Letter;**
- 2. Instruct the CEO to provide a copy of the report to the Minister for Local Government following this meeting;**
- 3. Publish a copy of this report on Council's website within 14 days of sending to the Minister.**

**CARRIED 6/0  
By Simple Majority**



### 3.2 WAPC 159059 – LOT 2 TYNDALL RD, MUMBERKINE – PROPOSED SUBDIVISION

<b>DATE:</b>	23 April 2020
<b>SUBJECT:</b>	WAPC 159059 – Lot 2 Tyndall Road Subdivision
<b>PROPONENT:</b>	M.A. Brockhurst / WAPC
<b>LOCATION:</b>	1804 Lot 2 Tyndall Rd, MUMBERKINE
<b>AUTHOR:</b>	Hugo de Vos – Contract Planner
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	170
<b>ASSESSMENT NO:</b>	

#### **PURPOSE**

Provide a submission for the referral of an application for subdivision from the Western Australian Planning Commission (WAPC Reference: 159059).

#### **BACKGROUND**

The Shire of Goomalling has received a referral from the WAPC (Application 159059) regarding a proposed 2 lot subdivision at 1804 (Lot 2) Tyndall Road in Mumberkine. The proposal is for subdivision of a broadscale agricultural property with the aim of excising the salt affected, degraded portion of the property and freeing up the good quality farming land, which makes up the balance of the property, to be on sold to farmers seeking to increase their productive arable land and production. For more detailed rationale of this proposal please refer to the supplied application attachments.

#### **STATUTORY IMPLICATIONS**

*Planning and Development Act 2005 s. 142*  
*Shire of Goomalling Local Planning Scheme No. 3*

#### **POLICY IMPLICATIONS**

Development Control Policy 3.4 – Subdivision of Rural Land

##### ***6. Circumstances under which rural subdivision may be considered***

*In considering applications under section 6, the WAPC will consider rural subdivision in the following exceptional circumstances:*

*(d) in the Homestead lot policy area, to allow for the continued occupation of existing homesteads when they are no longer used as part of a farming operation; and*

*(e) for other unusual or unanticipated purposes which, in the opinion of the WAPC, do not conflict with this and other relevant policies and are necessary to the public interest.*

##### ***6.2 Subdivision for other purposes***

*New lots for existing or proposed land uses such as recreation facilities, public utilities, rehabilitation of degraded land, extractive industries, or uses necessary to the rural use of the land such as abattoirs and processing works (including buffers), may be created through subdivision. The WAPC may approve subdivision for these purposes if a development approval has been granted, or where development of the intended land use has substantially commenced. Where appropriate the WAPC may preclude sensitive land uses on the new lot(s).*

#### **FINANCIAL IMPLICATIONS**

There are no financial implications relating to this matter.



### **STRATEGIC IMPLICATIONS**

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

### **ATTACHMENTS**

A copy of the correspondence from the WA Planning Commission is attached.

### **OFFICER COMMENT**

The proposal to subdivide can be supported in accordance with the provisions of *Development Control Policy 3.4 – Subdivision of Rural Land* in that the proposed subdivision will allow the developer to separate and sell off viable arable land for cropping and to use the proceeds to support ongoing land rehabilitation and planting projects for the degraded area. The proposal also is supportable under the homestead lots provision of this policy.

### **VOTING REQUIREMENT**

Simple Majority.

### **RECOMMENDATION**

That Council:

In regard to the application for subdivision (WAPC Ref: 159059), advise the Western Australian Planning Commission that it supports the application subject to the following conditions:

- a) Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.
- b) A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

*A reticulated sewerage service is not available to the lot(s).*

<b>189. RESOLUTION (Officer recommendation)</b>
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Moved Cr Sheen, seconded Cr Barratt

That Council:

In regard to the application for subdivision (WAPC Ref: 159059), advise the Western Australian Planning Commission that it supports the application subject to the following conditions:

- a) Suitable arrangements being made with the local government for the provision of vehicular crossover(s) to service the lot(s) shown on the approved plan of subdivision.
- b) A notification, pursuant to Section 70A of the Transfer of Land Act 1893 is to be placed on the certificate(s) of title of the proposed lot(s). Notice of this notification is to be included on the diagram or plan of survey (deposited plan). The notification is to state as follows:

*A reticulated sewerage service is not available to the lot(s).*

**CARRIED 6/0**  
**By Simple Majority**



### 3.3 GOOMALLING BIKE PLAN

<b>DATE:</b>	25 April 2020
<b>SUBJECT:</b>	Goomalling Bike Plan
<b>PROPONENT:</b>	Shire of Goomalling
<b>LOCATION:</b>	Whole of the Shire
<b>AUTHOR:</b>	Tahnee Bird - Community Development Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	158-2
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

To endorse the reviewed Bike Plan for the Goomalling towsite for the period 2020-2030.

#### **BACKGROUND**

Council received a \$10,000 grant from Department of Transport to review and develop a new Bike Plan for Goomalling town site. The project tender was advertised in the West Australian on Wednesday 9 October 2019 and closed 31 October 2019 with ten consultants requesting a copy of the project scope of which five presented proposals. GTA Consultants were the successful tenderers.

The inception meeting took place on Monday 16 December 2019 and GTA Consultants and Francois from Department of Transport rode the town streets prior to formal consultation. The consultation process was carried out via surveys and community workshops from February to March 2020. The Community Development Officer, Shire President and Works Manager attended the community workshop, however no community members attended. There was minimal community input overall, with one written submission received.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995

#### **POLICY IMPLICATIONS**

Nil

#### **FINANCIAL IMPLICATIONS**

Ongoing management of Council funds

#### **STRATEGIC IMPLICATIONS**

1.3.2 Develop, maintain and support appropriate recreation facilities throughout the Shire

#### **COMMENTS AND DETAILS**

Works Manager and Community Development Officer reviewed the draft document and provided some amendments. GTA has created a plan that aligns with Department of Transport's Western Australian Bicycle Network (WABN) Plan 2017 and will assist in attracting future funding through Department of Transport WABN grant program.

The plan highlights short-term improvements such as:

1. Crossing point improvements and ramp upgrades
2. Complete the missing links (few portions of existing network missing)
3. Access to pump park
4. End of trip facilities, water fountains, seating and repair stations



Medium to long term improvements Include:

1. Safe Active Street (Hoddy Street)
2. Protected on-road cycling (Forrest St, Railway Terrace, Quinlan Street)
3. Shared Paths
4. Wayfinding signage
5. Your Move program
6. Lighting

Implementation Priority

1. Kerb ramp upgrades – kerb ramp connections should be constructed as a priority to ensure a continuous connected network Hoddy and Quinlan Street are particularly important.
2. Shared path (3.0m wide) along Throssell Street to the Caravan Park
3. Path connection (minimum 2.5m for a shared path) to complete missing links along:
  - a. Bowen Street – between Hoddy and Forrest
  - b. High Street – between James and Throssell
4. Pump park access to connect users to the recreation hub and provide children with access to the pump park
5. On-road protected cycle lanes along Railway Terrace
6. Safe Active Street along Hoddy Street
7. Closure of Quinlan Street between Hoddy and Lockyer Streets as set out in the recreation master plan
8. Protected on-road cycle lanes along Quinlan Street
9. Bicycle parking at Goomalling Primary School, Recreation hub, Railway Terrace commercial strip, swimming pool and hospital
10. Seating at the recreation hub and hospital
11. Water fountains at the recreation hub and swimming pool
12. Bicycle repair station at the pump park, recreation hub and swimming pool

The plan highlights gaps in our current provision of shared path network compared to contemporary standards as well as other opportunities to enhance user experience. The outcomes within the plan are achievable with support from Department of Transport.

Priority 3 grant funding has been approved (50% total project cost) and will be implemented in 2020-21 and 2021-22.

### **ATTACHMENTS**

Bike Plan 2020

### **VOTING REQUIREMENT**

Absolute Majority

### **RECOMMENDATION**

That the Council:

Endorse and adopt the attached Goomalling Bike Plan 2020-2030 as presented by GTA Consultants.





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**190. RESOLUTION (Officer recommendation)**

**Moved Cr Van Gelderen, seconded Cr Butt**

**That the Council:**

**Endorse and adopt the attached Goomalling Bike Plan 2020-2030 as presented by GTA Consultants.**

**CARRIED 6/0  
By Absolute Majority**

**4. MEETING CLOSURE**

There being no further business the Shire President thanked everyone for their attendance and declared the meeting closed at 5.25pm.