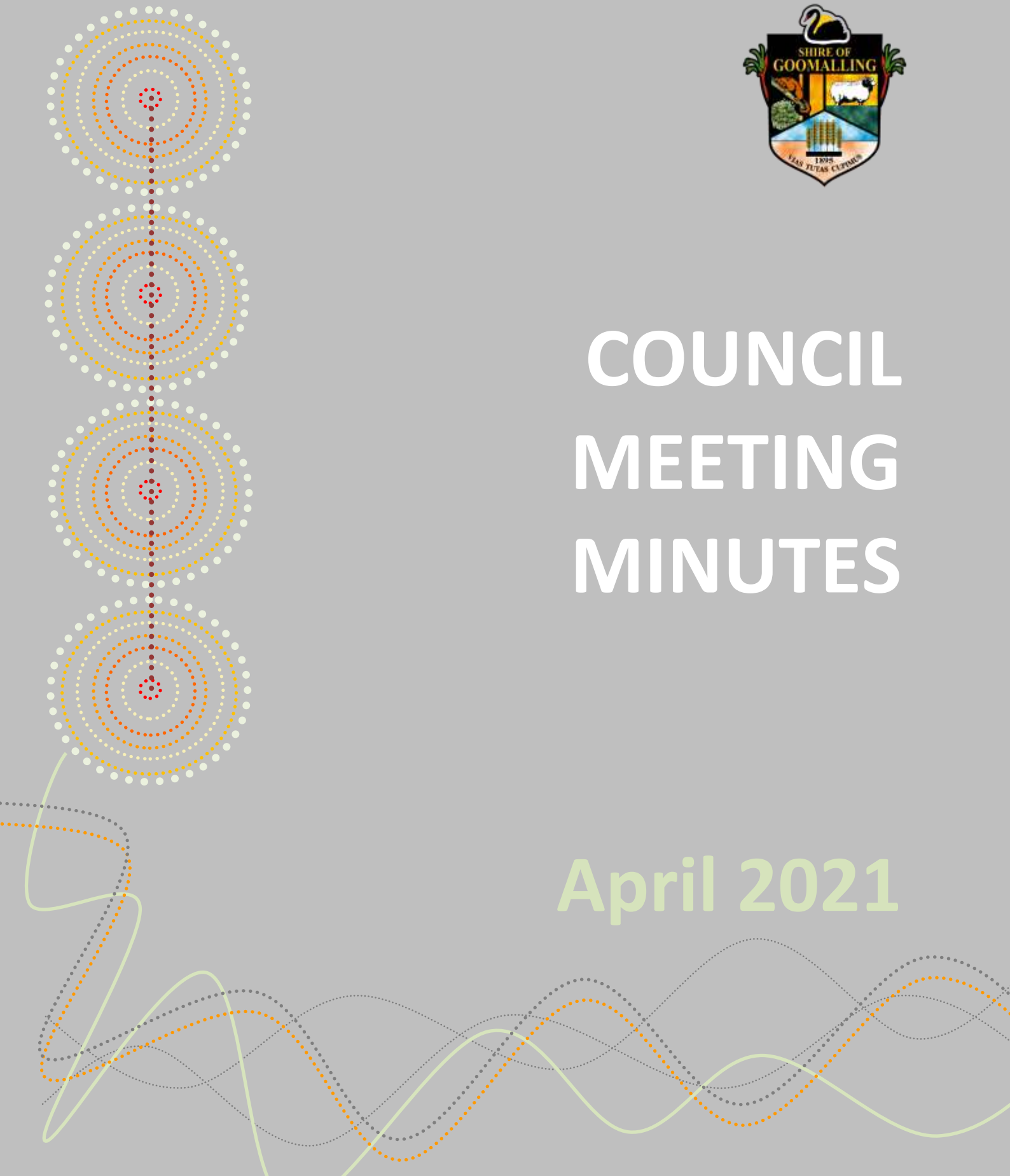


# Shire of Goomalling



## COUNCIL MEETING MINUTES

April 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. 3 of 2021 of the Shire of Goomalling Council to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Wednesday, 21 April 2021 beginning at 5.09pm.

### 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 Casey Butt
	Councillor	Cr Julie Chester
	Councillor	Cr Rodney Sheen
	Councillor	Cr Brendon Wilkes
Administration	Chief Executive Officer	Mr Peter Bentley
	Finance Manager	Miss Natalie Bird
	Works Manager	Mr David Long

#### 2.2. Apologies

Apologies were received from Councillor Christine Barratt for her non-attendance at today's meeting.

#### 2.3. Approved Leave of Absence

Nil

### 3. DECLARATION OF:

- FINANCIAL INTEREST
- MEMBERS IMPARTIALITY INTEREST
- PROXIMITY INTEREST

### 4. PUBLIC QUESTION TIME

### 5. APPLICATION FROM MEMBERS FOR LEAVE OF ABSENCE

### 6. CONFIRMATION AND RECEIVING OF MINUTES & BUSINESS ARISING

6.1 Ordinary Meeting of Council held Wednesday 17 March 2021

## RESOLUTION 335

*Moved Cr Van Gelderen seconded Cr Wilkes that the minutes of the Ordinary Meeting of Council held on Wednesday 17 March 2021, be confirmed as a true and correct record of proceedings.*

**CARRIED 6/0**  
**Simple majority**



**7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION**

- Cr Wilkes attended the Anstey Park Focus Group
- Cr Haywood attended RRG meeting 8 March 2021
- Cr Haywood and Cr Chester attended the Exit Audit meeting 15 April 2021

**8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS**



## 9. OFFICERS' REPORTS

### 9.1 SCHEDULE OF ACCOUNTS PAID 1 MARCH 2021 TO 31 MARCH 2021

File Reference	
Disclosure of Interest	Nil
Applicant	Not Applicable
Previous Item Numbers	No Direct
Date	12 April 2021
Author	Chloe Watson, Accounts Payable
Authorising Officer	Natalie Bird, Finance Manager
<b>Attachments</b>	
<ol style="list-style-type: none"> <li>1. Schedule of Payments - March 2021</li> <li>2. Corporate Credit Card Statements February 2021</li> </ol>	

#### Summary

#### **FUND VOUCHERS AMOUNT**

EFT 2977 to 2997, (2998-2999 cancelled) 3001 to 3085	\$481,599.60
Direct Debits 8454 to 8459	\$129,142.42
Cheques 15212-15228	\$19,509.42
Payroll 6432 to 6438	\$94,953.00
Super DD13133 & 13149	\$16,663.53
<b>TOTAL</b>	<b>\$741,867.97</b>

#### Voting Requirements

Simple Majority

#### **OFFICERS' RECOMMENDATION**

That the Council **approve** vouchers from the Municipal Fund and Trust Fund as detailed:

EFT 2977 to 2997, (2998-2999 cancelled) 3001 to 3085	\$481,599.60
Direct Debits 8454 to 8459	\$129,142.42
Cheques 15212-15228	\$19,509.42
Payroll 6432 to 6438	\$94,953.00
Super DD13133 & 13149	\$16,663.53
<b>TOTAL</b>	<b>\$741,867.97</b>

#### **RESOLUTION 336**

***Moved Cr Butt seconded Cr Van Gelderen that the officer's recommendation be adopted.***

***CARRIED 6/0***  
***Simple majority***



## 9.2 FINANCIAL REPORT FOR MARCH 2021

File Reference	Not Applicable
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	18 April 2021
Author	Natalie Bird, Finance Manager
Authorising Officer	Natalie Bird, Finance Manager
<b>Attachments</b> 1. Monthly Financial Report to 31 March 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
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### Voting Requirements

Simple Majority

### OFFICERS' RECOMMENDATION

That the Council **receive** the Monthly Financial Report to 31 March 2021

#### RESOLUTION 337

***Moved Cr Van Gelderen seconded Cr Wilkes that the officer's recommendation be adopted.***

**CARRIED 6/0**  
**Simple majority**



**9.3 COMMUNITY EMERGENCY SERVICES MANAGER PROGRAM**

<b>File Reference</b>	<b>69.5</b>
<b>Disclosure of Interest</b>	Nil
<b>Applicant</b>	DFES, Shire of Toodyay, Shire of Goomalling
<b>Previous Item Numbers</b>	No Direct
<b>Date</b>	13 April 2021
<b>Author</b>	Peter Bentley – Chief Executive Officer
<b>Authorising Officer</b>	Peter Bentley – Chief Executive Officer
<b>Attachments</b> 1. Copy of the revised MOU	

**Summary**

To Consider the recent changes to the Community Emergency Services Managers (CESM) business plan and advise the Shire of Toodyay and DFES of its intentions. As such Superintendent Sadler would like to meet both CEO’s to discuss the MOU. A number of items have come about from the recent CESM review conducted by DFES. This review was conducted in consultation with representation of current CESM’s and WALGA and has now been endorsed by the Commissioner.

**Background**

The Shire of Goomalling has participated in the current shared CESM program since signing the MOU in February 2018. The MOU has now expired and DFES has put forward a revised business plan and set of MOU conditions for the next three year term. Council will need to review the proposed terms of the MOU and ascertain whether it is happy with those conditions and with the operation of the program over the last three years.

Recently the CEO has been in discussions with the Shire of Toodyay and DFES with relation to the operation of the position. The discussions with the other two organisations have centred around the fact that the CESM has rarely been in Goomalling over the last two years and is often working on other matters for either Toodyay or DFES while here. When working on Shire of Goomalling issues, I have no complaint with regard to the officer’s performance, it’s just that he is rarely doing so on our behalf and has been tied up with various emergency services construction projects for the Shire of Toodyay.

In the past two years Council has not spent its ESL Funds and has had to refund significant sums of money to DFES. One of the roles of this position is to manage the operation of the ESL funded purchased for PPE and the like and to provide oversight and advice and or direct assistance to ensure that the funds are utilised and acquitted properly. This has not been the case in the last two years.



### Consultation

The CEO has been in consultation with the Shire of Goomalling, DFES and Council's CESM throughout the discussions regarding the current time allocation of the officer's time and recent discussions over the ongoing business plan KPI's.

The District Superintendent wishes to meet with the two CEO's regarding this matter (new MOU)

### Statutory Environment

*Local Government Act (1995)*

*Bushfires Act (1954)*

*Emergency Management Act (2005)*

### Policy Implications

Council does not have a specific policy regarding the CESM program.

### Financial Implications

The Likely financial impact on the Council will be an increase in the costs of the program. The following table provides an estimate of the full costs.

	DFES	TOODYAY	GOOMALLING	TOTAL
Wages – Base cost (\$92,000)	55,200	24,534	12,266	<b>92,000</b>
Wages – To Current Rate	0	4,666	2,334	<b>7,000</b>
Vehicle Costs	12,000	5,334	2,666	<b>20,000</b>
Training	1,200	534	266	<b>2,000</b>
Phone Usage	1,080	480	240	<b>1,800</b>
On-Call Allowance	10,826	902	451	<b>12,179</b>
Oncosts	18,752	8,335	4,167	<b>31,254</b>
Laptop and Data card	3,000	0	0	<b>3,000</b>
Uniforms	800	0	0	<b>800</b>
<b>TOTAL COSTS</b>	<b>102,858</b>	<b>44,785</b>	<b>22,390</b>	<b>170,033</b>

This is an increase of approximately \$8,000 through this MOU and that is with a reduction of \$6,000 allowed for the vehicle which has always had an additional cost component above the allowed component. Councils last cost regarding the vehicle was in excess of \$3,500.

Through this MOU DFES will reduce its costs by \$20,000 by shifting to a 60/40 model and making the Local Governments responsible for wages costs over the \$92,000 base for LG CESM's. There is also a reduction in the availability allowance which was \$12,179 under the previous MOU. To maintain the current officer's conditions this would also have to be subsidised. Historically both Toodyay and DFES were jointly responsible for sanctioned overtime, however the new MOU is silent on this matter.





## Strategic Implications

Shire of Goomalling Community Strategic Plan 2019-2028	
1.1.1	Advocate for enhanced service provision by government agencies for our residents
1.4.2	Provide, monitor and improve adequate bush fire protection provisions
1.4.3	Support provision of emergency services
1.4.4	Encourage, facilitate and support community participation in the volunteer fire, ambulance and emergency service services

## Comment/Conclusion

### The new business plan contains the following changes:

The new funding model for CESM positions applies a percentage funding ratio for DFES and LG funding (see table below). The percentage split is based on the LG's current rate revenue assessment at the time of MOU development or renewal. (This has been in place since 2012). At present the Toodyay/Goomalling is 70/30 and DFES advise that this should be 60/40 as per the funding ratio and the current rates base for Toodyay and Goomalling (Combined \$8,520,338).

RATES LEVIED	DFES CONTRIBUTION	LG CONTRIBUTION	ESL CATEGORIES
\$0 - \$3M	70%	30%	4 & 5
\$3.0M - \$10.0M	60%	40%	4 & 5
\$10.0M And Above	50%	50%	3, 4 & 5

The CESM program provides an availability allowance to the CESM which DFES pays 100% of the cost. The calculation is currently charged at Station Officer Level 1 (amount taken from the DFES Fire Service Enterprise Bargaining Agreement) and in some cases at an even lower level. The previous MOU provided for this allowance to be \$12,179 which is higher than the proposed amount.

The indicative amount in Attachment 1 of the MOU should change to \$10,826.40 (Availability paid for 48 weeks of the year). As per the MOU, the allowance is not paid on Annual Leave or Long Service Leave and 100% of the allowance should be claimed back from the Department of Fire and Emergency Services in the quarterly invoice.

At a recent CESM forum, DFES was clear that the availability allowance paid to CESM's is for DFES benefit only (not Local Government). Essentially this means that Local Governments are only paying CESM for/during standard working hours. This will have impact certainly for Toodyay but perhaps not so much for Goomalling given the difference in the way the CESM works in both shires.



There is also a differential as to how DFES CESM's are paid and Local Government officers. DFES CESMs are paid at the Station officer Level 2 rate which is approximately \$116k per annum whereas LG CESMs are to be paid at a maximum level of \$92k. This would mean that to continue to pay our CESM at his existing rate, the Shires of Toodyay and Goomalling would need to increase their contribution to the program. This would be in addition to the increased contribution required due to the changed funding levels.

The program will now cost the Council in the vicinity of \$25,000 annually and this is starting to become a significant cost. The CEO currently has reservations regarding the current resourcing arrangements and feels that the value has declined significantly over the past two years from this program. While discussions so far have provided some sort of commitment to increasing the time available to Goomalling, this has not been seen on the ground as the officer is still often working on other matters and not for Shire of Goomalling even while here.

Council will need to provide the CEO with some direction as to whether it sees the value in continuing with the program and if so ascertain whether it is happy with the revised conditions within the new MOU.

### **Voting Requirements**

Simple Majority

### **OFFICERS' RECOMMENDATION**

That the Council:

1. Review the attached proposed MOU for the continuation of the Community Emergency Services Manager program and advise all partners that in its current form the Council has some reservations regarding the cost of the program given the reduced value that Council has received over the past two years and the increasing cost that it will now face;
2. Delegate Authority to the CEO to continue negotiations with all parties to obtain a better outcome with regard to the sharing of the officer as a resource;
3. There being no concrete plan settled for an improved outcome regarding the officer's time, advise the partners of its intent to withdraw from the program.

### **RESOLUTION 338**

***Moved Cr Chester seconded Cr Van Gelderen that the officer's recommendation be adopted.***

***CARRIED 6/0  
Simple majority***



## 9.4 WHEATBELT SECONDARY FREIGHT NETWORK

File Reference	138.2
Disclosure of Interest	Nil
Applicant	Wheatbelt Secondary Freight Network Steering Committee
Previous Item Numbers	No Direct
Date	13 April 2021
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	1. Copy of the revised MOU

### Summary

It is requested by the Wheatbelt Secondary Freight Network (WSFN) Steering Committee that the relevant Local Governments with WSFN Priority 1 Routes and identified projects formalise their commitment to delivering Council's identified projects in the WSFN Priority 1 – 5-Year Delivery Plan

### Background

The WSFN in the Main Roads WA Wheatbelt Region comprises some 4,400km of Local Government managed roads across 53 routes that connect with State and National highways to provide access for heavy vehicles into the region. It consists of 42 LGs of the Wheatbelt region who have worked collaboratively for over 4 years to identify and to secure \$187M of Federal, State and Local Government funding to improve secondary freight network routes on Local Government Roads in the Wheatbelt. In 2019 the WSFN established a Steering Committee is to provide oversight and governance to the program.

An approved Multiple Criteria Analysis (MCA) determined prioritisation of the routes for Priority 1 funding and associated projects over a 5-year delivery plan. This MCA provided a priority ranking of the 53 WSFN routes. The Priority 1 Proposed Routes were endorsed by Wheatbelt South and Wheatbelt North Regional Road Groups at their July 2020 Meetings as follows.

Route	Priority 1 - Budget
1. Lancelin to Meckering	\$ 26,000,000
2. Dumbleyung to Nyabing	\$ 3,900,000
3. Cuballing to Wickepin	\$ 4,800,000
4. Dowerin to Dalwallinu	\$ 25,000,000
5. Merredin to Kondinin	\$ 15,300,000
6. Jurien Bay to Dalwallinu	\$ 25,600,000
7. Corrigin to Katanning	\$ 16,400,000
8. Cunderdin to Quairading (Pilot)	\$ 1,600,000
<b>PRIORITY 1 TOTAL</b>	<b>\$ 118,600,000</b>



**Consultation**

- WSFN Steering Committee
- WSFN Technical Committee
- WSFN Project Technical Director
- WSFN Project Manager
- WS and WN RRG

**Statutory Environment**

- Local Government Act 1995
- Section 3.18 Performing Executive Functions

**Policy Implications**

Council does not have a specific policy regarding the WSFN program.

**Financial Implications**

Local Governments with projects approved over the course of the WSFN program will be required to contribute approximately 7% of each individual project’s total cost. The remaining funding will be provided by Federal Government 80% and State Government 13%.

- Councils are to incorporate the relevant projects from **WSFN Priority 1 - 5 Year Delivery Plan** into their LTFP.
- Individual Councils to incorporate into Council Budgets Annually.
- Funding will be distributed to LGs via MRWA in accordance with Governance Plan.

**Strategic Implications**

<b>Shire of Goomalling Community Strategic Plan 2019-2028</b>	
2.1.1	Maintain an efficient, safe and quality local road network
2.1.2	Support the provision of appropriate regional transportation links, including rail, air and bus services
4.1.5	Develop successful and collaborative partnerships
4.1.1	Advocate for improved infrastructure and community services
3.2.1	Develop plans to manage assets in a sustainable way

**Comment/Conclusion**

Capital works for projects along these routes commenced in the 2021/22 financial year. Over the course of the 2020/21 financial year the respective Councils developed a WSFN Priority 1 - 5 Year Delivery Plan (the Plan) of specific projects each year for the total project duration of 5 years along their nominated route. The overall WSFN Priority 1 - 5 Year Delivery Plan and each Council’s suite of projects was endorsed by WSFN Steering Committee and approved by the RRG in March 2021.

The specific routes, roads and individual projects approved for funding under the WSFN 5-Year Delivery Plan are included as **Attachment 1 WSFN Priority 1 - 5 Year Delivery Plan**.



The WSFN Steering Committee is in the process of presenting this information to Main Roads WA for inclusion in the WSFN Project Planning Report (PPR) due for update for projects commencing 1<sup>st</sup> July 2021. The Plan envisages completion of Priority 1 Routes by end 2024 / 25 Financial Year.

Moving forward, the WSFN Steering Committee is working with the relevant individual Councils verifying their commitment to the **WSFN Priority 1 – 5 Year Delivery Plan** for incorporation within their future capital works budgets. The funding break-down for each project is 80% Federal Government, 13.3% State Government and 6.7% Local Government. Claims are to be submitted to Main Roads WA Wheatbelt Region in a similar manner to RRG claims on a 40:40:20 basis. The final 20% claim will only be approved following WSFN Project Manager sign off.

The steering Committee noted that as per RRG projects there is no process for variations in the notes for this item, however any savings made in any individual year may be carried over as contingency for future years. Technically this is true, but the Road Group Process does allow for the ability to revise the scope of projects where the latent conditions change significantly.

I have some reservations in committing to the current plan given that we have already identified pipe breakages in a future section of the construction program which have not been budgeted for. This will likely add \$25,000 to the cost of this section. Following our original submission, we were asked to revise down our unit rates, and after meeting with the then project manager we did so.

This gives rise to building a road to a cost rather than a standard and I am not entirely comfortable with that. We will likely meet the budgeted cost but we have reduced the specifications of the road to do so.

I have sought comment from the project manager and I have attached a copy of his response. In some ways I feel that we are now pressured into accepting the reduced specifications given that we have done so for year 1.

With the ever increasing costs now associated with clearing permits, there is a chance that Council may have some significant costs to pick up if this continues and other infrastructure on the route fails.

Further work is currently being undertaken with relevant LGs to determine routes for Priority 2 funding. This includes development of individual projects with detailed scope of works and budgets for inclusion in **WSFN Priority 2 - 5 Year Delivery Plan**. It is envisaged this will be presented to Steering Committee and RRG in July 2021, with works commencing in the financial year 2022/23 and completion 2026/27. The Priority 2 Routes would entail the remaining approximately \$67M of the \$187M. The nominal Priority 2 Routes have been identified in **Attachment 2 WSFN MCA Priority 2 Route Commentary**. The initial total cost estimate of Priority 1 and 2 Routes is \$184M, however the Steering Committee believe it prudent to determine detailed project budgets before ultimately approved Priority 2 Routes.

### Voting Requirements

Simple Majority



## OFFICERS' RECOMMENDATION

That the Council:

1. Receives the WSFN Priority 1 – 5-Year Delivery Plan Program.
2. Formalises its commitment to delivering Council's identified projects in the WSFN Priority 1 – 5-Year Delivery Plan.
3. Seeks clarification on the ability to make small variations where failures occur affecting the project or clearing permit costs escalate significantly.
4. Commit to considering Council's identified projects in their future Capital Works Budgets as outlined in the WSFN Priority 1 – 5-Year Delivery Plan as part of annual budget development and adoption processes.

### **RESOLUTION 339**

***Moved Cr Van Gelderen seconded Cr Chester that this item lay on the table until the next Ordinary Meeting of Council, 19 May 2021.***

***CARRIED 6/0  
Simple majority***



## 9.5 ANNUAL FINANCIAL STATEMENTS

File Reference	5.1
Disclosure of Interest	Nil
Applicant	Shire of Goomalling
Previous Item Numbers	No Direct
Date	13 April 2021
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
<b>Attachments</b> <ol style="list-style-type: none"> <li>1. Copy of the Annual Financial statements</li> <li>2. Copy of the Audit Management Letter</li> <li>3. Copy of Exit Conclusion Meeting Document</li> <li>4. Copy of Office of Auditor General – Basis of Qualified Opinion</li> </ol>	

### Summary

Council is to accept the 2019/2020 Annual Report and Financial Statements and set the date for the Annual General Meeting of Electors.

### Background

The Local Government Act 1995 requires a Local Government to prepare an Annual Report each financial year and to hold an Annual General Meeting of Electors. The Annual General Meeting of Electors is to be held on a day selected by the Local Government, but not more than 56 days after the report is accepted by the Local Government.

The annual audit was undertaken during August to December 2020 and January to April 2021 by Butler Settineri on the Auditor General's behalf.

### Consultation

- Butler Settineri
- The WA Auditor Generals Office

### Statutory Environment

*Local Government Act 1995 (as amended).*

#### **5.54. Acceptance of annual reports**

- (1) *Subject to subsection (2), the annual report for a financial year is to be accepted\* by the local government no later than 31 December after that financial year.*

**\* Absolute majority required.**

- (2) *If the auditor's report is not available in time for the annual report for a financial year to be accepted by 31 December after that financial*



*year, the annual report is to be accepted by the local government no later than 2 months after the auditor's report becomes available.*

*[Section 5.54 amended: No. 49 of 2004 s. 49.]*

**5.55. Notice of annual reports**

*The CEO is to give local public notice of the availability of the annual report as soon as practicable after the report has been accepted by the local government.*

- *Local Government (Financial Management) Regulations.*
- *Local Government (Administration) Regulations.*

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

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

**Comment/Conclusion**

The Auditor General has issued a qualified audit on the following basis;

“The balances for rates revenue and corresponding expenses for the year ended 30 June 2019 are not comparable to the balances for the year ended 30 June 2020. The Shire recognised rates revenue totalling \$110,140 from properties that are owned by the Shire, with a corresponding expense in the Statement of Comprehensive Income by Nature or Type and the Statement of Comprehensive Income by Program for the year ended 30 June 2019. This treatment was not in accordance with the presentation requirements of the Australian Accounting Standard AASB 101 “Presentation of Financial Statements”. Consequently the total revenue and total expenses presented in the Statement of Comprehensive Income by Nature or Type and the Statement of Comprehensive Income by Program were overstated by \$110,140 for the year ended 30 June 2019. I issued a qualified opinion for the year ended 30 June 2019 in relation to this matter.”

“I also identified that the Shire's roads, drainage and footpaths infrastructure, reported at values of \$35,838,192, \$2,275,896 and \$727,078 respectively in Note 9 of the annual financial report, were last valued in June 2015. Because the assets have not been revalued with sufficient regularity or in accordance with Regulation 17A(4)(b) of the Local Government (Financial Management) Regulations 1996, I am unable to determine whether the infrastructure assets of \$38,841,166 are stated at fair value in the Statement of Financial Position at 30 June 2020.”

“In accordance with the Local Government (Audit) Regulations 1996 I report that:





- (i) In my opinion, the following material matters indicate significant adverse trends in the financial position of the Shire:
- a. The Current Ratio as reported in Note 31 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for the past three financial years.
  - b. The Debt Service Cover Ratio as reported in Note 31 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for the past three financial years.
  - c. The Operating Surplus Ratio as reported in Note 31 of the annual financial report is below the Department of Local Government, Sport and Cultural Industries' standard for the past three financial years.
- (ii) The following material matters indicating non-compliance with Part 6 of the Local Government Act 1995, the Local Government (Financial Management) Regulations 1996 or applicable financial controls of any other written law were identified during the course of my audit:
- a. The Shire has not reported the Asset Renewal Funding Ratio for 2020, 2019 and 2018 in the annual financial report as required by section 50(1)(c) of the Local Government (Financial Management) Regulations 1996, as management has not updated the asset management plan and long term financial plan since 2016.
  - b. More employees than necessary had full access to supplier master files. Also, there was no evidence of independent review of the amendments made to master files. This increased the risk of unauthorised changes to master files, although our audit sampling did not identify any.
  - c. For approximately 23% of purchase transactions we sampled, there was inadequate or no evidence that a sufficient number of quotations were obtained to test the market, and no documentation to explain why other quotes were not sought. This practice increases the likelihood of not receiving value for money in procurement and the risk of fraud or favouritism of suppliers.
  - d. For approximately 33% of purchase transactions we sampled, the approved purchase orders did not include either price or quantities procured. Also, 8% of the purchase orders we sampled were dated after the dates of the corresponding supplier invoices. These practices increase the risk of fraud or favouritism of suppliers, not obtaining value for money in procurement, and inappropriate or unnecessary purchases.
- (iii) All required information and explanations were obtained by me. (iv) All audit procedures were satisfactorily completed. (v) In my opinion, the Asset Consumption Ratio included in the annual financial report was supported by verifiable information and reasonable assumptions.

### Voting Requirements

Simple Majority



## OFFICERS' RECOMMENDATION

That the Council:

1. Pursuant of Sections 5.54 and 5.55 of the Local Government 1995, accepts the Annual Report and Financial Statements for the 2019/2020 financial year.
2. Convenes the Annual General Meeting of Electors at 7.00 pm on 17 May 2021 at the Sports and Community Centre 47 Quinlan Street, Goomalling.

### **RESOLUTION 340**

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

***CARRIED 6/0  
Simple majority***



## 9.6 LOCAL GOVERNMENT ELECTIONS

File Reference	57.1
Disclosure of Interest	Nil
Applicant	
Previous Item Numbers	No Direct
Date	13 April 2021
Author	Peter Bentley – Chief Executive Officer
Authorising Officer	Peter Bentley – Chief Executive Officer
Attachments	1.

### Summary

The Council to choose whether to conduct a voting in person election or postal election for the 2021 Local Government Elections

### Background

Under section 4.61 of the Act, local governments are conducted as 'voting in person' elections unless the Council chooses a postal election under section 4.61(2). However, section 4.61(4) requires that any local government which opts for a postal election must engage the Western Australian Electoral Commission to conduct the election.

Councils can choose whether their elections are run by their own administration or by the Western Australian Electoral Commissioner. When the administration is responsible for running an election, the local government's Chief Executive Officer is appointed as the Returning Officer under section 4.20(1) of the Act, unless Council decides, with the approval of the Electoral Commissioner, to appoint someone else under section 4.20(2). When the Western Australian Electoral Commission is engaged to run the election, the Returning Officer is appointed by the WAEC under section 4.20(4).

### Consultation

### Statutory Environment

Local Government Act 1995 (as amended).

**4.20. CEO to be returning officer unless other arrangements made**

- (1) Subject to this section the CEO is the returning officer of a local government for each election.
- (2) A local government may, having first obtained the written agreement of the person concerned and the written approval of the Electoral Commissioner, appoint\* a person other than the CEO to be the returning officer of the local government for —



- (a) an election; or
- (b) all elections held while the appointment of the person subsists.

**\* Absolute majority required.**

(3) An appointment under subsection (2) —

- (a) is to specify the term of the person's appointment; and
- (b) has no effect if it is made after the 80<sup>th</sup> day before an election day.

(4) A local government may, having first obtained the written agreement of the Electoral Commissioner, declare\* the Electoral Commissioner to be responsible for the conduct of an election, or all elections conducted within a particular period of time, and, if such a declaration is made, the Electoral Commissioner is to appoint a person to be the returning officer of the local government for the election or elections.

**\* Absolute majority required.**

(5) A declaration under subsection (4) has no effect if it is made after the 80<sup>th</sup> day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.

(6) A declaration made under subsection (4) on or before the 80<sup>th</sup> day before election day cannot be rescinded after that 80<sup>th</sup> day.

[Section 4.20 amended: No. 64 of 1998 s. 19(1); No. 49 of 2004 s. 16(4) and 32(1)-(4).]

#### **4.61. Choice of methods of conducting election**

(1) The election can be conducted as a —  
**postal election** which is an election at which the method of casting votes is by posting or delivering them to an electoral officer on or before election day; or

**voting in person election** which is an election at which the principal method of casting votes is by voting in person on election day but at which votes can also be cast in person before election day, or posted or delivered, in accordance with regulations.

(2) The local government may decide\* to conduct the election as a postal election.

**\* Absolute majority required.**

(3) A decision under subsection (2) has no effect if it is made after the 80<sup>th</sup> day before election day unless a declaration has already been made in respect of an election for the local government and the declaration is in respect of an additional election for the same local government.

(4) A decision under subsection (2) has no effect unless it is made after a declaration is made under section 4.20(4) that the Electoral Commissioner is to be responsible for the conduct of the election or in conjunction with such a declaration.



- (5) *A decision made under subsection (2) on or before the 80<sup>th</sup> day before election day cannot be rescinded after that 80<sup>th</sup> day.*
- (6) *For the purposes of this Act, the poll for an election is to be regarded as having been held on election day even though the election is conducted as a postal election.*
- (7) *Unless a resolution under subsection (2) has effect, the election is to be conducted as a voting in person election.*

*[Section 4.61 amended: No. 64 of 1998 s. 25; No. 49 of 2004 s. 16(4) and 32(5).]*

**Policy Implications**

Nil

**Financial Implications**

The cost of running an in person voting election will contain advertising costs, staff time on election day, CEO’s time to act as the returning officer both on the day and during the months prior.

The cost of a postal election has generally been in the vicinity of \$10,000 and this would not be significantly different from the cost of a voting in person election.

**Strategic Implications**

<b>Shire of Goomalling Community Strategic Plan 2019-2028</b>	
4.2.4	Recruit and retain suitably qualified, experienced and skilled staff and Elected Members
4.2.1	Operate in a financially sustainable manner
4.1.3	Promote and support community members’ participation in the Shire’s governance

**Comment/Conclusion**

While the election is still some way off, the council needs to determine which method it wishes to use so that the costs can be budgeted correctly. There is little difference in the costs as much of the CEO’s time is uncosted where a voting in person election is conducted. This component would have a cost of between \$4,000 and \$7,000 depending on the number of candidates and the required involvement during the early processes. This is not inclusive of time worked on polling day.

**Voting Requirements**

Simple Majority



## OFFICERS' RECOMMENDATION

That the Council:

1. Pursuant of Sections 4.20 and 4.61 of the Local Government Act, Council determine that it wishes to conduct the 2021 Local Government election as a voting in postal election.
2. That the Council direct the CEO to obtain a quote for the holding of a postal voting election from the WA Electoral Commission and if greater than \$12,000 revert to a voting in person election.

### **RESOLUTION 341**

***Moved Cr Van Gelderen seconded Cr Wilkes that the officer's recommendation be adopted.***

***CARRIED 6/0  
Simple majority***



**9.7 AMENDMENT TO MINUTES – RESOLUTION 269**

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

**Summary**

To amend resolution 269. To include the adoption of the Occupational Safety and Health Policy

**Background**

OSH policies are required to be reviewed annually. The Occupational Safety and Health Policy (OSH) was presented to Council at its October Council Meeting and adopted however the document was left off the resolution even though it was presented for adoption.

**Consultation**

Nil

**Statutory Environment**

*Local Government Act (1995)*  
*Occupational Safety and Health Act 1984 and associated Regulations*  
*Industrial Relations Act 1979 and associated Regulations*  
*Corruption Crime and Misconduct Act 2003 and associated Regulations*  
*Equal Opportunity Act 1984 and associated Regulations*  
*Sex Discrimination Act 1984 and associated Regulations*  
*Racial Discrimination Act 1975 and associated Regulations*  
*Code of Practice: Violence, Aggression and Bullying at Work (2006)*  
*Workers Compensation Act 1981 and associated Regulations*  
*Public Interest Disclosure Act 2003 and associated Regulations*

**Policy Implications**

Nil

**Financial Implications**

Nil



## Strategic Implications

### Shire of Goomalling Community Strategic Plan 2019-2028

4.2.5	Provide flexible and attractive work conditions in a supportive work environment
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### Comment/Conclusion

From time to time, various policies are required to be reviewed and updated. While staff are in the process of updating the entire policy manual, Council has an OSH audit in May 2021 and in particular this policy needs to be adopted.

### Voting Requirements

Simple Majority

## OFFICERS' RECOMMENDATION

That the Council:

1. Amend Resolution 269 to include the adoption of the Occupational Safety and Health Policy 2020

### **RESOLUTION 342**

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

***CARRIED 6/0  
Simple majority***





## 9.8 PROPOSED FARM OUTBUILDING DC SEWELL

<b>File Reference</b>	172
<b>Disclosure of Interest</b>	Nil
<b>Applicant</b>	Wheatbelt Steel on behalf of DC Sewell
<b>Previous Item Numbers</b>	No Direct
<b>Date</b>	13 April 2021
<b>Author</b>	K Nieuwoudt – Shire of Toodyay Contract Planner
<b>Authorising Officer</b>	Peter Bentley – Chief Executive Officer
<b>Attachments</b>	1. A copy of the development proposal plans is attached.

### Summary

For Council to consider granting development approval for a proposal to erect a 315m<sup>2</sup> outbuilding at Lot 19984 (875) Ucarty Road, Ucarty West.

The application is referred to Council for consideration as Delegation DE35 (Determination of Applications for Development Approval) requires buildings over 300m<sup>2</sup> in building floor area to be reported to Council for determination.

### Background

Lot 19984 (875) Ucarty Road is located approximately 12km south-west of Goomalling townsite in the locality of Ucarty West.

The property is zoned 'Rural 3 – General Farming' under the Shire's Town Planning Scheme No. 3 (the Scheme), and is 670ha in size.

The application proposes the erection of a 315m<sup>2</sup> steel farm outbuilding (typical open-ended shed) with the following dimensions:

Length	21m
Width	15m
Height	5.9m

The outbuilding will be set back 219m from Ucarty Road and approximately 157m north of the existing dwelling on the property. A location Plan and plans of the proposed outbuilding are attached.

### Consultation

N/A



## Statutory Environment

*Planning and Development Act 2005*  
*Planning and Development (Local Planning Schemes) Regulations 2015*  
*Shire of Goomalling Town Planning Scheme No. 3.*

## Policy Implications

Nil

## Financial Implications

Nil

## Strategic Implications

### Shire of Goomalling Community Strategic Plan 2019-2028

1.2.6	Provide to the community quality regulatory services
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## Comment/Conclusion

## Voting Requirements

Simple Majority

## OFFICERS' RECOMMENDATION

That the Council:

Grant development approval to Wheatbelt Steel for the construction and use of a farm building at Lot 19984 (875) Ucarty Road, Ucarty, subject to the following conditions:

1. The development hereby permitted must substantially commence within two years from the date of this decision letter.
2. The development hereby permitted taking place in accordance with the approved plans submitted with the application.

### **RESOLUTION 343**

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

***CARRIED 6/0***  
***Simple majority***



**9.9 APPLICATION OF COMMON SEAL – GRANT OF RIGHT OF BURIAL NO. 129**

File Reference	35
Disclosure of Interest	Nil
Applicant	Lesley Murphy
Previous Item Numbers	No Direct
Date	23 March 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. 128 for Ms Lynette Windie to validate the grant.

**Background**

Application was received from Lesley Murphy for the Grant of Right of Burial for Grave No. 581 in the Roman Catholic Section of the Goomalling Cemetery. The applicable fee of \$230 for a single site, was received on 23 March 2021, receipt number 83238.

The Common Seal is to be affixed to validate the Grant No 129 for Mrs Lesley Murphy.

**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**

<b>Shire of Goomalling Community Strategic Plan 2019-2028</b>	
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. 129 for Mrs Lesley Murphy.

### **RESOLUTION 344**

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

***CARRIED 6/0  
Simple majority***



**9.10 APPLICATION OF COMMON SEAL – DEED OF TERMINATION OF BUILDING GRANT AGREEMENT - LOTTERYWEST**

File Reference	74/
Disclosure of Interest	Nil
Applicant	Lotterywest
Previous Item Numbers	No Direct
Date	14 April 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 Deed of Termination – Building Grant Agreement for Goomalling Recreation facility building (Goomalling Sport & Community Centre).

**Background**

Lotterywest provided the Shire of Goomalling funding for the purpose of building the function centre facility at the recreation ground, with a condition of ongoing interest in the building.

Lotterywest has withdrawn their interest and provided a Deed of Termination to expire the Building Grant Agreement.

The Common Seal is to be affixed to validate Deed of Termination to Lotterywest.

**Consultation**

No consultation was carried out

**Statutory Environment**

*Local Government Act 1995 (as amended)*

**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**

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



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## Comment/Conclusion

## Voting Requirements

Simple Majority

### **OFFICERS' RECOMMENDATION**

That the Council:

2. Endorse the affixing of the Common Seal to Lotterywest Deed of Termination – Building Grant Agreement.

#### ***RESOLUTION 345***

***Moved Cr Wilkes seconded Cr Van Gelderen that the officer's recommendation be adopted.***

***CARRIED 6/0  
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**

Nil

**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.

**13. INFORMATION BULLETIN**

***RESOLUTION 346***

*Moved Cr Van Gelderen seconded Cr Sheen that the Council information bulletin be received.*

***CARRIED 6/0***

**14. MEETING CLOSURE**

The Shire President thanked everyone for their attendance at today's meeting and declared the meeting closed at 6.08 pm.