

# Shire of Goomalling



## COUNCIL CONFIRMED MINUTES

July 2019





## **NYOONGAR ACKNOWLEDGEMENT**

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

## **NOTICE OF MEETING**

Meeting No. 6 of 2019 of the Shire of Goomalling Council to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Wednesday, 17 July 2019 beginning at 1.24 pm.

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

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

#### **2.1. Attendance**

Council	Deputy President of Council	Cr Roland Van Gelderen
	Councillor	Cr Christine Barratt
	Councillor	Cr Raymond Bowen
	Councillor	Cr Julie Chester
	Councillor	Cr Kevin Ryan
	Councillor	Cr Rodney Sheen
Administration	Chief Executive Officer	Mr Peter Bentley
	Finance Manager	Miss Natalie Bird
	Works Manager	Mr David Long

#### **2.2. Apologies**

Nil

#### **2.3. Approved Leave of Absence**

Cr Haywood has leave of absence for this month's meeting.

### **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 19 June 2019

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



**74. RESOLUTION**

Moved Cr Bowen, seconded Cr Chester

that the minutes of the Ordinary Meeting of Council held on Wednesday 19 June 2019 be confirmed as a true and correct record of proceedings.

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

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

- Cr Haywood attended the Avon Midland Zone meeting on 28 June 2019 at Shire of Gingin along with the CEO
- Cr Sheen attended the Rural Water Council meeting on 5 July 2019

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

Nil

**9. OFFICERS' REPORTS**

**9.1 SCHEDULE OF ACCOUNTS PAID 1 JUNE TO 30 JUNE 2019**

<b>DATE:</b>	9 July 2019
<b>SUBJECT:</b>	Schedule of Accounts Paid
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	Whole of the Shire
<b>AUTHOR:</b>	Christine Schorer – Accounts Payable
<b>REPORTING OFFICER:</b>	Natalie Bird – Finance Manager
<b>FILE NO:</b>	N/A
<b>ASSESSMENT NO:</b>	N/A

**FUND VOUCHERS AMOUNT**

EFT 1328-1394, 1495-1496	\$128,188.11
Direct Debits 8312- 8322	\$35,332.80
Cheques 14911-14939,14943-14945	\$71,247.37
Payroll 5848-5850	\$107,489.00
Super 11896,11911	\$14,507.79

**ATTACHMENTS**

- A) Schedule of Accounts submitted 17 July 2019
- B) Corporate Credit Card Statements May 2019

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That vouchers from the Municipal Fund and Trust Fund as detailed, be approved by Council:

EFT 1328-1394, 1495-1496	\$128,188.11
Direct Debits 8312- 8322	\$35,332.80
Cheques 14911-14939,14943-14945	\$71,247.37
Payroll 5848-5850	\$107,489.00
Super 11896,11911	\$14,507.79
<b>TOTAL</b>	<b>\$356,765.07</b>

**75. RESOLUTION (Officer Recommendation)**

Moved Cr Barratt, seconded Cr Bowen

that vouchers from the Municipal Fund and Trust Fund as detailed, be approved by Council:

EFT 1328-1394, 1495-1496	\$128,188.11
Direct Debits 8312- 8322	\$35,332.80
Cheques 14911-14939,14943-14945	\$71,247.37
Payroll 5848-5850	\$107,489.00
Super 11896,11911	\$14,507.79
<b>TOTAL</b>	<b>\$356,765.07</b>

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

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



**9.2 FINANCIAL REPORT FOR JUNE 2019**

<b>DATE:</b>	9 July 2019
<b>SUBJECT:</b>	Monthly Financial Report
<b>PROPONENT:</b>	N/A
<b>LOCATION:</b>	Whole of the Shire
<b>AUTHOR:</b>	Natalie Bird – Finance Manager
<b>REPORTING OFFICER:</b>	Natalie Bird – Finance Manager
<b>FILE NO:</b>	N/A
<b>ASSESSMENT NO:</b>	N/A

**PURPOSE**

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 IMPLICATIONS**

Local Government Act 1995 – Section 6.4

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**

C2.7 Provide reporting processes in transparent, accountable and timely manner.

**ATTACHMENTS**

- C) Monthly Financial Report to 30 June 2019

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That the following Monthly Financial Report be received by Council:

- Monthly Financial Report to 30 June 2019

**76. RESOLUTION (Officer Recommendation)**

**Moved Cr Sheen, seconded Cr Barratt**

**that the Draft Monthly Financial Report for 30 June 2019 be received by Council.**

**CARRIED 6/0**

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



By Simple Majority

### 9.3 REQUEST TO RECONSIDER DECISION

<b>DATE:</b>	10 July 2019
<b>PROPONENT:</b>	Barbara Garner – Principal – Dowerin DHS
<b>LOCATION:</b>	N/A
<b>SUBJECT:</b>	Request to reconsider decision from Council
<b>AUTHOR:</b>	Peter Bentley – Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	104-1
<b>ASSESSMENT NO:</b>	N/A

#### PURPOSE

Request for Council to reconsider its May 2019 decision regarding waiving a fee.

#### BACKGROUND

At the May 2019 Ordinary meeting, Council considered a request from the Dowerin District High School to waive the non-residents charge for the hire of the Community Bus. The request was with regard to a Cadet camp which was designed to “promote leadership, problem solving and resilience” within the cadets which hopefully will result in them going on to become well trained and balanced volunteers into the future for both Goomalling and Dowerin Bushfire Brigades. The request also indicated that students who reside both in Dowerin and Goomalling would be attending the camp.

The recommendation from staff was open to give the Councillors the opportunity to debate and decide what its course of action should be. The recommendation and motion were as follows;

#### RECOMMENDATION

*That the Council:*

*Determine whether to waive the out of town surcharge for the 14 seat Community Bus for the Dowerin District High School DFES Cadet group to attend its 2019 Camp from June 5 to June 7.*

<b>57. RESOLUTION</b>
-----------------------

*Moved Cr Ryan, seconded Cr Van Gelderen*

*That the Council:*

*Agree to the request to waive the out of town surcharge for the 14 seat Community Bus for the Dowerin District High School DFES Cadet group to attend its 2019 Camp from June 5 to June 7.*

**MOTION WAS LOST 3/4**

#### STATUTORY IMPLICATIONS

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



Local Government Act 1995

**POLICY IMPLICATIONS**

There is no specific policy relating to this matter other than the fee that is imposed.

**FINANCIAL IMPLICATIONS**

Should Council change its decision from the May meeting it would result in the refund of \$300.00 to the school which will be unbudgeted expenditure.

**STRATEGIC IMPLICATIONS**

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

**ATTACHMENTS**

Copy of letter from Barbara Garner – Principal of the School

**OFFICER COMMENT**

The Principal of the Dowerin District High School has requested that the Council reconsider its decision not to waive the non-residents charge or at the very least consider reducing the value of the charge on the basis that there were students from Goomalling who attended the camp via the bus. The Principal has provided no new information regarding the matter.

The Shire of Dowerin operates a 21 seat community bus and charges \$0.80 per km for the hire of the vehicle. The School hired the 14 seat bus from the Shire of Goomalling which is charged out at \$0.66 per km. It is unclear as to whether the school contacted the Shire of Dowerin to hire their community bus or if the bus was available for use during the hire period.

Council now needs to ascertain whether it wishes to reconsider its position and if so whether there should be a reduced fee for similar activities, or whether the fee should apply at all and how to determine who or what groups would be eligible for the concessional fee structure.

**VOTING REQUIREMENT**

Absolute Majority to review the decision.

Simple Majority to support the original decision.

**RECOMMENDATION**

That the Council:

Consider the request from the Dowerin District High School to review the charge of the non-residents fee to it for the hire of the 14 seat Community Bus

**77. RESOLUTION**

**Moved Cr Bowen, seconded Cr Barratt**

**That the Council:**

**Consider to review their decision not to waive the charge of the non-residents fee for the hire of the 14 seat Community Bus.**

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



MOTION WAS LOST 0/6

#### 9.4 WALGA ANNUAL GENERAL MEETING MOTIONS

DATE:	9 July 2019
PROPONENT:	Various
LOCATION:	Whole of Shire
SUBJECT:	Support for Motions
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	196
ASSESSMENT NO:	N/A

#### PURPOSE

Council to consider voting directions for delegates to the WALGA AGM.

#### BACKGROUND

Councillors Haywood and Van Gelderen will be Council's delegates to the WALGA AGM in August and will need to vote regarding a variety of motions put forward to the meeting. A copy of the AGM agenda has been included in the Agenda Papers for Councillors to consider their position regarding the various items.

#### STATUTORY IMPLICATIONS

Local Government Act (1995)

#### POLICY IMPLICATIONS

The Council has no specific policy regarding this matter.

#### FINANCIAL IMPLICATIONS

Nil

#### STRATEGIC IMPLICATIONS

This matter is not dealt with in the Shire of Goomalling Community Strategic Plan.

#### COMMENT

The motions are as follows;

*Shire of Gingin Delegate to move:*

#### **MOTION**

***That WALGA advocate to the Federal and State Governments with respect to the importance of responding to the increasing challenges faced by Coastal Councils, and develop policy initiatives to include:***

- 1. Introduction of a national funding formula to provide the resources necessary to manage and maintain the coast effectively on behalf of all***

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



*Australians, including the funds needed to increase the adaptive capacity of Councils to address climate impacts.*

- 2. Allocation of additional Financial Assistance Grants to address coastal hazards, and broadening of the range of 'disabilities' listed under Financial Assistance Grants to include factors such as the vulnerability of coastal areas and communities to coastal hazards.*
- 3. Development of an intergovernmental agreement on the Coastal Zone that will provide a co-ordinated national approach to coastal governance through and in cooperation with Australian state, territory and local governments and clearly define the roles and responsibilities of each tier of government in relation to coastal zone management.*
- 4. Creation of a National Coastal Policy, the basis of which is formed by the intergovernmental agreement on the Coastal Zone, that outlines the principles, objectives and actions to be taken to address the challenges of integrated coastal zone management for Australia.*
- 5. An increase in funding for Australian climate science research programs conducted by CSIRO and other research bodies, including the restoration of funding for the National Climate Change Adaption Research Facility or establishment of a similar body, and continuing support for CoastAdapt. This is essential to ensure that appropriate guidance in responding to coastal hazards is accessible by Australia's coastal Councils so that coastal communities and assets are adequately prepared to address the adverse effects of climate change impacts.*

*City of Kwinana Delegate to move:*

**MOTION**

**WALGA advocate to the Minister for Housing to:**

- 1. Cease the policy of the Department of Housing leasing their housing assets to charitable/not for profit organisations who are then eligible for charitable Local Government rate exemptions; or*
- 2. Provide Local Governments with a rate equivalent payment annually as compensation for the loss of rates income; or*
- 3. Include in the lease agreements with charitable institutions that they must pay Local Government rates on behalf of the Department of Housing recognising the services Local Government provides to its tenants.*

*Shire of Manjimup Delegate to move*

**MOTION**

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



**To support the independent position of the RAC, that WALGA call on the State and Federal Government to:**

- 1. Provide a fairer distribution of funding from revenue collected from Western Australian motorists (consistently a minimum of 50%) to remediate Western Australia's \$845m road maintenance backlog and tackle the increasing costs of congestion and road trauma, to deliver productivity and liveability outcomes; and**
- 2. Hold an inquiry into road user pricing as part of a broader reform of motorist taxation that would remove revenue raising fees and charges, and / or hypothecate money collected for the provision of transport infrastructure and services.**

*Shire of Bridgetown-Greenbushes Delegate to move*

**MOTION**

**That WALGA revokes its current policy position of not supporting the establishment and operations of Recognised Biosecurity Groups (RBGs) and that the decision on whether to support RBGs is to rest with individual Local Governments.**

*Shire of Dardanup Delegate to move:*

**MOTION**

**That WALGA continue to support Western Australia's Waste Avoidance and Resource Recovery Strategy 2030 and seek firm commitments from the State Government about how the waste avoidance, resource recovery and diversion from landfill targets will be achieved, including local options for reprocessing, recycling and waste to energy.**

**In particular these commitments should clearly indicate how the State Government will cease the proliferation of landfills in the non-metropolitan areas which are predominantly taking metropolitan waste or waste generated elsewhere in the state including mining and construction camps. These commitments should encourage alternative options and outline what incentives the Government will put in place to reduce, and eventually eliminate, our reliance on landfill.**

*Shire of Mundaring Delegate to move:*

**MOTION**

**That WALGA investigate increasing Local Government membership in Development Assessment Panels**

*Shire of Dundas Delegate to move*

**MOTION**

**That:**

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



- 1. WALGA requests that the Hon. Bill Johnston, Minister for Mines and Petroleum, undertakes a review of the outdated Mining Act 1978 and that the revision address FIFO and DIDO, and its impact on local communities; and**
- 2. The Mining application process includes a mandatory MOU with the Local Government which would be overseen by the Auditor General to ensure fairness to the Community by having the mining company contribute to local infrastructures as a Legacy project.**

*Shire of Dundas Delegate to move*

**MOTION**

**That WALGA requests the Hon. Minister of Local Government and Communities David Templeman to assist all Local Governments to Lobby the Federal Government to retain the Financial Assistance Grant at one percent of the of Commonwealth Taxation Revenue.**

*City of Bayswater Delegate to move:*

**MOTION**

- 1. That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties in addition to Local Governments are able to make an appeal.**
- 2. That there be an amendment to the Third Party Appeals Process Preferred Model, being that third parties are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.**

**ATTACHMENTS**

A copy of the Agenda is attached for further information

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That the Council:

Determine where its support lies for the WALGA AGM agenda items and direct Councillors Haywood and Van Gelderen to vote accordingly.

**78. RESOLUTION**

**Moved Cr Chester, seconded Cr Sheen**

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



**That the Council's support for the WALGA AGM agenda items and voting directions to Councillors Haywood and Van Gelderen are as follows;**

3.1 Coastal Councils – Climate Change	Delegates to vote at the meeting
3.2 Housing & Rates or equivalent	Support
3.3 Distribution of Road Taxes	Support
3.4 Recognised Bio Security Groups	Delegates to vote at the meeting
3.5 Waste Avoidance & Resource Recovery	Delegates to vote at the meeting
3.6 Increased LG Membership to DAP's	Support
3.7 Review of the Mining Act Re FIFO/DIDO	Support
3.8 Financial Assistance Grants	Support
3.9 Third Party Appeals	Support

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

#### **9.5 INQUIRY INTO PRIVATE PROPERTY RIGHTS**

<b>DATE:</b>	10 July 2019
<b>PROPONENT:</b>	
<b>LOCATION:</b>	Whole of the Shire
<b>SUBJECT:</b>	Inquiry into Private Property Rights
<b>AUTHOR:</b>	Peter Bentley – Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley – Chief Executive Officer
<b>FILE NO:</b>	N/A
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

To consider whether Council would like to make submission to the Standing Committee of Public Administration with regard to its inquiry into Private Property Rights.

#### **BACKGROUND**

In June 2019 the Hon Rick Mazza MLC moved a motion in parliament for an enquiry by the Standing Committee into Public Administration into Private Property Rights.

I have attached a copy of the extract from Hansard which outlines the debate regarding the matter.

The Hon Adele Farina MLC has written to the council seeking comment or submission regarding Private Property Rights by 31 July 2019.

#### **STATUTORY IMPLICATIONS**

Local Government Act 1995

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



**POLICY IMPLICATIONS**

There is no specific policy relating to this matter.

**FINANCIAL IMPLICATIONS**

Nil

**STRATEGIC IMPLICATIONS**

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

**ATTACHMENTS**

Nil

**OFFICER COMMENT**

The Council will need to formulate an opinion regarding any submission and give the CEO direction with regard to any matters it wishes to raise with the Committee.

**VOTING REQUIREMENT**

Simple Majority.

**RECOMMENDATION**

That the Council:

Determine whether it wishes to make submission to the standing Committee on Public Administration with regard to Private Property Rights,  
and;  
Determine the matters to be raised within that submission.

**79. RESOLUTION**

**Moved Cr Sheen, seconded Cr Bowen**

**That the Councillors:**

**Provide the CEO with any comments to the standing Committee on Public Administration with regard to Private Property Rights, by 29<sup>th</sup> July 2019.**

**CARRIED 6/0  
By Simple Majority**

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

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

**12. INFORMATION BULLETIN**

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_



**80. RESOLUTION**

Moved Cr Barratt, seconded Cr Sheen that Council receive the Information Bulletin.

**CARRIED 6/0  
By Simple Majority**

**12.11 APPLICATION OF COMMON SEAL  
Chloe Watson – Executive Assistant**

Application was received from Trish Wilkes for the Grant of Right of Burial for Grave No 708 in the Anglican Section of the Goomalling Cemetery.

The applicable fee of \$230 was received on 4 July 2019 and the Common Seal is to be affixed to validate the beforementioned Grant No 121.

**OFFICER RECOMMENDATION**

That Council:

Hereby authorise the affixing of the Common Seal to the Schedule “B” Goomalling Public Cemetery Form of Grant of Right of Burial, Grant No. 121 for Trish Wilkes.

**81. RESOLUTION (Officer Recommendation)**

Moved Cr Sheen, seconded Cr Barratt

That the Council:

Hereby authorise the affixing of the Common Seal to the Schedule “B” Goomalling Public Cemetery Form of Grant of Right of Burial, Grant No. 121 for Trish Wilkes.

**CARRIED 6/0  
By Simple Majority**

**13. MATTERS BEHIND CLOSED DOORS**

Nil

**14. MEETING CLOSURE**

There being no further business the Shire President thanked everyone for their attendance and declared the meeting closed at 1.57 pm.

PRESIDENT \_\_\_\_\_

DATE \_\_\_\_\_