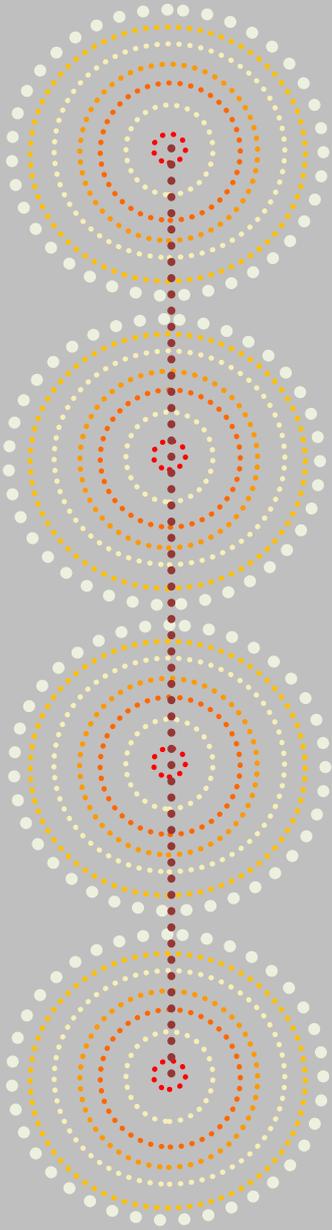


# Shire of Goomalling



## SPECIAL COUNCIL MEETING 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**

The Shire of Goomalling Special Meeting of Council to adopt Council's 2019/2020 Budget, to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Tuesday, 30 July 2019 beginning at 10.03am.

### **1. ATTENDANCE, APOLOGIES & ANNOUNCEMENTS**

#### **1.1. Attendance**

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

#### **1.2. Apologies**

Nil

#### **1.3. Public Question Time**

Nil

### **2. DECLARATION OF INTEREST**

Councillors must declare to the President any potential conflict of interest they have in a matter before the Shire Council as soon as they become aware of it.

### **3. MATTERS ARISING**

Nil



## 4 REPORTS

### 4.1 ADOPTION – 2019/20 BUDGET

<b>DATE:</b>	24th July 2019
<b>SUBJECT:</b>	Adoption of 2019/2020 Budget
<b>PROPONENT:</b>	Peter Bentley – Chief Executive Officer
<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>	
<b>ASSESSMENT NO:</b>	N/A

#### **PURPOSE**

To present to Council the 2019/20 Budget with a 4.2% increase on the previous year's yield for adoption.

#### **BACKGROUND**

At the Budget workshop held on 15<sup>th</sup> July 2019 minor changes were identified by Councillors and staff and included in the final budget document as presented.

#### **STATUTORY IMPLICATIONS**

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

#### **6.32. Rates and service charges**

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

**\* Absolute majority required.**

- (2) *Where a local government resolves to impose a rate it is required to*
  - (a) *set a rate which is expressed as a rate in the dollar of the gross rental value of rateable land within its district to be rated on gross rental value; and*
  - (b) *set a rate which is expressed as a rate in the dollar of the unimproved value of rateable land within its district to be rated on unimproved value.*



- (3) *A local government*
- (a) *may, at any time after the imposition of rates in a financial year, in an emergency, impose\* a supplementary general rate or specified area rate for the unexpired portion of the current financial year; and*
  - (b) *is to, after a court or the State Administrative Tribunal has quashed a general valuation, rate or service charge, impose\* a new general rate, specified area rate or service charge.*

**\* Absolute majority required.**

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

**6.35. Minimum payment**

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



**POLICY IMPLICATIONS**

Nil

**FINANCIAL IMPLICATIONS**

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

**STRATEGIC IMPLICATIONS**

The Shire of Goomalling Community Strategic Plan identifies a number of key objectives and strategies based upon a sustainable future. The 2019/20 Budget as presented is in keeping with Council's Strategic direction.

**COMMENT**

The Council needs to adopt the budget in four (4) separate motions.

**ATTACHMENTS**

2019/20 Statutory Budget including the Draft work papers.

**VOTING REQUIREMENT**

Absolute Majority

**RECOMMENDATION 1**

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

**Local Government Act 1995 – Service Charges 2019/20**

**Health Act 1911**

**Refuse Removal Charges**

Refuse Goomalling	\$275.00
Refuse –additional bin	\$275.00
Refuse Jennacubbine	\$295.00
Refuse Wongamine	\$295.00
Refuse Konnongorring	\$295.00
Refuse –additional bin	\$295.00
240 Litre Wheelie Bin	at cost
Tipping Fee - cubic metre – Non Residents	\$20.00

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**Sewerage Charges**

Residential	-	08.0325 cents in the dollar Minimum Charge \$672.00
Commercial	-	08.0325 cents in the dollar Minimum charge \$672.00
Vacant Lot	-	\$672.00 per property
Minor Fixture Charge	-	\$244.00
Major Fixture Charge	-	\$794.00
Additional Fixtures	-	\$99.00

**BY ABSOLUTE MAJORITY**

**RECOMMENDATION 2**

That the following General Rates for 2019/20 be adopted in accordance with the requirements of Section 6.32 of the Local Government Act 1995:

That the following Rates in the Dollar be adopted for the Shire of Goomalling for the year ending 30 June 2020:-

<b>Gross Rental Values</b>	<b>(Towns)</b>
Residential	10.9585 cents in the dollar
Commercial	12.3220 cents in the dollar
Industrial	11.8170 cents in the dollar
Urban Farmland	10.5545 cents in the dollar
<b>Unimproved Values</b>	<b>(Rural)</b>
Rural Zone 2	00.6363 cents in the dollar
Special Rural	01.2625 cents in the dollar
General Zone 3	00.6918 cents in the dollar

**MINIMUM RATES**

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

<b>Minimum Rates</b>	
GRV Residential	\$950.00 per assessment
GRV Commercial	\$900.00 per assessment
GRV Industrial	\$550.00 per assessment
GRV Urban Farmland	\$715.00 per assessment
UV Rural Zone 2	\$1,075.00 per assessment
UV Special Rural	\$1,100.00 per assessment
UV General Zone 3	\$1,195.00 per assessment

**Discount**

No early settlement discount or rates incentive prizes to be offered in the 2019/20 Budget.

**BY ABSOLUTE MAJORITY**



### **RECOMMENDATION 3**

#### **PAYMENT OPTIONS**

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

**(a) Single Instalment**

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

**(b) Two Instalments**

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

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

**(c) Four Instalments**

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

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

#### **INTEREST AND ADMINISTRATION CHARGES FOR INSTALMENT OPTIONS**

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

#### **LATE PAYMENT PENALTY INTEREST**

That Council, in accordance with the provisions of section 6.13 and 6.51 of the Local Government Act, and Regulations 19A and 70 of the Local Government (Financial Management) Regulations 1996, adopts an interest rate of 11% per annum. Penalty interest will apply to all charges which remain unpaid after 35 days from the date of issue of the rate notice.

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

**BY ABSOLUTE MAJORITY**

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**RECOMMENDATION 4**

That the Council adopts the Budget under the Local Government Act 1995 Section 6.2 for the Shire of Kent for the year ending 30 June 2020, incorporating:

- Operating Statement
- Statement of Cash Flows
- Statement of Non Operating Incomes and Expenditures
- Rate Setting Statement
- Statement of Rating Information
- Other supporting documents and schedules
- (Including the 10 Year Plant Replacement Program, 2019/20 Road Program)

**BY ABSOLUTE MAJORITY**

**RECOMMENDATION 5**

That Council adopts the following Annual Members Meeting Attendance Fees and Allowances for 2019/20 in accordance with the requirements of Sections 5.99 and 5.99(A) of the Local Government Act 1995 and Regulations 34A and 34B, and the Annual President Allowance for 2017/18 in accordance with the requirements of and Section 5.98(5) of the Local Government Act 1995 be adopted :

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

**BY ABSOLUTE MAJORITY**

**RECOMMENDATION 6**

That Council adopts, in accordance with the provisions of the Local Government (Financial Management) Regulations 1996 section 34(5), the material variance as reported in the Statement of Financial Activity in the financial year ending 30 June 2020 of 10% or \$10,000.

**BY ABSOLUTE MAJORITY**

**82. MOTION**

Moved Cr Barratt, seconded Cr Chester that the above item is to lay on the table.

CARRIED 7/0  
By Absolute Majority



#### 4.2 DEVELOPMENT APPLICATION 2728 CALINGIRI ROAD

<b>DATE:</b>	25 <sup>th</sup> July 2019
<b>SUBJECT:</b>	Development Application
<b>PROPONENT:</b>	John Even
<b>LOCATION:</b>	2728 Calingiri Road Goomalling
<b>AUTHOR:</b>	Peter Bentley, Chief Executive Officer
<b>REPORTING OFFICER:</b>	Peter Bentley, Chief Executive Officer
<b>FILE NO:</b>	176
<b>ASSESSMENT NO:</b>	A452

#### **PURPOSE**

To oversee the proposed project for compliance to Council's Town Planning Scheme.

#### **BACKGROUND**

Mr John Even is the owner of the property and undertakes farming activities within the property. In order to facilitate the continued improvements to Farming practices the proponent is wishing to construct a general purpose shed on the property.

#### **STATUTORY IMPLICATIONS**

Shire of Goomalling Town Planning Scheme No. 3 states:

#### ***ZONING OBJECTIVES AND POLICIES***

##### ***3.5.6 Rural Zone 3 - General Farming***

*The objective for the zone is to maintain the rural economy of the Shire and protect the rural landscape and environment generally.*

*Council policies will therefore be to:*

- (a) Ensure that the zone contains predominantly rural uses and reserves for various purposes;*
- (b) Protect land from urban uses which may jeopardise the future use of that land for other planned purposes which are compatible with the rural zoning;*
- (c) Protect the land from closer development which would detract from the rural character and amenity of the area;*
- (d) Prevent any development which may affect the viability of a rural holding;*
- (e) Require that planning approval be obtained for all buildings including a residence and assess such applications to ensure minimal intrusion onto the rural landscape and the amenity of adjoining properties.*

#### **POLICY IMPLICATIONS**

No specific policy regarding this matter.

#### **FINANCIAL IMPLICATIONS**

The application is subject to a Development Application fee of 0.32% of the value of the project or \$751.87.

#### **STRATEGIC IMPLICATIONS**

This matter is not directly addressed in Council's Strategic Plan.

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**COMMENTS**

Mr Even is seeking to erect a Class 7B general purpose farm shed (48m x 30m x 6.6m) on the property for the ongoing rural pursuit. The erection of such a shed on this property is in accordance with the objectives of the zone and as such should be approved

**ATTACHMENTS**

A copy of the planning application and the documents for the Building Permit are attached.

**VOTING REQUIREMENT**

Simple Majority

**RECOMMENDATION**

That the Council:

Grant planning approval to Mr John Even to install a Class 7B farm shed on 2728 Calingiri Road, Goomalling as per the attached site plan subject to the following conditions;

1. The proponent must obtain a building permit prior to undertaking the construction of the shed;
2. The approval is valid for a period of two years from the approval date;
3. The proponent must submit a revised application should there be a departure from the application as submitted;
4. The use of the outbuilding for human habitation is not permitted;
5. Nothing in this approval or these conditions shall excuse non-compliance with all written laws in the commencement and carrying out of the development;
6. This approval is granted subject to receipt of 50% of the Development Application Fee of 0.32% of the total cost of the project (\$751.87), or \$375.00.



**83. RESOLUTION (Officer Recommendation)**

Moved Cr Ryan, seconded Cr Barratt

That the Council:

Grant planning approval to Mr John Even to install a Class 7B farm shed on 2728 Calingiri Road, Goomalling as per the attached site plan subject to the following conditions;

1. The proponent must obtain a building permit prior to undertaking the construction of the shed;
2. The approval is valid for a period of two years from the approval date;
3. The proponent must submit a revised application should there be a departure from the application as submitted;
4. The use of the outbuilding for human habitation is not permitted;
5. Nothing in this approval or these conditions shall excuse non-compliance with all written laws in the commencement and carrying out of the development;
6. This approval is granted subject to receipt of 50% of the Development Application Fee of 0.32% of the total cost of the project (\$751.87), or \$375.00.

**CARRIED 7/0**  
**By Simple Majority**

**4. MEETING CLOSURE**

There being no further business the Shire President thanked everyone for their attendance and declared the meeting closed at 10.09 am.