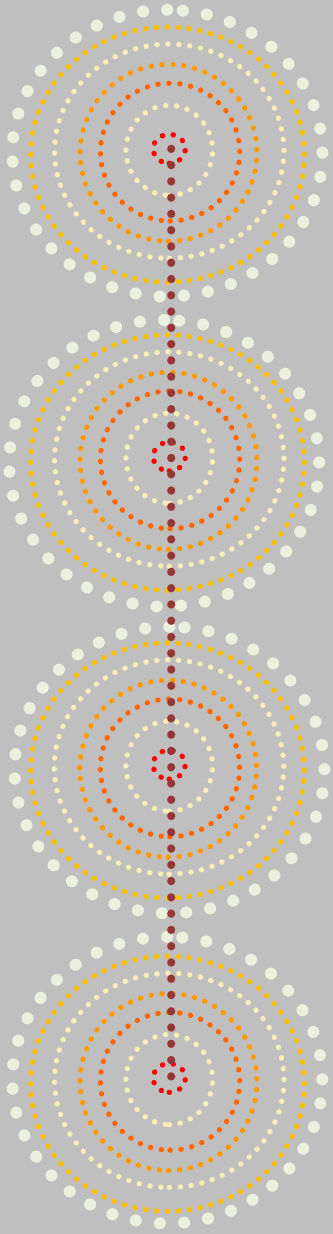


Shire of Goomalling



COUNCIL UNCONFIRMED MINUTES

December 2016





NYOONGAR ACKNOWLEDGEMENT

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

NOTICE OF MEETING

Meeting No. 11 of 2016 of the Shire of Goomalling Council to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Wednesday, 14 December 2016 beginning at 1.43 pm.

QUESTION TIME

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 Christie Kingston
	Councillor	Cr Dallas Phillips
	Councillor	Cr Geoffrey Romero
	Councillor	Cr Kevin Ryan
	Councillor	Cr Rodney Sheen
Administration	Chief Executive Officer	Mr Cornelis (Clem) Kerp
	Finance Manager	Miss Natalie Bird

1.2. Apologies

Nil

Suspension of standing Orders

Resolution

Moved Cr Ryan, seconded Cr Sheen that the standing orders be now suspended by Council at time 1. 43 pm

CARRIED BY ABSOLUTE MAJORITY 9/0

Mr Murray Siegert, President Goomalling Football Club entered the meeting at 1.43 pm



QUESTION TIME

Mr Murray Siegert discussed with Council letter that was sent from the Football Club which will be discussed the later in the meeting.

Mr Murray Siegert also discussed with the Council its consideration to allow the harvest on the public holidays of 27 December 2016 and 2 January 2017 and Mr Siegert was advised that it will be discussed later in the meeting and the all residents would be notified.

Cr Kingston left the meeting at 2.02 pm

Mr Clem Kerp entered the meeting at 2.03 pm

Mr Murray Siegert, left the meeting 2.05 pm

Resumption of Standing Orders

Resolution

Moved Cr Romero, seconded Cr Sheen that Standing Orders be now resumed by Council at 205 pm.

CARRIED BY ABSOLUTE MAJORITY 8/0

1.3. Announcements

- Cr Chester attended the Mortlock Sports Council meeting
- Cr Ryan attended the LEMA
- Cr Van Gelderen and Chief Executive Officer attended the Avon Midland Ward
- Cr Phillips and Cr Kingston attended at two day course at Conservation Council
- Cr Phillips, Tahnee Bird, Natalie Bird and Trudi Manera attended the Children's Environment and Health Local Government Report Card Project presentation
- CR Haywood Chief Executive Officer attended the Steam train Project meeting
- Cr Haywood attended Sacred Heart School presentation night.
- Cr Haywood, Cr Phillips, Cr Kingston and CEO attended the hospital Xmas Party.

Moved Cr Chester, seconded Cr Sheen that the announcement be received.

CARRIED



2. MINUTES

Resolution

Moved Cr Ryan , seconded Cr Bowen that the Minutes of the Goomalling Shire Council ordinary meeting held on Wednesday, 16 November 2016 be confirmed as true and correct record of proceedings with the following change to the date of the next meeting delete "16 November 2016" and change to 14 December 2016.

CARRIED BY ABSOLUTE MAJORITY 8/0

3. 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.

4. MATTERS ARISING

5. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

6. PETITIONS & MEMORIALS

7. REPORTS & MINUTES OF COMMITTEES

Resolution

Moved Cr Van Gelderen, seconded Cr Phillips that the Finance Report for November 2016 be received.

CARRIED

7.1 FINANCIAL STATEMENTS FOR PERIOD ENDING 30 NOVEMBER 2016

FILE REF	
APPLICANT OR PROPONENT (S)	Shire of Goomalling,
PREPARED BY	Natalie Bird, Finance Manager
APPROVED BY	Clem Kerp, Chief Executive Officer
PREVIOUSLY BEFORE COUNCIL	No
DISCLOSURE OF INTEREST	Nil

ATTACHMENTS	1. List of accounts paid for 17 November 2016 to 14 December 2016
	2. Financial Statement for period ending 30 November 2016
	3. Copy Council Corporate Credit Card

Nature of Council's Role in the Matter

Executive
Legislative
Review

Purpose of Report

GOOMALLING
MINUTES OF ORDINARY MEETING OF COUNCIL
WEDNESDAY, 14 DECEMBER 2016



To endorse payment schedule 17 November 2016 to 14 December 2016 and receive Financial Statement for period ending 30 November 2016 including corporate credit card.

Background

In accordance with Local Government (Financial Management) Regulation 34(1), local governments are required to prepare, each month a statement of financial activity reporting on revenue and expenditure for the month in question.

The statement of financial activity is to be presented at an ordinary meeting of Council within two (2) months after the end of the month to which the statement relates.

The statement of financial activity for the period ending 30 November 2016 financial statements and list of accounts paid for the period ending 30 November 2016, are hereby presented for Council's Information.

Comments and details

Identify policy, strategic, financial, social, economic and environmental implications in this section. (if applicable)

Council is requested to accept the monthly statement of financial activity, financial statements and list of payments as presented.

Implications to Consider

Legal and Statutory

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Voting Requirements

Simple Majority

Absolute Majority

No

Resolution

Moved Cr Van Gelderen , seconded Cr Phillips that Council:

- | | |
|--|---------------------|
| 1. endorse the list of payments | |
| a. EFT1075 to EFT1095 | \$ 62,498.61 |
| b. 12283 - 12334 | \$187,648.13 |
| c. 12234 - 12282 | \$150,243.00 |
| d. 5161-5174 | \$ 16,360.00 |
| e. DD9478, DD9540 & DD8017-DD8022 | \$121,888.80 |

Totalling \$538,638.54 for the period 17 November 2016 to 14 December 2016

- 2. receive the financial statements for the period ending 30 November 2016**
- 3. receive the Council Corporate Credit card payment (copy attached)**

CARRIED BY ABSOLUTE MAJORITY 8/0



7.1. Finance/Audit Committee Meeting

Resolution

Moved Cr Van Gelderen , seconded Cr Phillips that the Finance/Audit Committee Meeting minutes for meeting held Wednesday, 14 December 2016 be received.

CARRIED



8. OFFICER'S REPORTS

8.1 CHIEF EXECUTIVE OFFICER'S REPORT

8.1.1 BOUNDARY ADJUSTMENT REQUIRED TO CORRECT ANANOMALY OF BEJOORDING ROAD 5.39 KILOMETRE SECTION NOT WITHIN THE SHIRE OF GOOMALLING AS BOTH LOCAL GOVERNMENTS AND MAIN ROADS WA HAVE ALWAYS DESIGNATED THIS SECTION WITHIN THE SHIRE OF GOOMALLING SINCE 1895

FILE REF	105-1
APPLICANT OR PROPONENT (S)	Shire of Goomalling
PREPARED BY	Clem Kerp, Chief Executive Officer
APPROVED BY	Clem Kerp, Chief Executive Officer
PREVIOUSLY BEFORE COUNCIL	Discussed previously by Council over the past several meetings.
DISCLOSURE OF INTEREST	NIL

Nature of Council's Role in the Matter

Executive
Legislative

Purpose of Report

Council to seek the Shire of Toodyay to submit its recommendation to the Minister for Local Government to change the boundary between the Shires of Goomalling and Toodyay along the 5.39km section of Bejoording Road from the eastern side of Bejoording Road to the western side to correct the anomaly which has been in existence since the establishment of the district of the Goomalling Road Board in 1895.

Background

As stated above, the anomaly has been in existence since 1895 as both Local Governments of Goomalling and Toodyay including Main Roads WA have this section of road within the Shire of Goomalling. The fact is proven by both Shires and MRWA depicting this section of road being the responsibility of the Shire of Goomalling. This is confirmed by the fact that whenever problems on this section of road were reported by members of the Toodyay public and the Shire of Toodyay for repairs or immediate attention, the Shire of Goomalling never shirked its responsibility and always carried out immediate maintenance work and in the last six (6) years has been carrying out reconstruction work widening Bejoording Road from a 6 metre width seal to a 7 metre width seal to accommodate heavy haulage traffic. As the re-construction work is nearing completion, the Shire of Goomalling now seeks the Shire of Toodyay to submit to the Minister recommending the Governor to make an order to relocate the boundary of the Shires of Goomalling and Toodyay from the eastern side of Bejoording Roads to the western side for the mentioned 5.39km section of this road.

Comments and details

It is my recommendation that Council seek the Shire of Toodyay to submit its recommendation to the Minister for Local Government recommending the Governor to make an order to relocate the boundary of the Shires of Goomalling and Toodyay from the eastern side for the mentioned 5.39km section of Bejoording Road to reflect what has been in existence since 1895.

Implications to Consider

GOOMALLING
MINUTES OF ORDINARY MEETING OF COUNCIL
WEDNESDAY, 14 DECEMBER 2016



Strategic

To correct an anomaly since 1895 as Council never shirked its responsibility to maintain and reconstruct this section of road.

Policy Related

There is no Policy of Council appertaining to this matter other than the decision being made by Council.

Financial

No additional costs as road costs have always been borne by the Shire of Goomalling.

Legal and Statutory

This process is required under Section 2.1 (2) and Schedule 2.1 Clause 2 (1) (c) of the Local Government Act 1995.

Risk

It is viewed that the main risk would be where the Shire of Toodyay rejected Council's request. However, it is very unlikely that this would occur as the Shire of Goomalling has always maintained this section of road since 1895 as depicted in both Shires' Road Inventories including the Roads Inventory of Main Roads WA for all local governments in the Wheatbelt. This Council has never shirked its responsibility of maintaining this road at all times.

Voting Requirements

Absolute Majority YES

8.1.1 OFFICER RECOMMENDATION

Resolution

Moved Cr Romero , seconded Cr Sheen that under Section 2.1 (2) and Schedule 2.1 Clause 2 (1) (c) of the Local Government Act 1995, the Shire of Goomalling seek the Shire of Toodyay to jointly submit their recommendation to the Minister for Local Government through the Local Government Advisory Board recommending the Governor to make an order to relocate the boundary of the Shires of Goomalling and Toodyay from the eastern side of Bejoording Road to the western side for the mentioned 5.39km section of Bejoording Road to reflect what has been in existence since 1895 where the Shire of Goomalling has always carried out required roadworks for more than 120 years.

CARRIED BY ABSOLUTE MAJORITY 8/0



8.1.2 COUNCIL CONSIDERATION TO PURCHASE B & V BROOKES SECOND HAND SCHOOL BUS FOR \$10,000

FILE REF	104-1
APPLICANT OR PROPONENT (S)	Shire of Goomalling
PREPARED BY	Clem Kerp, Chief Executive Officer
APPROVED BY	Clem Kerp, Chief Executive Officer
PREVIOUSLY BEFORE COUNCIL	October & November 2016 Council Forums
DISCLOSURE OF INTEREST	NIL

Nature of Council's Role in the Matter

Executive
Legislative

Purpose of Report

At a previous Council Forum held in September 2016 Cr Chester raised the consideration with Councillors of acquiring a second hand 12/14 Seater Community Bus to provide our community with the choice of buses depending on the number of passengers who require travel to and from travel destination and return respectively. Cr Chester indicated that B & V Brookes' school bus was being traded to allow for a new school bus for their usage. Authority was given to the CEO to commence negotiations.

Background

Initial discussions with Mrs Veronica Brookes advised that the purchase price for the bus was \$12,000 with Council's counter offer of \$8,000 being made to her. As Council is aware Mrs Brookes came back with a final offer to purchase for \$10,000. The Toyota 14 seater school bus was built in 2005 and has travelled in excess of 220,000km. The market value of the vehicle is around the \$10,000 valuation.

Comments and details

Although Council has not allowed the item of expenditure in its 2016/2017 budget document, Council may proceed to purchase as the figure may be provided from the following savings:

Budget Expend for Int. on Overdraft	\$5,000
Budget Revenue for Int. on Invest	\$5,125.

It is calculated that the expenditure on Interest on Overdraft will be very minimal most likely to be zero with in excess of \$10,500 to be received in Interest on Investments. Normally Council would invite tenders or quotes for this type of consideration, however it is viewed by Council that the opportunity "is too good to miss" and considers that this purchase is strategic and financially beneficial to Council and the Community.

Implications to Consider

Strategic

As indicated above, Council's view is the opportunity "is too good to miss" and consider that the acquisition of the Toyota 14 Seater bus is not only strategic but will provide financial benefits to Council and the Community.

Policy Related

Policies related to this proposed purchase are:

- *Purchasing Policy*
- *Regional Price Preference (Buy Local) Policy*

GOOMALLING
MINUTES OF ORDINARY MEETING OF COUNCIL
WEDNESDAY, 14 DECEMBER 2016



Financial

Not covered in Council's 2017/2017 Budget Document, the purchase price for the 14 seater school bus can be covered by the mentioned savings as detailed in the comments & details section of this report.

Voting Requirements

Absolute Majority YES

8.1.2 OFFICER RECOMMENDATION

Resolution

Moved Cr Ryan, seconded Cr Chester that Council purchase the 2005 Toyota Hiace 14 Seater vehicle for \$10,000 inc GST to provide a smaller community bus for the community usage where a smaller bus is a better alternative for transporting a dozen or less passengers to and from community events and the like.

CARRIED BY ABSOLUTE MAJORITY 8/0



8.1.3 DESIGNATED OFFICER APPROVAL

FILE REF	160-8
APPLICANT OR PROPONENT (S)	Shire of Goomalling
PREPARED BY	Clem Kerp, Chief Executive Officer
APPROVED BY	Clem Kerp, Chief Executive Officer
PREVIOUSLY BEFORE COUNCIL	NIL
DISCLOSURE OF INTEREST	NIL

Nature of Council's Role in the Matter	Executive Legislative
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Purpose of Report

For Council approval to appoint Environmental Health Officer, Mr Linton Thomas as the Designated person to administer provisions of the Public Health Act 2016, The Health (Miscellaneous Provisions) Act 1911 and a range of other relevant Health Related Acts in the Shire of Goomalling.

Background

The new *Public Health Act 2016* was proclaimed in July 2016 and is to be implemented in 5 stages over a period of 3-5 years.

Stage 1 & 2 have been completed by the Department of Health and the Environmental Health Directorate (Department) is setting up stage 3 which will have impact on Local Governments. This will start on the 24th January 2017.

Comments and details

It involves confirming the appointment of the current Environmental Health Officer to be the designated person to administer the Public Health Act 2016 and the Health Act (Miscellaneous Provisions) Act 1911, which is the old Health Act of 1911, in the Shire of Goomalling.

The Health Act (Miscellaneous Provisions) Act 1911 and subsidiary legislation will continue to be the main enforcement tool for local government during stages 3 and 4.

In order to minimise the impact on local governments, Section 312 of the *Public Health Act 2016* includes a transitional provision. Under that section, persons who are currently appointed as EHO's will be deemed to be designated as authorised officers for the purpose of the *Public Health Act 2016*, the *Health Act 1911* and a range of other relevant Acts.

Implications to Consider

Legal and Statutory *Public Health Act 2016 and Health (Miscellaneous Provisions) Act 1911*

Voting Requirements **Simple Majority** YES

<p>8.1.3 OFFICER RECOMMENDATION</p> <p>Resolution: Moved Cr Ryan, seconded Cr Van Gelderen that Council confirms the appointment of Environmental Health Officer, Mr Linton Thomas as the designated person to administer provisions of the <i>Public Health Act 2016</i>, the <i>Health (Miscellaneous Provisions) Act 1911</i> and a range of other relevant health related Acts in the Shire of Goomalling.</p> <p style="text-align: right;">CARRIED BY ABSOLUTE MAJORITY 8/0</p>
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8.2 CHIEF EXECUTIVE OFFICER REPORT

Moved Cr Romero, seconded Cr Chester that the Chief Executive Officer Report be received.

CARRIED

8.3 COMMUNITY DEVELOPMENT OFFICER'S REPORT

8.3.1 PURCHASE OF WATER COOLERS

FILE REF	174
APPLICANT OR PROPONENT (S)	Shire of Goomalling
PREPARED BY	Jo Bywaters – Sport & Recreation Officer
APPROVED BY	Clem Kerp, Chief Executive Officer
PREVIOUSLY BEFORE COUNCIL	Wed 16 th Nov (Forum)
DISCLOSURE OF INTEREST	Nil

Nature of Council's Role in the Matter

Executive

Purpose of Report

To approve the purchase and installation of three (3) water coolers.

Background

Previously a water cooler was located at the tennis courts but had been taken away because of vandalism. Due to the recent construction of the BMX track, the request for readily available water has increased from the community. The Goomalling Bowling Club requested the Shire's permission to install a water cooler at their expense at the new Bowling Green however asked the Shire to research potential types. To reduce the attraction of the cooler near the Bowling Green, a third water cooler should be installed near the old pavilion for gym and oval users.

Comments and details

In accordance with the Shire of Goomalling's Disability Access Plan, at least one of the water coolers should be disability access friendly.

Implications to Consider

Water coolers tend to attract youth and can be the target of vandals. In considering the type of coolers, the material needs to be at least vandal resistant and tough enough to withstand any type of impact.

Policy Related

No related policies at current

Financial

BUDGET: (inc GST)

GOOMALLING
MINUTES OF ORDINARY MEETING OF COUNCIL
WEDNESDAY, 14 DECEMBER 2016



Water Coolers	\$4,407.00 (including one disability friendly)
Plumbing	\$3,014.00
Electrical	\$176.00 (Bowling club installation donated)
TOTAL	\$7,597.00 (Inc GST)

Legal and Statutory

Local Government Act 1995

Risk related

- Possible attraction for vandals

Voting Requirements

Absolute Majority YES

8.3.1 OFFICER RECOMMENDATION

Resolution

Moved Cr Romero, seconded Cr Chester that Council:

1. Council approves the purchase and installation of three (3) water coolers, including one that meets the disability access guidelines.

CARRIED BY ABSOLUTE MAJORITY 8/0

8.4 CHIEF EXECUTIVE OFFICER'S REPORT

Moved Cr Romero, seconded Cr Sheen that the Chief Executive Officer Report be received.

CARRIED

9. GENERAL BUSINESS

HARVESTING ON THE 27 DECEMBER 2016 AND THE HARVEST BAN ON SATURDAY 24 DECEMBER 2016 AND 31 DECEMBER 2016

Resolution

Moved Cr Bowen, seconded Cr Ryan that Council do not allow harvesting on the 27 December 2016. That the staff will be available to monitor and impose harvest ban if required on the 24 and 31 December 2016 only.

CARRIED BY ABSOLUTE MAJORITY 8/0



10. NOTICE OF MOTIONS FOR NEXT MEETING

11. DATE OF NEXT MEETING

The next meeting of the Goomalling Shire Council ordinary meeting be held in the Council Chamber, Administration Office, 32 Quinlan Street, Goomalling on Wednesday, 15 February 2017, commencing 1.00pm.

12. CLOSURE

There being no further business, the Shire President thanked everyone for their attendance and declared the meeting closed at 2.56 pm.