

Shire of Goomalling



**CONFIRMED
COUNCIL
MEETING
MINUTES**

May 2018





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. 4 of 2018 of the Shire of Goomalling Council to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Wednesday, 16 May 2018 beginning at 1.06pm.

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 Christine Barratt
	Councillor	Cr Raymond Bowen
	Councillor	Cr Julie Chester
	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

1.3. Announcements

- Cr Chester attended Anzac Service at 11.00 am
- Cr Chester attended Avon Tourism meeting 8.5.2018
- Cr Chester attended Mortlock Sports Council meeting 9.5.2018
- Cr Van Gelderen, Cr Haywood, Cr Chester & Cr Barratt attended the Wheatbelt Development Commission with the Minister Alannah MacTiernan
- Cr Ryan attended Anzac Service at 5.45 am
- Cr Ryan attended the LEMAC meeting
- Cr Van Gelderen, Cr Ryan, Cr Chester, Cr Sheen, Cr Bowen, Cr Barratt and Cr Haywood attended the two meetings for the selection of the new CEO
- Cr Bowen attended the Jennacubbine Progress Association
- Cr Bowen attended the Jennacubbine Anzac Service
- Cr Haywood, Cr Chester attended the joint meeting with Shire of Dowerin and the Shire of Goomalling Medical Surgery Advisory Committee
- Cr Haywood attended both Anzac Day Services



Moved Cr Chester, seconded Cr Ryan that announcements be received.

CARRIED

2. MINUTES

2.1. Ordinary Council Meeting held 18 April 2018

Resolution

Moved Cr Bowen, seconded Cr Van Gelderen that the minutes of the Goomalling Shire Council ordinary meeting held on Wednesday, 18 April 2018 be confirmed as true and correct record of proceedings.

CARRIED

2.2. Receiving of the Annual General Meeting of Electors held 16 March 2018

Resolution

Moved Cr Ryan, seconded Cr Barratt that the minutes of the Goomalling Shire Council Annual General Meeting of Electors held on Monday, 16 March 2018 be received.

CARRIED

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

Nil

5. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

6. PETITIONS & MEMORIALS

Nil

7. REPORTS & MINUTES OF COMMITTEES

Resolution

Moved Cr Barratt, seconded Cr Bowen that the Finance Report for April 2018 be received.

CARRIED



7.1. FINANCE REPORT

7.1.1. Financial Statements for Period ending 30 April 2018

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 19 April to 16 May 2018
2. Financial Statements for period ending 30 April 2018

Nature of Council's Role in the Matter

Executive
Legislative
Review

Purpose of Report

To endorse payment schedule for 19 April to 16 May 2018 and receive Financial Statements for period ending 30 April 2018, 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 statements of financial activity for the period ending 30 April 2018, financial statements and list of accounts paid for the period ending 30 April 2018, are hereby presented for Council's Information.

Comments and details

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

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7.1.1 RESOLUTION

Moved Cr Barratt, seconded Cr Bowen that Council:

1. endorse the list of payments

a. EFT1338 to EFT1349	\$ 13,259.53
b. 13814 to 13874	\$198,226.05
c. PR5653 to PR5678	\$ 33,150.00
d. DD10998 & DD11024	\$ 17,279.73
e. 8192 to 8201	\$ 39,008.30
f. 13875 to 13899	\$107,282.27

Totalling \$408,205.88 for the period 19 April 2018 to 16 May 2018

2. receive the financial statements for the period ending 30 April 2018

CARRIED

7.2 Request to Write off Rates on A1318

FILE REF	File 142.3 Rates – Write off
APPLICANT OR PROPONENT (S)	Shire of Goomalling
PREPARED BY	Trudi Manera, Finance/Rates Officer
APPROVED BY	Clem Kerp, Chief Executive Officer
PREVIOUSLY BEFORE COUNCIL	No
DISCLOSURE OF INTEREST	Nil

Purpose of Report

Council is requested to write-off of the rate and penalty interest by absolute majority as per Section 6.12 of the Local Government Act 1995.

Background

In April 2016 two (2) advices of sale were received via Landgate requesting all but one (1) location, being Avon Loc 26285 a small land area measuring 2.2 Hectares, of A373 to be sold to two (2) separate parties. The transfer was effected by subdividing the original A373 into 3 new assessments being A1318, A1319 and A1320 with new valuations for them sought and received from Landgate.

The remaining Avon location 26285 (A1318) was recorded in the name of the original landholder. Subsequently minimum rates were raised in July 2016 but they remained unpaid.

When contacted, the original landholder advised that all the locations of the original parcel in A373 were sold hence they no longer had any landholdings in the Shire of Goomalling.

The original paperwork was revisited and a call was made to the landholder's settlement agent, WA Property Lawyers, who confirmed that all locations should have been transferred in the sale and that they had made an error by omitting Loc 26285 from the Advice of Sale document.

An amalgamation of A1318 and A1320 was then sought to combine the landholdings into the one (1) assessment A1348 as was originally intended. A new valuation was issued via Landgate and rates were raised to reflect this change.

Therefore, the amount of rates outstanding in A1318 (Avon Location 26285) require writing off as they have been raised in A1348 and were paid in November 2017.

The outstanding balance is \$1007.99 and is made up of the following:

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Rates Arrears 16/17	\$1003.50
Penalty interest	\$ 4.49
Total for Write off	\$1007.99

Implications to consider

Strategic

This matter will not have any impact on the strategies of the Shire of Goomalling.

Legal and Statutory Environment

Council is bound by the *Local Government Act 1995* as follows:

Section 6.12 of the Local Government Act 1995

6.12. *Power to defer, grant discounts, waive or write off debts*

- (1) *Subject to subsection (2) and any other written law, a local government may —*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money,*
 - (d) *which is owed to the local government.*

* By absolute majority

Risk related

Nil

Policy Implications

Nil

Financial Implications

The result of the write off will be a reduction of income as follows:

- Reduction of rates arrears income by \$1003.50
- Reduction in penalty interest arrears of \$4.49.

The definition of an asset requires a future economic benefit, and, given these rates were raised in error, the account is neither valid nor recoverable hence there is no future economic benefit. As such it would be incorrect to continue reporting this amount as an asset, hence the balance sheet will be affected as follows:

- Reduction in the asset "Receivables Rates" of \$1007.99

Strategic Implications

Nil

Voting Requirements Absolute majority

7.2 RESOLUTION

Moved Cr Ryan, seconded Cr Sheen that Council approves the write-off of rates and penalty interest to the value of \$1007.99 on A1318 as per Section 6.12 of the Local Government Act 1995.

CARRIED BY ABSOLUTE MAJORITY 7/0



7.3 Finance/Audit Committee Meeting

Resolution

Moved Cr Barratt, seconded Cr Bowen that the minutes for Finance/Audit Committee Meeting held Wednesday, 16 May 2018 be received.

CARRIED



8.1.2 AFFIXING COMMON SEAL TO PEPPERCORN LEASE BETWEEN SHIRE OF GOOMALLING AND MORTLOCK SPORTS COUNCIL

FILE REF	174-7
APPLICANT OR PROPONENT (S)	Shire of Goomalling
PREPARED BY	Clem Kerp, Chief Executive Officer
APPROVED BY	Clem Kerp, Chief Executive Officer
PREVIOUSLY BEFORE COUNCIL	Yes
DISCLOSURE OF INTEREST	NIL

APPENDICES **No. 4 - MSC Lease**

Nature of Council's Role in the Matter

Executive
Legislative

Purpose of Report

To endorse the affixing of the Common Seal of the Goomalling Shire Council to the Lease Agreement between the Shire of Goomalling and the Mortlock Sports Council at Goomalling Sport & Community Centre at the Goomalling Recreation Grounds.

Background

Since Mortlock Sports Council (MSC) commenced utilisation of the Goomalling Sport & Community Centre (GSCC) in 2015, discussions have been ongoing between MSC and the Shire of Goomalling to agree on the conditions of the lease.

Mortlock Sports Council have contributed \$10,000 to the installation of solar panels at the Goomalling Sport & Community Centre in 2017, and it was agreed that the Shire of Goomalling pay all electricity charges.

The lease documents have now been signed by both parties, therefore, the common seal can be affixed to finalise the lease.

Comments and details

It is my recommendation that Council endorse the affixing of the Common Seal to finalise the lease.

Implications to Consider

Consultative

Between Council and the association.

Strategic

To provide active and passive community facilities and services as per section S3.1 of Council's Community Strategic Plan

Policy Related

Not affected by any Council Policy.

Financial

Council supplying power and peppercorn rental to the local association.

Legal and Statutory

Local Government Act 1995

Risk

Nil



Voting Requirements
Absolute Majority YES

8.1.2 RESOLUTION

Moved Cr Bowen, seconded Cr Barratt that Council authorise the affixing of the Common Seal to the Lease document to finalise signing of the agreement between the Mortlock Sports Council and the Shire of Goomalling.

CARRIED BY ABSOLUTE MAJORITY 7/0

8.1.3 COUNCIL APPROVING THE BUDGET EXPENDITURE OF RAISING THE LOAN FOR \$200,000 FOR THE AGED HOUSING PROJECT IN WOLLYAM STREET GOOMALLING

8.1.3 RESOLUTION

Moved Cr Van Gelderen, seconded Cr Sheen that whereas Council had included the raising of the \$200,000 Loan through Bendigo Bank in its 2017/2018 Budget Adoption, Council hereby resolved to raise that mentioned loan amount repayable over ten (10) years at variable interest rate through Bendigo Bank to put towards Council's construction of its new Aged Housing Project in Wollyam Street Goomalling.

CARRIED BY ABSOLUTE MAJORITY 7/0

9. NOTICE OF MOTIONS FOR NEXT MEETING

Nil

10. 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, 20 June 2018, commencing 1.00pm.

11. CLOSURE

There being no further business the Shire President thanked everyone for their attendance and declared the meeting closed at 1.46pm.