

Shire of Goomalling



COUNCIL MINUTES CONFIRMED

September 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. 8 of 2019 of the Shire of Goomalling Council to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Wednesday, 18 September 2019 beginning at 2.25pm.

1. DECLARATION OF OPENING & ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting opened at 2.25 pm

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

2.1. Attendance

Council	President & Chairperson	Cr Barry Haywood
	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
Observer	Mrs Shirley Lalley	

2.2. Apologies

Nil

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 21 August 2019

101. RESOLUTION

Moved Cr Van Gelderen, seconded Cr Chester

**that the minutes of the Ordinary Meeting of Council held on
Wednesday 21 August 2019 be confirmed as a true and correct record
of proceedings.**

**CARRIED 7/0
By Simple Majority**

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

- Cr Chester and the CEO attended the AROC meeting 2 September 2019 in Toodyay
- Cr Chester, Cr Haywood and the CEO and DCEO attended the medical surgery meeting on Tuesday 10 September 2019
- Cr Van Gelderen and Cr Haywood attended the Road Safety Meeting in Northam 28 August 2019
- Cr Haywood attended meeting in Northam with MRD 23 August 2019

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS



9. OFFICERS' REPORTS

9.1 SCHEDULE OF ACCOUNTS PAID 1 AUGUST TO 31 AUGUST 2019

DATE:	10 September 2019
SUBJECT:	Schedule of Accounts Paid
PROPONENT:	N/A
LOCATION:	Whole of the Shire
AUTHOR:	Christine Schorer – Accounts Payable
REPORTING OFFICER:	Natalie Bird – Finance Manager
FILE NO:	N/A
ASSESSMENT NO:	N/A

FUND VOUCHERS AMOUNT

EFT 1452 – 1521	\$316,809.59
Cheques 14974 – 14998	\$30,573.21
Direct Debits 8334 – 8342	\$30,603.40
Payroll 6127, 6135	\$91,130.00
Super 11970, 11947	\$15,269.42

ATTACHMENTS

Schedule of Accounts Paid August 2019
 Corporate Credit Card Statements July 2019

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

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

EFT 1452 – 1521	\$316,809.59
Cheques 14974 – 14998	\$30,573.21
Direct Debits 8334 – 8342	\$30,603.40
Payroll 6127, 6135	\$91,130.00
Super 11970, 11947	\$15,269.42
TOTAL	\$484,385.62



102. RESOLUTION (Officer Recommendation)

Moved Cr Barratt, seconded Cr Chester

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

EFT 1452 – 1521	\$316,809.59
Cheques 14974 – 14998	\$30,573.21
Direct Debits 8334 – 8342	\$30,603.40
Payroll 6127, 6135	\$91,130.00
Super 11970, 11947	\$15,269.42
TOTAL	\$484,385.62

**CARRIED 7/0
By Simple Majority**



9.2 FINANCIAL REPORT FOR JULY 2019

DATE:	10 September 2019
SUBJECT:	Monthly Financial Report
PROPONENT:	N/A
LOCATION:	Whole of the Shire
AUTHOR:	Natalie Bird – Finance Manager
REPORTING OFFICER:	Natalie Bird – Finance Manager
FILE NO:	N/A
ASSESSMENT NO:	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

Monthly Financial Report to 31 July 2019

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That the following Monthly Financial Report be received by Council:

- Monthly Financial Report to 31 July 2019

103. RESOLUTION

Moved Cr Ryan, seconded Cr Van Gelderen

That the following Monthly Financial Report be received by Council:

- **Monthly Financial Report to 31 July 2019**

**CARRIED 7/0
By Simple Majority**



9.3 TENDER – SWIMMING POOL MANAGEMENT – 3 YEAR CONTRACT

DATE:	10 September 2019
PROPONENT:	N/A
LOCATION:	Shire of Goomalling
SUBJECT:	Contract Pool Management Tender
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	167-2
ASSESSMENT NO:	N/A

PURPOSE

To consider two tender submissions for the provision of management services to the Goomalling Swimming Pool.

BACKGROUND

Council's Swimming Pool Manager recently retired and Council has requested tenders for the provision of management services for a period of three years. While the position was historically a staff position the option to enter into a fixed term contract was a way to lock in a medium term service. With the three year term this would give Council some certainty over that time.

The tender was advertised with a closing date of 2 September 2019 in the West Australian on Saturday 17 August 2019. Two tenders were received from Contract Aquatic Services and Brock Hargreaves Tieland.

STATUTORY IMPLICATIONS

Local Government Act (1995)

3.57. [Tenders for providing goods or services](#)

- (1) **A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.**
- (2) **Regulations may make provision about tenders.**

Functions & General Regulations (1996)

Part 4 – Provision of goods and services

[Heading inserted: Gazette 2 Feb 2007 p. 244.]

Division 1 – Purchasing policies

[Heading inserted: Gazette 2 Feb 2007 p. 244.]

11A. [Purchasing policies for local governments](#)

- (1) A local government is to prepare or adopt, and is to implement, a purchasing policy in relation to contracts for other persons to supply goods or services where the consideration under the contract is, or is expected to be, \$150 000 or less or worth \$150 000 or less.



- (2) A purchasing policy is to make provision for and in respect of the policy to be followed by the local government for, and in respect of, entering into contracts referred to in subregulation (1).
- (3) A purchasing policy must make provision in respect of —
 - (a) the form of quotations acceptable; and
 - (ba) the minimum number of oral quotations and written quotations that must be obtained; and
 - (b) the recording and retention of written information, or documents, in respect of —
 - (i) all quotations received; and
 - (ii) all purchases made.

Division 2 — Tenders for providing goods or services (s. 3.57)

11. **When tenders have to be publicly invited**

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.

14. **Publicly inviting tenders, requirements for**

- (1) When regulation 11(1), 12(2) or 13 requires tenders to be publicly invited, Statewide public notice of the invitation is to be given.
- (2a) If a local government —
 - (a) is required to invite a tender; or
 - (b) not being required to invite a tender, decides to invite a tender, the local government must, before tenders are publicly invited, determine in writing the criteria for deciding which tender should be accepted.
- (3) The notice, whether under subregulation (1) or (2), is required to include —
 - (a) a brief description of the goods or services required; and
 - (b) particulars identifying a person from whom more detailed information as to tendering may be obtained; and
 - (c) information as to where and how tenders may be submitted; and
 - (d) the date and time after which tenders cannot be submitted.
- (4) In subregulation (3)(b) a reference to detailed information includes a reference to —
 - (a) such information as the local government decides should be disclosed to those interested in submitting a tender; and
 - (b) detailed specifications of the goods or services required; and
 - (c) the criteria for deciding which tender should be accepted; and
 - (d) whether the local government has decided to submit a tender.



- (5) After a notice has been given under subregulation (1) or (2), a local government may vary the information referred to in subregulation (3) by taking reasonable steps to give each person who has sought copies of the tender documents or each acceptable tenderer, as the case may be, notice of the variation.

[Regulation 14 amended: Gazette 29 Jun 2001 p. 3130; 18 Sep 2015 p. 3806.]

15. Minimum time to be allowed for submitting tenders

- (1) If a notice under regulation 14(1) is given, the date and time referred to in regulation 14(3)(d) has to be at least 14 days after the notice is first published in the newspaper circulating generally throughout the State.
- (2) If a notice under regulation 14(2) is given to a person listed as an acceptable tenderer, the date and time referred to in regulation 14(3)(d) has to be at least 14 days after the notice is given.

16. Receiving and opening tenders, procedure for

- (1) The CEO is responsible for keeping any tender submitted including a tender submitted by facsimile or other electronic means in safe custody, and for ensuring that it remains confidential.
- (2) Tenders are not to be opened, examined, or assessed until the time after which further tenders cannot be submitted.
- (3) When tenders are opened —
- (a) there must be present —
- (i) at least 2 employees of the local government; or
- (ii) one employee of the local government and at least one person authorised by the CEO to open tenders;
- and
- (b) members of the public are entitled to be present; and
- (c) details of the tenders (other than the consideration sought in the tender) are to be immediately recorded in a register to be known as the tenders register.

17. Tenders register

- (1) The CEO is responsible for keeping the tenders register and making it available for public inspection.
- (2) The tenders register is to include, for each invitation to tender —
- (a) a brief description of the goods or services required; and
- (b) *deleted*
- (c) particulars of —
- (i) any notice by which expressions of interests from prospective tenderers was sought; and



- (ii) any person who submitted an expression of interest; and
 - (iii) any list of acceptable tenderers that was prepared under regulation 23(4);
- and
- (d) a copy of the notice of the invitation to tender; and
 - (e) the name of each tenderer whose tender has been opened; and
 - (f) the name of any successful tenderer.
- (3) The tenders register is to include for each invitation to tender the amount of the consideration or a summary of the amount of the consideration sought in the tender accepted by the local government.

18. Rejecting and accepting tenders

- (1) A tender is required to be rejected unless it is submitted at a place, and within the time, specified in the invitation for tenders.
- (2) A tender that is submitted at a place, and within the time, specified in the invitation for tenders but that fails to comply with any other requirement specified in the invitation may be rejected without considering the merits of the tender.
- (3) If, under regulation 23(4), the CEO has prepared a list of acceptable tenderers for the supply of goods or services, a tender submitted by a person who is not listed as an acceptable tenderer is to be rejected.
- (4) Tenders that have not been rejected under subregulation (1), (2), or (3) are to be assessed by the local government by means of a written evaluation of the extent to which each tender satisfies the criteria for deciding which tender to accept and it is to decide which of them (if any) it thinks it would be most advantageous to the local government to accept.
- (4a) To assist the local government in deciding which tender would be the most advantageous to it to accept, a tenderer may be requested to clarify the information provided in the tender.
- (5) The local government may decline to accept any tender.
- (6) If a local government has accepted a tender but acceptance of the tender does not create a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree not to enter into a contract in relation to the tender, the local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.
- (7) If a local government has accepted a tender and acceptance of the tender creates a contract and within 6 months of the day on which the tender was accepted the local government and the successful tenderer agree to terminate the contract, the



local government may accept from the other tenders the tender which it thinks it would be most advantageous to the local government to accept.

19. **Tenderers to be notified of outcome**

The CEO is to give each tenderer notice in writing containing particulars of the successful tender or advising that no tender was accepted.

[Regulation 19 amended: Gazette 29 Jun 2001 p. 3132.]

20. **Variation of requirements before entry into contract**

(1) If, after it has invited tenders for the supply of goods or services and chosen a successful tenderer but before it has entered into a contract for the supply of the goods or services required, the local government wishes to make a minor variation in the goods or services required, it may, without again inviting tenders, enter into a contract with the chosen tenderer for the supply of the varied requirement subject to such variations in the tender as may be agreed with the tenderer.

(2) If —

- (a) the chosen tenderer is unable or unwilling to enter into a contract to supply the varied requirement; or
- (b) the local government and the chosen tenderer cannot agree on any other variation to be included in the contract as a result of the varied requirement,

that tenderer ceases to be the chosen tenderer and the local government may, instead of again inviting tenders, choose the tenderer, if any, whose tender the local government considered it would be the next most advantageous to it to accept.

(3) In subregulation (1) —

minor variation means a variation that the local government is satisfied is minor having regard to the total goods or services that tenderers were invited to supply.

21A. **Varying a contract for the supply of goods or services**

If a local government has entered into a contract for the supply of goods or services with a successful tenderer, the contract must not be varied unless —

- (a) the variation is necessary in order for the goods or services to be supplied and does not change the scope of the contract; or
- (b) the variation is a renewal or extension of the term of the contract as described in regulation 11(2)(j).

[Regulation 21A inserted: Gazette 18 Sep 2015 p. 3807.]



POLICY IMPLICATIONS

Title:	1.3.1 Purchasing Policy
Previous No:	
File No:	
Statutory Environment:	Local Government (Functions and General) Regulations as amended
Minute No:	
Last Updated:	March 2016
Review Date:	June 2019

Objectives:

To provide compliance with the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996 as amended.

To deliver a best practice approach and procedures for purchasing for the Shire of Goomalling.

To ensure consistency for all purchasing activities within the Shire of Goomalling operational areas.

Policy:

Amount of Purchase	Policy
Up to \$2,000	Direct purchase from suppliers requiring verbal quotation(s).
\$2,000 - \$19,999	Where practical, obtain at least two verbal or written quotations.
\$20,000 - \$149,999	Where practical, obtain at least two written quotations containing price and specification of goods and services (with procurement decision based on all value for money considerations).
\$150,000 and above	Conduct a public tender process.

Condition:

The above purchasing policy is to be used in conjunction with the “*Shire of Goomalling Purchasing and Tender Guide*” and the “*Buy Local Policy*”.

FINANCIAL IMPLICATIONS

The value of the contract over the three year duration is in the vicinity of \$225,000 and as such is captured by the tender threshold.

STRATEGIC IMPLICATIONS

The Community Strategic Plan does not deal with this matter specifically.



COMMENT

Council received two tenders for the provision of pool management services, one tender included most of the extras requested and is approximately \$1,200 more expensive per year than the other. The effect is negligible as when the extra time is factored in from the other tenderer the overall costs are similar.

The main differences between the two contractors is that one is a medium sized operation providing services to a number of local governments throughout the Wheatbelt where the other is a sole trader who has the required qualifications to operate as either an employee or contractor. In this case he has applied as a contractor.

	Contract Aquatic Services	Brock Hargreaves -Tieland	
CONTRACT AQUATIC SERVICES			
12.00pm - 7.00pm Wednesday to Monday	66000		8 hour swim day rather than
Includes:			6 hour current timeframe
Includes 5 Community Events			
Startup at no cost			
Shutdown at no cost			
Community Swim Challenges			
Compliance works/tasks			
Annual Report			
Free consultation with principal			
Maint of Equipment			
Maint of Buildings			
EXTRAS;			
Morning Laps	7260		22 weeks x 1 hr x 6 DAYS x \$55
Swimming Carnival	220		Say 4 Extra Hours
Vac Swim	1735		4.5 Hrs x 7days x \$55
Fortnightly off season visits	5005		13 x \$350
BROCK HARGREAVES - TIELAND			
1.30pm - 6.30pm Wednesday to Monday		78000	As per current operating hours
Includes;			6 hours incl morning
Morning Lap Swimmers		0	Included
Swimming Carnival		0	Included
Vac Swim		0	Included
Maint of Equipment			
Maint of Buildings			
Startup at no cost			
Shutdown at no cost			
Community Swim Challenges			
Off season site visits		0	Included in total price
EXTRAS;			
TOTAL COST PER ANNUM	79815	78000	GST Incl
EXCLUDES:			
Christmas Day			
Boxing Day			
New Years Day			
Good Friday if Applicable			



The above table shows the costings as per the provided documentation, as best as can be determined, on a like for like basis. One contractor is working to the current opening hours regime whereas the other is proposing an increase in the total hours. The current opening hours are 1.30pm to 6.30pm and 6.30am to 7.30am for morning lap swimmers Wednesday to Monday however Contract Aquatic Services is tendering on 12.00pm to 7.00pm but is not covering the lap swimming in the morning. This becomes an extra cost at \$55.00 per hour per day.

Likewise, the CAS tender does not cover times prior to normal opening hours that would relate to swimming carnivals and vacswim classes. These hours are also chargeable at \$55.00 per hour. These costs are included in the annual cost in the other tender.

In total the two tenders vary by only a small amount, the total for CAS being \$79,815 and the total for Brock Hargreaves-Tieland being \$78,000. The primary difference relates to inclusions as opposed to extras and that the CAS tender provides for approximately 45 hours annually of extra swimming time throughout the year. The difference apart from this relates to the size of the organisation and the resources of CAS being potentially greater.

CAS have a number of Council pools under administration whereas Brock Hargreaves-Tieland has generally worked as a relief pool manager. Brock has relieved Nola Chattaway during absences in the past and to my knowledge has been well received. Likewise CAS have a good reputation throughout the Wheatbelt. The CAS tender is a more detailed document however both tenders provide the basic information requested within the tender document. Both contractors were somewhat weak in the responses to the OSH questions that are in the tender specification however, both have provided sufficient information to demonstrate an understanding of OSH principles and requirements for Council to be comfortable with their knowledge.

ATTACHMENTS

Copies of each tender are attached.

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

That the Council:

Appoint _____ as the contractor for management of the Goomalling Swimming Pool for the period of three years commencing 1 October 2019 to 30 September 2022 as per the tender submitted.

104. RESOLUTION

Moved Cr Ryan, seconded Cr Van Gelderen

That the Council:

Appoint Brock Hargreaves-Tieland as the contractor for management of the Goomalling Swimming Pool for the period of three years commencing 1 October 2019 to 30 September 2022 as per the tender submitted.

CARRIED 7/0
By Absolute 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

105. RESOLUTION

Moved Cr Van Gelderen and Seconded Cr Bowen that Council agree to discuss the urgent business

CARRIED 7/0

**11.1 APPLICATION FOR DEVELOPMENT APPROVAL (PLANNING CONSENT) – SHED –
Lot 79 (No. 39) BROOKSBANK ROAD, CUNJARDINE**

DATE:	17 September 2019
SUBJECT:	Proposed Shed
PROPONENT:	B D Forward / Wheatbelt Steel
LOCATION:	Lot 79 (No. 39) Brooksbank Road, Cunjardine
AUTHOR:	Hugo de Vos – Contract Planner
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	N/A
ASSESSMENT NO:	A652

PURPOSE

To consider a proposal to construct a farm shed at Lot 79 (No. 39) Brooksbank Road in Cunjardine.

BACKGROUND

Lot 79 (No. 39) Brooksbank Road in Cunjardine, is 263.175 hectares in area and is zoned Rural 3 under the Shire of Goomalling Local Planning Scheme No. 3.

The proposal is to erect a farm shed measuring 30m x 18m. The farm shed is to be located on the same site as a previous shed lost to fire. For more details please see the attached plans and map.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

There is no specific policy relating to this matter.

FINANCIAL IMPLICATIONS

Planning fee of \$382.27 to be paid by applicant.

STRATEGIC IMPLICATIONS

Nil



ATTACHMENTS

A copy the plans supplied by the applicant and an aerial map is attached.

OFFICER COMMENT

The application for a planning consent is required because the objectives listed in the Shire of Goomalling Local Planning Scheme No. 3 state:

3.5.6 Rural 3 Zone – General Farming

(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 amenity of the adjoining properties.

In this instance, the proposed structure is not considered to be intrusive as it comfortably meets the prescribed building setbacks for this zone. It is also seen as being fit for purpose, given the rural land use on the property.

With regards to the proposed development, it is recommended that it be approved subject to conditions.

VOTING REQUIREMENT

Simple Majority.

RECOMMENDATION

That the Council:

Grant Planning Consent to Wheatbelt Steel on behalf of B. D. Forward to construct a shed at Lot 79 (No. 39) Brooksbank Road in Cunjardine, 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.
3. The shed shall not be used for human habitation.

106. RESOLUTION (Officer Recommendation)

Moved Cr Ryan, seconded Cr Van Gelderen

That the Council:

Grant Planning Consent to Wheatbelt Steel on behalf of B. D. Forward to construct a shed at Lot 79 (No. 39) Brooksbank Road in Cunjardine, 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.
3. The shed shall not be used for human habitation.

CARRIED 7/0
By Simple Majority

**11.2 PLANNING CONSENT – SWIMMING POOL – 1900 GOOMALLING TOODYAY ROAD
WONGAMINE**

DATE:	17 September 2019
SUBJECT:	Swimming Pool
PROPONENT:	Mark Bowen
LOCATION:	1900 Goomalling Toodyay Road, Wongamine
AUTHOR:	Hugo de Vos – Contract Planner
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	N/A
ASSESSMENT NO:	A1335

PURPOSE

To consider a proposal to construct a swimming pool at 1900 Goomalling Toodyay Road, Wongamine.

BACKGROUND

This development occurs adjacent to the existing house and is consistent with the scheme objects in this area and is zoned Rural 3 – General farming under the Shire of Goomalling Local Planning Scheme No. 3.

The proposal is for a new pool.

STATUTORY IMPLICATIONS

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

POLICY IMPLICATIONS

There is no specific policy relating to this matter.

FINANCIAL IMPLICATIONS

Planning fee of \$147.00 to be paid by applicant.



STRATEGIC IMPLICATIONS

Nil

ATTACHMENTS

A copy the plan supplied by the applicant and an aerial map is attached.

OFFICER COMMENT

The application for a planning consent is required because it does not meet the requirement 61(1)(d) of the deemed provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* which states that development approval is not required for swimming pools on the same lot as a single dwelling if the R-Codes apply to the development and the development satisfies the deemed-to-comply requirements of the R-Codes. On this note it is recommended that Council consider initiating a basic scheme amendment in the future to allow a similar exemption for swimming pools but does not only limit to R-Coded properties.

With regards to the proposed development, it is recommended that it be approved subject to conditions.

VOTING REQUIREMENT

Simple Majority.

RECOMMENDATION

That the Council:

Grant Planning Consent to Mr Mark Bowen to build a new swimming pool at 1900 Goomalling Toodyay Road, Wongamine - subject to the following conditions:

1. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.
2. The proponents must comply with any standards or regulations that apply to the pursuit set down by other jurisdictions;
3. This application is valid for a period of two years and the project must be substantially completed within that timeframe otherwise a further application must be made.

107. RESOLUTION (Officer Recommendation)

Moved Cr Ryan, seconded Cr Barratt

That the Council:



Grant Planning Consent to Mr Mark Bowen to build a new swimming pool at 1900 Goomalling Toodyay Road, Wongamine - subject to the following conditions:

- 1. Development shall be carried out only in accordance with the terms of the application as approved herein and any approved plan.**
- 2. The proponents must comply with any standards or regulations that apply to the pursuit set down by other jurisdictions;**
- 3. This application is valid for a period of two years and the project must be substantially completed within that timeframe otherwise a further application must be made.**

CARRIED 7/0
By Simple Majority

12. INFORMATION BULLETIN

108. RESOLUTION (Officer Recommendation)

Moved Cr Bowen, seconded Cr Chester

That the Information Bulletin be received.

CARRIED 7/0
By Simple Majority

Peter, Dave and Nat left at 3.17 pm

13. MATTERS BEHIND CLOSED DOORS

109. RESOLUTION

Moved Cr Barratt, seconded Cr Chester

That 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.**

CARRIED 7/0
By Simple Majority



13.1 CONFIDENTIAL – CEO PERFORMANCE REVIEW

DATE:	10 September 2019
PROPONENT:	N/A
LOCATION:	Shire of Goomalling
SUBJECT:	CEO Performance Review
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	PERSONNEL
ASSESSMENT NO:	N/A

110. RESOLUTION

Moved Cr Barratt, seconded Cr van Gelderen

That the Council:

1. Advise the CEO that his performance over the past 12 months has been rated overall as Very Good by the Council and at an acceptable level;
2. Advise the CEO that with regard to his request to keep any increases to his reward package at the same percentage of the general staff increases, Council has determined that his reward package increase will be 2.5% from the next pay period;
3. Advise the CEO that the Council recognises the sparse financial resources available with regard to the setting of future KPI's and that the following KPI's will be the basis of his next performance review;
 - Revised Delegations Register
 - Completion of the housing strategy and the public buildings strategy
 - Wholesale review of the Policy Manual
 - A review of some aspect of the Town Planning Scheme
 - Review of the Long Term Financial Plan
 - Review of the Community Strategic Plan
 - Incorporation of the Corporate Business plan into a 5 year budget
 - Completion of the loan renegotiation
 - Improvements to Councils Building Maintenance
 - Improvements to plant replacement strategies.
 - As well as the generic KPI's from the previous year.

CARRIED 7/0
By Absolute Majority



111. RESOLUTION

Moved Cr Barratt, seconded Cr Chester

That Council re-open the meeting to the public.

**CARRIED 7/0
By Simple Majority**

14. MEETING CLOSURE

The meeting was declared closed at 3.49 pm