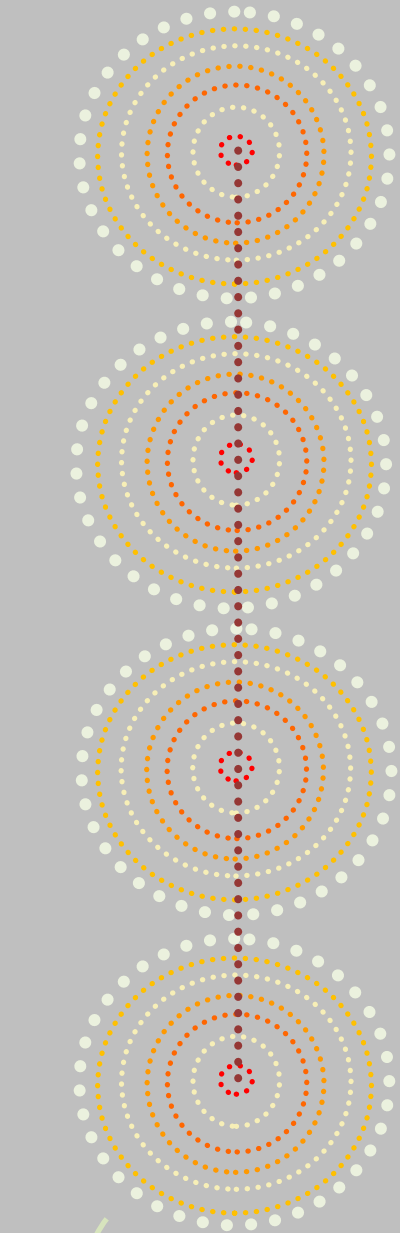


Shire of Goomalling



**COUNCIL
MEETING
MINUTES**

November 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. 10 of 2019 of the Shire of Goomalling Council to be held in the Council Chambers, Administration Office, 32 Quinlan Street, Goomalling on Wednesday, 20 November 2019 beginning at 2:30pm.

1. DECLARATION OF OPENING & ANNOUNCEMENT OF VISITORS

The Shire President welcomed everyone and declared the meeting opened at 2.42 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 Casey Butt
	Councillor	Cr Julie Chester
	Councillor	Cr Rodney Sheen
	Councillor	Cr Brendon Wilkes
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

Nil

3. DECLARATION OF:

- FINANCIAL INTEREST
- MEMBERS IMPARTIALITY INTEREST
- PROXIMITY INTEREST

4. PUBLIC QUESTION TIME

Nil

5. APPLICATION FROM MEMBERS FOR LEAVE OF ABSENCE



6. CONFIRMATION AND RECEIVING OF MINUTES & BUSINESS ARISING

6.1 Ordinary Meeting of Council held Wednesday 16 October 2019

122. RESOLUTION

Moved Cr Van Gelderen, seconded Cr Barratt

that the minutes of the Ordinary Meeting of Council held on Wednesday 16 October 2019 be confirmed as a true and correct record of proceedings; with the following correction adding a mover and a seconder to resolution 121 Information Bulletin “Moved Cr Chester, seconded Cr Barratt “

**CARRIED 7/0
By Simple Majority**

6.2 Special Meeting of Council held Friday 25 October 2019

123. RESOLUTION

Moved Cr Van Gelderen, seconded Cr Chester

that the minutes of the Special Meeting of Council held on Friday 25 October 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

- Shire President and the CEO attended a meeting with CBH at the Konnongorring Bin on 12 November 2019
- Shire President, Works Manager, Finance Manager & CDO attended the LEMAC meeting Wednesday 13 November 2019
- Shire President, Cr Chester and the CEO attended a meeting with RDA Wheatbelt on Thursday 14 November 2019
- Cr Chester attended the Mortlock Sports Council Meeting on 13 November 2019

8. PETITIONS/DEPUTATIONS/PRESENTATIONS/SUBMISSIONS

Nil



9. OFFICERS' REPORTS

9.1 SCHEDULE OF ACCOUNTS PAID 1 OCTOBER TO 31 OCTOBER 2019

DATE:	12 November 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 1588-1665	\$259,714.84
Cheques 15019-15046	\$29,019.66
Direct Debits 8348-8355	\$350,314.53
Payroll 6166,6173	\$93,584.00
Super 12069, 12096	\$15,356.80

ATTACHMENTS

Schedule of Accounts Paid October 2019
 Corporate Credit Card Statements September 2019

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

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

EFT 1588-1665	\$259,714.84
Cheques 15019-15046	\$29,019.66
Direct Debits 8348-8355	\$350,314.53
Payroll 6166,6173	\$93,584.00
Super 12069, 12096	\$15,356.80
TOTAL	\$747,989.83



124. RESOLUTION (Officer recommendation)

Moved Cr Barratt, seconded Cr Van Gelderen

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

EFT 1588-1665	\$259,714.84
Cheques 15019-15046	\$29,019.66
Direct Debits 8348-8355	\$350,314.53
Payroll 6166,6173	\$93,584.00
Super 12069, 12096	\$15,356.80
TOTAL	\$747,989.83

CARRIED 7/0
By Simple Majority

9.2 FINANCIAL REPORT FOR SEPTEMBER 2019

DATE:	14 November 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 30 September 2019

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That the following Monthly Financial Report be received by Council:

- Monthly Financial Report to 30 September 2019

125. RESOLUTION (Officer Recommendation)

Moved Cr Van Gelderen, seconded Cr Sheen

That the following Monthly Financial Report be received by Council:

- **Monthly Financial Report to 30 September 2019**

**CARRIED 7/0
By Simple Majority**



9.3 WALGA STATE COUNCIL AGENDA ITEMS

DATE:	7 November 2019
PROPONENT:	WALGA
LOCATION:	Whole of Shire
SUBJECT:	State Council Agenda Matters for Decision
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	196
ASSESSMENT NO:	N/A

PURPOSE

To consider the following State Council Agenda Items;

- 5.1 2020-21 State Budget Submission
- 5.2 Interim Submission - Remote Area Tax Concessions
- 5.3 Mandatory Code of Conduct for Council Member, Committee Members and Candidates – Sector Feedback
- 5.4 Standards and Guidelines for CEO Recruitment and Selection, Performance Review and Termination – Sector Feedback
- 5.5 Local Government Financial Ratios
- 5.6 Local Government Audits
- 5.7 Review of State Council and Zone Structure and Processes – Working Group Report and Recommendations
- 5.8 Membership of Development Assessment Panels
- 5.9 Interim Submission - Draft State Planning Policy 3.6 – Infrastructure Contributions
- 5.10 Local Government as Collection Agency for Construction Training Fund
- 5.11 Interim Submission - Public Health Regulations Review Discussion Papers
- 5.12 Reforms to the Building Approval Process for Single Residential Buildings in Western Australia
- 5.13 Wheatbelt Regional Health Services
- 5.14 Interim Submission to the Climate Health WA Inquiry
- 5.15 Submission on the Climate Change in Western Australia Issues Paper
- 5.16 Interim Submission – Policy and Application Guidelines for Speed Zoning
- 5.17 Interim Submission - Response to the Select Committee on Northern Australia

BACKGROUND

The items listed are taken from the WALGA state Council Agenda and they will be matters for Councils representative, currently the Shire President, to vote on at the next zone meeting to be held next Friday in Dalwallinu.

The items listed have been through a comment period with Councils and are at varying stages of lobbying, comment or action. The requirement to formulate a voting position occurs prior to each State Council Meeting and does not always tie into a meeting cycle for Council.

STATUTORY IMPLICATIONS

Local Government Act (1995)



POLICY IMPLICATIONS

There is no specific Council policy regarding this matter directly.

There are a number of issues that indirectly relate to the Community Strategic Plan.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

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

COMMENT

Refer to the State Council Agenda for detailed comment

5.1 2020-21 State Budget Submission

WALGA puts forward a submission with regard to the State Budget each year and in this case has produced a document detailing the main issues that it wishes dealt with within the scope of the State Budget. Council would normally support this submission.

5.2 Interim Submission - Remote Area Tax Concessions

The CEO put forward a submission on Council's behalf to WALGA for discussion with the Productivity Commission in particular with regard to the withdrawal or halving of the FBT concession on remote area housing. This would have the potential of requiring a year on year increase of 1.5% to 5% in rates or alternatively charging higher rentals to staff or withdrawing services. With the difficulty in attracting well qualified staff from outside of the district that we currently experience, to increase these rates would increase the burden on already stretched resources to comply with various legislative requirements. Council should support the Submission.

5.3 Mandatory Code of Conduct for Council Member, Committee Members and Candidates – Sector Feedback

Recommendation That WALGA:

1. Request the Mandatory Code of Conduct Working Group be reconvened by the Department of Local Government, Sport and Cultural Industries;
2. Refer the following matters to the Working Group for further consideration:
 - (a) Part B – Behaviours
 - i. ensuring principles of natural justice can be adequately upheld in all circumstances;
 - ii. training opportunities that will assist Council Members determine complaint outcomes under Part B;
 - iii. development of a template Complaints Management Policy;
 - iv. reconsider the purpose of allowing 'any person' to make a complaint;
 - v. ensuring Committee Members and Candidates are included in Part B; and
 - vi. re-naming 'Rules' to an appropriate term throughout Part B.



- (b) Part C – Rules of Conduct
 - i. review the rationale for creating a new Rule of Conduct breach where three or more breaches of Part B – Behaviours are found and the Local Government resolves to refer the matter to the Local Government Standards Panel; and
 - ii. review the proposal to amend the definition of an ‘interest’ relating to Impartiality Interests from the present definition in Regulation 11 of the Local Government (Rules of Conduct) Regulations.
- 3. Recommend the Working Group develop an endorsed Mandatory Code of Conduct for further consultation with the Local Government sector.

Council would normally support WALGA’s position with regard to this recommendation. WALGA is seeking the reconvening of the working group to consider the above matters.

5.4 Standards and Guidelines for CEO Recruitment and Selection, Performance Review and Termination – Sector Feedback

Recommendation That WALGA:

1. Request the CEO Recruitment and Selection, Performance Review and Termination Working Group be reconvened by the Department of Local Government, Sport and Cultural Industries; and
2. Refer the following matters to the Working Group for consideration:
 - (a) Removal from the Model Standards the requirement to readvertise CEO positions after 10 years of continuous service;
 - (b) Encouraging, rather than mandating, the involvement of an independent person in the CEO Recruitment and Selection Process;
 - (c) Reconsideration of the proposal for independent review of the recruitment process;
 - (d) Support the role of the Department of Local Government, Sport and Cultural Industries as the regulator for monitoring and compliance; and
 - (e) Further investigate a role for a Local Government Commissioner.
2. Recommend the Working Group develop endorsed Model Standards for further consultation with the Local Government sector.

Again WALGA is seeking that the working group is reconvened to review the above matters with view to an outcome consistent with member expectations. Council would generally support this motion.

5.5 Local Government Financial Ratios

WALGA has commissioned Financial Consultant Ron Back to undertake a review of the financial ratios that are applied to Local Government through legislation. Ron is a well-respected financial consultant within the industry. Long has the industry believed



that the ratios and the methods of calculating some of them is flawed and delivers a result not consistent with the objectives of their use.

Mr Back has recommended some revised calculations and a revised set of ratios to provide the financial indicators for local government. As a financial data person I would welcome Mr Back's review of the ratios and support much of his work in this area.

My recommendation to Council would be to support this recommendation.

5.6 Local Government Audits

Recommendation That WALGA;

- 1) Write to the Office of the Auditor General (OAG) advising of the cost increases to the Local Government sector in respect to financial audits over the first 2 years of OAG audits and request constraint on audit cost increases in the future.
- 2) Write to the Minister for Local Government seeking formal commitment that Performance Audits carried out by the Office of the Auditor General are the responsibility of the State Government.

Council should support this motion. As explained within the item, OAG audits are priced significantly higher than the past industry norms and WALGA is lobbying for the OAG and the Department to be mindful of the significant extra costs and that the Department and OAG agree for performance audits to be paid for by either the Department or the OAG. It is estimated that Councils OAG costs this year could be as much as \$30,000 to \$40,000 or a full 2% of rate revenue up from a previous \$10,500 prior to OAG audits.

5.7 Review of State Council and Zone Structure and Processes – Working Group Report and Recommendations

Councillors should read the attached material and determine whether to support the proposed changes/recommendations regarding the WALGA State Council and Zones structure.

5.8 Membership of Development Assessment Panels

Recommendation:

That WALGA advocate to the Minister for Planning, that the composition of Development Assessment Panels (DAPs) be modified to provide equal representation of technical advice and local knowledge, in accordance with the original objectives of the DAP system to enhance the decision-making process by improving the balance of experts.

Council should support this motion given that all of Local Government has been lobbying for such a change since the inception of the DAP (Development Assessment Panel) model.



5.9 Interim Submission - Draft State Planning Policy 3.6 – Infrastructure Contributions

The State Planning Policy deals with developer contributions to the required infrastructure where that developer creates a demand for infrastructure. This means that where a developer may create say a 500 homesite subdivision, he or she creates a demand for other services that the Local Government would need to provide. Community centres, pools, ovals, parks, libraries and the like would then need to be funded directly and solely by the local government. This is not a desired outcome. WALGA is advocating that this change does not take place.

Councillors should read the agenda item for further information.

5.10 Local Government as Collection Agency for Construction Training Fund

In Brief

- The Construction Training Fund (CTF) has recently established a secure on line portal for payments of the Building and Construction Industry Training Fund (BCITF).
- WALGA has sought member's views on whether Local Government should continue to be the collection agency for the Construction Training Fund.
- The responses indicate that the administrative burden is onerous, fees received do not achieve cost recovery, therefore, the processing of CTF payments by Local Government should not continue.

A small commission is received through these collections but does not recover the cost of collection and processing. Council should support this recommendation.

5.11 Interim Submission - Public Health Regulations Review Discussion Papers

Significant sector consultation has taken place over the past 3 years with regard to the new public health provisions and WALGA has prepared four interim submissions. These submissions seek to take the minimalist route with regard to the expectations of local government to take on responsibilities outlined within the plan. This is to minimise the likely increased workload which will come without further resources.

5.12 Reforms to the Building Approval Process for Single Residential Buildings in Western Australia

It is suggested that Council support the submission as a common-sense approach to the proposed changes.

5.13 Wheatbelt Regional Health Services

- The North East Wheatbelt Region Organisation of Councils (NEWROC) approached WALGA to deliver a regional health forum on 20 September 2019 in Trayning. The Forum was held with key service providers and stakeholders.
- At the forum WALGA coordinated a discussion where attendees recommended the reestablishment of the Wheatbelt Health MOU and to provide an opportunity for Local Governments to continue discussing the issues associated with aged care services.



- The Wheatbelt MOU Group was active between 2006 and 2015, advocated on behalf of Wheatbelt Local Governments and was a partnership between the Avon Midland Country, Central Country and Great Eastern Country Zones, Regional Development Australia Wheatbelt, WA Country Health Service (WACHS) and Wheatbelt Development Commission.

As a service provider within the Wheatbelt, Council should be supporting this motion.

5.14 Interim Submission to the Climate Health WA Inquiry

WALGA has produced a submission regarding this matter and Councillors to read report and formulate position on submission to direct its delegate.

5.15 Submission on the Climate Change in Western Australia Issues Paper

WALGA has produced a submission regarding this matter and Councillors to read report and formulate position on submission to direct its delegate.

5.16 Interim Submission – Policy and Application Guidelines for Speed Zoning

WALGA has produced a submission regarding this matter and Councillors to read report and formulate position on submission to direct its delegate.

5.17 Interim Submission - Response to the Select Committee on Northern Australia

WALGA has produced a submission regarding this matter and Councillors to read report and formulate position on submission to direct its delegate.

ATTACHMENTS

State Council Agenda.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That the Council:

Provide direction to Cr Haywood with regard to its voting preferences for the WALGA State Council Agenda items for decision.

126. RESOLUTION

Moved Cr Barratt, seconded Cr Wilkes

That the Council:

Provide direction to Cr Haywood with regard to its voting preferences for the WALGA State Council Agenda items for decision.

**CARRIED 7/0
By Simple Majority**



9.4 PERMISSION TO STORE A SEA CONTAINER AND RENT PROPERTY

DATE:	7 November 2019
PROPONENT:	Ms Jess Rodwell
LOCATION:	8 Forrest Street
SUBJECT:	Permission to store shipping container
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	
ASSESSMENT NO:	

PURPOSE

To consider a request by the purchasers of Mystique Maison to rent 8 Forrest Street Goomalling and to store a shipping container on the property.

BACKGROUND

Ms Jess Rodwell, owner of 10 Forrest Street, is seeking Council permission to rent 8 Forrest Street and permission to store a 20 foot sea container on the property. Ms Rodwell is expecting to move to Goomalling prior to Christmas and would like to have these arrangements in place prior to moving. Ms Rodwell and her family are proposing to live at 10 Forrest Street in the initial stages with the future unclear at this stage with regard to residential arrangements.

STATUTORY IMPLICATIONS

Local Government Act (1995)

POLICY IMPLICATIONS

- 2.2.1 Advocate, promote and market the Shire as a place to live, work and visit
- 2.2.2 Facilitate and support the development of tourist accommodation in the district
- 2.2.3 Facilitate the development of tourism activities associated with the Shire's diverse natural, social and built heritage

FINANCIAL IMPLICATIONS

There would be some unbudgeted income from the rental of the property.

STRATEGIC IMPLICATIONS

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

COMMENT

Council has no direct plans for the property at this stage and Ms Rodwell has suggested that she is interested in acquiring 8 Forrest in the future. The potential siting for the container, as provided by the proponent is attached.

ATTACHMENTS

Emails offer from Ms Rodwell



VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That the Council

1. Agree to the rental of 8 Forrest Street to Ms Rodwell for an initial period of 12 months;
2. Agree to allow the storage of a 20 foot container on the property for that time;
3. Delegate authority to the CEO to negotiate a sale price for the property during that time with the proponent should she continue to be interested in purchasing the property and report back to Council prior to progressing any future sale.

127. RESOLUTION (Officer Recommendation)

Moved Cr Chester, seconded Cr Sheen

That the Council

1. **Agree to the rental of 8 Forrest Street to Ms Rodwell for an initial period of 12 months;**
2. **Agree to allow the storage of a 20 foot container on the property for that time;**
3. **Delegate authority to the CEO to negotiate a sale price for the property during that time with the proponent should she continue to be interested in purchasing the property and report back to Council prior to progressing any future sale.**

**CARRIED 7/0
By Simple Majority**



9.5 THIRD PARTY APPEALS - AMENDMENT

DATE:	7 November 2019
PROPONENT:	WALGA
LOCATION:	Whole of State
SUBJECT:	Third Party Appeals of DAP Decisions
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	
ASSESSMENT NO:	

PURPOSE

To consider an amendment to the WALGA preferred model for third party appeals to DAP decisions.

BACKGROUND

At the August 2019 WALGA Annual General Meeting (AGM), an item was discussed by members which proposed an amendment to the existing 'Preferred Model' for Third Party Appeal Rights for decisions made by Development Assessment Panels. A copy of the minutes of the Annual General Meeting are attached.

The following motion was carried by the attendees: -

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 closely associated third parties in addition to Local Governments are able to appeal decisions made by the Western Australian Planning Commission and the State Administrative Tribunal, in addition to Development Assessment Panels.*

Prior to the State Council considering this AGM motion at its meeting in March 2020, WALGA requested that Council indicates if it supports or does not support this motion to amend the Preferred Model.

STATUTORY IMPLICATIONS

Local Government Act (1995)

Planning & Development Act

POLICY IMPLICATIONS

There is no specific Council policy regarding this matter directly.

FINANCIAL IMPLICATIONS

Nil at this time

STRATEGIC IMPLICATIONS

The Community Strategic Plan does not deal with this matter.



COMMENTS

The primary difference between the two models will be that under the existing preferred model there is no provision for appeal outside of Local Government appeals. There was provision within that model to add provisions to broaden the scope of appeals to other groups should the Responsible Report Authority (Council) be supported.

The opening up of the appeals process to the wider community could have the effect of tying up important projects in the appeals process where there are unrealistic expectations, objections or opposition to a project. On the other hand, the reverse may also apply as well where the community may well be helpful in bringing to heel developments which are not in the overall public interest.

Generally, Councils are reasonably pro development as long as it is undertaken in a sustainable, orderly, socially responsible manner and usually would only oppose or appeal projects where there is significant adverse public comment or detriment to residents.

WALGA has stated that the preferred model (previous) would be preferred, however Council supported the amended proposal at the WALGA AGM.

ATTACHMENTS

Minutes – WALGA AGM.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That the Council:

Advise WALGA that the WALGA preferred model for third party appeal of Development Assessment Panel decisions is supported by the Shire of Goomalling.

128. RESOLUTION (Officer Recommendation)

Moved Cr Barratt, seconded Cr Wilkes

That the Council

Advise WALGA that the WALGA preferred model for third party appeal of Development Assessment Panel decisions is supported by the Shire of Goomalling.

**CARRIED 7/0
By Simple Majority**



9.6 FEEDBACK ON POLICY POSITION RESIDENTIAL AGED CARE

DATE:	7 October 2018
PROPONENT:	WA Planning Commission
LOCATION:	Whole of Shire
SUBJECT:	Feedback on Draft Policy Position
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	9-3
ASSESSMENT NO:	N/A

PURPOSE

The Western Australian Planning Commission (WAPC) is seeking public comment on the draft Residential Aged Care Position Statement.

BACKGROUND

The Commission states that the position statement offers a simple and consistent approach to planning processes and approvals. The approval framework will guide the preparation and assessment of local planning strategies, local planning schemes and local planning policies to provide for our community's future aged care needs.

STATUTORY IMPLICATIONS

Local Government Act (1995)

POLICY IMPLICATIONS

- 1.2.2 Advocate for appropriate and accessible hospital services in Goomalling
- 1.2.3 Facilitate the provision of a dementia facility at the hospital
- 1.2.4 Monitor local community demand for additional independent living units

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Community Strategic Plan does not deal with this matter.

COMMENT

Council is invited to review the consultation paper and lodge a submission before 5pm on Sunday 19 January 2020. Late submissions will not be considered. Submissions can be lodged online via <https://consultation.dplh.wa.gov.au/> or by post to: Infrastructure, Department of Planning, Lands and Heritage, Locked Bag 2506, Perth, WA 6001. If Councillors require more information, please contact Samantha Stokes (08) 6551 9776 or email infrastructure@dplh.wa.gov.au

ATTACHMENTS

Copy of the Position Statement



VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council:

Determine what, if any action should be taken.

129. RESOLUTION

Moved Cr Van Gelderen, seconded Cr Sheen

That the Council

Decide that at this time there will be no action from Council.

**CARRIED 7/0
By Simple Majority**



9.7 PERMISSION TO COLLECT SEED

DATE:	7 October 2018
PROPONENT:	Natural Area Holdings Pty Ltd
LOCATION:	Whole of Shire
SUBJECT:	Permission to collect seed
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	40-1
ASSESSMENT NO:	

PURPOSE

To consider a request to collect native plant seed for gravel pit rehabilitation.

BACKGROUND

Mr Luke Summers of Natural Area Holdings has contacted Council seeking permission to collect native plant seeds from Council controlled reserves for the purpose of revegetating an offset gravel pit and any future rehabilitation required regarding clearing permits for the Meckering Road and the Calingiri Road.

While to some degree this is a formality Council must give permission for any contractor to collect seed. Natural Area Holdings is undertaking this work as a paid contractor of the Council.

STATUTORY IMPLICATIONS

Local Government Act (1995)
Biodiversity and Conservations 2018

POLICY IMPLICATIONS

There is no specific Council policy regarding this matter.

FINANCIAL IMPLICATIONS

Nil at this time

STRATEGIC IMPLICATIONS

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

COMMENT

Nil

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council:



Advise Natural Area Holdings that permission is granted to collect seed from road reserves within the Shire of Goomalling subject to the following conditions:

- All persons collecting native seed are licensed according to the Wildlife and Conservation Act (1950) and will abide by the conditions of the licence.
- This approval is for the period 1 November 2019 to 30 December 2020
- This approval applies to collection by Muchea Tree Farms staff only.
- Appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds.
- All care is to be taken to avoid the disturbance of fauna habitat.
- All care be taken to avoid any disturbance that may lead to soil degradation.

130. RESOLUTION (Officer Recommendation)

Moved Cr Sheen, seconded Cr Van Gelderen

That the Council

Advise Natural Area Holdings that permission is granted to collect seed from road reserves within the Shire of Goomalling subject to the following conditions:

- **All persons collecting native seed are licensed according to the Wildlife and Conservation Act (1950) and will abide by the conditions of the licence.**
- **This approval is for the period 1 November 2019 to 30 December 2020**
- **This approval applies to collection by Muchea Tree Farms staff only.**
- **Appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds.**
- **All care is to be taken to avoid the disturbance of fauna habitat.**
- **All care be taken to avoid any disturbance that may lead to soil degradation.**

CARRIED 7/0
By Simple Majority



9.8 NATIVE PLANT SEED COLLECTION GREENING AUSTRALIA

DATE:	12 November 2019
PROPONENT:	Greening Australia
LOCATION:	Whole of Shire
SUBJECT:	Native Plant Seed Collection
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	40-1
ASSESSMENT NO:	N/A

PURPOSE

Council to consider an application from Greening Australia to collect seed from road reserves within the Shire of Goomalling.

BACKGROUND

Greening Australia is required by legislation to seek the permission of the authority which holds control of land prior to collecting seed and in keeping with control of such activities it is prudent to require private collectors to apply to the Council for the same rights.

STATUTORY IMPLICATIONS

Local Government Act (1995)

POLICY IMPLICATIONS

The Council has no specific policy regarding this matter.

FINANCIAL IMPLICATIONS

There are no specific financial implications.

STRATEGIC IMPLICATIONS

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

COMMENT

Permission has been granted in the past for such organisations to collect seed from native species for programs such as this and further detail is provided within the letter of request.

ATTACHMENTS

Email – Greening Australia.

VOTING REQUIREMENT

Simple Majority



RECOMMENDATION

That the Council:

Advise Greening Australia that permission is granted to collect seed from road reserves within the Shire of Goomalling subject to the following conditions:

- All persons collecting native seed are licensed according to the Wildlife and Conservation Act (1950) and will abide by the conditions of the licence.
- This approval is for the period 1 November 2019 to 31 October 2020.
- This approval applies to collection by Greening Australia staff only.
- Appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds.
- All care is to be taken to avoid the disturbance of fauna habitat.
- All care be taken to avoid any disturbance that may lead to soil degradation.

131. RESOLUTION (Officer Recommendation)

Moved Cr Sheen, seconded Cr Van Gelderen

That the Council

Advise Greening Australia that permission is granted to collect seed from road reserves within the Shire of Goomalling subject to the following conditions:

- **All persons collecting native seed are licensed according to the Wildlife and Conservation Act (1950) and will abide by the conditions of the licence.**
- **This approval is for the period 1 November 2019 to 31 October 2020.**
- **This approval applies to collection by Greening Australia staff only.**
- **Appropriate hygiene measures will be followed at all times to prevent the spread of plant disease and weeds.**
- **All care is to be taken to avoid the disturbance of fauna habitat.**
- **All care be taken to avoid any disturbance that may lead to soil degradation.**

**CARRIED 7/0
By Simple Majority**



9.9 SHIRE OF CUNDERDIN TPS AND LOCAL PLANNING STRATEGY

DATE:	12 November 2019
PROONENT:	Shire of Cunderdin
LOCATION:	Shire of Cunderdin
SUBJECT:	TPS and Local Planning Strategy
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	
ASSESSMENT NO:	

PURPOSE

To consider whether to make a submission to the Shire of Cunderdin regarding its Local Planning Scheme No 4 and Joint Local Planning Strategy.

BACKGROUND

The Shire of Cunderdin has written to the Council seeking comment in relation to its Local TPS No 4 and Joint Local Planning Strategy. It is customary for Councils to seek comment from neighbouring LGA's and service providers such as Telstra, the Water Corporation, Western Power and other relevant state government bodies when updating the Local Town Planning Scheme. A copy of the documentation is available on the Cunderdin Website.

STATUTORY IMPLICATIONS

Local Government Act (1995)

POLICY IMPLICATIONS

There is no specific Council policy regarding this matter directly.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Community Strategic Plan does not deal with this matter.

COMMENT

Nil at this time

ATTACHMENTS

Letter – Shire of Cunderdin.

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council:

Advise the Shire of Cunderdin that it has no comment to make regarding its Local TPS Number 4 and Local Planning Strategy at this time.



132. RESOLUTION (Officer Recommendation)

Moved Cr Van Gelderen, seconded Cr Barratt

That the Council

Advise the Shire of Cunderdin that it has no comment to make regarding its Local TPS Number 4 and Local Planning Strategy at this time.

**CARRIED 7/0
By Simple Majority**

9.10 PROPOSED CHANGES TO THE ENVIRONMENTAL PROTECTION ACT 1986

DATE:	12 November 2019
PROPONENT:	WALGA
LOCATION:	Whole of State
SUBJECT:	Changes to the Environmental Protection Act 1986
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	
ASSESSMENT NO:	

PURPOSE

To consider whether Council would like to make submission or comment regarding the proposed changes to the Act.

BACKGROUND

The State Government is undertaking a review of the Environmental Protection Act 1986 and is seeking feedback regarding the proposed changes. Attached is a briefing paper from WALGA regarding the changes

STATUTORY IMPLICATIONS

Local Government Act (1995)

POLICY IMPLICATIONS

Outcome 3.1 Enhance the health and integrity of the natural environment

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Community Strategic Plan does not deal with this matter.



COMMENT

Nil

ATTACHMENTS

Environmental Protection Amendment Bill 2019
InfoPage Environmental Protection Act
Modernising the EP Act

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council:

Note the briefing papers and make determination as to whether it wishes to make a submission regarding any of the matters contained within the proposal.

133. RESOLUTION

Moved Cr Butt, seconded Cr Chester

That the Council

Authorise the CEO to make a submission to the EPA with regard to simplifying the clearing permit process.

**CARRIED 7/0
By Simple Majority**



9.11 MEETING TIMES AND DATES

DATE:	12 November 2019
PROPONENT:	Peter Bentley – Chief Executive Officer
LOCATION:	Whole of Shire
SUBJECT:	Meeting Dates & Times
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	33
ASSESSMENT NO:	N/A

PURPOSE

To consider meeting dates and times for the next twelve months.

BACKGROUND

The Local Government Act requires that Council advertise its proposed meeting times and dates for each year. Generally, Councils do this by calendar year.

Council meetings have changed somewhat over the past year with the CEO introducing changes to both simplify the meeting processes but also providing more information within an information bulletin attached to the agenda which gives insight to the Council as to what staff are dealing with but also providing more general information as well.

In addition, Council holds a briefing session for Council where the Senior Staff can make Councillors aware of important issues, discuss the various aspects of things not on the agenda and for Council to seek further information from staff about pretty much any subject not on the agenda.

Having said that Council meetings are a much shorter prospect than they have been in the past, currently starting with the briefing session at 1.00pm followed by the Council meeting at 2.00pm.

STATUTORY IMPLICATIONS

Local Government Act (1995)

POLICY IMPLICATIONS

There is no specific Council policy regarding this matter.

FINANCIAL IMPLICATIONS

Nil

STRATEGIC IMPLICATIONS

The Community Strategic Plan does not deal with this matter.

COMMENT

Council has recently discussed that with the meeting times getting shorter that there may be scope to review the timing of meetings. Generally, meetings are not lasting much more than an hour although from time to time the briefing session has extended beyond the hour allowed.



Given that the Council must now set its regular meeting times and dates it may be prudent to review the timing for meeting commencement and whether to extend the period allowed for the briefing session. While some of these sessions went well beyond the hour, some were well within and so perhaps an hour is appropriate.

Given the early finish that has occurred in recent times Council may wish to commence the Briefing Session at 3.00pm and the Council meeting at 4.00pm. The choice is up to the members.

Council has historically met on the third Wednesday of the month and it has the opportunity to review this as well. Given that this continues Council meetings would be scheduled for the following dates;

5 th February	19 th August
18 th March	16 th September
15 th April	14 th October
13 th May	18 th November
17 th June	16 th December
15 th July	

There is no Council meeting in January due to this being the holiday period.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That Council:

Decide on an appropriate time and date regime for meetings for the 2020 calendar year.

134. RESOLUTION

Moved Cr Van Gelderen, seconded Cr Barratt

That the Council

Agree to hold its Ordinary Meetings on the following Wednesdays in 2020:

- | | | |
|--------------|----------------|---------------|
| • 5 February | • 17 June | • 14 October |
| • 18 March | • 15 July | • 18 November |
| • 15 April | • 19 August | • 16 December |
| • 13 May | • 16 September | |

Commencing at 4.00pm, preceded by the Information session at 3.00pm

**CARRIED 7/0
By Simple Majority**



9.12 RENTAL AT KOOMAL VILLAGE AND RENT SUBSIDY REQUEST

DATE:	12 November 2019
PROPONENT:	Mr Steve Miranda – Sacred Heart Catholic School
LOCATION:	Koomal Village
SUBJECT:	Potential rental and rent subsidy
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	9-3(a)
ASSESSMENT NO:	

PURPOSE

To consider a proposal for rental of one of the Koomal Village units.

BACKGROUND

Sacred Heart Catholic School is a private, church-based school operating within Goomalling. The school has operated here for many years and has historically provided its own accommodation for staff over the years. Some three or four years ago the school did approach Council for accommodation for a year and rented a property which Council has now onsold.

The Principal, Mr Steve Miranda met with the CEO with regard to Council providing assistance with a rental property for a graduate teacher next year for a guaranteed period of 12 months. The CEO advised Mr Miranda that the Council could assist with one of the Koomal units and that the rental per week would be \$300.00 which is the price within the Council's Schedule of Fees & Charges. The CEO also advised that because of the nature of the property that the rental term would be six months with a six month renewable option should the property not be required for Seniors housing.

We discussed the single bed unit at Mortlock Lodge and also the unit at 46 Hoddy Street however the preference was stated as the Koomal Unit.

I advised Mr Miranda that any Council owned property provided for normal commercial or residential tenancy would be for a term of six months with options due to possible Council requirements.

Mr Miranda, while not directly asking for a reduced rental at the time, hinted that it would be helpful and was made aware that he could make this request of the Council, however it was not something that the CEO had the power to grant.

Mr Miranda left the meeting without any commitment and the CEO was of the opinion that he would approach the Council seeking concessions. I understand from our discussions that there is little available within the local rental market.

STATUTORY IMPLICATIONS

Local Government Act (1995)

POLICY IMPLICATIONS

1.2.4 Monitor local community demand for additional independent living units



FINANCIAL IMPLICATIONS

The property is currently vacant and while this is not ideal it is immediately available should there be a demand within the target demographic.

STRATEGIC IMPLICATIONS

The Community Strategic Plan does not deal with this matter.

COMMENT

Mr Miranda has subsequently written to the Council seeking a commitment from the Council to provide the accommodation for a guaranteed period of twelve months and requesting a discounted rental rate for the property. There was no specified rental amount requested.

The Koomal Village units are Well-Aged dedicated units and as are made available for community housing if there is no suitable tenant requiring the accommodation. The accommodation is provided on a six month renewable lease arrangement to the community in case the accommodation is required for a member of the appropriate demographic group.

Council has three tenants within the development all of whom are paying the appropriate fee from the Schedule of Fees & Charges. This includes a member of the target age group who is paying the full \$300.00 per week for a unit. The units are new and in exceptional condition and would far exceed the fitout of any other rental accommodation within Goomalling.

Mr Miranda has sought a reduced rental for the unit and while I understand the reasoning behind trying to obtain the best possible result for the cheapest possible price, to offer a discounted rate for this unit would put Council in a difficult position. Council would be in effect discounting a rental property for a large multinational organisation, albeit a church private school, yet charging a full rate to a pensioner who is the target group for such housing. A precedent would be set that would be very difficult to justify to the community at large but in particular to the existing tenants, who would rightly ask as to why they should pay full price.

Council must now decide as to whether it should grant an extended term for this property at a reduced rate and formulate a strategy as to how it will justify this to existing tenants should they ask the question as to why it has done so.

ATTACHMENTS

Letter – Mr Steve Miranda, Principal Sacred Heart Catholic School.

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

That Council:

Advise the Sacred Heart Catholic School that it is able to offer a rental property at Koomal Village at the listed rate of \$300 per week for a period of six months with a six month option should there be no requirement for the unit within the target demographic.



135. RESOLUTION (Officer Recommendation)

Moved Cr Chester, seconded Cr Barratt

That the Council

Advise the Sacred Heart Catholic School that it is able to offer a rental property at Koomal Village at the listed rate of \$300 per week for a period of six months with a six month option should there be no requirement for the unit within the target demographic.

**CARRIED 7/0
 By Absolute Majority**

9.13 REVIEW OF THE SHIRE OF GOOMALLING BIKE PLAN

DATE:	7 November 2019
PROONENT:	
LOCATION:	Whole of Shire
SUBJECT:	Review of Bike Plan
AUTHOR:	Tahnee Bird, Community Development Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	158-2
ASSESSMENT NO:	N/A

PURPOSE

To consider tenders for the supply of services to review the Shire of Goomalling Bike Plan.

BACKGROUND

Council received \$10,000 grant from Department of Transport to review and develop a new Bike Plan for Goomalling town site.

Tender was advertised in The West Australian of Wednesday 9 October 2019 and closed 31 October 2019. Ten consultants requested a copy of the project scope, of which five presented proposals.

Supplier	Quote (\$ Ex.GST)
SPG Projects	\$92,900
Cardno	\$17,739
Shawmac	\$27,990
WSP Australia Pty Ltd	\$19,994
GTA Consultants	\$18,875

STATUTORY IMPLICATIONS

Local Government Act (1995)



POLICY IMPLICATIONS

There is no specific Council policy regarding this matter directly.

FINANCIAL IMPLICATIONS

Council Budget \$10,000

Department of Transport Grant \$10,000

STRATEGIC IMPLICATIONS

- 1.3.1 Develop a broad recreation master plan for the Shire
- 1.3.2 Develop, maintain and support appropriate recreation facilities throughout the Shire
- 1.3.3 Partner with stakeholders to achieve greater community participation in recreational facilities and services

COMMENT

Thorough analysis has been carried out of the suppliers, comparing pricing, methodologies and relevant experience. SPG and Shawmac were significantly over budget and weren't considered beyond pricing.

WSP, GTA and Cardno all were within budget and have extensive experience in transport planning including large regional centre bike plans, and regional strategies.

1. WSP didn't provide any referees to get feedback regarding their work but demonstrated sound methodology and experience in bike planning in small rural settings as well as other Councils in our region including Northam, Toodyay and Trayning.
2. Cardno is a large organisation that has demonstrated sound methodology and experience in rural bike planning. Cardno also has strong links with Department of Transport being contracted for a number of regional cycling strategies including the "Avon Regional Cycling Plan". This knowledge is advantageous in order to create consistency and cohesion between our local plan and the planning for our Region. Although the regional plan *excluded Goomalling*. Referees advised that Cardno had good pricing but deliver exactly on scope with little flexibility.
3. GTA demonstrated sound methodology and comprehensive understanding of the WA Bicycle Network Plan with three ex- Department of Transport employees on staff. Referees advised that GTA were flexible, good value, good at mapping and delivered tailor made plans.

ATTACHMENTS

1. Project Scope
2. Bike Plan Tender Summary
3. Supplier Proposals

VOTING REQUIREMENT

Simple Majority



RECOMMENDATION

That the Council:

Enter into a contract with GTA to complete the review and development of Council's Bike Plan for the nominated fee of \$18,875.

136. RESOLUTION (Officer Recommendation)

Moved Cr Chester, seconded Cr Barratt

That the Council

Enter into a contract with GTA to complete the review and development of Council's Bike Plan for the nominated fee of \$18,875.

**CARRIED 7/0
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

137. RESOLUTION

Moved Cr Van Gelderen, seconded Cr Wilkes that Council agree to the new business.

CARRIED 7/0
By Simply Majority

11.1 RAILWAY STATION BUILDING

DATE:	19 November 2019
PROPONENT:	Goomalling Railway Station Restoration Society Committee
LOCATION:	Railway Station
SUBJECT:	Handing back control of Railway Building
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	147.1
ASSESSMENT NO:	

PURPOSE

To consider a request from the Railway Station Restoration Society for Council to assume control of the Goomalling Railway Station Building

BACKGROUND

The Committee has requested that the Council take back control and management of the station building as it is now struggling to attract members and is in the process of winding up its affairs.

The Station building is in fair condition, contains some assets that the Committee is prepared to pass on to the Council. There is a request that should the building be relinquished by the Council in the future that the station wall clock be gifted to the Goomalling Historical Society.

STATUTORY IMPLICATIONS

Local Government Act (1995)

POLICY IMPLICATIONS

There is no specific Council policy regarding this matter directly.

FINANCIAL IMPLICATIONS

Council currently maintains the building to the greater extent so the financial impacts are not significant unless Council has a purpose for the building which would require upgrade.



STRATEGIC IMPLICATIONS

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

COMMENT

There is a possibility that in future the building could be used as a visitors centre/information bureau and while there would be some fitout required and general building maintenance this could have other tourism spinoffs for the Council and be an entry point/booking facility for the North Eastern Wheatbelt tourism district taking advantage of the work done with Pioneers Pathways and other groups in the past.

The building is in fair condition and the lean on the building would need to be confirmed as safe prior to any Council sanctioned activity at the site.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Simple Majority

RECOMMENDATION

That the Council:

Accept control and management of the Goomalling Railway Station Building from the Restoration Society and consider the future of the asset as part of the overall review of public buildings during this financial year.

138. RESOLUTION (Officer Recommendation)

Moved Cr Van Gelderen, seconded Cr Sheen

That the Council

Accept control and management of the Goomalling Railway Station Building from the Restoration Society and consider the future of the asset as part of the overall review of public buildings during this financial year.

**CARRIED 7/0
By Simple Majority**



11.2 SALE OF 40 FORREST STREET TO MR NATHAN BECK

DATE:	19 November 2019
PROPONENT:	Mr Nathan Beck
LOCATION:	40 Forrest Street
SUBJECT:	Sale of Property – 40 Forrest Street
AUTHOR:	Peter Bentley – Chief Executive Officer
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	
ASSESSMENT NO:	

PURPOSE

To consider an offer to purchase 40 Forrest Street by the current tenant.

BACKGROUND

Council has had a number of properties listed with a local agent for sale for some time without success. Recently the CEO has had the properties valued by a licenced valuer to determine their proper market value given that the values attached by the previous CEO were likely unrealistic. The three properties valued were 34 Eaton Street, 73A James Street and 40 Forrest Street and it is the first two that were listed.

The valuations for the properties were \$95,000 for 34 Eaton, \$60,000 for 73A James and \$105,000 for 40 Forrest Street. The CEO has withdrawn the properties from the market given that in their current states they are unlikely to attract buyers and certainly not at the prices listed. A member of Councils staff has been interested in 40 Forrest Street for some time. The valuation for the Eaton Street property is "AS IS" given the current state of the roof.

Discussions with regard to 40 Forrest Street have taken place over some time with the tenant having made payroll deductions totalling \$3,012.05 as a deposit for the property. It is my understanding that Nathan has now gained pre-approval for finance over the property and is now in a position to make an offer for the property.

The proponent has made an offer of \$105,000 to purchase the property which is at the sworn valuation of the property.

The Council agreed to the potential sale of the property at this price and advertised its intent to sell the property with the required detail as per Section 3.58 of the Act calling for public submissions and for Council to consider any public submissions prior accepting the offer finally. The following resolution was carried at the October Ordinary Meeting.

That the Council:

Advise Mr Nathan Beck that Council is prepared to accept their offer to purchase 34 Eaton Street Goomalling for \$105,000 subject to;

- 1. An advertising and public comment period of 14 days in accordance with Section 3.58 of the Local Government Act;*



2. *There being no significant matters raised during that public comment period that would adversely affect the sale;*
3. *That the sale is on an “as is” basis.*

The time frame for advertising is for a period not less than two weeks. This period ended on 19 November 2019.

STATUTORY IMPLICATIONS

Local Government Act (1995)

3.58. **Disposing of property**

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) **A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —**
 - (a) **it gives local public notice of the proposed disposition —**
 - (i) **describing the property concerned; and**
 - (ii) **giving details of the proposed disposition; and**
 - (iii) **inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;**

and

 - (b) **it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.**
- (4) **The details of a proposed disposition that are required by subsection (3)(a)(ii) include —**
 - (a) **the names of all other parties concerned; and**
 - (b) **the consideration to be received by the local government for the disposition; and**
 - (c) **the market value of the disposition —**
 - (i) **as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or**



- (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.**
- (5) This section does not apply to —
- (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

[Section 3.58 amended: No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

POLICY IMPLICATIONS

There are no direct policy implications with regard to this matter.

FINANCIAL IMPLICATIONS

The potential sale is unbudgeted and would result in a windfall cash injection of \$105,000 less any costs should Council agree to the offer.

STRATEGIC IMPLICATIONS

- 2.2.1 Advocate, promote and market the Shire as a place to live, work and visit
- 3.2.1 Develop plans to manage assets in a sustainable way
- 4.2.5 Provide flexible and attractive work conditions in a supportive work environment

COMMENT

Council has agreed in principle to on-sell this residence and given that there was no public comment at all, Council has the ability to now complete the sale of the property.

ATTACHMENTS

Nil

VOTING REQUIREMENT

Absolute Majority

RECOMMENDATION

That the Council

1. Acknowledge that there have been no public submissions with regard to the proposed sale of the property, 40 Forrest Street Goomalling, to Mr Nathan Beck;
2. Delegate authority to the CEO to complete the sale of 40 Forrest Street Goomalling to Mr Nathan Beck;



3. Confirm that the price of the house is \$105,000 and that each party will be responsible for any fees, charges or other costs relating to the sale that they may incur.

139. RESOLUTION (Officer Recommendation)

Moved Cr Barratt, seconded Cr Van Gelderen

That the Council

1. Acknowledge that there have been no public submissions with regard to the proposed sale of the property, 40 Forrest Street Goomalling, to Mr Nathan Beck;
2. Delegate authority to the CEO to complete the sale of 40 Forrest Street Goomalling to Mr Nathan Beck;
3. Confirm that the price of the house is \$105,000 and that each party will be responsible for any fees, charges or other costs relating to the sale that they may incur.

**CARRIED 7/0
By Absolute Majority**



**11.3 APPLICATION FOR DEVELOPMENT APPROVAL (PLANNING CONSENT) – CAR PORT –
Lot 32 (No. 949) WONGAMINE ROAD, WONGAMINE**

DATE:	20 November 2019
SUBJECT:	Proposed Car Port
PROponent:	S & S Allen / Great Aussie Patios
LOCATION:	Lot 32 (No. 949) Wongamine Road, Wongamine
AUTHOR:	Hugo de Vos – Contract Planner
REPORTING OFFICER:	Peter Bentley – Chief Executive Officer
FILE NO:	
ASSESSMENT NO:	

PURPOSE

To consider a proposal to construct a car port at Lot 32 (No. 949) Wongamine Road in Wongamine. The matter is being referred to Council as no planning delegations currently exist.

BACKGROUND

Lot 32 (No. 949) Wongamine Road in Wongamine, is 20.35 hectares in area and is zoned Rural 2 - Wongamine under the Shire of Goomalling Local Planning Scheme No. 3.

The proposal is to erect a car port. The car port is 9.3m x 4m and attached to the existing dwelling.

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 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:

3.5.5 Rural 2 - Wongamine Zone

- (a) require that planning approval be obtained for all buildings including a residence.



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 Great Aussie Patios on behalf of S. & S. Allen to construct a patio at Lot 32 (No. 949) Wongamine Road in Wongamine, subject to the following conditions:

1. The development hereby permitted must substantially commence within two years from the date of this decision.
2. The development hereby permitted taking place in accordance with the approved plans.

140. RESOLUTION (Officer Recommendation)

Moved Cr Chester, seconded Cr Sheen

That the Council

Grant Planning Consent to Great Aussie Patios on behalf of S. & S. Allen to construct a patio at Lot 32 (No. 949) Wongamine Road in Wongamine, subject to the following conditions:

- 1. The development hereby permitted must substantially commence within two years from the date of this decision.**
- 2. The development hereby permitted taking place in accordance with the approved plans.**

**CARRIED 7/0
By Simple Majority**



12. INFORMATION BULLETIN

141. RESOLUTION

Moved Barratt, seconded Cr Wilkes

That the Information Bulletin for November 2019 be received.

CARRIED 7/0
By Simple Majority

13. MATTERS BEHIND CLOSED DOORS

Nil

14. MEETING CLOSURE

The Shire President thanked everyone for their attendance and declared the meeting closed at 4.40 pm.