



# Shire of Pingelly

## Minutes

Special Council Meeting  
7 May 2018

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**1. DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

The Chairman, Cr Bill Mulroney declared the meeting open at 6pm.

**2. ACKNOWLEDGEMENT OF COUNTRY**

We acknowledge the Noongar people of this area and recognise their continuing connection to land, waters and community. We pay respect to both the Aboriginal and non-Aboriginal people and past and present.

**3. ANNOUNCEMENTS BY THE PRESIDING MEMBER**

**3.1 Council Agenda Reports**

Please note that all elected members have been provided with the relevant information pertaining to each Officers reports within today's Agenda and the Officer Recommendations are based on Council Policy and or State Acts and Legislation.

**4. RECORD OF ATTENDANCE / APOLOGIES / APPROVED LEAVE OF ABSENCE**

At the Ordinary Council Meeting held on 13 December 2017 the following leave was granted:

***12327 Moved Cr McBurney Seconded Cr Hodges***

***That Council approve Cr Freebairn taking leave from 21<sup>st</sup> June to 28<sup>th</sup> July 2018 inclusive.***

***Carried 7:0***

At the Ordinary Council Meeting held on 21 March 2018 the following leave was granted:

***12377 Moved: Cr Walton-Hassell Seconded: Cr Hotham***

***That Cr McBurney be granted leave from Saturday 30<sup>th</sup> June to Friday 31<sup>st</sup> August 2018.***

***Carried 8:0***

**MEMBERS PRESENT**

Cr WV Mulroney  
Cr DI Freebairn  
Cr JM Walton-Hassell  
Cr BW Hotham  
Cr J McBurney  
Cr EJ Hodges  
Cr PJ Wood

**STAFF IN ATTENDANCE**

Mr G Pollock	Chief Executive Officer
Mr S Billingham	Director Corporate Community Services
Mr B Gibbs	Director Technical Services
Mrs L Boddy	Executive Assistant

**APOLOGIES**

Nil

**VISITORS**

Nil

**5. RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**6. PUBLIC QUESTION TIME**

Question time opened at 6.02pm. As there were no members of the public present question time closed at 6.02pm.

**7. APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**8. DISCLOSURES OF INTEREST**

Nil

**9. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS**

Nil

## **10. OFFICE OF THE CHIEF EXECUTIVE OFFICER**

### **10.1 Vacant Elected Members Position**

<b>File Reference:</b>	<b>0000</b>
<b>Location:</b>	<b>Shire of Pingelly</b>
<b>Applicant:</b>	<b>Gavin Pollock – Chief Executive Officer</b>
<b>Author:</b>	<b>Gavin Pollock – Chief Executive Officer</b>
<b>Date:</b>	<b>4 May 2018</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>
<b>Attachments:</b>	<b>Email of Resignation – Cr Steel (Attachment 1 after orange sheet in attachments book)</b>
<b>Previous Reference:</b>	<b>Nil</b>

#### **Summary:**

Following the resignation of Cr Steel, Council needs to notify the Electoral Commissioner of its intention to hold an extraordinary election for the vacated position and appoint the Chief Executive Officer as the returning officer.

#### **Background:**

On the 1<sup>st</sup> May 2018 Cr Lee Steel forwarded an email of resignation to the Shire President. Cr Steel's resignation has been tabled and read out by the Shire President at the Corporate Discussion on the 2<sup>nd</sup> May 2018. Cr Steel's resignation was effective as of the 1<sup>st</sup> May 2018.

#### **Comment:**

Council needs to nominate the date to hold the extraordinary election for the vacated position and appoint the Chief Executive Officer as the returning officer.

#### **Consultation:**

Shire President – Cr Mulroney

#### **Statutory Environment:**

Section 39 of the Local Government Act 1995.

#### **Policy Implications:**

Nil

#### **Financial Implications:**

The 2017/18 budget will have to be amended to run the extraordinary election as it is an unbudgeted expense.

#### **Strategic Implications:**

Council will be operating with seven (7) councillors until the extraordinary election is conducted.

#### **Voting Requirements:**

Absolute Majority

**12412 Moved: Cr Wood                      Seconded: Cr Hotham**

**Recommendation and Council Decision:**

**That Council:**

- 1. thank Cr Steel for her service as a Councillor since 2009.**
- 2. approve the Chief Executive Officer advising the Electoral Commissioner of Cr Steel's resignation and to request approval to conduct an extraordinary election.**
- 3. request the Chief Executive officer to report back to Council at the May 2018 meeting of Council on the required budget amendment and extraordinary election date and time line.**

Carried 6:1

## **11. DIRECTORATE OF CORPORATE AND COMMUNITY SERVICES**

### **11.1 Western Australian Treasury Corporation Short Term Lending Facility**

**File Reference:** ADM0417  
**Location:** Shire of Pingelly  
**Applicant:** Shire of Pingelly  
**Author:** Stuart Billingham, Director Corporate and Community Services  
**Date:** 7 May 2018  
**Disclosure of Interest:** Nil  
**Attachments:** Letter WATC and Master Lending Agreement – Short Term Lending Agreement Addendum No:1  
(Attachment 2 after red sheet in attachments book)

#### **Summary:**

This item is presented to Council for consideration of voting to accept the conditions laid out in the attached Master Lending agreement – Short Term Lending Agreement Addendum No:1 and for Council to agree to apply a 5.5% rates increase and 4% increase in Fees & Charges for the 2018/19 Annual Budget.

#### **Background:**

The Shire of Pingelly as part of the 2017/18 Annual Budget resolved to raise two \$600,000 loans through the Western Australian Treasury Corporation (WATC), over 20 years, totalling \$1,200,000.

The funds to be raised were \$1,000,000 towards the cost of the PRACC and \$200,000 towards the cost of the new 10 rink Bowling Green at the PRACC.

The loans were applied for with WATC in January 2018.

As the loans requested was over the WATC Benchmark rates the matter had to go to the WATC Board for consideration.

WATC requested as part of the application the Shire of Pingelly to provide a updated Long Term Financial Plan which was adopted by Council item 18.1 on the 21 March 2018.

#### **Comment:**

The overall increase in rates proposed for the 2018/19 Budget is 5.5% and fees & Charges 4.0%.

#### **Consultation:**

Western Australian Treasury Corporation  
Chief Executive Officer,  
Executive Staff,  
Shire President and Councillors.

#### **Statutory Environment:**

*Local Government Act 1995*  
*Local Government (Financial Management) Regulations 1996*

#### **Policy Implications:**

Nil

**Financial Implications:**

Raising Capital funding of \$1,200,000 in the 2017/18 financial year as set out in the Annual Budget for 2017/18.

**Strategic Implications:**

The Long Term Financial Plan sets Council's financial direction for the next fifteen (15) years.

**Voting Requirements:**

Absolute Majority

**12413 Moved: Cr McBurney**

**Seconded: Cr Wood**

Cr Walton-Hassell left the room at 6.45pm and returned at 6.47pm.

Barry Gibbs left the room at 6.55pm and returned at 6.57pm.

Cr Hotham left the room at 7.17pm and returned at 7.18pm.

**Recommendation and Council Decision:**

**That Council:**

- resolves to accept the terms and conditions contained in the attached Short Term Lending Addendum No: 1 to the Master Lending Agreement dated 15 March 2014 entered into between the Western Australian Treasury Corporation and the Shire of Pingelly to borrow up to a maximum project facility limit of \$1,200,000.00 for the purpose of funding the remaining construction work of the Pingelly Recreation and Cultural Centre as approved in the 2017/18 adopted budget.
- resolves to apply to the 2018/19 Annual Budget a 5.5% rates model increase and a 4.0% increase in the Fees & Charges.

Carried 7:0



**12. DIRECTORATE OF TECHNICAL SERVICES**

Nil

**13. ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**14. NEW BUSINESS OR URGENT BUSINESS INTRODUCED BY DECISION OF THE MEETING**

New business of an urgent nature introduced by decision of the meeting. Best practice provides that Council should only consider items that have been included on the Agenda (to allow ample time for Councillors to research prior to the meeting) and which have an Officer Report (to provide the background to the issue and a recommended decision).

**17. CLOSURE OF MEETING**

The Chairman declared the meeting closed at 7.38pm.

These minutes were confirmed by Council at the Ordinary Council Meeting held on 16 May 2018.

Signed.....  
Presiding Person at the meeting at which the minutes were confirmed.