



# MINUTES

## Ordinary Council Meeting

Wednesday 24<sup>th</sup> April 2024  
Commencing at 1.00PM

Held in the Council Chambers, Hack St Sandstone

PLEASE NOTE:  
THIS PAGE HAS BEEN INTENTIONALLY  
LEFT BLANK

**ORDINARY COUNCIL MEETING HELD ON  
WEDNESDAY 24<sup>th</sup> APRIL 2024  
MINUTE SUMMARY and TABLE OF CONTENTS**

**Table of Contents**

<b>MINUTES and STAFF REPORTS</b>	<b>5</b>
1 DECLARATION OF OPENING AND ANNOUNCEMENT OF ANY VISITORS	5
2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER AND/OR COUNCILLORS	5
3 ATTENDANCES	5
3.1 Present	5
3.2 Apologies	5
4 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	6
5 APPLICATIONS FOR LEAVE OF ABSENCE	6
6 DECLARATIONS OF INTEREST	6
6.1 Declarations of Financial Interest	6
6.2 Declarations of Proximity Interest	6
6.3 Declarations of Indirect Financial Interest	6
6.4 Declarations of Impartiality Interest	6
7 PUBLIC QUESTION TIME	6
8 CONFIRMATIONS OF MINUTES FROM PREVIOUS MEETINGS 29/24	6
8.1 Ordinary Meeting of Council held on the 21 <sup>st</sup> March 2024	6
9 PRESENTATIONS	7
9.1 Petitions	7
9.2 Presentations	7
9.3 Deputations	7
9.4 Delegates/Councillor's Reports	7
10 OFFICERS REPORTS	7
10.1 CHIEF EXECUTIVE OFFICER'S REPORTS	7
10.1.1 Status Report Update – March 2024 30/24	7
10.1.2 Actions Performed Under Delegated Authority 31/24	10
10.1.3 Delegation Amendments – Bush Fires 32/24	12
10.1.4 Policy Amendment – Drug and Prescription Medicine Policy 33/24	14
10.1.5 Policy Manual Amendment – Policy 3.3 34/24	17
10.1.6 2024/2025 Differential Rates Strategy, Objects and Reasons 35/24	19
10.1.7 Recognition proposals for George Dent and Hack Brothers 36/24	22
10.1.8 Great Aussie Road Trip Proposal 37/24	24
10.1.9 Endorsement of the Murchison GeoRegion and GeoParks Constitution 38/24	26
10.1.10 Tender – Caravan Park Units 39 /24	28
10.1.11 Review of the Corporate Business Plan 40 /24	30
Local Government Administration Regulations <b>19DA</b> .	30
Corporate business plans, requirements for (Act s. 5.56)	30
10.1.12 Recreation Centre – Meals / Bar /24	32
10.2 FINANCIAL REPORTS	34
10.2.1 Financial Statement for the month of March 2024 41/24	34

## Table of Contents

10.2.2	Accounts update for the month of March 2024	42/24	37
10.3	<i>WORKS AND SERVICES</i>		40
10.3.1	Works Manager’s Report February 2024	43/24	40
11	<i>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</i>		43
12	<i>QUESTIONS FROM MEMBERS WITHOUT NOTICE</i>		43
13	<i>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING</i>		43
13.1	Class Action Against SAT – Appeal on Miscellaneous Licences and Rates	44/24	43
14	<i>MEETING ITEMS CLOSED TO THE PUBLIC</i>		45
15	<i>CONFIDENTIAL ITEMS</i>		45
16	<i>TIME and DATE of NEXT MEETING</i>		45
17	<i>CLOSURE OF MEETING</i>		45
18	<i>CERTIFICATIONS</i>		45



## MINUTES and STAFF REPORTS

ORDINARY COUNCIL MEETING HELD IN  
COUNCIL CHAMBERS, SANDSTONE ON WEDNESDAY 24<sup>th</sup> APRIL 2024

### 1 DECLARATION OF OPENING AND ANNOUNCEMENT OF ANY VISITORS

The Presiding Member, Cr Bethel Walton (Shire President) declared the Meeting open at 1.00pm.

### 2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER AND/OR COUNCILLORS

Without discussion unless otherwise determined.

### 3 ATTENDANCES

#### 3.1 Present

##### Elected Members

Cr B (Bethel) Walton	Shire President (and Presiding member of this Meeting)
Cr C (Carol) Hodshon	
Cr D (David) Lefroy	
Cr J (James) Allison	
Cr M (Mark) Kevill	

##### Staff Members

Mr Peter Money	Chief Executive Officer
Ms Tracey Weiss	Acting Deputy Chief Executive Officer
Mr Patrick O'Brien	Works Manager

##### Visitors

Nil

#### 3.2 Apologies

Cr V (Vicki) McQuie	Deputy Shire President
---------------------	------------------------

#### 3.3 Approved Leave of Absence

Nil

**4 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

Nil

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**6 DECLARATIONS OF INTEREST**

**6.1 Declarations of Financial Interest**

Nil

**6.2 Declarations of Proximity Interest**

Nil

**6.3 Declarations of Indirect Financial Interest**

Nil

**6.4 Declarations of Impartiality Interest**

Nil

**7 PUBLIC QUESTION TIME**

Nil

**8 CONFIRMATIONS OF MINUTES FROM PREVIOUS MEETINGS**

**29/24**

**8.1 Ordinary Meeting of Council held on the 21<sup>st</sup> March 2024**

**Officer Recommendation**

**Resolution No. 29/24**

**MOVED: Cr. Lefroy**

**SECONDED: Cr. Allison**

**That the Minutes of the Ordinary Meeting of Council held on 21<sup>st</sup> March 2024 be confirmed as a true and accurate records of proceedings.**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Allison, Cr Kevill, Cr Hodshon, Cr Lefroy**

**AGAINST:**

**9 PRESENTATIONS**

**9.1 Petitions**

Nil

**9.2 Presentations**

Nil

**9.3 Deputations**

Nil

**9.4 Delegates/Councillor's Reports**

Councillors attended an MRVC meeting.

Councillors attended a Murchison Country Zone (Cue) meeting.

**10 OFFICERS REPORTS**

**10.1 CHIEF EXECUTIVE OFFICER'S REPORTS**

**10.1.1 Status Report Update – March 2024 30/24**

**Agenda Reference:** CEO 04/24 - 01  
**Name of Applicant:** Shire of Sandstone  
**Disclosure of Interest:** Nil  
**Date of Report:** 14 March 2024  
**Previous References:** Various  
**Author:** Peter Money, Chief Executive Officer

**Summary**

The purpose of this report is to advise Council on the status of its decisions from previous Council meetings.

**Attachments**

Nil

**Background**

It is important that Council receives an update on the outcome of its resolutions on a regular basis.

**Comment**

Document has been updated to include Progress made on Council decisions.

Status Update

**Resolution No** 31/17

**Item No** 10.1.7

**Action** That the plaque recognizing George Dent at Hacks Mine is reinstated and his family is offered the opportunity for a plaque to be placed in the new heritage park.

**Responses/ Updates**

03/05/2017 Letter sent to the family of George Dent advising Council decision.

19/03/2018 Ceramic photo of George Dent received from family for inclusion on plaque at Heritage Park.

07/10/2020 Article in Midwest Times re lack of recognition of George Dent  
Busy Bee to be arranged.

Wall in Memorial Park Constructed. Information to be displayed on Wall to be determined.

*Need to Determine the Setout of Plaques to be attached to the Wall in Memorial Park. Policy to be created so all plaques are the same.*

*Currently looking at what other Councils may have.*

10/01/2024 The family has been contacted and been asked to forward a proposed script for the plaques to be placed at Memorial Park and outside of Hacks Mine. The family has also been advised that the Council does not support the change in the name of Hack Street in Sandstone townsite and no further comment will be made on that matter.

31/01/2024 No further correspondence since this date.

17/04/2024 This is an item for discussion in the Briefing Session of 24/04/2024.

\*\*\*\*\*

**Resolution No** 91/21

**Item No** 10.1.5

**Action** Reserves Change of Purpose

**That Council**

1. advise the Department of Planning, Lands and Heritage, that they have no objection to the proposed change of purpose.
2. request that all "Commons" within the Shire, except for the Sandstone Town Common, be relinquished and amalgamated into the adjoining pastoral stations.

Reserve Number	Original Gaz	Original 1	Reserve Class	Reserve Area
9959	3448	24/11/1905	C	15535.88200000000
10022	133	26/01/1906	C	6581.51520000000
14645	4504	4/12/1914	C	1926.30370000000
17984	662	13/04/1922	C	1957.66430000000
17011	1174	16/08/1918	C	5034.37130000000



**Responses/ Updates**

- 29/11/2021** Letter to Department of Planning, Lands and Heritage advising Council resolution as above.
- 31/03/2023** Sought comments again regarding item two
- 15/07/2023** Followed up this email.
- 15/07/2023** Made enquiries regarding excising part of Reserve 11714 for Industrial/commercial purposes, or having the reserve amended to include PTL.
- 26/07/2023** Discussion with Contract Town Planner regarding Reserve 11714.
- 02/02/2024** There is no further update on this matter.
- 27/02/2024** I contacted Planning Consultant Marc Halsall to ask if he knew at what stage this matter was at. He doesn't know about this matter; it must have been sent direct to the DLPH. However, he advised the Council should reconsider the proposed disposal of this land as he said it is the only land the Council owns around these former townsites. If development should ever happen in the future the Council has no land with which to negotiate with any mining or other developments that might arise. He advised against disposing of these parcels.



**Consultation**

Nil

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirements**

Simple majority

**Officer Recommendation**

**Resolution No. 30/24**

**MOVED: Cr. Allison**

**SECONDED: Cr. Kevill**

**That Council accepts the Status Update for the month of March 2024.**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Allison, Cr Kevill, Cr Hodshon, Cr Lefroy**

**AGAINST:**

<b>Agenda Reference:</b>	CEO 04/24 – 02
<b>Location/Address:</b>	None
<b>Name of Applicant:</b>	None
<b>Disclosure of Interest:</b>	None
<b>Date of Report:</b>	14 March 2024
<b>Author:</b>	Peter Money, Chief Executive Officer

### Summary

To report on actions performed under delegated authority for the month of March 2024.

### Attachments

Nil

### Background

To increase transparency this report has been prepared for Council and includes all actions performed under delegated authority.

### Comment

The following table outlining the actions performed within the organisation, relative to delegated authority for the month of March 2024, is submitted to Council for information.

<b>Date</b>	<b>Delegation Ref</b>	<b>Person / Classes Affected</b>
6/03/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 06.03.24
12/03/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 12.03.24
13/03/2024	F1 - D11 Payment Procedure Municipal Fund	PAYROLL 13/03/2024
18/03/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 18/03/24
20/03/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 20.03.24
22/03/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 22.03.24
22/03/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 22.03.24
27/03/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 27.03.24
27/03/2024	F1 - D11 Payment Procedure Municipal Fund	PAYROLL 27/03/24
28/03/2024	F1 - D11 Payment Procedure Municipal Fund	PAYROLL 28/03/24

**Consultation**

Nil

**Statutory Environment**

*Local Government Act 1995 Section 9.49A*

**Policy Implications**

Nil

**Financial Implications**

Nil

**Voting Requirements**

Simple majority

**Officer Recommendation**

**Resolution No. 31/24**

**MOVED: Cr. Lefroy**

**SECONDED: Cr. Allison**

**That Council, in accordance with section 5.46 of the *Local Government Act 1995*, accept the report outlining the actions performed under delegated authority for the month of March 2024.**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Allison, Cr Kevill, Cr Hodshon, Cr Lefroy**

**AGAINST:**

<b>Agenda Reference:</b>	CEO 04/24 - 03
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	5 April 2024
<b>Author:</b>	Peter Money, Chief Executive Officer

**Summary**

This Item recommends amendments to the delegations relating to the Bush Fire Act.

**Attachments**

Extract from the Delegations Register.

**Background**

The Delegations Register was last reviewed in April 2023 but some deficiencies were not noted in the three policies relating to bush fires. These policies do not sub delegate any authorities for signing of permits to any officer other than the CEO. It is essential to have a second officer able to act at times when the CEO is not available.

**Comment**

It is recommended that the following be adopted:

Delegation BF-D01 – This function is to include a sub-delegation to the Works Manager.  
The following narrative be added – The CEO and Works Manager are delegated the authority to sign and issue Bush Fire Permits in accordance with legislation and Council Policy.

Delegation BF-D02 – This function is to include a sub delegation to the Works Manager.

Delegation BF-D03 – This function is to include a sub delegation to the Works Manager.

**Consultation**

Works Manager  
Rick Ryan, Area Officer DFES

**Statutory Environment**

Bush Fire Act 1954, s48  
Local Government Act 1995

**Policy Implications**

3.3

**Financial Implications**

Nil

**Strategic Implications**

These amendments ensure the Shire can act in a professional manner in the provision of customer service.

**Voting Requirements**

Absolute Majority

**Staff Recommendation**

That Council adopts the following amendments to the Delegations Register:

Delegation BF-D01 – This function is to include a sub-delegation to the Works Manager.  
The following narrative be added – The CEO and Works Manager are delegated the authority to sign and issue Bush Fire Permits in accordance with legislation and Council Policy.

Delegation BF-D02 – This function is to include a sub delegation to the Works Manager.

Delegation BF-D03 – This function is to include a sub delegation to the Works Manager.

**Resolution No. 32/24**

**MOVED: Cr. Kevill**

**SECONDED: Cr. Lefroy**

**CARRIED (BY ABSOLUTE MAJORITY)**

<b>Agenda Reference:</b>	CEO 04/24 - 04
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	9 April 2024
<b>Author:</b>	Peter Money, Chief Executive Officer

### **Summary**

This Item recommends an amendment to Council sub-Policy 8.2 under Policy 6.2 Drugs and Prescription Medicine to insert tolerance levels of drugs and prescribed medicines when testing in accordance with the Policy.

### **Attachments**

Report - Road Safety Infrastructure of the Australian Government

### **Background**

The Shire has Drug and Prescribed Medicines policy that is in place to ensure employees are attending their employment in a state that does not endanger them and/or others due to the effects of consuming drugs and/or prescribed medicines.

It also ensures compliance with the Council's Fit for Work policy which is to ensure there is no impairment on the employee or impairment of the employee's ability to perform their duties, operate machinery or drive a motor vehicle.

The current policy specifies that drug and prescribed medicines testing be carried out and assessed in accordance with Australian Standards. What the Policy does not do is allow for some tolerance in drugs that are residual in an employee's body which may be a result of consuming prescribed medicines, inadvertent consumption of drugs or effects from long past drug use.

### **Comment**

The attached document from the Road Safety Infrastructure of the Australian Government highlights some points to consider regarding impairment due to consumption of medical or illegal cannabis detected in drivers of motor vehicles. It states that "the scientific evidence shows that the majority of cannabis-positive drivers are not impaired".

The purpose of this proposed addition to the Shire's Policy is to avoid penalising an employee who may have been in the presence of (for example) cannabis smokers or an employee who may have consumed cannabis some time previous to the drug test. The testing may have detected THC or other drugs in their blood or saliva, but the employee may clearly be not impaired.

There is a difference between an employee who may have consumed other people's cannabis smoke or who may have used a small quantity cannabis in the recent past, compared to someone who tests positive with amphetamines, cocaine, or opiates which is a deliberate consumption of these drugs.

The Policy does not make judgement on an employee who has used illicit drugs as the focus is on ensuring the employee is fit for work.

Some prescription drugs do contain substances that can be detected. For example, a person being treated for ADHD may well test positive for amphetamines, which are used in a controlled manner to treat ADHD.

An employee who is taking prescription drugs that may contain substances named in this Policy, should inform the tester who may ask to see the prescription. This is especially so if the employee tests positive for any of the drugs named in this Policy.

Policy 8.2 refers to any positive test of any level of drug detected in an employee or other person in the workplace, but this can be unfair and does not allow for possible legitimate reasons for the detection of a drug or for someone clearly not impaired.

Under Australian Standards for drug testing AS4760 (oral) refers to the *screening cut-off levels* which for example makes allowance for passive smoking of cannabis. Therefore, its recommended that the processes involved under Policy 8.2 should only be applied if the employee is above the proposed tolerance levels below:

Amphetamine 50 ng/ml

Cocaine and Metabolites 50 ng/ml

THC (Cannabis) 25 ng/ml

Opiates 50 ng/ml

#### **Consultation**

Nil

#### **Statutory Environment**

Nil

#### **Policy Implications**

Council Policies 6.2, 8, 8.1, 8.2

#### **Financial Implications**

Nil

#### **Strategic Implications**

Nil

#### **Voting Requirements**

Simple Majority

#### **Staff Recommendation**

That Council amends Policy 8.2 to include the following permitted screening cut-off levels when testing employees and others in the workplace for drug and prescription medicines:

Amphetamine 50 ng/ml  
Cocaine and Metabolites 50 ng/ml  
THC (Cannabis) 25 ng/ml  
Opiates 50 ng/ml

And

Any person who is taking prescription drugs and tests positive for any of the drugs in this Policy, may be required to produce a current doctor's prescription to demonstrate the use of the drug is medicinal.

**Resolution No. 33/24**

**MOVED: Cr. Hodshon**

**SECONDED: Cr. Kevill**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr Lefroy**

**AGAINST:**



**Agenda Reference:** CEO 04/24 - 05  
**Location:** Shire of Sandstone  
**Applicant:** Shire of Sandstone  
**Disclosure of Interest:** Nil  
**Date of Report:** 5 April 2024  
**Author:** Peter Money, Chief Executive Officer

**Summary**

This Item recommends an addition to Policy 3.3 Burning Times. The addition is to apply to burn permits that may be issued by the FCO or Deputy FCO during the Restricted burning period.

**Attachments**

Extract of Policy 3.3 Burning Times

**Background**

Currently Policy 3.3 allows for the FCO to issue burn permits during the Restricted Burning Period from 1 November to 11 December and the period 20 March to 30 April.

**Comment**

It is recommended that if any burn permits are issued during the Restricted Burning Times, that the following be written on the permit:

“This permit allows for the burning of garden waste with the rubbish piles being no greater than 1 metre x 1 metre and after 6pm.”

**Consultation**

Works Manager  
Rick Ryan, Area Manager DFES

**Statutory Environment**

Bush Fires Act 1954

**Policy Implications**

Amendment to Policy 3.3 BURNING TIMES

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

**Staff Recommendation**

That Council approves the following condition be added to any permit issued during the Restricted Burning Times:

“This permit allows for the burning of garden waste with the rubbish piles being no greater than 1 metre high x 1 metre square and may only occur after 6pm.”

**Resolution No. 34/24**

**MOVED: Cr. Allison**

**SECONDED: Cr. Hodshon**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr Lefroy**

**AGAINST:**

<b>Agenda Reference:</b>	CEO 04/24 – 06
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	9 April 2024
<b>Author:</b>	Peter Money, Chief Executive Officer

### Summary

Council is requested to endorse the 2024/2025 Rating Strategy and Objects & Reasons

### Attachments

10.2.3 (A) Rating Strategy and Objects & Reasons

### Background

It is recommended to impose Differential Rates for the year ending 30 June 2025 under the various rating categories within the Shire of Sandstone.

Under Section 6.33 (3) of the *Local Government Act 1995*, a Local Government is not, without the approval of the Minister, to impose a differential rate which is more than twice the lowest differential general rate imposed by it.

With the Differential General Rates being proposed in the 2024/2025 Rating Strategy and Objects & Reasons, Council falls under the umbrella of this section of the act. Accordingly, Ministerial approval is required and the proposal to impose this rate must be advertised for a period of not less than 21 days with any submissions received subsequently being presented to Council for consideration.

### Comment

The rate in the dollar being recommended is a result of efficiency measures being implemented over the previous recent years. As a result of these measures, Council has significantly limited the burden on its ratepayers.

However, recent events resulted in Council making zero increases for two years and has limited its income though this has been negated somewhat with ensuring greater efficiencies in operations and postponing proposed Capital Works that are part of the Strategic Community Plan.

Council is cognisant of the effects of inflation affecting all ratepayers and has indicated that it will limit this rate increase to 2.5% which is below the State CPI rate of circa 3.4%.

Below are the recommended rates in the dollar for the financial year of 2024/2025 at 2.5% above 2023/2024:

**Recommended 2024/2025 Differential Rating.**

<b>Land Category</b>	<b>Rate – Cents in the Dollar</b>	<b>Minimum Payment</b>
GRV Townsite	7.0812	\$200
GRV Transient Workers Facilities	40.006	\$200
UV Pastoral	6.560	\$400
UV Mining	28.958	\$400

**Consultation**

Nil

**Statutory Environment**

*Local Government Act 1995*

*Financial Management (Local Government) Regulations 1996 – Regulation 12*

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

**Staff Recommendation**

**That Council:**

1. Agrees to adopt a 2.5% rate increase for 2024/2025 with no change to the current Minimum Rates on qualified properties.
2. Endorse the Differential Rating – Objects and Reasons for the 2024/2025 rating years as presented.
3. Endorse the following proposed Differential General Rates Categories, Rates in the Dollar, and Minimum amounts for the Shire of Sandstone for the 2024/2025 financial year:

Land Category	Rate – Cents in the Dollar	Minimum Payment
GRV Townsite	7.0812	\$200
GRV Transient Workers Facilities	40.006	\$200
UV Pastoral	6.56	\$400
UV Mining	28.958	\$400

4. Endorse a public consultation process on the proposed Differential General Rates and General Minimum Rates as follows:

- State-wide and local public notice on Saturday 4 May 2023 as per the requirements of section 6.36 of *the Local Government Act 1995*.
- Individual ratepayer consultation for all ratepayers in General Rate Categories with less than 30 ratepayers.

**Resolution No. 35/24**

**MOVED: Cr. Allison**

**SECONDED: Cr. Kevill**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr Lefroy**

**AGAINST:**

<b>Agenda Reference:</b>	CEO 04/24 – 07
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	5 April 2024
<b>Author:</b>	Peter Money, Chief Executive Officer

### **Summary**

Council is asked to consider the production and erection of two plaques, one at the Adeliade Mine site and another in Memorial Park that recognise George Dent and the Hack Brothers.

### **Attachments**

Correspondence and proposed wording for the plaque at Adeliade Mine and a further plaque in the Memorial Park.

### **Background**

Since around March of 2018 the family of George Dent have been petitioning the Shire seeking to have plaques erected in Sandstone that recognise their ancestor George Dent. A photograph was supplied some years ago for affixing to a plaque in Memorial Park.

### **Comment**

Attached are two documents for proposed plaques at Adelaide Mine and the second for erection in Memorial Park. Both documents are quite verbose, and Council is asked to either approve or amend the proposed wording which as it is written will require large plaques of smaller plaques with smaller and less script.

If Council approves the proposed scripts, I will arrange for plaques to be purchased for the two proposed sites.

If Council wishes to amend or shorten the script, proposed for either or both plaques, I will advise the proponents accordingly before making the purchase.

It is also noted that the proponents suggest the Shire places photographs on the plaques which may be obtained from the book by Sally Senior. Its not known if these photographs have copyright but Council may not wish to pay the extra costs for having the proposed photographs on the plaques.

### **Consultation**

Dent family.

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

**Financial Implications**

The cost of the plaques is not yet known and will depend on the final decision of Council but will possibly be in the vicinity of \$1,000 - \$2,000.

**Strategic Implications**

Nil

**Voting Requirements**

Simple Majority

**Staff Recommendation**

That Council support the purchase of two plaques in accordance with the attached proposed script one being for erection at the Adeliade Mine site and the second for erection in Memorial Park.

**Resolution No. 36/24**

**MOVED: Cr. Hodshon**

**SECONDED: Cr. Allison**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr Lefroy**

**AGAINST:**

<b>Agenda Reference:</b>	CEO 04/24 – 08
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Visage Productions
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	9 April 2024
<b>Author:</b>	Peter Money, Chief Executive Officer

**Summary**

Visage productions are requesting participation of the Shire of Sandstone in the production of a travel related document highlighting the Shire along with other LG's in the Murchison GeoRegion, for a TV production in the Great Aussie Road Trips series. The cost of participation is \$12,000 plus GST.

**Attachments**

Nil

**Background**

This proposal is a further production by Visage Productions which has produced previous travel related documentaries including 1 MAN & A Bike which is part of a series Great Aussie Road Trips.

**Comment**

Visage Productions through the GeoRegion is requesting funding for the production of a segment of Great Aussie Road Trips that will advertise areas covered by the seven local governments that form the GeoRegions organisation.

It is proposed that as part of the production Great Aussie Road Trips television series, it will broadcast internationally to 26 countries and across Australia on 7+.

The producer says it will be similar to the 1MAN & A BIKE series which had four LG;s involved.

The producer is seeking funding from the local governments in the Murchison GeoRegion for possibly two episodes in which the broadcast time would be split evenly between each region. of the group.

The producer advises that to make two episodes come to fruition it will require the financial contribution to come from all seven LG's.

The funding asked from each LG is \$12,000, ex GST which may be included in the Council 2024/2025 budget and production/filming would commence from July 2024.

**Consultation**

Nil

**Statutory Environment**

Nil

**Policy Implications**

Nil



**Financial Implications**

\$12,000 allocated in the 2024/2025 budget.

**Strategic Implications**

Strategic Community Plan Economic. Outcome 1.1 An attractive destination for visitors

**Voting Requirements**

Simple Majority

**Staff Recommendation**

That Council allocate \$12,000 in the 2024/2025 draft budget for its contribution to Visage Productions for participation in the Great Aussie Road Trips documentary.

**MOVED TO BRING ITEM TO THE TABLE: Cr. Hodshon**

**SECONDED: Cr. Lefroy**

Amendment: That Council decline to allocation \$12,000 in the 2024/2025 draft budget for its contribution to Visage Productions for participation in the Great Aussie Road Trips Documentary.

**Resolution No. 37/24**

**MOVED: Cr. Allison**

**SECONDED: Cr. Lefroy**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr Lefroy**

**AGAINST:**

<b>Agenda Reference:</b>	CEO 04/24 – 09
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	9 April 2024
<b>Author:</b>	Peter Money, Chief Executive Officer

**Summary**

The Murchison GeoRegion and GeoParks have requested endorsement of the Incorporated Constitution by the seven member local governments of which the Shire of Sandstone is a member.

**Attachments**

Murchison GeoRegion and Geoparks Constitution.

**Background**

The attached Constitution was adopted by the Murchison GeoRegion Project Working Group at its meeting of 20<sup>th</sup> February 2024.

**Comment**

In accordance with earlier agreement by Murchison Executive Group, for the Murchison GeoRegion to form an independent Incorporated Association, this document is now ready to be presented to all seven Murchison Geo Region local governments seeking endorsement by the respective Councils.

**Consultation**

Nil

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Constitutions are a government requirement for incorporated organisations.

**Voting Requirements**

Simple Majority

**Staff Recommendation**

That Council endorses the Constitution of the Murchison GeoRegion and Geoparks organisation trading as Murchison GeoRegion be advised of Council's decision.

**Resolution No. 38/24**

**MOVED: Cr. Allison**

**SECONDED: Cr. Hodshon**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr Lefroy**

**AGAINST:**

<b>Agenda Reference:</b>	CEO 04/24 – 10
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	9 April 2024
<b>Author:</b>	Peter Money, Chief Executive Officer

### Summary

It is recommended that Council accept the tender from Fox Modular for the purchase of two 2 x 1 accommodation units for the Caravan Park.

### Attachments

Nil

### Background

Late in 2023 a tender via the WALGA preferred supplier process was issued for two 2 x 1 accommodation units and due to insufficient specifications, the closing of the tender was extended to late in January 2024.

The successful tenderer advised they could not construct and supply the units to the Shire in time to meet the completion date of 30/06/2024 which was a condition of the LRCIP grant which funded the units.

An amended funding program for the LRCIP grant was endorsed by Council which included the acquisition of two 2 x 1 accommodation units of a slightly smaller size.

### Comment

Quotations indicated that the total cost of two slightly smaller units was circa \$300,000 and as required by legislation a public tender was advertised. The tender closed on 11 April 2024 and only one submission was received. Given the short timeframe required in the conditions of the grant, this was not unexpected.

The total cost submitted for the two units was \$337,480 and as it is the only tender submitted it is recommended that Council accepts the tendered sum.

The sum asked for in the LRCIP grant was \$295,000 and it is further recommended that Council fund the difference of \$42,500 from account 09142 for staff housing.

### Consultation

Public tender

### Statutory Environment

Nil

### Policy Implications

Nil

### **Financial Implications**

\$337,580 funded from LRCIP grant and \$42,500 from Council funds.

### **Strategic Implications**

Strategic Community Plan

1.2 A diverse and stable economy

3.1 A welcoming and resilient community

### **Voting Requirements**

Simple Majority

### **Staff Recommendation**

- That Council accepts tender 01/2024 submitted by Fox Modular for the provision and delivery of two 2 x 1 accommodation units.
- That Council authorises unbudgeted expenditure of \$42,500 from Account 09120 for the additional requirements of tender 01/2024.

### **Resolution No. 39/24**

**MOVED: Cr. Lefroy**

**SECONDED: Cr. Hodshon**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr Lefroy**

**AGAINST:**

<b>Agenda Reference:</b>	CEO 04/24 – 11
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	4 April 2024
<b>Author:</b>	Peter Money, Chief Executive Officer

### Summary

This item recommends Council reviews the Corporate Business Plan and advise of any changes it wishes to make in strategy, projects and future plans.

### Attachments

Extract from the Plan for the Future 2021-2031.

### Background

The Corporate Business Plan is to be reviewed by the local government annually (Regulation 19DA (4)). The Shire of Sandstone Corporate Business Plan is incorporated in the Plan for the Future 2021-2031.

The Shire also has a Strategic Resource Plan (2017-2032) which incorporates the Asset Management Plan and the Long Term Financial Plan.

### Comment

Local Government legislation requires a local government to have a *Strategic Community Plan* that links the community's aspirations with the council's vision and long term strategy and a *Corporate Business Plan* that integrates resourcing plans and specific council plans with the *Strategic Community Plan*.

### Consultation

Nil

### Statutory Environment

Local Government Administration Regulations **19DA**.

Corporate business plans, requirements for (Act s. 5.56)

### Policy Implications

Nil

### Financial Implications

Nil

**Strategic Implications**

Strategic Community Plan Outcomes 1,2,3,4.

**Voting Requirements**

Simple Majority

**Staff Recommendation**

That Council endorses the Corporate Business Plan within the Plan For the Future as is.

**Resolution No. 40/24**

**MOVED: Cr. Allison**

**SECONDED: Cr. Lefroy**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr Lefroy**

**AGAINST:**

<b>Agenda Reference:</b>	CEO 04/24 – 12
<b>Location/Address:</b>	Shire of Sandstone
<b>Name of Applicant:</b>	Chief Executive Officer
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	4 April 2024
<b>Author:</b>	Tracey Weiss, DCEO (Acting)

### Summary

Licencing of the Recreation Centre for sale of alcohol and meals to the community and tourists.

### Attachments

Nil

### Background

With the closure of the National Hotel in Sandstone in January 2024, and with the impending tourist season approaching, informal discussions have been held between Councillors and Executive Management regarding the potential licencing of the Recreation Centre to sell liquor and meals.

Additionally, a public community meeting was held where community members expressed their preferences for how this should be handled and set up if it were to go ahead.

Although interest has been expressed set up a Tavern on the Mt Magnet-Leinster Road, this will not be operational for some time. These proponents had also expressed interest in setting up a pub and meals at the Recreation Centre but to date, no proposal has been forthcoming.

### Comment

After contacting the Racing, Gaming and Liquor Department in March 2024, the best option is for the Shire to apply for a *Small Bar Licence*. The licensee in this instance will be the Shire of Sandstone as owner of the Recreation Centre building.

The *Small Bar Licence* will permit the Recreation Centre to sell meals and beer, wine and spirits to patrons. The hours of operation are at the discretion of the licensee (Shire of Sandstone) but alcohol sales should fall within the State legal requirements ie. between 10:00am and 11:00pm and an 'approved' Manager would need to be on site during open hours if alcohol is to be sold.

The Shire of Sandstone would also need to issue Section 39 and Section 40 Permits to submit with their Application.

A **Section 39 Certificate** is issued by the Local Government Health Services team and states the premise or the proposed premise complies with the Health Act 1911 and the Food Act 1995.

A **Section 40 Certificate** is issued by Local Government Planning Services team and states that the proposed use of the premises is consistent with the current planning approval affecting the property.



On further consultation with the Racing, Gaming and Liquor Department on 17/04/2024, it was established that, no matter what class of liquor licence is applied for at the Recreation Centre,:

- No member of the community or the Golf Club, nor any visitors / members of the public would be permitted to 'bring their own' liquor at any time;
- Any event held at the Recreation Centre would not be permitted to supply their own liquor, for example, birthday parties, anniversaries, Christmas parties et al.
- Any class of liquor licence held over a building negates the option of 'bring your own' except for a full Restaurant Licence which is not under consideration in this instance

### **Consultation**

Department of Local Government, Sport and Cultural Industries: Racing, Gaming and Liquor.

### **Statutory Environment**

Liquor Control Act 1988 Western Australia

### **Policy Implications**

Nil

### **Financial Implications**

Nil

### **Strategic Implications**

The original idea of providing meals and drinks with a liquor licence at the Recreation Centre will directly impact on the Golf Club and Community members who use the Recreation Centre currently for events and celebrations as they will no longer be able to 'bring their own' liquor.

### **Voting Requirements**

Simple Majority

### **Staff Recommendation**

That Council acknowledge the potential negative impact that any liquor licence (except for a full Restaurant Licence) would have on the Golf Club and on community members when utilising the Recreation Centre facilities for private events, and that Council rather endorses offering light meals / meat packs with the 'bring your own' option on an 'as and when' basis as has been the norm in the past.

**MOVED TO BRING ITEM TO TABLE: Cr. Allison**

**SECONDED: Cr. Kevill**

**Item tabled** whilst investigations are carried out regarding extending Café hours to include a dinner session of 06:00pm to 08:00pm during which hamburgers, stews and the like would be served.

A trial period was suggested after investigations are completed.

## 10.2 FINANCIAL REPORTS

### 10.2.1 Financial Statement for the month of March 2024

41/24

<b>Agenda Reference:</b>	F 04/24 – 01
<b>Location:</b>	Shire of Sandstone
<b>Applicant:</b>	Shire of Sandstone
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	14 April 2024
<b>Author:</b>	Debby Barndon, Accountant

#### Summary

The Statement of Financial Activity report for the month ending 31 March 2024 is presented to Council in accordance with *Regulations 34 of the Local Government (Financial Management) Regulations 1996*.

#### Attachments

- 10.2.1 (1) Financial Statements March
- 10.2.1 (2) Detailed Statements March
- 10.2.1 (3) Variance at Sub Program Level March
- 10.2.1 (4) Capital Expenditure Summary March
- 10.2.1 (5) Investment Register March

#### Comments

Total Income reports a 6.94% variance on anticipated budget expectations.

Total Expenditure shows a 9.38% variance.

Further explanations of variances at sub program level can be seen in attachment 10.2.1 (3) and a detailed look at individual COA or Job Numbers can be found on attachment 10.2.1 (2)

#### Capital Expenditure

A detailed look at capital expenditure can be found in note 8, as well as attachment 10.2.1 (4) showing levels of expenditure.

#### Summary of Cash on Hand – Shire of Sandstone as at 31 March 2024

Municipal Cheque Account - On-line (BWA)	\$708,022
Municipal Investment Account - On-line (BWA)	\$359
Trust Fund (Bankwest)	\$9,265
Trust Bank Term Deposit	\$296,379
Reserve Term Deposits (Bankwest)	\$5,347,375
Muni Term Deposit	\$931,059
Cash on Hand	\$1,450

## **Consultation**

Chief Executive Officer

## **Statutory Environment**

*Local Government (Financial Management) Regulations 1996 - Regulations 34 (1A) and 17.*

The Regulations require a Local Government to prepare each month a statement of financial activity, accompanied by relevant documents and that this information must be presented to Council at an Ordinary Meeting within 2 months after the end of the month.

## **Policy Implications**

Nil

## **Financial Implications**

Nil

## **Strategic Implications**

Nil

## **Risk Implications**

The Financial Activity report is presented monthly and provides a retrospective picture of the activities at the Shire. Contained within the report is information pertaining to the financial cost and delivery of strategic initiatives and key projects.

To mitigate the risk of budget over-runs or non-delivery of projects, the Chief Executive Officer has implemented internal control measures such as regular Council and management reporting and a quarterly process to monitor financial performance against budget estimates. Materiality reporting thresholds have been established at half the adopted Council levels, which equate to \$10,000 for operating budget line items and \$10,000 for capital items, to alert management prior to there being irreversible impacts.

It should also be noted that there is an inherent level of risk of misrepresentation of the financials through either human error or potential fraud. The establishment of control measures through a series of efficient systems, policies, and procedures, which fall under the responsibility of the Chief Executive Officer as laid out in the ***Local Government (Financial Management Regulations) 1996*** regulation 5, seek to mitigate the possibility of this occurring. These controls are set in place to provide daily, weekly, and monthly checks to ensure that the integrity of the data provided is reasonably assured.

## **Voting Requirements**

Simple Majority

**Officer Recommendation**

That in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the Statement of Financial Activity and the Investment Report for the period ending 31<sup>st</sup> March 2024 be received, and all other statements noted.

**Resolution No. 41/24**

**MOVED: Cr. Lefroy**

**SECONDED: Cr. Allison**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr Lefroy**

**AGAINST:**

<b>Agenda Reference:</b>	F 04/24 – 02
<b>Location:</b>	Shire of Sandstone
<b>Applicant:</b>	Shire of Sandstone
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	15 <sup>th</sup> February 2024
<b>Author:</b>	Debby Barndon, Accountant
<b>Senior Officer:</b>	Peter Money, Chief Executive Officer

### **Summary**

Presented for Council's information is the list of accounts paid in March 2024 from the Municipal Fund and Trust Fund in accordance with the requirements of the *Local Government (Financial Management) Regulations 1996*. Payments made through the corporate credit cards as well as income from the Caravan Park and Fuel Sales are included as attachments.

### **Attachments**

- 10.2.2 (A) List of Accounts paid via EFT March
- 10.2.2 (B) List of Accounts paid via Direct Debit March
- 10.2.2 (C) List of Accounts paid via Cheque March
- 10.2.2 (D) Corporate Credit Card Payments March
- 10.2.2 (E) Caravan Park Takings March
- 10.2.2 (F) Town Fuel Sales March
- 10.2.2 (G) Rates Reconciliation March

### **Background**

Council has delegated to the CEO the exercise of its power under Financial Management Regulation 12 to make payments from Municipal Fund and Trust Fund.

The *Financial Management Regulations (Regulation 13 (3))* requires a schedule of payments made through the Shire's bank accounts to be presented to Council.

The lists include details for each payment made incorporating the payee's name, amount of payment, date of payment and a brief transaction description.

### **Comment**

Invoices supporting all payments are available for inspection. Queries regarding any payment should be made through the Chief Executive Officer to the staff member who handles the financial transactions prior to this meeting.

All invoices and vouchers presented to Council have been certified as to receipt of the goods or services and that the amounts shown were due for payment.

Month	Cheque	EFT's	Direct Debits	Credit Card	Payroll	Total Payments
July	650.31	449,799.87	36,086.06	4,509.55	99,743.00	590,788.79
August	1,692.20	629,504.03	50,596.88	2,671.95	146,711.00	831,176.06
September	1,296.60	472,636.15	44,495.93	3,163.58	105,442.00	627,034.26
October	289.80	486,716.58	38,475.21	4,575.45	119,209.00	649,266.04
November	0.00	509,248.91	44,995.82	1,443.00	204,601.37	760,289.10
December	1,257.90	357,143.09	40,735.22	825.70	107,909.00	507,870.91
January	4,500.00	580,176.30	39,581.73	932.51	216,578.40	841,768.94
February	0.00	273,847.84	37,425.60	1,765.69	113,803.00	426,842.13
March	7,033.10	274,393.55	43,238.79	1,626.50	118,583.00	444,874.94
April						
May						
June						
Totals	16,719.91	4,033,466.32	375,631.24	21,513.93	1,232,579.77	5,679,911.17

### Consultation

Nil

### Statutory Environment

*Local Government Act 1995*

*Financial Management (Local Government) Regulations 1996 – Regulation 12*

### Policy Implications

Payments have been made under Council delegation.

### Financial Implications

None, funds were available to meet the expenditure.

### Strategic Implications

Nil

### Voting Requirements

Simple majority

### Officer Recommendation

That the schedule of accounts paid during March 2024 as listed, covering Cheques, EFTs, Bank Charges, directly debited payments and wages as numbered from Councils Municipal Fund Bank and Council's Trust Fund Bank be endorsed by Council.

**Resolution No. 42/24**

**MOVED: Cr. Lefroy**

**SECONDED: Cr. Allison**

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr Lefroy**

**AGAINST:**

## 10.3 WORKS AND SERVICES

### 10.3.1 Works Manager's Report February 2024

43/24

<b>Agenda Reference:</b>	WM 04/24 - 01
<b>Location/Address:</b>	Various - Shire of Sandstone
<b>Name of Applicant:</b>	Shire of Sandstone
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	17 April 2024
<b>Previous References:</b>	Nil
<b>Author:</b>	Patrick O'Brien, Works Manager

#### Summary

To provide Council with an Activity Report on the operations of Council's outside works staff for month since the March 2024 meeting.

#### Attachments

None

#### Background

Below comprises a Works progress report relating to outside staff and road works construction and maintenance crew undertaken within Council's operations

#### Comment

##### *Construction*

Road works on RTR project for 2024, Sandstone – Meekatharra Road (RN0004) is ongoing, primarily drainage improvement / enhancement , installation of Whoa boy's / Levee banks to promote water crossover at close to natural flow points. Also a 500m section of reform & re-sheet will be included.

##### *Maintenance Grading*

Contract Maintenance Grader has been working on heavy grade–medium pulling in of material and restoring camber / shape to road formation on both Sandstone–Wiluna Road (RN0005) and Gidgee access road (RN 0016). Have temporarily moved contract grader onto RTR project to help minimise cost allocated to existing maintenance budget. Awaiting LRCIP funding allocation approval for Sandstone–Wiluna Road for further works.

Replacement of missing guideposts has been completed on Paynes Find Road on Culvert heads proceeding down to Paynes Find end, installing posts on recently completed road works. Tourist / London Bridge Road has also had guideposts and some signage installed. Council's maintenance grader is currently in the depot, relief grader operator has finished.



### *Town works/ Gardens/retic*

Additional bore water options for Town retic supply are ongoing. Water test results have shown the Hacks Bore is quite brackish and unsuitable for irrigation purposes. The PIX shaft water test is of lower salt level than the adjacent bore (located 100 m away), however, the shaft is beyond safe use (collapsing walls). There are another couple of supply options to investigate (Wandarri shaft and 2 other existing bores in proximity). We have been in communication with Water Corp in regard to several existing bores and potential access / water quality.

Pioneer Park irrigation improvements are being investigated to attempt to utilise the unused PVC lines that were installed previously, enabling for further plants/shrubs to be relocated from other areas within town to this park and have water available.

Garden products, mulch / slow-release fertilizer and flowering plants are being sourced to enhance the main street area, large pots and existing garden beds. Existing garden tidying up/removal of dead plants and material works in medium strip and around town are ongoing.

Public Bowser (dangerous goods license) audit is scheduled and some amendment work will be required.

Shade structure over the newly installed compressor is still ongoing.

Caravan Park septic system has had the faulty transfer pump replaced, tanks have been pumped out, two new trafficable lids installed on tanks in the middle lawn area of the park - system appears to be functioning as it should be prior to visitor influx.

Café grease trap / drain is not effective and works are ongoing to replace existing french drain type system with a strainer type grease trap, small tank and pump to deliver into existing septic system.

### *Plant / Maintenance*

Side tipper B trailer – S783 has had all brake linings/ shoes replaced.

Side tipper A trailer – S763 has been found to have cross member cracks (to be repaired - welded/plated).

Hino works crew service truck has had a replacement clutch/thrust bearing kit.

Fuel trailer – 1TQQ 971 has had leak repaired and should be usable after being out of service for some considerable time.

Komatsu 320 loader – S585 will require new front tyres - sourcing options / costs.

Plant list is out of date (there are numerous inconsistencies) - currently working on going through all items of plant to achieve an accurate updated list which will enable a more accurate plant replacement schedule going forward.

### **Consultation**

Not applicable

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

No financial impost is associated with the activity report as it is retrospective.

**Strategic Implications**

Long-term objectives may be developed from time to time.

**Voting Requirements**

Simple majority.

**Officer Recommendation**

That the contents of the Works Manager's Report be acknowledged by Council.

**Resolution No. 43/24**

**MOVED: Cr. Hodshon**

**SECONDED: Cr. Allison**

That the contents of the Works Manager's Report be acknowledged by Council.

**CARRIED (5/0)**

**FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr Lefroy**

**AGAINST:**

**11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**12 QUESTIONS FROM MEMBERS WITHOUT NOTICE**

Nil

**13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING****13.1 Class Action Against SAT – Appeal on Miscellaneous Licences and Rates 44/24**

**Agenda Reference:** CEO 04/24 - 13  
**Location/Address:** Shire of Sandstone  
**Name of Applicant:** Shire of Mt Magnet  
**Disclosure of Interest:** Nil  
**Date of Report:** 9 April 2024  
**Author:** Peter Money, Chief Executive Officer

**Summary**

This item seeks a response to the Shire of Mt Magnet’s request for financial support for an appeal to the Supreme Court over a Statutory Appeals Tribunal (SAT) decision.

The Shire disputes the findings of the SAT which concluded that the holders of miscellaneous leases are exempted from the payment of Shire rates.

**Attachments**

Confidential Documents.

**Background**

In 2023 an appeal was heard by the Statutory Appeals Tribunal about the ability of local Governments to apply rates to miscellaneous leases. This came about when a mining company built their accommodation camp on a miscellaneous lease while operating mining activities on a mining lease. The Mt Magnet Shire applied to have the camp rated in accordance with the Local Government Act. However, the application was opposed and after a lengthy hearing and a lengthy period of determination, the SAT determined that local Governments could not apply rates to a miscellaneous lease.

**Comment**

It is noted that on Page 32 of the Summary of the findings, the sitting member stated, *“I accept that both constructions that are contended for are open and that my conclusion is not free from doubt.”*

The Shire of Mt Magnet determined to lodge this appeal and especially that the SAT Member admitted that his conclusions are not free from doubt.

There is also concern that in future more mining companies will build their rateable infrastructure on miscellaneous lease and avoid paying any rates to the local Governments.

There are substantial implications for this ruling now and into the future and throughout Western Australia, as millions of dollars are involved and at present are being denied to the local Governments by the holders of miscellaneous leases.

The implication for Sandstone alone is approximately \$220,000 per year.

The Council may wish to support this application by the Mt Magnet Shire but it should be noted there is no guarantee of success.

This is unbudgeted funding and if funds are approved, it will require an absolute majority vote.

#### **Statutory Environment**

Local Government Act s6.39.

#### **Policy Implications**

Nil

#### **Financial Implications**

To be determined and funded from account 14506.

#### **Strategic Implications**

Strategic Community Plan.

#### **Voting Requirements**

Absolute Majority.

**MOVED TO BRING ITEM TO TABLE: Cr. Hodshon**

**SECONDED: Cr. Allison**

#### **Staff Recommendation**

**Resolution No. 44/24**

**MOVED: Cr. Hodshon**

**SECONDED: Cr. Lefroy**

That Council agrees to support the Shire of Mt Magnet in its Supreme Court appeal on SA decision WASAT 16 in reference to the rating of miscellaneous mining leases to the sum of \$12,000.

**CARRIED (BY ABSOLUTE MAJORITY)**

**14 MEETING ITEMS CLOSED TO THE PUBLIC**

Nil

**15 CONFIDENTIAL ITEMS**

Nil

**16 TIME and DATE of NEXT MEETING**

The next scheduled Ordinary Council Meeting will be held on Thursday 23<sup>rd</sup> May 2024.

**17 CLOSURE OF MEETING**

There being no further business, the Shire President closed the meeting at 03:10 pm.

**18 CERTIFICATIONS**

I, \_\_\_\_\_, certify that the Minutes of the Ordinary Council Meeting held on 24<sup>th</sup> April 2024, as shown, were confirmed as a true and accurate record at the Meeting held on 24<sup>th</sup> April 2024.

\_\_\_\_\_  
(Presiding Member)