MINUTES

Ordinary Council Meeting

Thursday, 8 September 2016

Held in the Council Chambers, Hack St Sandstone
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<th>MINUTE NO.</th>
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<td>8.3</td>
<td>Special Council Meeting – 13 August 2016</td>
<td>76/16</td>
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<td>Presentations</td>
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<td>16</td>
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<td>Officer’s Reports</td>
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<td>16</td>
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<td>16</td>
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<td>78/16</td>
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<td>Local Government Extraordinary Election 2016</td>
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<td>24</td>
<td>10.2</td>
<td>Financial Reports</td>
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<td>24</td>
<td>10.2.1</td>
<td>Financial Statements for the Month of July 2016</td>
<td>80/16</td>
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<td>25</td>
<td>10.2.2</td>
<td>Accounts Update for the Month of July 2016 (includes for Credit Cards, the Caravan Park &amp; Fuel Sales)</td>
<td>81/16</td>
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<td>10.2.3</td>
<td>Rates Small Balance Write-off’s</td>
<td>82/16</td>
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<td>30</td>
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<td>30</td>
<td>10.4</td>
<td>Works and Services</td>
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<td>30</td>
<td>11</td>
<td>Motions of which Previous Notice Has Been Given</td>
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<td>30</td>
<td>12</td>
<td>Questions from Members Without Notice</td>
<td></td>
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<td>30</td>
<td>13</td>
<td>New Business of an Urgent Nature Introduced by Decision of the Meeting</td>
<td></td>
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<tr>
<td>Time</td>
<td>Item</td>
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<td>30</td>
<td>Meeting Items Closed to the Public</td>
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<td>30</td>
<td>Time and Date of Next Meeting</td>
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<td>Closure of the Meeting</td>
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<td>30</td>
<td>Certification of the Minutes of the Previous Meeting(s)</td>
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</table>
1 DECLARATION OF OPENING AND ANNOUNCEMENT OF ANY VISITORS

The Presiding Member, Cr Bethel Walton (Shire President) declared the Meeting open at 9.00 am.

1.1 Visitors
Mr Harry Hawkins – Shire of Sandstone New CEO

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER AND/OR COUNCILLORS
(without discussion unless otherwise determined)

The President welcomed the new CEO, Mr Harry Hawkins to the Shire of Sandstone.

3 ATTENDANCE

3.1 Present

**Elected Members**

- Cr B (Bethel) Walton  Shire President (and Presiding member of this Meeting)
- Cr C (Carol) Hodshon  Deputy Shire President
- Cr F (Freda) May
- Cr K (Kerry) Key
- Cr J P Bennett

**Staff Members**

- Mr Sean Fletcher  A/Chief Executive Officer
- Mr Rob Moss  Works Supervisor

3.2 Apologies

Nil

3.3 Approved Leave of Absence

Nil

4 RESPONSE 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

6.2 Declarations of Proximity Interest

6.3 Declarations of Indirect Financial Interest

6.4 Declarations of Impartiality Interest

Cr F May Item 10.2.2. EFT Payment 4733 Halsall & Associates. An employee of this firm is Cr May’s Son-in-Law.

7 PUBLIC QUESTION TIME

Nil

8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

8.1 That the Minutes of the Ordinary Meeting of Council held on 28 July 2016 be confirmed as a true and accurate record of proceedings.

COUNCIL RESOLUTION 74/16

MOVED: Cr May
SECONDED: Cr Key

That the Minutes of the Ordinary Meeting of Council held on 28 July 2016 are confirmed as a true and accurate record of proceedings.

CARRIED (5/0)

8.2 That the Minutes of the Special Meeting of Council held on 12 August 2016 be confirmed as a true and accurate record of proceedings.

COUNCIL RESOLUTION 75/16

MOVED: Cr May
SECONDED: Cr Key

That the Minutes of the Special Meeting of Council held on 12 August 2016 are confirmed as a true and accurate record of proceedings.

CARRIED (5/0)
8.3 That the Minutes of the Special Meeting of Council held on 13 August 2016 be confirmed as a true and accurate record of proceedings.

COUNCIL RESOLUTION 76/16

MOVED: Cr Key
SECONDED: Cr Hodson

That the Minutes of the Special Meeting of Council held on 13 August 2016 are confirmed as a true and accurate record of proceedings. CARRIED (5/0)

9 PRESENTATIONS

9.1 Petitions
Nil

9.2 Presentations
Ms Di Jellett addressed the Council and suggested that it would be beneficial to have murals painted on the Miner’s Cottage in Town.

9.3 Deputations
Nil

9.4 Delegates/Councillor’s Reports
Nil
10 OFFICERS REPORTS

10.1 CHIEF EXECUTIVE OFFICER’S REPORTS

10.1.1 Integrated Planning and Reporting

Agenda Reference: CEO 8/16 - 01
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 18 August 2016
File No:
Previous References: OCM 28 July 2016: 10.1.1
Author: Sean Fletcher, Acting Chief Executive Officer

Signature of Author: ____________________

Summary
The purpose of this report is to advise Council on the status of the Shire’s Integrated Planning and Reporting.

Attachments
Nil

Background
As advised in last month’s report to Council, the Workforce Plan has yet to have its interim review. Neither has the Department of Local Government and Communities provided feedback on this plan, and it would appear that this will not be forthcoming in the near future.

The major review of the Shire’s Integrated Planning and Reporting documents is due in 2017. An allocation has been made in the 2016/2017 Budget so that the review can occur.

Comment
The author has not been able to complete the interim review of the Workforce Plan before finishing his current term with the Shire of Sandstone.
Time To Implement Required Changes to IPR Documents

The updated timeline to implement the required changes is as follows:

<table>
<thead>
<tr>
<th>Plan</th>
<th>Who</th>
<th>Cost</th>
<th>Feb</th>
<th>Mar</th>
<th>Apr</th>
<th>May</th>
<th>Comments</th>
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<td>SCP</td>
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<td>• Changes adopted 2 June 2016</td>
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<td>CBP</td>
<td>CEO</td>
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<td>• Changes adopted 2 June 2016</td>
</tr>
<tr>
<td>LTFP</td>
<td>CEO</td>
<td>$5,000</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Queries by the Department on a number of ratios addressed</td>
</tr>
<tr>
<td>AMP</td>
<td>CEO</td>
<td></td>
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<td></td>
<td></td>
<td></td>
<td>• Changes adopted 2 June 2016</td>
</tr>
<tr>
<td>WFP</td>
<td>CEO</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>The Workforce Plan requires an interim review</td>
</tr>
</tbody>
</table>

Legend

| Indicator | Time required | In progress | Completed | Revised due date |

Consultation

Nil

Statutory Environment

*Local Government Act 1995* – Section 5.56 - Planning for the Future. A local government is to ensure that its plans are made in accordance with any regulations made.

*Local Government (Administration) Regulations 1996* – Division 3 Planning for the Future. This division sets out the finer detail regarding Integrated Planning and Reporting including the SCP, CBP, LTFP, AMP and WFP.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

As discussed in the body of this report.

Voting Requirements

Simple majority
Officer Recommendation
That Council accepts the August 2016 report on the status of the Shire of Sandstone’s Integrated Planning and Reporting documents.

COUNCIL RESOLUTION 77/16

MOVED: Cr May
SECONDED: Cr Bennett

That Council accepts the August 2016 report on the status of the Shire of Sandstone’s Integrated Planning and Reporting documents.

CARRIED (5/0)
10.1.2 Status Report Update – August 2016

Agenda Reference: CEO 8/16 - 02
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 18 August 2016
File No: 
Previous References: OCM 28 July 2016
Author: Sean Fletcher, Acting CEO

Signature of Author: [Signature]

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

Attachments
10.1.2A Status Update August 2016

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

Comment
As per the comments in the body of this report.

Consultation
Nil

Statutory Environment
Nil

Policy Implications
Nil

Financial Implications
Nil

Strategic Implications
Nil
Voting Requirements
Simple majority

Officer Recommendation – Item 10.1.2
That Council accepts the Status Update for August 2016

COUNCIL RESOLUTION 78/16

MOVED: Cr Key
SECONDED: Cr Hodson

That Council accepts the Status Update for August 2016 including Attachment 10.1.2A

CARRIED (5/0)
Summary
The purpose of this report is for Council to resolve that the extraordinary election to replace the position left vacant by Cr Donna Bennett is an in-person election and to acknowledge that the WA Electoral Commissioner has fixed the date of the election to be Saturday 12 November 2016.

Attachments
10.1.3A Extraordinary Election Timetable
10.1.3B Letter From the WA Electoral Commissioner Confirming the Date of the Extraordinary Election

Background
Cr Donna Bennett resigned from Council as an elected member on 22 June 2016. As the Shire is now outside the required timeframe to fix an extraordinary election date, the author has written to the Electoral Commissioner in accordance with the Local Government Act 1995 to seek his agreement to fix the election date for Saturday 12 November 2016.

The Council also needs to determine whether the proposed extraordinary election shall be an in-person election or a postal election.

Comment
The author advised Mr Richards at the Electoral Commission on 18 August 2016 that the Shire was outside the required timeframe to fix an election date for the extraordinary election created by the recent resignation of Cr Donna Bennett on 22 June 2016.

Accordingly, Mr Richards requested that the author submit a letter to the WA Electoral Commissioner seeking his agreement to fix the election date for 12 November 2016. Mr Fletcher subsequently submitted the written request to the Electoral Commissioner on 18 August 2016. The Electoral Commissioner responded to Mr Fletcher the next day advising that the extraordinary election is to be held on Saturday 12 November 2016.

This now means that the period for enrolments for the electoral roll will open on 3 September 2016 and close on 17 September 2016. Further to this, the period for nominations regarding the vacant position open on 29 September 2016 and close on 6 October 2016. The Commissioner then compiles the residents electoral roll and the CEO the owner occupiers roll.
The *Local Government Act 1995* (the Act) provides that an extraordinary election can be conducted as a postal election or a voting in person election. The Act also requires that a postal election must be conducted by the Electoral Commissioner.

Historically, the Shire of Sandstone has conducted in-person elections and the author recommends that this happens regarding the proposed extraordinary election for 12 November 2016. Under the Local Government Act regarding in-person elections, the CEO is automatically the Returning Officer and appoints electoral officers to assist with an election accordingly.

**Consultation**

Mr Phillip Richards, Manager Elections WA Electoral Commission

**Statutory Environment**

*Local Government Act 1995*

**Section 4.9 Election day for extraordinary election**

1. Any poll needed for an extraordinary election is to be held on a day decided on and fixed by the mayor or president, in writing, if a day has not already been fixed by the council within one month of the vacancy occurring.

2. The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with and it cannot be later than 4 months after the vacancy occurs.

3. If at the end of one month after the vacancy occurs an election day has not been fixed, the CEO is to notify the Electoral Commissioner and the Electoral Commissioner is to fix a day for the holding of the poll that allows enough time for the electoral requirements to be complied with and advise the CEO of the day fixed.

**Section 4.20 (2) CEO to be returning officer unless other arrangements are made.**

* Absolute majority required.

**Section 4.61 Choice of methods of conducting election i.e. either in – person (conducted by the CEO) or postal election (conducted by the Electoral Commissioner*).

* Absolute majority required.

**Policy Implications**

Nil

**Financial Implications**

Cost of advertising estimated to be approximately $2,000.

**Strategic Implications**

Nil

**Voting Requirements**

Simple majority (Absolute majority if Electoral Commissioner is appointed to conduct a postal election).
Officer Recommendation – Item 10.1.3

That Council

1. Under Section 4.61 (1) of the Local Government Act 1995 (the Act) chooses the extraordinary election to be conducted as an in-person election. This means that in accordance with Section 4.20 of the Act, the CEO will be the returning officer.

2. Acknowledges that the date of the extraordinary election fixed by the Electoral Commissioner is Saturday 12 November 2016.

COUNCIL RESOLUTION 79/16

MOVED: Cr May
SECONDED: Cr Key

That Council

1. Under Section 4.61 (1) of the Local Government Act 1995 (the Act) chooses the extraordinary election to be conducted as an in-person election. This means that in accordance with Section 4.20 of the Act, the CEO will be the returning officer.

2. Acknowledges that the date of the extraordinary election fixed by the Electoral Commissioner is Saturday 12 November 2016.

CARRIED (5/0)
10.2 FINANCIAL REPORTS

10.2.1 FINANCIAL STATEMENTS FOR MONTHS OF JULY 2016

The monthly financial statements for July were not available at the time the agenda was issued due to the need to upload the 2016 – 2017 Budget into the Shire’s financial reporting system.

The monthly statements will either be ready in time for the August meeting to be held on 8 September 2016 or will come forward at the September Council meeting.

Sean Fletcher
Acting CEO
10.2.2 ACCOUNTS UPDATE FOR THE MONTH OF JULY 2016
(includes Credit Cards, the Caravan Park and Fuel Sales)

Location: Shire of Sandstone
Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 11 July 2016
Author: Rhonda Miles – Finance Officer
Senior Officer: Sean Fletcher – A/Chief Executive Officer

Signature of Author: ____________________________

Summary
Presented for Council’s information is the list of accounts paid in the month 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
10.2.2A to C: The list of accounts (EFT and cheque payments) is attached which will enable Council to see the payments made to the Shire’s creditors.
10.2.2D to F: Payments via Credit Cards (CEO and Works Supervisor), Caravan Park Income and Fuel Sales Income.

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 CEO to the staff who handle 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.

Consultation
Nil
**Statutory Environment**

*Local Government Act 1995*

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

*Financial Management (Local Government) Regulations 1996 – Regulation 13*

Please, also refer to the comments in the Background Section.

**Policy Implications**

Payments have been made under Council delegation.

**Financial Implications**

Funds were available to meet the expenditure.

**Strategic Implications**

Nil

**Voting Requirements**

Simple majority

**Staff Recommendation – Item No. 10.2.2**

That Council receives the July 2016 accounts paid as presented:

**Municipal Fund**

- Municipal printed cheque numbers 105061-105066 totalling $14,343.38
- EFT Payment Numbers 4682-4743 totalling $518,194.67
- Superannuation $18,109.77

**Trust Fund:**

- Trust printed cheques numbers 205011-205012 totalling $1,920.35
- Trust Fund manual cheques number 71 totalling $165.00

**Payroll EFT:**

June 2016 - $20,716.00 and $28,899.00 totalling $59,615.00

**Credit Cards:**

DD 2861.1 totalling $2,438.62
COUNCIL RESOLUTION  80/16

MOVED: Cr Hodson
SECONDED: Cr May

That Council receives the July 2016 accounts paid as presented:

Municipal Fund
- Municipal printed cheque numbers 105061-105066 totalling $14,343.38
- EFT Payment Numbers 4682-4743 totalling $518,194.67
- Superannuation $18,109.77

Trust Fund:
- Trust printed cheques numbers 205011-205012 totalling $1,920.35
- Trust manual cheques number 71 totalling $165.00

Payroll EFT:
July 2016 - $20,716.00 and $28,899.00 totalling $59,615.00

Credit Cards:
DD 2861.1 totalling $2,438.62

CARRIED (5/0)
10.2.3 RATES WRITE OFF

Location/Address: Shire of Sandstone  
Name of Applicant: Shire of Sandstone  
Disclosure of Interest: Nil  
Date of Report: 22 August 2016  
Author: Rhonda Miles, Finance Officer  
Senior Officer: Sean Fletcher – A/Chief Executive Officer

Signature of Author: ____________________

Summary
Council is requested to approve the write off the rate and/or penalty interest by absolute majority.

Attachments
10.2.3 Email dated 1st August 2016 from Nely Freeman – ITVision Rates Support advising Small Balance Write Offs were carried out on balances under $5.00 as per Section 6.12 of the Local Govt Act (1995) and the Write Off Report is attached to be presented to Council.

Background
Section 6.12 of the Local Government Act 1995 (as below) requires any write off of money to be resolved by Council by absolute majority;

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

(1) Subject to subsection (2) and any other written law, a local government may —

(a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or

(b) waive or grant concessions in relation to any amount of money; or

(c) write off any amount of money,

(d) which is owed to the local government.

Comment

Rates Small Balances Write off’s

<table>
<thead>
<tr>
<th>Assessment Number</th>
<th>Amount $</th>
<th>Reason</th>
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<tbody>
<tr>
<td>A1666</td>
<td>2.65</td>
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<tr>
<td>A1711</td>
<td>0.60</td>
<td>Lot E95/02060</td>
</tr>
<tr>
<td></td>
<td>3.25</td>
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</table>
Consultation
Nil

Statutory Environment
Section 6.12 of the Local Government Act 1995

Policy Implications
Nil

Financial Implications
Small balance write-off's: $3.25

Strategic Implications
Nil

Voting Requirements
Absolute majority

Staff Recommendation – Item 10.2.3
That Council approves the write-off of rates and/or penalty interest as per Section 6.12 of the Local Government Act 1995, as follows: A1666 for the amount of $2.65 & A1711 for the amount of $0.60 totalling $3.25

COUNCIL RESOLUTION  81/16  ABSOLUTE MAJORITY REQUIRED
MOVED: Cr Hodson
SECONDED: Cr May

That Council approves the write-off of rates and/or penalty interest as per Section 6.12 of the Local Government Act 1995, as follows:

Small balance write-off’s on A1666 of $2.65; A1711 of $0.60.

CARRIED BY ABSOLUTE MAJORITY (5/0)
<table>
<thead>
<tr>
<th>Item</th>
<th>Description</th>
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<tr>
<td>10.3</td>
<td>HEALTH, BUILDING and TOWN PLANNING</td>
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<tr>
<td></td>
<td>Nil</td>
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<tr>
<td>10.4</td>
<td>WORKS and SERVICES</td>
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<td>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</td>
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<td>Meeting Closed to the Public</td>
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<tr>
<td>13.2</td>
<td>Public Reading of Resolutions to be made Public</td>
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<td>Nil</td>
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</table>

**TIME and DATE of NEXT MEETING**

The next scheduled Ordinary Council Meeting will be held on Thursday 29 September 2016.

**15 CLOSURE OF MEETING**

Before Closing the meeting the Shire President thanked Acting CEO Sean Fletcher for the work he has done and the way he has fitted in with the community.

There being no further business, the Shire President closed the meeting at 9.12am.

**CERTIFICATION**

I, ________________________, certify that the Minutes of the Meeting held on 28 July 2016, as shown, were confirmed as a true and accurate record at the Meeting held on 8 September 2016.__________________________________________

(Presiding Member)

Date: 8 September 2016