



AGENDA

Ordinary Council Meeting

Thursday 26 October 2023

Commencing at 1.00PM

To be held in the Council Chambers, Hack St Sandstone

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ORDINARY COUNCIL MEETING NOTICE PAPER

Thursday 26 October 2023 – 1:00pm

Dear President and Councillors,

An Ordinary Meeting of Council is called for Thursday 26 October 2023, in the Council Chambers, Hack Street, Sandstone, commencing at 1.00 pm.

Councillors please note:

A Briefing Session will be held prior to the Council Meeting.

Charlie Brown

Chief Executive Officer

19 October 2023

PUBLIC QUESTION TIME

A 15-minute public question time is available to allow members of the public the opportunity of submitting questions to Council on matters concerning them. Questions should be submitted in writing prior to the meeting. The questions will be addressed by the President or their nominated person. Where an answer cannot be given at the meeting, a reply will be given in writing subsequent to the meeting.

Discussion will not be allowed.

SHIRE OF SANDSTONE



DISCLAIMER

No responsibility whatsoever is implied or accepted by the Sandstone Shire Council for any act, omission, statement or intimation occurring during Council/Committee meetings or during formal/informal conversations with staff. The Sandstone Shire Council disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission, statement, intimation or otherwise occurring during Council/Committee Meetings or discussions. Any person or legal entity that acts or fails to act in reliance upon any statement does so at that person's or legal entity's own risk.

*In particular but without derogating in any way from the broad disclaimer above, in any discussion regarding any planning application or application for a licence or permit, any statement or limitation of approval made by an Elected Member or by a Staff Member of Sandstone Shire Council during the course of any Meeting is not intended to be and is not to be taken as notice of approval from the Sandstone Shire Council. The Sandstone Shire Council warns that anyone who has an application lodged with the Sandstone Shire Council must obtain and only should rely on **WRITTEN CONFIRMATION** of the outcome of the application including any conditions attaching to the decision made by the Sandstone Shire Council in respect of the application.*

A handwritten signature in black ink, consisting of a large, stylized 'C' followed by a series of loops and a horizontal line extending to the right.

Charlie Brown
Chief Executive Officer

19 October 2023

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**ORDINARY COUNCIL MEETING TO BE HELD ON
THURSDAY 26 OCTOBER 2023
AGENDA SUMMARY and TABLE OF CONTENTS**

Table of Contents

AGENDA and STAFF REPORTS	7
1 <i>DECLARATION OF OPENING AND ANNOUNCEMENT OF ANY VISITORS</i>	7
1A Election of President	7
1B Election of Deputy President	7
2 <i>ANNOUNCEMENTS FROM THE PRESIDING MEMBER AND/OR COUNCILLORS</i>	7
3 <i>ATTENDANCES</i>	7
3.1 Present	7
3.2 Apologies	8
4 <i>RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE</i>	8
5 <i>APPLICATIONS FOR LEAVE OF ABSENCE</i>	8
6 <i>DECLARATIONS OF INTEREST</i>	8
6.1 Declarations of Financial Interest	8
6.2 Declarations of Proximity Interest	8
6.3 Declarations of Indirect Financial Interest	8
6.4 Declarations of Impartiality Interest	8
7 <i>PUBLIC QUESTION TIME</i>	8
8 <i>CONFIRMATIONS OF MINUTES FROM PREVIOUS MEETINGS</i>	8
8.1 Ordinary Meeting of Council held on the 28 th September 2023	/23 8
8.2 Special Meeting of Council held on the 13 th October 2023	/23 9
9 <i>PRESENTATIONS</i>	9
9.1 Petitions	9
9.2 Presentations	9
9.3 Deputations	9
9.4 Delegates/Councillor's Reports	9
10 <i>OFFICERS REPORTS</i>	10
10.1 <i>CHIEF EXECUTIVE OFFICER'S REPORTS</i>	10
10.1.1 Status Report Update – September 2023	/23 10
10.1.2 Actions Performed Under Delegative Authority	/23 14
10.1.3 Council Policy Bushfire & Finance	/23 16
10.1.4 Appointment of Delegates/Committee Members	/23 18
10.1.5 Reserves Within Townsite Boundary	/23 22
10.1.6 Council Membership	/23 25
10.1.7 Appointment of Acting Chief Executive Officer	/23 28
10.1.8 November 2023 Ordinary Council Meeting	/23 31
10.2 <i>FINANCIAL REPORTS</i>	33
10.2.1 Financial Statement for the month of September 2023	/23 33
10.2.2 Accounts update for the month of September 2023	/23 36
10.2.3 Budget Adjustment	/23 39

Table of Contents

10.3	<i>WORKS AND SERVICES</i>	41
10.3.1	Works Supervisor's Report September - October 2023	/23 41
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
14	<i>MEETING ITEMS CLOSED TO THE PUBLIC</i>	43
15	<i>CONFIDENTIAL ITEMS</i>	43
16	<i>TIME and DATE of NEXT MEETING</i>	43
17	<i>CLOSURE OF MEETING</i>	43
18	<i>CERTIFICATIONS</i>	43



AGENDA and STAFF REPORTS

ORDINARY COUNCIL MEETING TO BE HELD IN

COUNCIL CHAMBERS, SANDSTONE ON THURSDAY 26 October 2023

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF ANY VISITORS

The Chief Executive Officer to declare the Meeting open at 1.00pm.

Newly elected Councillors to be sworn in.

Following the swearing in ceremony, the Chief Executive Officer shall call for nominations for the position of President for the ensuing two-year period.

Following the election of President, the Chief Executive Officer will resume his chair and the Shire President will assume control over the meeting and call for nominations for the position of Deputy President.

1A Election of President

The Chief Executive Officer shall call for nominations and conduct an election if necessary.

The Shire President shall then assume the Chair.

1B Election of Deputy President

The Shire President to call for nominations for the position of Deputy Shire President for the ensuing two-year period and conduct an election if necessary.

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

Cr C (Carol) Hodshon

Cr D (David) Lefroy

Cr V (Vicki) McQuie

Cr J (James) Allison

Staff Members

Mr Charlie Brown

Chief Executive Officer

Ms Selina Sergeant

Deputy Chief Executive Officer

Visitors

Nil

3.2 Apologies

Nil

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

8.1 Ordinary Meeting of Council held on the 28th September 2023

/23

Officer Recommendation

Resolution No.

MOVED: Cr.

SECONDED: Cr.

That the Minutes of the Ordinary Meeting of Council held on 28th September 2023 be confirmed as a true and accurate records of proceedings.

NOT /CARRIED (0/0)

FOR:

AGAINST:

8.2 Special Meeting of Council held on the 13th October 2023

/23

Officer Recommendation

Resolution No.

MOVED: Cr.

SECONDED: Cr.

That the Minutes of the Special Meeting of Council held on 13th October 2023 be confirmed as a true and accurate records of proceedings.

NOT /CARRIED (0/0)

FOR:

AGAINST:

9 PRESENTATIONS

9.1 Petitions

Nil

9.2 Presentations

Nil

9.3 Deputations

Nil

9.4 Delegates/Councillor's Reports

MRVC Meeting 11th October 2023

RRG Meeting 18th October 2023

10 OFFICERS REPORTS

10.1 CHIEF EXECUTIVE OFFICER'S REPORTS

10.1.1 Status Report Update – September 2023

/23

Agenda Reference:	CEO 10/23 - 01
Name of Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	13 th October 2023
Previous References:	Various
Author:	Charlie Brown, 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.

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	15535.8820000000
10022	133	26/01/1906	C	6581.5152000000
14645	4504	4/12/1914	C	1926.3037000000
17984	662	13/04/1922	C	1957.6643000000
17011	1174	16/08/1918	C	5034.3713000000

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.

Resolution No 55/22
Item No 10.1.5
Action Excision of Part of reserve no 11714

Resolve to support in principle the excision of a portion of reserve 11714 referenced as site 2 on the relevant plans submitted to Council subject to the proponents being advised that:

- A. Formal support for excision of the reserve will not be provided by Council until such time as a planning application has been considered as appropriate having regard for relevant issues associated with a formal proposal with detailed plans having regard for the comments of the community and relevant government agencies.
- B. The proponent is advised to undertake further investigations with respect to issues such as Main Roads comments, Department of Mines and Petroleum, Mining Tenement Holder, the fact that the site contains some disused mine shafts (geotechnical matters) and consultation with other agencies prior to preparation and lodgement of an application for development approval.
- C. In applying for development approval, the proponent will need to seek the authority from the appropriate government agency charged with the management of the Crown land in question to sign the application form.

And;

- A. Instruct the CEO to write to the proponent advising of the above and also the relevant government agency responsible for the Crown land.



The applicant has advised that they have receive an objection to the proposed site 2 and have gone back to site 1.

MRD recently advised that they have resubmitted funding proposal for the truck stop but have no objections to site 1 providing there is a 100-meter setback from the road.

Horizon Power advised that council support application for portion of Airport reserve, under the same terms and conditions as previous application.

29/05/2023 Advised of Council’s OCM Resolution May 2023

Ongoing.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

Officer Recommendation

Resolution No.

MOVED: Cr.

SECONDED: Cr.

That Council accepts the Status Update for the month of September 2023.

NOT /CARRIED (0/0)

FOR:

AGAINST:

Agenda Reference:	CEO 1023 – 02
Location/Address:	None
Name of Applicant:	None
Disclosure of Interest:	None
Date of Report:	13 th October 2023
Author:	Charlie Brown, Chief Executive Officer

Summary

To report on actions performed under delegated authority for the month of September 2023.

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 September 2023, is submitted to Council for information.

Date	Delegation Ref	Person or Classes affected
07/09/2023	AD - D02 Common Seal	Remote Area Mechanical Services
08/09/2023	FI - D11 Payment Procedure Municipal Fund	CREDITORS 08/09/23
12/09/2023	FI - D11 Payment Procedure Municipal Fund	PAYROLL 12/09/2023
13/09/2023	FI - D11 Payment Procedure Municipal Fund	CREDITORS 13/09/23
18/09/2023	FI - D11 Payment Procedure Municipal Fund	CREDITORS 18/09/23
22/09/2023	FI - D11 Payment Procedure Municipal Fund	CREDITORS 22/09/23
26/09/2023	FI - D11 Payment Procedure Municipal Fund	PAYROLL 26/09/2023

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.

MOVED: Cr.

SECONDED: Cr.

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 September 2023.

CARRIED/NOT CARRIED (0/0)

FOR:

AGAINST:

Agenda Reference:	CEO 10/23 – 03
Location/Address:	None
Name of Applicant:	None
Disclosure of Interest:	None
Date of Report:	13 th October 2023
Author:	Charlie Brown, Chief Executive Officer

Summary

The Shire of Sandstone is required under the *Local Government Act 1995* to perform a holistic review of the Shire's policy manual on a regular basis, being generally every two years.

This report constitutes part of that review.

Attachments

10.1.3 (A) Policies.

Background

The *Local Government Act 1995* allows for Council to delegate to the Chief Executive Officer to exercise its powers or the discharge of any of its duties under the Act. Generally, the delegations are performed in accordance with established policy as developed and adopted by Council under Section 2.7 of the Act. In context, the policies are compiled into a manual routinely reviewed every two years to ensure the individual they remain contemporary and relevant.

Comment

While this review is being conducted to ensure Council is meeting its statutory obligations, it is also beneficial for Councillors to receive a relevant set of policies that will assist with their decision making.

Importantly, Councillors should feel comfortable about seeking further explanation on the recommended changes and/or requesting further amendments to each policy should this be considered necessary.

Consultation

Councillors.

Statutory Environment

Local Government Act 1995

2.7. Role of council

- (1) The council —
 - (a) governs the local government’s affairs; and
 - (b) is responsible for the performance of the local government’s functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government’s finances and resources; and
 - (b) determine the local government’s policies.

Policy Implications

Updated Policies.

Financial Implications

Nil

Voting Requirements

Simple majority

Officer Recommendation

Resolution No.

MOVED: Cr.

SECONDED: Cr.

That Council pursuant to Section 2.7 (2) (b) of the *Local Government Act 1995* adopt the revised Policy Manual Section Bushfire & Finance, as amended, and attached to this report.

(NOT) CARRIED (0/0)

FOR:

AGAINST:

Agenda Reference:	CEO 09/23 – 03
Location/Address:	None
Name of Applicant:	None
Disclosure of Interest:	None
Date of Report:	20 th September 2023
Author:	Charlie Brown, Chief Executive Officer

Summary

Following the recent Local Government Elections, Council is required to appoint their delegates to a range of groups and committees.

Attachments

Nil

Background

The local government elections were held on Saturday 21st October therefore all positions became vacant and subject to reappointment by the newly elected Council.

Comment

Every two years half of Council are to retire, and an election is held for those positions on Council. After these biennial elections it is customary for the 'new' Council to consider membership of the various organisations on which this Council is represented.

The following organisations should be considered:

- **Murchison Country Zone Council of WALGA.** The next meeting is on Friday 17th November 2023 in Cue. Traditionally, the delegates have been the Shire President and Deputy President as is the case with many other local governments.
- **Murchison Regional Vermin Council** – 2 delegates required. Councillors Hodshon and Lefroy have been Council's recent delegates with Councillor Walton as proxy.
- **Murchison sub-group of the Midwest Regional Road group**
Current delegate is Cr Walton.
- **Audit Committee** – has previously been all of Council.
- **Development Assessment Panel** – 2 members and 2 deputy members. Current members are Councillors B. Walton and C. Hodshon and with Councillors K. Key and F. May as Alternate Members. (NB This was not changed after resignations)

- **Local Emergency management Committee**

Currently Cr B. Walton with Cr F. May as proxy (NB This was not changed after resignations)

Consultation

Nil

Statutory Environment

Local Government Act 1995 – section 5.8 – 5.11

5.8. Establishment of committees

A local government may establish committees of 3 or more persons to assist the council and to exercise the powers and discharge the duties of the local government that can be delegated to committees.*

** Absolute majority required.*

5.9. Committees, types of

(1) *In this section —*

other person means a person who is not a council member or an employee.

(2) *A committee is to comprise —*

- (a) *council members only; or*
- (b) *council members and employees; or*
- (c) *council members, employees and other persons; or*
- (d) *council members and other persons; or*
- (e) *employees and other persons; or*
- (f) *other persons only.*

5.10. Committee members, appointment of

(1) *A committee is to have as its members —*

- (a) *persons appointed* by the local government to be members of the committee (other than those referred to in paragraph (b)); and*
- (b) *persons who are appointed to be members of the committee under subsection (4) or (5).*

** Absolute majority required.*

(2) *At any given time each council member is entitled to be a member of at least one committee referred to in section 5.9(2)(a) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.*

(3) *Section 52 of the Interpretation Act 1984 applies to appointments of committee members other than those appointed under subsection (4) or (5) but any power exercised under section 52(1) of that Act can only be exercised on the decision of an absolute majority of the council.*

- (4) *If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.*
- (5) *If at a meeting of the council a local government is to make an appointment to a committee that has or will have an employee as a member and the CEO informs the local government of his or her wish —*

- (a) *to be a member of the committee; or*
- (b) *that a representative of the CEO be a member of the committee,*

the local government is to appoint the CEO or the CEO's representative, as the case may be, to be a member of the committee.

[Section 5.10 amended: No. 16 of 2019 s. 18.]

5.11A. Deputy committee members

- (1) *The local government may appoint* a person to be a deputy of a member of a committee and may terminate such an appointment* at any time.*

** Absolute majority required.*

- (2) *A person who is appointed as a deputy of a member of a committee is to be —*
- (a) *if the member of the committee is a council member — a council member; or*
- (b) *if the member of the committee is an employee — an employee; or*
- (c) *if the member of the committee is not a council member or an employee — a person who is not a council member or an employee; or*
- (d) *if the member of the committee is a person appointed under section 5.10(5) — a person nominated by the CEO.*
- (3) *A deputy of a member of a committee may perform the functions of the member when the member is unable to do so by reason of illness, absence or other cause.*
- (4) *A deputy of a member of a committee, while acting as a member, has all the functions of and all the protection given to a member.*

[Section 5.11A inserted: No. 17 of 2009 s. 20.]

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Absolute majority

Officer Recommendation

Resolution No.

MOVED: Cr

SECONDED: Cr

That, in accordance with Sections 5.10 and 5.11A of *the Local Government Act 1995*, Council appoints delegates to the groups and committees as listed for 2023 – 2025:

Murchison Country Zone of WALGA: _____

Murchison Regional Vermin Council: _____

Proxy Cr

Murchison sub-group Midwest RRG _____

Proxy Cr

Development Assessment Panel Members: _____

Development Assessment Panel – Proxies _____

Local Emergency Management Committee _____

Proxy Cr

Audit Committee: **All of Council**

NOT/CARRIED BY ABSOLUTE MAJORITY (0/0)

FOR:

AGAINST:

Agenda Reference:	CEO 10/23 – 05
Location/Address:	None
Name of Applicant:	None
Disclosure of Interest:	None
Date of Report:	13 th October 2023
Author:	Charlie Brown, Chief Executive Officer

Summary

To ensure Council has sufficient land available for development.

Attachments

Nil

Background

Council has recently seen an unprecedented amount of interest from trucking companies wishing to establish an overnight facility with minor repairs available in Sandstone.

A review of land available shows that there is currently no land available for such a development.

Comment

Council at its last briefing session agreed that we should approach Department of Planning, Lands and Heritage with the following request.

Reserve # 13902

Change Vesting to Shire of Sandstone With PTL

Reserve # 12100

Request Change of Vesting to Shire with PTL *

Reserve # 11441

Request Change of Vesting to Shire with PTL *

Should the answer to * be not accepted, request a portion of Reserve # 12100 be excised to the Shire with PTL. That portion be from the western boundary of Reserve # 14385 directly south to the Mount Magnet Leinster Road.

Reserve # 11714

Request Freehold of Portion to East of Sandstone Townsite comprising some 25 Ha, and Request Excise Area's listed as SPA 1 in LPS to either Freehold or Reserve with PTL.

Others

Prepare document to send to prospective companies/persons to establish a service station on Griffith Street lot 1, 2, & 3 P42645.

Lot 1 4249 m2
Lot 2 2125 m2
Lot 3 2125 m2
Total 8499 m2

Consultation

Councillors and Council's Contract Town Planner.

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple majority

Officer Recommendation

Resolution No.

MOVED: Cr.

SECONDED: Cr.

That Council request the Department of Planning, Lands and Heritage to assist with the following;

Reserve # 13902

Change Vesting to Shire of Sandstone with Power to Lease

Reserve # 12100

Request Change of Vesting to Shire with Power to Lease *

Reserve # 11441

Request Change of Vesting to Shire with Power to Lease *

Should the answer to * be not accepted, request a portion of Reserve # 12100 be excised to the Shire with PTL. That portion be from the western boundary of Reserve # 14385 directly south to the Mount Magnet Leinster Road.

Reserve # 11714

Request Freehold of Portion to East of Sandstone Townsite comprising some 25 Ha, and
Request Excise Area's listed as SPA 1 in LPS to either Freehold or Reserve with PTL

**And that a prospective be developed to seek expressions of interest to construct a Roadhouse on
lots 1, 2, and 3 P42645 Griffith Street Sandstone.**

(NOT) CARRIED (0/0)

FOR:

AGAINST:

Agenda Reference:	CEO 10/23 – 06
Location/Address:	None
Name of Applicant:	None
Disclosure of Interest:	None
Date of Report:	13 th October 2023
Author:	Charlie Brown, Chief Executive Officer

Summary

To request the Minister for Local Government to approve a reduction in Council Membership from 6 to 5 Councillors, including the Shire President

Attachments

10.1.6 Population Figures

Background

Council have operated at a reduced number since Councillor Mark Taylor forwarded his resignation on the 17th July 2023.

Permission was sought and approved to defer the extraordinary election to the Council Elections in October 2023.

Comment

At the close of nominations, 3 nominations were received, and these nominations were declared elected to fill three vacancies expiring October 2027.

The 2 Year vacancy caused by the resignation remains unfilled.

Sandstone Shire currently has an estimated population of 117 persons, 104 over the age of 18. This equates to representation of 1 to 17.3

Reducing Council representation to 5 equates to representation of 1 to 20.8. this is still very low when compared to higher populated shires in the region.

Consultation

Councillors.

Statutory Environment

Local Government Act 1995

2.17A. Members of council where mayor or president elected by council

- (1) If the method of filling the office of mayor or president is election by the council, the council is to consist of a number of councillors that is —
 - (a) not less than the minimum number of councillors under subsection (4); but
 - (b) not more than the maximum number of councillors under subsection (5).
- (2) One of the councillors is to hold the office of mayor or president in conjunction with their office as a councillor.
- (3) Another of the councillors is to hold the office of deputy mayor or deputy president in conjunction with their office as a councillor.
- (4) For the purposes of subsection (1)(a), the minimum number of councillors is as follows —
 - (a) if the district's population is not more than 75 000 — 5 councillors;
 - (b) otherwise — 9 councillors.
- (5) For the purposes of subsection (1)(b), the maximum number of councillors is as follows —
 - (a) if the district's population is not more than 5 000 — 7 councillors;
 - (b) if the district's population is more than 5 000 but not more than 75 000 — 9 councillors;
 - (c) otherwise — 15 councillors.
- (6) This section is subject to section 2.18A(5).

[Section 2.17A inserted: No. 11 of 2023 s. 13.]

Subdivision 3 — Orders

[Heading inserted: No. 11 of 2023 s. 14.]

2.18. Fixing and changing number of councillors

- (1) When a local government is newly established the Governor, by order made on the recommendation of the Minister, is to —
 - (a) specify the number of offices of councillor on the council of the local government; and
 - (b) if the district is to have a ward system, specify the numbers of offices of councillor for the wards.
- (2) When an order is made under section 2.2 discontinuing a ward system for a district, the number of offices of councillor on the council remains unchanged unless the order specifies otherwise.
- (3) The Governor, on the recommendation of the Minister, may make an order —
 - (a) changing the number of offices of councillor on a council; or
 - (b) specifying or changing the number of offices of councillor for a ward; or
 - (c) as to a combination of those matters.
- (4) The Minister can only make a recommendation under subsection (1) or (3) if the Advisory Board has recommended under Schedule 2.2 that the order in question should be made.

SHIRE OF SANDSTONE

(5) This section is subject to section 2.18A.

[Section 2.18 amended: No. 11 of 2023 s. 15.]

Policy Implications

Nil

Financial Implications

Nil

Voting Requirements

Absolute majority

Officer Recommendation

Resolution No.

MOVED: Cr.

SECONDED: Cr.

That Council make application to the Minister for Local Government to consider reducing the membership size from 6 to 5 including the Shire President.

(NOT) CARRIED (0/0)

FOR:

AGAINST:

Agenda Reference:	CEO 10/23 – 07
Location/Address:	None
Name of Applicant:	None
Disclosure of Interest:	None
Date of Report:	23 rd October 2023
Author:	Charlie Brown, Chief Executive Officer

Summary

To consider the appointment of an Acting Chief Executive Officer.

Attachments

Nil

Background

The Current Chief Executive Officers appointment finishes on Friday 17th November 2023. Council now needs to appoint an Acting Chief Executive Officers until the commencement of a permanent CEO.

Comment

Mr Peter Money has indicated his willingness to carry out the Acting Chief Executive Position but will not be available until the 30th November. Mr Mike Fitzgerald has indicated that he would be available but would provide this service remotely.

Consultation

Shire President & Councillors

Statutory Environment

Local Government Act 1995.

5.36. Local government employees

- (1) A local government is to employ —
 - (a) a person to be the CEO of the local government; and
 - (b) such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.
- (2) A person is not to be employed in the position of CEO unless the council —
 - (a) believes that the person is suitably qualified for the position; and
 - (b) is satisfied* with the provisions of the proposed employment contract.

* *Absolute majority required.*

- (3) A person is not to be employed by a local government in any other position unless the CEO —
 - (a) believes that the person is suitably qualified for the position; and
 - (b) is satisfied with the proposed arrangements relating to the person’s employment.
- (4) Unless subsection (5A) applies, if the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.
- (5A) Subsection (4) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.
- (5) For the avoidance of doubt, subsection (4) does not impose a requirement to advertise a position before the renewal of a contract referred to in section 5.39.

Local Government (Administration) Regulations.

18A. Vacancy in position of CEO or senior employee to be advertised (Act s. 5.36(4) and 5.37(3))

- (1) If a position of CEO, or of a senior employee, of a local government becomes vacant, the local government must give Statewide public notice of the position unless it is proposed that the position be filled by —
 - (a) a person who is, and will continue to be, employed by another local government and who will fill the position on a contract or contracts for a total period not exceeding 5 years; or
 - (b) a person who will be acting in the position for a term not exceeding one year.
- (2) The Statewide public notice must contain —
 - (a) the details of the remuneration and benefits offered; and
 - (b) details of the place where applications for the position are to be submitted; and
 - (c) the date and time for the closing of applications for the position; and
 - (d) the duration of the proposed contract; and
 - (da) a website address where the job description form for the position can be accessed; and
 - (e) contact details for a person who can provide further information about the position; and
 - (f) any other information that the local government considers is relevant.

Policy Implications

Appointment of Acting CEO

Financial Implications

Ceo Salary allocated within Budget.

Voting Requirements

Absolute Majority

Officer Recommendation

Resolution No.

MOVED: Cr.

SECONDED: Cr.

That Council appoint Mr Mike Fitz Gerald as Acting Chief Executive Officer in accordance with the terms of appointment, for the period commencing Monday 20 November 2023 until 30 November 2023 and Mr Peter Money From the 1st December until further notice.

NOT /CARRIED BY ABSOLUTE MAJORITY (0/0)

FOR:

AGAINST:

Agenda Reference:	CEO 10/23 – 08
Location/Address:	None
Name of Applicant:	None
Disclosure of Interest:	None
Date of Report:	14 th October 2023
Author:	Charlie Brown, Chief Executive Officer

Summary

With the appointment of the Shire of Sandstones Acting Chief Executive Officer being made it is prudent to consider the whether the November should proceed considering the fact that the Acting Chief Executive Officer will be working remotely the week of the meeting.

Attachments

Nil

Comments

The November Council Meeting is scheduled to take place on the 23rd November 2023. The proposed Acting Chief Executive Officer for the period 20 to 30 November will be working remotely, therefore not being able to prepare an agenda or familiarize himself with current issues, it is considered prudent to cancel the November Meeting, considering also that the December meeting has already been brought forward by one week.

Consultation

Shire President.

Statutory Environment

Local Government (Administration) Regulations 1996

12. Publication of meeting details (Act s. 5.25(1)(g))

- (1) In this regulation —
meeting details, for a meeting, means the date and time when, and the place where, the meeting is to be held.
- (2) The CEO must publish on the local government's official website the meeting details for the following meetings before the beginning of the year in which the meetings are to be held —
 - (a) ordinary council meetings;
 - (b) committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public.
- (3) Any change to the meeting details for a meeting referred to in sub regulation (2) must be published on the local government's official website as soon as practicable after the change is made.

- (4) If a local government decides that a special meeting of the council is to be open to members of the public, the CEO must publish the meeting details for the meeting and the purpose of the meeting on the local government's official website as soon as practicable after the decision is made.

Policy Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple majority

Officer Recommendation

Resolution No.

MOVED: Cr.

SECONDED: Cr.

That Council defers its November Ordinary Meeting until the 14th December 2023.

(NOT) CARRIED (0/0)

FOR:

AGAINST:

10.2 FINANCIAL REPORTS

10.2.1 Financial Statement for the month of September 2023

/23

Agenda Reference:	F 10/23 – 01
Location:	Shire of Sandstone
Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	15 th October 2023
Author:	Selina Sergeant, Deputy Chief Executive Officer

Summary

The Statement of Financial Activity report for the month ending 30th September 2023 is presented to Council in accordance with *Regulations 34 of the Local Government (Financial Management) Regulations 1996*.

Attachments

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

Comments

Total Income reports a 12.35% variance on anticipated budget expectations.

Total Expenditure shows a 12.64% 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 30th September 2023

Municipal Cheque Account - On-line (BWA)	\$821,278.75
Municipal Investment Account - On-line (BWA)	\$356.23
Trust Fund (Bankwest)	\$8,912.84
Trust Bank Term Deposit	\$290,004.39
Reserve Term Deposits (Bankwest)	\$5,270,228.42
Muni Term Deposit	\$2,686,007.63

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

Resolution No.

MOVED: Cr.

SECONDED: Cr.

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 30th September 2023 be received, and all other statements noted.

(NOT) CARRIED (0/0)

FOR:

AGAINST:

Agenda Reference:	F 10/23 – 02
Location:	Shire of Sandstone
Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	16 th October 2023
Author:	Selina Sergeant, Deputy Chief Executive Officer
Senior Officer:	Charlie Brown, Chief Executive Officer

Summary

Presented for Council's information is the list of accounts paid in September 2023 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
- 10.2.2 (B) List of Accounts paid via Direct Debit
- 10.2.2 (C) List of Accounts paid via Cheque
- 10.2.2 (D) Corporate Credit Card Payments
- 10.2.2 (E) Caravan Park Takings
- 10.2.2 (F) Town Fuel Sales
- 10.2.2 (G) Rates Reconciliation

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						0.00
November						0.00
December						0.00
January						0.00
February						0.00
March						0.00
April						0.00
May						0.00
June						0.00
Totals	3,639.11	1,551,940.05	131,178.87	10,345.08	351,896.00	2,048,999.11

Municipal Fund September 2023

- EFT payment numbers 9691 – 9768
- Muni DD6149, DD6150, DD6171 and DD6172
- Superannuation DD6155 and DD6169
- Cheque payments 105586 and 105587
- Corporate Credit Card Payment DD6172
- Payroll

Trust Fund September 2023

- Cheque 205165 and 205167

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

Resolution No.

MOVED: Cr

SECONDED: Cr

That the schedule of accounts paid during September 2023 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.

(NOT) CARRIED (0/0)

FOR:

AGAINST:

Agenda Reference:	F 10/23 – 03
Location:	Shire of Sandstone
Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	15 th October 2023
Author:	Selina Sergeant, Deputy Chief Executive Officer

Summary

To provide funds to purchase further equipment for the Post Office Café.

Attachments

Comments

A fridge and freezer were procured at the commencement of the Café, however with needs and goods ordered in advance, it has been found that the current equipment does not have adequate storage space.

Quotes have been obtained and the purchase of a new fridge and freezer can be funded through an underbudget on our Federal Assistance grants.

The proposal is to increase Café Other Expenditure 1136520 by \$10,000.00 and 103201 by \$10,000.00

Federal Assistance Grants were paid in full in the last quarter of 22/23, so only a token budget was made for these accounts as the final grant allocation was unknown at the time. We have now been advised that Sandstone's grant has been increased in total by \$104,038.00 and I propose that the balance be determined with the budget review in February.

The current equipment is to be utilized elsewhere.

Consultation

Chief Executive Officer
Post Office Café Manager.

Statutory Environment

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

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Risk Implications

Nil

Voting Requirements

Absolute Majority

Officer Recommendation

Resolution No.

MOVED: Cr.

SECONDED: Cr.

That Councils 2023/2024 Municipal Fund Budget be amended by;

- **Increase Post Office Café Expenditure COA 1136520 by \$10,000.00**
- **Increase Income Federal Assistant Grant COA 1032010 by \$10,000.00**

(NOT) CARRIED BY ABSOLUTE MAJORITY (0/0)

FOR:

AGAINST:

Agenda Reference:	WS 10/23	01
Location/Address:	Shire of Sandstone	
Name of Applicant:	Shire of Sandstone	
Disclosure of Interest:	None	
Date of Report:	13 October 2023	
Previous References:	Nil	
Author:	Charlie Brown, Acting Works Supervisor	

Summary

Maintenance Grader

The maintenance Grader is currently on the Meekatharra Road grading the Cogla East Road whilst in the vicinity.

Contract Grader

The Contract grader has continued on the Sandstone Paynes Find Road.

Plant Workshop.

- Most plant items have had tyre replacement as it appears this was not previously a priority.
- The Steel Wheeled vibrating roller is currently having its vibratory drum bearings replaced.
- Toyota Landcruiser S1 has had warranty works carried out at Geraldton Toyota and will require further warranty work.
- Bore Boss has developed issues that are currently being investigated.

Roads

Works to commence on the Sandstone - Paynes Find Road in the next week.

The crew will be camping at Paynes Find commencing on the 15th November.

Cleanout and erection of grid signs on most roads

General

New Contract Town Person commenced and currently working on Black Range Church.

Consultation

All Staff

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

Officer Recommendation

Resolution No.

MOVED: Cr.

SECONDED: Cr.

That Council receive the Works Supervisor's Report for September/October 2023.

(NOT) CARRIED (0/0)

FOR:

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

Nil

14 MEETING ITEMS CLOSED TO THE PUBLIC

14.1 Meeting Closed to the Public

15 CONFIDENTIAL ITEMS

15.2 Public Reading of Resolution

16 TIME and DATE of NEXT MEETING

The next scheduled Ordinary Council Meeting will be held on Thursday 14th December 2023.

17 CLOSURE OF MEETING

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

18 CERTIFICATIONS

I, _____, certify that the Minutes of the Ordinary Council Meeting held on 24th August 2023, as shown, were confirmed as a true and accurate record at the Meeting held on 28th September 2023.

(Presiding Member)