



# **MINUTES**

## Ordinary Council Meeting

Thursday, 28 April 2016  
2:06PM

Held in the Council Chambers, Hack St Sandstone



## ORDINARY COUNCIL MEETING NOTICE PAPER

**Thursday, 28 April 2016 – 2.00 pm**

Dear President and Councillors,

An Ordinary Meeting of Council is called for Thursday, 28<sup>th</sup> April 2016, in the Council Chambers, Hack Street, Sandstone, commencing at 2:00 pm.

### **Councillors please note:**

A Briefing Session will be held at the conclusion of the Council Meeting. A separate agenda has been issued for this Session.

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***Michael Huston***  
**Chief Executive Officer**

Friday, 22 April 2016

### **PUBLIC QUESTION TIME**

A minimum of 15 minutes for “Public Question Time” is available to allow members of the public the opportunity of submitting questions to Council on matters concerning the Agenda. It is preferred that questions be submitted in writing and at least 24 hours prior to the Meeting. The questions will be addressed by the President and may be directed by the President via the CEO to a relevant staff member for a further and better response. Where an answer cannot be given at the Meeting, a reply will be given in writing subsequent to the next Meeting.

Discussion will not be allowed.



## **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.*

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**Michael Huston**  
**Chief Executive Officer**

22 April 2016

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## ORDINARY COUNCIL MEETING HELD ON 28 APRIL 2016

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## MINUTES OF THE ORDINARY COUNCIL MEETING HELD IN COUNCIL CHAMBERS, SANDSTONE ON THURSDAY, 28<sup>th</sup> APRIL 2016

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

The Presiding Member, Cr Bethel Walton (Shire President) declared the Meeting open at 2:06pm.

#### 1.1 Visitors Nil

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

Cr Bethel Walton (Shire President) asked for Councillors to take a minute of silence to reflect on the 20<sup>th</sup> anniversary of the Port Arthur tragedy.

### 3 ATTENDANCE

#### 3.1 Present

##### Elected Members

Cr Bethel Walton	Shire President (and Presiding Member of this Meeting)
Cr Carol Hodshon	Deputy Shire President
Cr Donna Bennett	
Cr Freda May	
Cr J P Bennett	

##### Staff Members

Mr Michael Huston	Chief Executive Officer
Mr Rob Moss	Works Supervisor
Ms Margaret Duhig	Meeting/Minutes Secretary

#### 3.2 Apologies

Nil

#### 3.3 Approved Leave of Absence

Cr K (Kerry) Key - for April and May Meetings)

#### 3.4 Visitors/Observers

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

**Item 10.2.2 Accounts Update Cr Donna Bennett and Cr J P Bennett**

*Declared financial interests due to payments received on an 'arm's length basis' and upon standard terms of business for goods or services supplied.*

**Item 10.2.2 Accounts Update Mr Michael Huston, CEO**

*Declared a financial interest due to re-imbusement for expenses pursuant to his contract as CEO for household furniture and goods that by the re-imbusement have become the property of the Shire.*

### 6.2 Declarations of Proximity Interest

### 6.3 Declarations of Indirect Financial Interest

**Item 10.2.2 Accounts Update Cr Freda May**

*Declared an indirect financial interest regarding her son-in-law, Mr Marc Halsall, due to payments made to Halsall & Associates on an 'arm's length basis and upon standard terms of business for consulting services provided to prepare TPS No.2.*

### 6.4 Declarations of Impartiality Interest

## 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 24 March 2016 be confirmed as a true and accurate record of proceedings.

**COUNCIL RESOLUTION 26/16**

**MOVED: Cr Freda May**

**SECONDED: Cr Donna Bennett**

**That the Minutes, as amended regarding Resolution 25/16, of the Ordinary Meeting of Council held on 24 March 2016 are confirmed as a true and accurate record of proceedings.**

**CARRIED (5/0)**

<b>9</b>	<b>PRESENTATIONS</b>
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**9.1**      **Petitions**

Nil

**9.2**      **Presentations**

Nil

**9.3**      **Deputations**

Nil

**9.4**      **Delegates/Councillor's Reports**   Nil

## 10 EXECUTIVE STAFF REPORTS

### 10.1 CHIEF EXECUTIVE OFFICER'S REPORTS

#### 10.1.1 INTEGRATED PLANNING AND REPORTING

**Location:** Shire of Sandstone  
**Applicant:** Chief Executive Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 18 April 2016  
**Previous References:** OCM 24 March 2016: Agenda Item 9.1.1 and  
OCM 25 February 2016: Agenda Item 9.1.1  
**Author:** **Michael Huston, CEO**

**Signature of Author:** \_\_\_\_\_

#### Summary

The purpose of this report is to update Council on the status of the Shire's Integrated Planning and Reporting (IPR) requirements including:

- The minor (desktop) review of the Shire's 10yr Strategic Community Plan (SCP);
- The continuing review of the Shire's Corporate Business Plan (CBP).

#### Attachments

Please refer to the Shire's revised 10yr Strategic Community Plan 2012/2022 and the Shire's Corporate Business Plan – Quarterly Report as provided with last month's Agenda.

#### Background

At its meeting on 25 February 2016 Council resolved the following:

#### COUNCIL RESOLUTION 3/16

Moved: Cr J PBennett  
Seconded: Cr Kerry Key

That Council accepts the Acting CEO's report regarding the status of the Shire of Sandstone's Integrated Planning and Reporting plans and other documents in accordance with the Integrated Planning and Reporting Advisory Standard including the need for the:

1. Completion of a minor review of the Shire of Sandstone Strategic Community Plan 2012 2022 (Adopted 23/5/13) by 30 April 2016.
2. Updating of the remaining suite of Integrated Planning and Reporting plans by 31 May 2016, that includes the Shire's:
  - a. Corporate Business Plan (Adopted 27/6/13);
  - b. Long Term Financial Management Plan (Adopted 24/5/13);
  - c. Asset Management Plan (Adopted 15/11/12); and
  - d. Workforce Plan (Adopted 24/4/14).
3. Updating of the Shire's Asset Management Policy by 31 May 2016.

**CARRIED 6/0**



This Report provides an update on the minor review of the Strategic Community Plan and the continuing review of the Corporate Business Plan.

## **Comment**

### **1. Strategic Community Plan**

The changes resulting from the minor review of the Shire's Strategic Community Plan as presented at last month's Ordinary Council Meeting (OCM) have been advertised, as required under section 19C (9) of the *Local Government (Administration) Regulations 1996*, in a special edition of the Bush Telegraph issued on 18 March 2016.

Feedback in writing from the community was required by Friday, 1 April 2016 but is continuing to be received to date, including from residents of and visitors to the town seeking to make in-person submissions to the CEO and to the Shire President and Councillors including following the recent Public Meeting about the future of the Town Hall/Old Council Administration Building. Your CEO submits that such feedback is to be encouraged and that Council should not limit itself to the minimum feedback and review period set out in the abovementioned Regulations. Equally, it is not sensible for such processes to continue endlessly.

In the circumstances, it is considered that up to 3 months should be allowed for such feedback and review. However, this means instead of the review and recommended amending of our SCP being presented for adoption by Council at the April 2016 Ordinary Council Meeting that it more likely will be July or August 2016 before Council can consider the proposed amended Sandstone SCP.

### **2. Corporate Business Plan**

The CEO has continued updating the required financial data into the Corporate Business Plan including resulting from the (half year) Budget Review (see report on the Budget Review as presented in a subsequent report to this April OCM from the CEO). It is clear that the updating of the CBP will greatly benefit from the rapidly approaching finalisation of the 2015/16 financial year and the simultaneous planning for the new (2016/17) Budget and more broadly for the review of our Long Term Financial Plan (LTFP). Much of this work is to commence with the Briefing Session to be held after the April (today's) OCM.

### **3. Quarterly Report – Corporate Business Plan**

A quarterly overview on the status of the key items within our Corporate Business Plan was presented at last month's Ordinary Council Meeting. A copy of the full quarterly report was provided as an attachment to last month's Agenda.

The key issue to note from that overview is the significant number of matters introduced into the CBP that were not in the original Plan. A number of these matters have occurred as a result of natural events, including additional road works due to flooding. We have also installed the bio-remediation cell at the landfill (tip) site, undertaken the building of the Hack Street House, supported the installation of a new power plant, have a large forward road works program and other capital & operating works program and have a number of tourist/heritage projects (e.g the 'Walk Trail', Old State Gold Battery, etc) that Council wishes to progress.

Council (particularly the Works and Services Department) and Councillors can be justifiably proud of the achievements to date in progressing these works and those that are planned for the near future. However, the longer term future program of our works (including those to come out of our Budget Review, forward Budget Planning and Long Term Planning Briefing Sessions) must be guided by the Strategic Community Plan, the Corporate Business Plan, the Long Term Financial Plan, the Asset Management Plan and future Annual Budgets. This will enable us to maintain the Shire's sound and independent financial position so as to be able to sustain existing services and facilities as well as those already planned for the future plus those that should arise from our on-going future planning.

#### 4. Timeline and Costs to Implement Required Changes

Therefore, it is now recommended that the timeline and costs to implement the required changes regarding Sandstone's Integrated Planning and Reporting documents be updated as follows:

Plan	Who	Cost	Apr to Jun 2016	Jul to Sept 2016	Oct to Dec 2016	To end Dec 2017	Comments
<b>SCP</b>	CEO	\$75,000					<ul style="list-style-type: none"> <li>Requirements reviewed;</li> <li>Engage our Community</li> <li>Costs for Experts/Consultants</li> </ul>
<b>CBP</b>	CEO	\$50,000					Consideration of the review of the CBP commenced at the March 2016 OCM but is ongoing into Q1 of 2016/17
<b>LTFP</b>	CEO	\$50,000					Considerable changes will likely come from forward budget planning in the out-years.. May need external consultants.
<b>AMP</b>	CEO	\$50,000					Is likely to require considerable policy amendment and is likely to require external engineering consultants.
<b>WFP</b>	CEO	\$25,000					Very little real work has been done to date to update the WFP and it is likely to require external/expert advice.

#### Legend

	Indicator
Time required	
In progress	
Completed	
Revised due date	

#### Consultation

- CEO;
- Works Supervisor;
- Council at future Briefing Sessions and Budget Reviews; and
- External advisers, experts and consultants at a cost of up to \$250,000 over two years.

## 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.
- *19C (9): A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.*

**Note:** The Integrated Planning and Reporting Framework and Guidelines that underpin the planning for the future requirements have been developed as part of the State Government's Local Government Reform Program. They reflect a nationally consistent approach to integrated planning as expressed by the Council of Australian Governments' Local Government Planning Ministers' Council.

## Policy Implications

Nil

## Financial Implications

\$250,000 for consultants and studies to be accommodated in 2016/17 and future budgets.

## Strategic Implications

As discussed in the body of this report.

## Voting Requirements

Simple majority

## Staff Recommendation – Item 10.1.1

That Council accepts the CEO's report regarding the update to the Sandstone Integrated Planning and Reporting processes and will consider the cost implications for forward budgeting.

**COUNCIL RESOLUTION**                      **27/16**

**MOVED: Cr Freda May**

**SECONDED: Cr J P Bennett**

**That Council accepts the CEO's report regarding the update to the Sandstone Integrated Planning and Reporting process and will consider the cost implications for forward budgeting.**

**CARRIED (5/0)**

## 10.1.2 Budget Review 2015/16 (as at 31 January 2016)

**Location:** Shire of Sandstone  
**Applicant:** Chief Executive Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 18 April 2016  
**Previous References:** OCM 23 July 2015: Agenda Item 9.2.3 Adoption of Budget  
**Author:** **Michael Huston, CEO**

**Signature of Author:** \_\_\_\_\_

### Summary

Council is requested to consider and adopt the Budget Review as presented for the period 1 July 2015 to 31 January 2016, being the first half of the current financial year plus for January 2016.

### Attachments

10.1.2A: Budget Review for the period ended 31 January 2016 (incl. Notes 1, 2, 3 and 4)

### Background

It is good financial practice to undertake a detailed review of Budget performance each Half Year and quarterly where possible. This review should be additional to and more thorough than regular monthly monitoring of revenue and expenses. The Budget Review is more akin to the processes undertaken when the original Budget was adopted. Hence, *Regulation 33A of the Local Government (Financial Management) Regulations 1996* requires each Local Government to conduct a Budget Review between 1 January and 31 March in each financial year and for it then to be presented to Council for recommended Budget update/changes.

### Comment

The Budget Review has been conducted by the CEO. The table below shows the net result.

2015/2016 Budget Review - Summary of Proposed Budget Amendments					
Account Description	Budget	Revised	Change	Cumulative	Reason
Adjusted Deficit C/fwd		-\$2,410	\$2,410	\$2,410	Increase in the deficit actual vs budgeted
Plant Reserve - Transfer	\$440,000	\$410,000	\$30,000	\$32,410	Savings on plant purchases in 2015/16
Caravan Park Upgrade	-\$663,000	-\$513,000	\$150,000	\$117,590	Not proceeding with Eco-tent Project in 2015/16
Plant & Equipment	-\$505,000	-\$390,000	\$115,000	\$232,590	Savings on plant purchases completed for 2015/16
Flood Damage Repairs			\$552,000	\$319,410	Increase due to Floodways now to be in concrete
Park equipment	-\$40,000	-\$48,522	\$8,522	\$327,932	Cost to redo Water Park surface was not budgeted
Gen Purp Funding - Other	\$1,141,874	\$1,121,874	\$20,000	\$347,932	Lower interest earnings on Investment Funds
Grants	\$850,000	\$1,420,000	\$570,000	\$222,068	R2R funds c/fwd from 2014/15
Diesel Fuel Sales	\$388,400	\$438,400	\$50,000	\$272,068	Higher sales than budgeted
				<b>\$272,068</b>	<b>New Budgeted Surplus for 2015/16</b>

The CEO has analysed expected variances in the budget of greater than 10% and revised the budget items up or down accordingly. The overall movement in accounts is an increase to a now expected surplus by 30 June 2016 of \$272,068 (from an original budgeted deficit of \$456) as explained in the above table. The attached financial activity reports (with graphs) that have been produced as the end result of the Budget Review provide further detail as to the expected program and account movements. The attachment shows some very large \$ movements associated with road works and flood damage repairs. However, these are mostly self-cancelling accounting treatment changes resulting from reclassifying much of the funding and expenditure for these works from capital to operating in nature.

### **Consultation**

Ms Tamara Olsson, Moore Stephens Accountants  
Shire Works Supervisor and the Shire Finance Officer

### **Statutory Environment**

*Local Government Act 1995*

*Local Government (Financial Management) Regulations 1996 – Regulation 33(A)*

### **Policy Implications**

Nil

### **Financial Implications**

The recommended Budget updating and changes are as set out in Note 4 of the Attachment.

### **Strategic Implications**

Nil

### **Voting Requirements**

**Absolute Majority**

### **Staff Recommendation – Item 10.1.2**

That the 2015/16 Adopted Budget be amended to include the changes as proposed in Note 4 of the attached Budget Review as undertaken by the CEO.

**COUNCIL RESOLUTION**

**28/16**

**ABSOLUTE MAJORITY REQUIRED**

**MOVED: Cr Freda May**

**SECONDED: Cr J P Bennett**

**That the 2015/16 Adopted Budget be amended to include the changes as proposed in Note 4 of the attached Budget Review as undertaken by the CEO.**

**CARRIED BY ABSOLUTE MAJORITY (4/1)**

## 10.2 FINANCIAL REPORTS

### 10.2.1 FINANCIAL STATEMENTS FOR MONTHS OF FEBRUARY AND MARCH 2016

**Location:** Shire of Sandstone  
**Applicant:** Shire of Sandstone  
**Disclosure of Interest:** Nil  
**Date of Report:** 18 April 2016  
**Author:** **Michael Huston, CEO**

**Signature of Author:** \_\_\_\_\_

#### Summary

The Statement of Financial Activity reports for the month ending 29 February 2016 and for month ending 31 March 2016 is presented to Council in accordance with *Regulations 34 of the Local Government (Financial Management) Regulations 1996*.

#### Attachments

10.2.1A: Monthly Financial Report for the period ended 31 March 2016

10.2.1B: Monthly Financial Report for the period ended 29 February 2016

#### Background

The Financial Management Regulations require a monthly statement of financial activity to be presented to Council. It is good financial practice for Council to conduct regular monthly monitoring of (operating and capital) revenue and expenses.

#### Comment

Council continues to be in a strong financial position. This will be discussed more in the Briefing Session immediately following the Ordinary Council Meeting of 28 April 2016

Council's current operating surplus as at 31 March 2016 was \$2,228,585 but is subject to change once the 2015/2016 financial report is finalised. Indeed, as explained in the above Agenda Item 10.1.3, currently the estimated surplus at financial year end is expected to be \$272,068 (from an original budgeted deficit of \$456). Similarly, the aforementioned Budget Review reveals an expected \$2,243,168 c/fwd for Stage 2 flood works into H1 2016/17.

#### Summary of Funds – Shire of Sandstone as at: 31 March 2016

Municipal Cheque Account - On-line (BWA)	\$201,725
Municipal Investment Account – On-line (BWA)	\$1,543,197
Trust Fund (Bank West)	\$4,222
Municipal Term Deposit (Bank West)	\$340,822
Bankwest Middle Markets Account	\$4,679,839

Total funds of \$6,774,255 are approximately \$803,000 higher than when last reported to Council at the 25 February OCM. Council is in a comfortable liquid position (nearly exactly the same as at this time last year) with current receivables (\$291,564) being more than double our current payables (\$110,727). There are minimal outstanding debtors (\$291,564). Rate collections are trending about \$100,000 higher than at this time last year. However, rate debtors as at 31 March 2016 were \$273,450 (with the balance of debtors being mostly GST receivable). *This is a high proportion of total debtors. Thus, your CEO is undertaking strong rates recovery action (with some success already) through to the end of the year.*

### **Consultation**

Nil

### **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**

Please refer to the comments in the body of this report.

### **Strategic Implications**

Nil

### **Voting Requirements**

Simple Majority

### **Staff Recommendation – Item 10.2.1**

That Council receives the Statement of Financial Activity for the months of February and March 2016 as presented, including the attached Monthly Financial Reports.

**COUNCIL RESOLUTION**                      **29/16**

**MOVED:** Cr Donna Bennett

**SECONDED:** Cr Freda May

**That Council receives the Statement of Financial Activity for the months of February and March 2016 as presented, including the attachments 10.2.1A Monthly Financial Report for March 2016 and 10.2.1B Financial Report for February 2016.**

**CARRIED (5/0)**

Declarations of interest were made in the following Item as below:

**Item 10.2.2 Accounts Update Cr Donna Bennett and Cr J P Bennett**

Declared financial interests due to payments (being EFT 4403 and EFT 4418) received on an 'arm's length basis' and upon standard terms of business for goods or services supplied.

**Item 10.2.2 Accounts Update Mr Michael Huston, CEO**

Declared a financial interest due to re-imbusement for expenses (being EFT 4443, EFT 4444 and EFT 4445) pursuant to his contract as CEO for household furniture and goods that by the re-imbusement have become the property of the Shire.

**Item 10.2.2 Accounts Update Cr Freda May**

Declared an indirect financial interest regarding her son-in-law, Mr Marc Halsall, due to payments (being EFT 4429 and EFT 4455) made to Halsall & Associates on an 'arm's length basis and upon standard terms of business for consulting services provided to prepare TPS No.2.

**COUNCIL RESOLUTION 30/16**

**MOVED: Cr Donna Bennett**

**SECONDED: Cr J P Bennett**

That pursuant to s5.68 of the Local Government Act 1995, the CEO and Cr Freda May be allowed to fully participate in the decision-making discussion and procedure regarding Item 10.2.2 and that Cr Freda May be permitted to vote on the matter.

**CARRIED (4/0)**

**COUNCIL RESOLUTION 31/16**

**MOVED: Cr Freda May**

**SECONDED: Cr Carol Hodshon**

That pursuant to s5.68 of the Local Government Act 1995, Cr Donna Bennett and Cr J P Bennett be allowed to fully participate in the decision-making discussion and procedure regarding Item 10.2.2 and that they be permitted to vote on the matter.

**CARRIED (3/0)**



<b>10.2.2 ACCOUNTS UPDATE FOR THE MONTH OF MARCH 2016</b> <b>(includes for Credit Cards, the Caravan Park and Fuel Sales)</b>
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**Location:** Shire of Sandstone  
**Applicant:** Shire of Sandstone  
**Disclosure of Interest:** see above Resolutions 3016 and 31/16  
**Date of Report:** 11 April 2016  
**Author:** **Rhonda Miles – Finance Officer**  
**Senior Executive:** **Michael Huston – 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 E: The list of accounts (EFT and cheque payments) is attached which will enable Council to see the payments made to the Shire's creditors.
- 10.2.2F to H: 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 that 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 March 2016 accounts paid as presented:

### Municipal Fund

- Municipal cheque number 265 totalling \$608.96
- Municipal printed cheque numbers 105029-105036 totalling \$18,455.56
- EFT Payment Numbers 4394-4457 totalling \$1,131,633.51

### Trust Fund:

- Trust cheque numbers 66-67 totalling \$2,564.10
- Trust printed cheque numbers 205001-205004 totalling \$811.65

### Payroll EFT:

March 2016 - \$26,449 and \$29,861 totalling \$56,310

### Credit Cards:

DD2519.1 totalling \$808.22

**COUNCIL RESOLUTION: Please see overleaf**

**COUNCIL RESOLUTION**

**32/16**

**MOVED: Cr Freda May**

**SECONDED: Cr Donna Bennett**

That Council receives the March 2016 accounts paid as presented:

**Municipal Fund**

- Municipal cheque number 265 totalling \$608.96
- Municipal printed cheque numbers 105029-105036 totalling \$18,455.56
- EFT Payment Numbers 4394-4457 totalling \$1,131,633.51

**Trust Fund:**

- Trust cheque numbers 66-67 totalling \$2,564.10
- Trust printed cheque numbers 205001-205004 totalling \$811.65

**Payroll EFT:**

March 2016 - \$26,449 and \$29,861 totalling \$56,310

**Credit Cards:**

DD2519.1 totalling \$808.22

**CARRIED (5/0)**

### 10.2.3 RATES WRITE-OFF (VICTORY BORE P/L AND SMALL BALANCES)

**Location:** Shire of Sandstone  
**Applicant:** Chief Executive Officer  
**Disclosure of Interest:** Nil  
**Date of Report:** 11 April 2016  
**Author:** Rhonda Miles – Finance Administrator  
**Senior Executive:** Michael Huston – Chief Executive Officer

**Signature of Author:** \_\_\_\_\_

#### Summary

Council is requested to approve by absolute majority the write-off certain rate balances (including any penalty interest).

#### Attachments

Attachment 10.2.3A: Email dated 23 March 2016 from Nely Freeman of ITVision Rates Support and Caroline Keech of Tenement Administration Services Pty Ltd regarding Victory Bore Pty Ltd rate arrears.

Attachments 10.2.3B & C: Write-off Reports for Small Balance Write-offs to be carried out on balances under \$5.00 as per *Section 6.12 of the Local Government Act (1995)*.

#### Background

Victory Bore Pty Ltd are holders of one tenement being A1125. This is a 'dead' tenement, and no further rates will be raised. The tenement management company are no longer working for Victory Bore due to unpaid accounts and have no contact details for them. Our search of the ASIC website reveals Victory Bore Pty Ltd as deregistered.

*Section 6.12 of the Local Government Act 1995* (see below) requires any write-off of money to be resolved by Council by absolute majority:

*s6.12. 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) *wave 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

The cost of recovery regarding Victory Bore is likely to exceed the rates debt.

Therefore, in accordance with advice from our Rates Consultant, it is recommended that the rates assessment balance be written-off. The value on the Final Rates Notice issued on 30/3/16 was \$374.03 but will have increased slightly as penalty interest is still accruing.

In addition, approval is sought for the write-off of a number of rates small balances (less than \$5.00 each) as set out below in Table 1.

**Table 1: Rates Small Balances Write-off's**

<b>Assessment Number</b>	<b>Amount \$</b>	<b>Reason</b>
A1152	4.02	Lot E57/00632
A1347	1.02	Lot M58/00279
A1700	0.30	Lot E57/01025
A1701	0.29	Lot E57/01026
A1652	0.14	Lot E59/01917
<b>TOTAL</b>	<b>5.77</b>	

### **Consultation**

Nil

### **Statutory Environment**

*Section 6.12 of the Local Government Act 1995*

### **Policy Implications**

Nil

### **Financial Implications**

Reduction of rates income in the 2015/16 financial year by the amount of \$384.19 being: Assessment No. 1125 for \$374.03 + estimated accrued interest of \$4.39 = \$378.42; plus

Rates small balances write-offs: \$5.77 for a total rates write-off of: \$384.19.

### **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:

1. Assessment A1125 for \$374.03 plus accrued penalty interest;
2. Rates small balances write-offs on Assessment Nos. A1152 of \$4.02; A1347 of \$1.02; A1700 of \$0.30; A1701 of \$0.29 and A1652 of \$0.14.

**COUNCIL RESOLUTION**

**33/16**

**ABSOLUTE MAJORITY REQUIRED**

**MOVED: Cr Donna Bennett**

**SECONDED: Cr Freda 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:**

1. **Assessment A1125 for \$374.03 plus accrued penalty interest;**
2. **Rates small balances write-off's on Assessment Nos. A1152 of \$4.02; A1347 of \$1.02; A1700 of \$0.30; A1701 of \$0.29 and A1652 of \$0.14.**

**CARRIED BY ABSOLUTE MAJORITY (5/0)**

**10.3 HEALTH, BUILDING and TOWN PLANNING**

Nil

**10.4 WORKS and SERVICES**

Nil



**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**

**13.1 Meeting Closed to the Public**

Nil

**13.2 Public Reading of Resolutions to be made Public**

Nil

**TIME and DATE of NEXT MEETING**

The next scheduled Ordinary Council Meeting will be held on Thursday 26 May 2016.

**15 CLOSURE OF MEETING**

There being no further business, the Shire President closed the meeting at 3.40 pm.

**CERTIFICATION**

I, **Bethel Walton**, certify that the Minutes, as amended regarding Resolution 25/16, of the Meeting held on 24 March 2016, were confirmed as a true and accurate record at the Meeting held on 28 April 2016.

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**(Presiding Member)**

Date: 28 April 2016