



# **MINUTES**

Ordinary Council Meeting

Thursday, 8 September 2016

Held in the Council Chambers, Hack St Sandstone



**ORDINARY COUNCIL MEETING HELD ON 8 September 2016**  
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## MINUTES

### ORDINARY COUNCIL MEETING HELD IN COUNCIL CHAMBERS, SANDSTONE ON THURSDAY, 8 September 2016

#### 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

#### 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 Work Force 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:

Plan	Who	Cost	Feb	Mar	Apr	May	Comments
SCP	CEO						<ul style="list-style-type: none"> <li>Changes adopted 2 June 2016</li> </ul>
CBP	CEO						<ul style="list-style-type: none"> <li>Changes adopted 2 June 2016</li> </ul>
LTFP	CEO	\$5,000					Queries by the Department on a number of ratios addressed
AMP	CEO						<ul style="list-style-type: none"> <li>Changes adopted 2 June 2016</li> </ul>
WFP	CEO						The Workforce Plan requires an interim review

### 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:**



### 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)**

### 10.1.3 LOCAL GOVERNMENT EXTRAORDINARY ELECTION 2016

**Agenda Reference:** CEO 8/16 – 03  
**Location/Address:** Shire of Sandstone  
**Name of Applicant:** Shire of Sandstone  
**Disclosure of Interest:** Nil  
**Date of Report:** 29 August 2016  
**Author:** Sean Fletcher – Acting Chief Executive Officer

**Signature of Author:**



#### 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

<b>10.2.2 ACCOUNTS UPDATE FOR THE MONTH OF JULY 2016 (includes Credit Cards, the Caravan Park and Fuel Sales)</b>
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**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 1<sup>st</sup> 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) *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

#### Rates Small Balances Write off's

Assessment Number	Amount \$	Reason
A1666	2.65	Lot E57/00986
A1711	0.60	Lot E95/02060
	<b>3.25</b>	

## 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)**

**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 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