



# **AGENDA**

Ordinary Council Meeting

Thursday 25 October 2018  
@ 12:30 pm

To be held in the Council Chambers, Hack St Sandstone

**PLEASE NOTE:**  
**THIS PAGE HAS BEEN**  
**INTENTIONALLY LEFT BLANK**



## ORDINARY COUNCIL MEETING NOTICE PAPER

**Thursday 25 October 2018 – 12:30 pm**

Dear President and Councillors,

An Ordinary Meeting of Council is called for Thursday 25 October 2018, in the Council Chambers, Hack Street, Sandstone, commencing at 12.30pm.

**Councillors please note:**

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

**Harry Hawkins**

**Chief Executive Officer**

22 September 2018

### 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.



### **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.*

---

**Harry Hawkins**

**Chief Executive Officer**

22 September 2018

Hack Street, SANDSTONE WA 6639  
Tel (08) 9963 5802; Fax (08) 9963 5852  
E-mail: [ceo@sandstone.wa.gov.au](mailto:ceo@sandstone.wa.gov.au)

## WRITTEN DECLARATION OF INTEREST IN MATTER BEFORE COUNCIL

**NOTE: USE ONE FORM PER DECLARATION**

I, (1) \_\_\_\_\_ hereby declare an interest in the following item to be considered by Council at its Meeting to be held on (2) \_\_\_\_\_ and regarding

Agenda item (3) \_\_\_\_\_

The type of interest I wish to declare is (4)

- ☐ Financial pursuant to Sections 5.60A of the Local Government Act 1995
- ☐ Proximity pursuant to Section 5.60B of the Local Government Act 1995
- ☐ Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995
- ☐ Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007

The nature of my interest is (5)

---

---

---

The extent of my interest is (6)

---

---

---

I understand that the above information will be recorded in the Minutes of the Meeting and recorded by the Chief Executive Officer in an appropriate Register.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

RECEIVED BY:

\_\_\_\_\_  
(Chief Executive Officer)

\_\_\_\_\_  
(Date)

- (1) Insert your name.
- (2) Insert the date of the Council Meeting at which the item it to be considered.
- (3) Insert the Agenda Item Number and Title.
- (4) Tick the box(es) to indicate the type of interest (for explanation, see the extracts overleaf from the Act.
- (5) Describe the nature of your interest.
- (6) Describe the extent of your interest (if seeking to participate in the matter under the s.5.68 of the Act)

### ***Financial pursuant to Section 5.60A of the Local Government Act 1995***

#### **s5.60A Financial Interest**

For the purpose of this Subdivision, a person has a financial interest in a matter if it is reasonable to expect that the matter will if dealt with by the local government, or an employee or committee of the local government or member of the council of the local government, in a particular way, result in a financial gain, loss, benefit or detriment for the person.

*[Section 5.60A inserted by No. 64 of 1998 s. 30; amended by No. 49 of 2004 s. 50.]*

### ***Proximity pursuant to Section 5.60B of the Local Government Act 1995***

#### **s5.60B Proximity Interest**

- (1). For the purposes of this Subdivision, a person has a proximity interest in a matter if the matter concerns –
  - (a). a proposed change to a planning scheme affecting land that adjoins the person's land;
  - (b). a proposed change to zoning or use of land that adjoins that person's land; or
  - (c). a proposed development (as defined in section 5.63 (5)) of land that adjoins the person's land.
- (2). In this section, land ("**the proposal land**") adjoins a person's land if –
  - (a). the proposal land, not being a thoroughfare, has a common boundary with the person's land;
  - (b). the proposal land, or any part of it, is directly across a thoroughfare from, the person's land; or
  - (c). the proposal land is that part of a thoroughfare that has a common boundary with the person's land.
- (3). In this section a reference to a person's land is a reference to any land owned by the person or in which the person has any estate or interest.

*[Section 5.60B inserted by No 64 of 1998 s. 30.]*

### ***Indirect Financial pursuant to Section 5.61 of the Local Government Act 1995***

#### **s5.61 Indirect Financial Interest**

A reference in this Subdivision to an indirect financial interest of a person in a matter includes a reference to a financial relationship between that person and another person who requires a local government decision in relation to the matter.

### ***Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulation 2007***

#### **reg 11 Disclosure of Interest**

- (1). In this regulation –  
Interest means an interest that could or could reasonably be perceived to; adversely affect the impartiality of the person having the interest arising from kinship, friendship or membership of an association.
- (2). A person who is a council member and who has an interest in any matter to be discussed at a council or committee meeting attended by the member must disclose the nature of the interest –
  - (a). in a written notice given to the CEO before the meeting;  
or
  - (b). at the meeting immediately before the matter is discussed.

- (3). Sub-regulation (2) does not apply to an interest referred to in section 5.60 of the Act.
- (4). Sub-regulation (2) does not apply if –
  - (a). A person who is a council member fails to disclose an interest because the person did not know he or she has an interest in the matter; or
  - (b). A person who is a council member fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.
- (5). If, under sub-regulation (2)(a), a person who is a council member discloses an interest in a written notice given to the CEO before a meeting then –
  - (a). Before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
  - (b). At the meeting the person presiding is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure related is discussed.
- (6). If –
  - (a). Under sub-regulation (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
  - (b). Under sub-regulation (5) (b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting.

The nature of the interest is to be recorded in the minutes of the meeting.

***Describe the extent of your interest (If seeking to participate in the matter under s.5.68 of the Act)***

**s5.68 Councils and Committees may allow Members disclosing interests to participate etc. in Meetings**

- (1). If a member has disclosed, under section 5.65, an interest in a matter, the members present at the meeting who are entitled to vote on the matter
  - (a). may allow the disclosing member to be present during any discussion or decision-making procedure relating to the matter; and
  - (b). may allow , to the extent decided by those members, the disclosing member to preside at the meeting (if otherwise qualified to preside) or to participate in discussions and the decision-making procedures relating to the matter if –
    - (i) the disclosing member also discloses the extent of the interest; and
    - (ii) those members decide that the interest –
      - (I) is so trivial or insignificant as to be unlikely to influence the disclosing member's conduct in relation to the matter; or
      - (II) is common to a significant number of electors or ratepayers
- (2). A decision under this section is to be recorded in the minutes of the meeting relating to the matter together with the extent of any participation allowed by the council or committee.
- (3). This section does not prevent the disclosing member from discussing, or participating in the decision-making process on, the question on whether an application should be made to the Minister under section 5.69.

**PLEASE NOTE:**  
**THIS PAGE HAS BEEN**  
**INTENTIONALLY LEFT BLANK**



**SHIRE OF SANDSTONE**  
**ELECTED MEMBER'S REQUEST FORM**

Councillor's Name: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/2018

**Urgency:** Low / Medium / High / Strategic

Road / Public Building / Area: \_\_\_\_\_

Request: \_\_\_\_\_

Description: \_\_\_\_\_

---

---

---

**OFFICE USE ONLY:-----**

Action Taken: \_\_\_\_\_

---

---

Comment: \_\_\_\_\_

---

Completed: \_\_\_\_/\_\_\_\_/2018

Signature: \_\_\_\_\_

Inspected and/or authorised by: \_\_\_\_\_

(Chief Executive Officer)

**PLEASE NOTE:  
THIS PAGE HAS BEEN  
INTENTIONALLY LEFT BLANK**

# Councilor's Claim for Sitting Fees and Travel

Councilor \_\_\_\_\_

Creditor No \_\_\_\_\_

<i>Date</i>	<i>Meeting</i>	<i>Sitting Fees</i>	<i>Travel Km's</i>	<i>Amount</i> .7087 cents per km
Date of Meeting	Type of Meeting	\$170/ \$340	No of km's	Office Use
25/10/2018	Full Council			

Fees payable are in accordance with the Local Government Act (5.98) – Administration Regulations (30)

Total

04109

Line Item 370

Total

04100

TOTAL:

## OTHER MEETINGS ATTENDED IN THE MONTH

Date	Meeting	Km's	Vehicle supplied?

If this form is not filled out correctly with all information the claim for payment will be rejected.

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

Calculations Checked \_\_\_\_\_ Date \_\_\_\_\_

Goods Received / Payment Approved \_\_\_\_\_

PLEASE NOTE:  
THIS PAGE HAS BEEN  
INTENTIONALLY LEFT BLANK

**ORDINARY COUNCIL MEETING TO BE HELD ON 25 October 2018**  
**AGENDA SUMMARY and TABLE OF CONTENTS**

<b>PAGE</b>	<b>AGENDA</b>	<b>ITEM</b>	<b>MINUTE No.</b>
<b>15</b>	1.0	Declaration of Opening and Announcement of any Visitors	
<b>15</b>	2.0	Announcements from the Presiding Member and/or Councillors (without discussion unless otherwise determined)	
<b>15</b>	3.0	Attendance	
<b>15</b>	4.0	Response to Previous Public Questions Taken on Notice	
<b>15</b>	5.0	Applications for Leave of Absence	
<b>16</b>	6.0	Declarations of Interest	
<b>16</b>	7.0	Public Question Time	
<b>16</b>	8.0	Confirmation of Minutes from Previous Meeting(s)	
<b>16</b>	8.1	Ordinary Council Meeting – 27 September 2018	/18
<b>16</b>	9.0	Presentations	
<b>17</b>	10.0	Officer's Reports	
<b>17</b>	10.1	Chief Executive Officer's Reports	
<b>17</b>	10.1.1	Status Update Report – October 2018	/18
<b>19</b>	10.1.2	Establishment of Post Office Agency	/18
<b>21</b>	10.1.3	Employment Policy - Clearances	/18
<b>23</b>	10.1.4	Sale of the Old Police House	/18
<b>26</b>	10.2	Finance	
<b>26</b>	10.2.1	Financial Statement for the Month of September 2018	/18
<b>28</b>	10.2.2	Accounts Update for the Month of September 2018 (includes for Credit Cards, Caravan Park & Fuel Sales)	/18
<b>30</b>	10.4	Works and Services	
<b>30</b>	10.4.1	Works Supervisors Report	/18
<b>31</b>	11	Motions of which Previous Notice Has Been Given	
<b>31</b>	12	Questions from Members Without Notice	
<b>31</b>	13	New Business of an Urgent Nature Introduced by Decision of the Meeting	
<b>31</b>	14	Meeting Items Closed to the Public	
<b>32</b>		Time and Date of Next Meeting	
<b>32</b>	15	Closure of the Meeting	
<b>32</b>		Certification of the Minutes of the Previous Meeting(s)	

**PLEASE NOTE:**  
**THIS PAGE HAS BEEN**  
**INTENTIONALLY LEFT BLANK**



**AGENDA and STAFF REPORTS**  
**ORDINARY COUNCIL MEETING TO BE HELD IN**  
**COUNCIL CHAMBERS, SANDSTONE ON THURSDAY, 25 OCTOBER 2018**

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

The Presiding Member, Cr Bethel Walton (Shire President) to declare the Meeting open at 12.30pm.

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

Nil

**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 D (David) Lefroy	
CR V (Vicki) McQuie	

**Staff Members**

Mr Harry Hawkins	Chief Executive Officer
------------------	-------------------------

**3.2 Apologies**

Nil

**3.3 Approved Leave of Absence**

Nil

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

Nil

**5 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

## **6 DECLARATIONS OF INTEREST**

**6.1 Declarations of Financial Interest**

**6.2 Declarations of Proximity Interest**

**6.3 Declarations of Indirect Financial Interest**

**6.4 Declarations of Impartiality Interest**

## **7 PUBLIC QUESTION TIME**

Nil

## **8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING**

### **STAFF RECOMMENDATION**

**MOVED:** Cr

**SECONDED:** Cr

That the Minutes of the Ordinary Meeting of Council held on 27 September 2018 are confirmed as a true and accurate record of proceedings.

**NOT/CARRIED (??)**

## **9 PRESENTATIONS**

**9.1 Petitions**

Nil

**9.2 Presentations**

Nil

**9.3 Deputations**

Nil

**9.4 Delegates/Councillor's Reports**

Nil



## **10 OFFICERS REPORTS**

### **10.1 CHIEF EXECUTIVE OFFICER'S REPORTS**

#### **10.1.1 Status Report Update – September 2018**

**Agenda Reference:** CEO 09/18 - 01  
**Location/Address:** Shire of Sandstone  
**Name of Applicant:** Shire of Sandstone  
**Disclosure of Interest:** Nil  
**Date of Report:** 12/10/2018  
**File No:**  
**Previous References:** Various  
**Author:** Eddie Piper, ACEO

#### **Summary**

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

#### **Attachments**

Status Update September 2018

#### **Background**

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

#### **Comment**

The change to the report this month are the removal of the Heritage listing of the Camel Station as it was indicated at the September 2018 meeting that it was completed. The date for the erection of the fence at 19 Hack Street sharing the boundary with the Admin Office carpark is the end of September 2018, however the works have not yet commenced..

#### **Consultation**

Nil

#### **Statutory Environment**

Nil

#### **Policy Implications**

Nil

## Financial Implications

Nil

## Strategic Implications

Nil

## Voting Requirements

Simple majority

## Officer Recommendation

**MOVED:** Cr

**SECONDED:** Cr

That Council accepts the Status Update for September 2018

**CARRIED/NOT CARRIED (??)**

### Status Update September 2018

The Status Update is used to provide information to Elected Members regarding the Status of decisions made at Council Meetings:

Meeting Date	Item No	Resolution (Action Required)	Response (Update)	Officer	Timeframe
31/17	10.1.7	That the plaque recognising George Dent at Hack's mine is reinstated and his family is offered the opportunity for a plaque to be placed in the new Heritage Park.	<b>03/05/2017</b> Letter sent to family of George Dent advising them of Council's decision <b>19/03/2018</b> Ceramic photo of George Dent received from his family for inclusion on plaque at Heritage Park		
85/17	10.1.4	That the right of way behind the power station between Rowe and Black Streets is closed	<b>06/10/2017</b> letters sent to begin process and advertising as per LAA undertaken. <b>06/11/2017</b> letter received from Water Corporation with no objection. <b>10/07/2018</b> Submission received from Telstra and application for closure sent to Dept of Lands		
08/18	10.1.4	Fencing 19 Hack Street	<b>04/04/2018</b> Fencing materials are on site Planning under way for taking down and disposal of current asbestos fence <b>04/09/2018</b> Property owner has advised that the new fence will be erected at the end of September 2018.		

<b>20/18</b>	<b>10.1.5</b>	Sale of properties for outstanding rates	<b>04/04/2018</b> Legal process to allow sale has commenced	
<b>76/18</b>	<b>10.1.2</b>	Transfer of management part of reserve 14178 – Caravan Park	Water Corporation advised. Awaiting the return of the CEO.	
<b>77/18</b>	<b>10.1.3</b>	Fencing of lots 98 & 99 Payne Street	PO issued to Connor Jones Contracting. Fence in progress	
<b>78/18</b>	<b>10.1.4</b>	Sandstone Community Postal Agency	Training & undertake purchase of shelving and stock. Ready for opening on 1 November 2018	
<b>81/18</b>	<b>10.3.1</b>	Holiday Home application	Applicant advised by letter	

### Legend

Category	Status
Not Started	
In Progress	
Completed	

## 10.1.2 Establishment of Post Office Agency

**Agenda Reference:** CEO 10/18 – 02  
**Location/Address:** Shire of Sandstone  
**Name of Applicant:** Shire of Sandstone  
**Disclosure of Interest:** Nil  
**Date of Report:** 8 October 2018  
**Author:** Eddie PIPER Acting Chief Executive Officer

### Summary

Council resolved at its meeting held on 27<sup>th</sup> September to undertake the Agency for Australia Post to operate from the Shire Administration Office.

### Attachments

Nil

### Background

Council resolved to operate the Australia Post Agency from 1 November 2018 from the Shire Administration Office. Officers have put in place necessary administrative procedures to enable the resolution to be enacted on time.

### Comment

To facilitate the operation Council needs to establish a budget for the income and expenditure to be reflected within the financial accounts of the Shire and to comply with the requirements of the Local Government Act 1995.

Budget adjustments and/or modifications may be exercised during a financial year provided those resolutions to alter the budget are carried by an absolute majority.

It is difficult in this case to determine the extent of revenue and expenditure because this is a first-time operation. The Acting CEO submits that council approve a Revenue and Expenditure amounts and details be submitted at the meeting or a subsequent meeting.

Revenue	\$15,000
---------	----------

Expenditure	\$10,000
-------------	----------

Establishment Costs	\$5,000
---------------------	---------

### **Consultation**

nil

### **Statutory Environment**

*Local Government Act 1995 Section 6:8*

### **Policy Implications**

Nil

### **Financial Implications**

There are initial establishment costs which may be covered by a surplus from operations.

### **Voting Requirements**

Absolute Majority

### **Officer Recommendation**

**MOVED:** Cr

**SECONDED:** Cr

That Council approve the following amendment to the 2018-19 Annual Budget to allow the operation of the Sandstone Australia Post Agency to operate from 1<sup>st</sup> November 2018:

Operating Revenue	\$15,000
-------------------	----------

Operating Expenditure	\$10,000
-----------------------	----------

Establishment Costs	\$5,000
---------------------	---------

**CARRIED/NOT CARRIED (??)  
by ABSOLUTE MAJORITY**

### 10.1.3. Employment Policy - Clearances

**Agenda Reference:** CEO 10/18 – 03  
**Location/Address:** Shire of Sandstone  
**Name of Applicant:** Shire of Sandstone  
**Disclosure of Interest:** None  
**Date of Report:** 12 October 2018  
**Author:** Eddie Piper Acting Chief Executive Officer

#### Summary

The Shire employs people from time to time, either through the Chief Executive Officer and/or Council, and there may be times when proper procedures are not followed.

#### Attachments

Nil

#### Background

It is normal practice for a Council to require of a prospective employee to obtain a police and medical clearance prior to being officially appointed.

Sandstone, being located in a remote area, can find this practice very difficult and there is a need to make some provision within a Policy to cover this situation.

#### Comment

The Acting CEO cannot locate any other Policies to copy a format, so the basic principles are laid out below for the CEO to incorporate into a policy document.

1. All persons engaged to commence employment with the Shire of Sandstone must obtain a POLICE CLEARANCE which must be current (within 1 month of commencement date)
2. All persons engaged to commence employment with the Shire of Sandstone must obtain a MEDICAL CERTIFICATE from a qualified medical practitioner, with such clearance covering all requirements of the Shire of Sandstone as contained in the "PRE-PLACEMENT MEDICAL REPORT".
3. In the event that a Police Clearance is not obtained by the Shire prior to commencement then such appointment will be subject to the provision of a satisfactory police clearance within 1 (one) week of the commencement.
4. In the event that a satisfactory Medical Certificate is not obtained by the Shire prior to commencement then such appointment will be subject to the provision of a satisfactory Medical Certificate within 2 (two) weeks of the commencement.

5. Failure to comply with 1 or 2 within the boundaries outlined in 3 and 4 shall give the Shire of Sandstone the option of either a “Stand-down” or “dismissal” or reprimand of the non-complying employee.
6. On the production of a receipt for the clearances the Shire of Sandstone will make a full re-imbursement of the cost to the employee

### **Consultation**

Shire President

### **Statutory Environment**

Nil

### **Policy Implications**

Nil

### **Financial Implications**

Minor repayment of clearances to employees.

### **Voting Requirements**

Simple majority

### **Officer Recommendation**

**MOVED: Cr**

**SECONDED: Cr**

That the Shire of Sandstone adopt an employment policy titled “POLICE AND MEDICAL CLEARANCES” incorporating the following:

- 1 .All persons engaged to commence employment with the Shire of Sandstone must obtain a POLICE CLEARANCE which must be current (within 1 month of commencement date)
2. All persons engaged to commence employment with the Shire of Sandstone must obtain a MEDICAL CERTIFICATE from a qualified medical practitioner, with such clearance covering all requirements of the Shire of Sandstone as contained in the “PRE-PLACEMENT MEDICAL REPORT” .
3. In the event that a Police Clearance is not obtained by the Shire prior to commencement then such appointment will be subject to the provision of a satisfactory police clearance within 1 (one) week of the commencement.
4. In the event that a satisfactory Medical Certificate is not obtained by the Shire prior to commencement then such appointment will be subject to the provision of a satisfactory Medical Certificate within 2 (two) weeks of the commencement.

5. Failure to comply with 1 or 2 within the boundaries outlined in 3 and 4 shall give the Shire of Sandstone the option of either a “Stand-down” or “dismissal” or reprimand of the non-complying employee.

6. On the production of a receipt for the clearances the Shire of Sandstone will make a full re-imburement of the cost to the employee

## **CARRIED/NOT CARRIED (??)**

### **10.1.4 Sale of the Old Police House**

**Agenda Reference:** CEO 10/18 – 04  
**Location/Address:** Shire of Sandstone  
**Name of Applicant:** C Mack and F Mather  
**Disclosure of Interest:** None  
**Date of Report:** 15 October 2018  
**Author:** Eddie Piper Acting Chief Executive Officer

#### **Summary**

For Council to consider whether to retain or dispose of the Old Police House situated in Oroya Street and if the decision is to dispose of the property then by what method.

#### **Attachments**

A letter from Mr Chris Mack and Ms Fiona Mather expressing an expression of interest in purchasing the property.

#### **Background**

The Shire of Sandstone acquired the building known as the old police house within the last two (2) years and has previously indicated that it would most likely dispose of the property to ensure the building was utilised and therefore maintained without the shire having to meet the ongoing costs.

There was and still is some maintenance works to be completed to make a sale an attractive option

#### **Comment**

A letter has been received from Mr Chris Mack and Ms Fiona Mather expressing an interest in purchasing the old police house and seeking Council’s consideration in selling the property (copy attached).

The Shire 2018-19 Budget does not include the disposal of this property and therefore Council needs to firstly determine if it wishes to do so. If it is decided to go ahead with the disposal the Local Government Act 1995 (the Act) requires that the method of disposal must be decided. There are three (3) methods available to Council, they being:

1. By public tender
2. By public auction
3. By private treaty

**The Act, under section 3:58 reads as follows:**

**3.58 Disposing of property**

*(1) In this section –*

*Dispose includes to sell, lease or otherwise dispose of, whether absolutely or not:*

*Property includes the whole or any part of the interest of a local government in property, but does not include money.*

*(2) Except as stated in this section, a local government can only dispose of property to –*

- (a) the highest bidder at a public auction; or*
- (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*

*(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –*

- (a) it gives local public notice of the proposed disposition –*
  - (i) describing the property concerned; and*
  - (ii) giving details of the proposed disposition; and*
  - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 Weeks after the notice is first given.*
- and*
- (b) it considers any submission made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

*(4) The details of the proposed disposition that are required by subsection (3)(a)(ii) Include –*

- (a) the names of all other parties concerned: and*
- (b) the consideration to be received by the local government for the disposition; and*
- (c) the market value of the disposition –*
  - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition: or*
  - (ii) as declared by a resolution of the local government*



*on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition*

(5) *This section does not apply to –*

- (a) a disposition of an interest in land under the Land Administration Act 1997 section 189 or 190; or*
- (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or*
- (c) anything that a local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or*
- (d) any other disposition that is excluded by regulations from the application of this section*

As can be seen from the above the simplest disposal methods are a public auction or by public tender. In these cases the disposal price is either the highest bid at an auction or the most acceptable tender provided.

The Acting Chief Executive Officer believes that Council may be best served by calling for public tenders as it gives the Council the flexibility to select the tender that is the most acceptable to the shire whether it is the highest or not. Obviously reasons would need to be given for selecting a tender other than the highest. These reasons could be on economic grounds, financial or other grounds. Council may reject all tenders if it is not satisfied with any conditions or the price tendered.

## **Consultation**

## **Statutory Environment**

Local Government Act 1995 Section 3:58

## **Policy Implications**

Nil

## **Financial Implications**

There would be additional revenue to the shire over and above the Budget (ie net purchase price less any expenses).

A budget adjustment will need to be completed should Council proceed with the disposal.

## **Voting Requirements**

Simple majority

## **Officer Recommendation**

**MOVED:** Cr

**SECONDED:** Cr

That Council in relation to the Old Police House determine as follows:

1. that the property be disposed of during the 2018/19 financial year
2. that the disposal be by public tender
3. that the 2018/19 council budget be amended to reflect the disposal and associated expenses
4. that the Chief Executive Officer undertake the necessary steps to commence the disposal by public tender following the completion of the Extra-Ordinary election
5. that the Chief Executive Officer advise Mr Chris Mack and Ms Fiona Mather of Council's decision.
6. that the Chief Executive Officer ensure all necessary maintenance works are completed as soon as possible to make the house a saleable proposition.

.

**CARRIED/NOT CARRIED (??)**

## **10.2 FINANCIAL REPORTS**

### **10.2.1 Financial Statements for the month of September 2018**

<b>Location:</b>	Shire of Sandstone
<b>Applicant:</b>	Shire of Sandstone
<b>Disclosure of Interest:</b>	Nil
<b>Date of Report:</b>	15 October 2018
<b>Author:</b>	Harry Hawkins, Chief Executive Officer

#### **Summary**

The Statement of Financial Activity reports for the month ending 30 September 2018 are presented to Council in accordance with *Regulations 34 of the Local Government (Financial Management) Regulations 1996*.

#### **Attachments**

Financial Statements for September 2018

#### **Background**

**Summary of Funds – Shire of Sandstone as at: 30 September 2018**

SHIRE OF SANDSTONE

Municipal Cheque Account - On-line (BWA)	\$109,265.03
Municipal Investment Account – On-line (BWA)	\$1,116,193.33
Trust Fund (Bankwest)	\$10,203.75
Reserve Term Deposits (Bankwest)	\$4,893,728.96

### **Consultation**

Finance 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

### **Voting Requirements**

Simple Majority

### **STAFF RECOMMENDATION**

**MOVED: Cr**

**SECONDED: Cr**

That Council accepts the financial statements for the period ending 30 September 2018.

**NOT/CARRIED (??)**

## **10.2.2 ACCOUNTS UPDATE FOR THE MONTH OF SEPTEMBER 2018**

SHIRE OF SANDSTONE

AGENDA – ORDINARY MEETING OF THE COUNCIL – THURSDAY 25 October 2018

Page 27 of 32

**Location:** Shire of Sandstone  
**Applicant:** Shire of Sandstone  
**Disclosure of Interest:** Nil  
**Date of Report:** 15 October 2018  
**Author:** Rhonda Miles – Finance Officer  
**Senior Officer:** Harry Hawkins – Chief Executive Officer

### 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 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.

### 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

## **STAFF RECOMMENDATION**

**MOVED: Cr**

**SECONDED: Cr**

That Council endorses the September 2018 accounts paid as presented:

### Municipal Fund September 2018

- Municipal Printed cheque numbers 105248 - 105253 totalling \$22,319.53
- EFT Payment Numbers 6482 – 6528 & 8000 totalling \$764,041.22
- Superannuation \$7,581.88 & \$7,239.42 totalling \$14,821.30

### Trust Fund September 2018

- Trust cheque numbers 205073-205076 totalling \$561.85

### Payroll EFT September 2018:

\$39,324.55 and \$32,627 totalling \$71,951.55

### Credit Cards September 2018:

DD3817.1 totalling \$1,525.91

**NOT/CARRIED (??)**

## 10.4 WORKS and SERVICES

### 10.4.1 Works Supervisors Report

<b>Location:</b>	Various – Shire of Sandstone
<b>Applicant:</b>	Works and Services Supervisor
<b>Disclosure of Interest:</b>	If any, see Comments Section in body of the Report
<b>Date of Report:</b>	15 October 2018
<b>Previous References:</b>	Nil
<b>Author:</b>	Eddie Piper ACEO

#### Summary – ACIVITY REPORT UPDATE

To provide Council with an updated Activity Report on the operations of Council's Works and Service Department since the last Council meeting.

#### Attachments

Nil

#### Background

It is important that Council is regularly updated as to Council's Infrastructure, Construction, Maintenance, Horticulture and other Works & Services Department activities.

Unfortunately, the Shire does not have a Works Supervisor now, however Mr Terry CLARKE has been engaged and will commence employment on 5<sup>th</sup> November 2018.

#### Comment

##### Construction

Road crew are starting work on the new year program on the bottom end of the Paynes Find Road. The camp at Youanmi is not suitable so the crew is travelling back to the depot each night which costs a lot of time as well as wear and tear on both the road and service truck. A mobile camp has been hired from Kalgoorlie and was delivered to the job site on Wednesday 19 September and the crew will occupy the camp and stop driving back and forth from Wednesday 26 September. Vickie Thomson from the visitor centre has taken on the cook/cleaner role as the visitor centre will close for the season in a few weeks and this will keep her employed.

##### Update to Construction

There is an update to the above in that the Acting CEO abandoned the camp site due to employee unrest and dissatisfaction with the facilities provided. The works staff are travelling to and from the site each day, however there may be a suitable alternative proposed in the near future to alleviate the necessity to travel.

The Acting CEO has arranged for the supervisor of the flood damage works to produce a report, however at the time of producing the agenda it had not been received..

**Statutory Environment**

Nil

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Nil

**Voting Requirements**

Simple majority

**Staff Recommendation**

**MOVED:** Cr

**SECONDED:** Cr

That the Works Supervisors report is received

**NOT/CARRIED (??)**

<b>11</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</b>
-----------	--

Nil

<b>12</b>	<b>QUESTIONS FROM MEMBERS WITHOUT NOTICE</b>
-----------	--

Nil

<b>13</b>	<b>NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING</b>
-----------	---

Nil

<b>14</b>	<b>MEETING ITEMS CLOSED TO THE PUBLIC</b>
-----------	---

**14.1 Meeting Closed to the Public**

#### **14.2 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 22 November 2018.

#### **15 CLOSURE OF MEETING**

There being no further business, the Shire President closed the meeting at \_\_\_\_\_pm.

#### **CERTIFICATION**

I, \_\_\_\_\_, certify that the Minutes of the Meeting held on 27 September 2018, as shown, were confirmed as a true and accurate record at the Meeting held on 25 October 2018.

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

Date: 25 October 2018