



MINUTES

Ordinary Council Meeting

Thursday 25 October 2018

Held in the Council Chambers, Hack St Sandstone

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ORDINARY COUNCIL MEETING HELD ON 25 October 2018
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STAFF REPORTS
ORDINARY COUNCIL MEETING 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) declared the Meeting open at 12.50pm.

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
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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

Cr McQuie declared an interest in item 10.2.2A EFT 6512 as she is a partner in LM & MR McQuie and sons

6.2 Declarations of Proximity Interest

6.3 Declarations of Indirect Financial Interest

6.4 Declarations of Impartiality Interest

Cr May declared an interest in item 10.2.2A EFT 6501 as Marc Halsall is her son in law

7 PUBLIC QUESTION TIME

Nil

8 CONFIRMATION OF MINUTES FROM PREVIOUS MEETING

Resolution 83/18

MOVED: Cr McQuie

SECONDED: Cr Lefroy

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

CARRIED (5/0)

9 PRESENTATIONS

9.1 Petitions

Nil

9.2 Presentations

Nil

9.3 Deputations

Nil

9.4 Delegates/Councillor's Reports

Cr Walton gave a verbal report on the Midwest Regional Road Group that she attended on 22/10/2018

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 is 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

Resolution 84/18

MOVED: Cr May

SECONDED: Cr Lefroy

That Council accepts the Status Update for September 2018

CARRIED (5/0)

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.	03/05/2017 Letter sent to family of George Dent advising them of Council's decision 19/03/2018 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	06/10/2017 letters sent to begin process and advertising as per LAA undertaken. 06/11/2017 letter received from Water Corporation with no objection. 10/07/2018 Submission received from Telstra and application for closure sent to Dept of Lands		
08/18	10.1.4	Fencing 19 Hack Street	04/04/2018 Fencing materials are on site Planning under way for taking down and disposal of current asbestos fence 04/09/2018 Property owner has advised that the new fence will		

			be erected at the end of September 2018.	
20/18	10.1.5	Sale of properties for outstanding rates	04/04/2018 Legal process to allow sale has commenced	
76/18	10.1.2	Transfer of management part of reserve 14178 – Caravan Park	Water Corporation advised. Awaiting the return of the CEO.	
77/18	10.1.3	Fencing of lots 98 & 99 Payne Street	PO issued to Connor Jones Contracting. Fence in progress	
78/18	10.1.4	Sandstone Community Postal Agency	Training & undertake purchase of shelving and stock. Ready for opening on 1 November 2018	
81/18	10.3.1	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 27th 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

Resolution 85/18

MOVED: Cr McQuie

SECONDED: Cr Lefroy

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 1st November 2018:

Operating Revenue	\$15,000
Operating Expenditure	\$10,000

Establishment Costs \$5,000

CARRIED by ABSOLUTE MAJORITY (5/0)

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.

SHIRE OF SANDSTONE

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-imbusement 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

SHIRE OF SANDSTONE

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-imbusement of the cost to the employee

CARRIED/NOT CARRIED (??)

This item was left to lay on the table pending further information being provided.

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

Resolution 86/18

MOVED: Cr May

SECONDED: Cr Lefroy

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 (5/0)

10.2 FINANCIAL REPORTS

10.2.1 Financial Statements for the month of September 2018

Location:	Shire of Sandstone
Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	15 October 2018
Author:	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

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

Resolution 87/18

MOVED: Cr Lefroy

SECONDED: Cr May

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

CARRIED (5/0)

10.2.2 ACCOUNTS UPDATE FOR THE MONTH OF SEPTEMBER 2018 (Includes Credit Cards, the Caravan Park, Fuel Sales and Rates report)
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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

Resolution 88/18

MOVED: Cr Lefroy

SECONDED: Cr McQuie

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

CARRIED (5/0)

10.4 WORKS and SERVICES

10.4.1 Works Supervisors Report

Location:	Various – Shire of Sandstone
Applicant:	Works and Services Supervisor
Disclosure of Interest:	If any, see Comments Section in body of the Report
Date of Report:	15 October 2018
Previous References:	Nil
Author:	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 5th 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

Resolution 89/18

MOVED: Cr McQuie

SECONDED: Cr May

That the Works Supervisors report is received

CARRIED (5/0)

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12 QUESTIONS FROM MEMBERS WITHOUT NOTICE

Nil

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

Nil

14 MEETING ITEMS CLOSED TO THE PUBLIC

14.1 Meeting Closed to the Public

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 1.58pm.

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