



MINUTES

Ordinary Council Meeting

Thursday 27 August 2020

Held in the Council Chambers, Hack St Sandstone

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**ORDINARY COUNCIL MEETING HELD ON
THURSDAY 27 AUGUST 2020
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ORDINARY COUNCIL MEETING HELD IN COUNCIL CHAMBERS, SANDSTONE ON THURSDAY 27 AUGUST 2020

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF ANY VISITORS

The Presiding Member, Cr Bethel Walton (Shire President) declared the meeting open at 1.00pm.

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

Nil

3 ATTENDANCE

3.1 Present

Elected Members

Cr B (Beth) 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 K (Kerry) Key	
Cr V (Vicki) McQuie	

Staff Members

Mr Harry Hawkins	Chief Executive Officer
Mr Norbert Marwick	Works Supervisor

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 MEETINGS

8.1 The ordinary meeting held on the 23 July 2020

Resolution: 66/20

MOVED: Cr Lefroy

SECONDED: Cr May

That the Minutes of the Ordinary Meeting of Council held on 23 July 2020 are confirmed as a true and accurate record of proceedings.

CARRIED (6/0)

8.2 The special budget meeting held on the 06 August 2020

Resolution: 67/20

MOVED: Cr Key

SECONDED: Cr McQuie

That the Minutes of the Special Budget Meeting of Council held on 6 August 2020 are confirmed as a true and accurate record of proceedings.

CARRIED (6/0)

9 PRESENTATIONS

9.1 Petitions

Nil

9.2 Presentations

Nil

9.3 Deputations

Nil

9.4 Delegates/Councillor's Reports

Cr Lefroy gave a verbal report on the MRVC meeting he and Cr Hodshon attended in Mt Magnet on the 11th August 2020.

Cr Walton gave a verbal report on the Murchison Geo Region steering group meeting held via Zoom on the 21 August 2020.

10 OFFICERS REPORTS

10.1 CHIEF EXECUTIVE OFFICER'S REPORTS

10.1.1 Status Report Update – August 2020

Agenda Reference:	CEO 08/20 - 01
Name of Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	17/8/2020
Previous References:	Various
Author:	Harry Hawkins CEO

Summary

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

Attachments

Status Update August 2020

Background

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

Comment

Spreadsheet has been updated to include additional work on excision of part of Reserve 14178, an update on the fence at bowling green and sale of properties for outstanding rates.

SHIRE OF SANDSTONE

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

Resolution: 68/20**MOVED: Cr Lefroy****SECONDED: Cr Key**

That Council accepts the Status Update for August 2020

CARRIED (6/0)**Status Update August 2020**

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 23/11/2018 Details of new Council resolution and other information sought sent to Dept		

			of Lands 13/06/2019 More information sought by DOL sent as requested	
20/18	10.1.5	Sale of properties for outstanding rates	04/04/2018 Legal process to allow sale has commenced 05/12/2018 Current debt collectors are going out of business and new provider once appointed will be contacted for updated advice 10/12/2019 Email to Development WA requesting they consider the taking back of the lots and for the cost of the outstanding rates 13/08/2020 Action put on hold due to cost outweighing expected income	
76/18	10.1.2	Transfer of management part of reserve 14178 – Caravan Park	Water Corporation advised. Awaiting the return of the CEO. 17/12/2018 Letter accepting part transfer of reserve sent to Water Corporation. 03/05/2019 installation date of early 2020 confirmed for Sandstone plant. 08/06/2020 Documentation sent to DPLH to enable transfer of part of Reserve 14178 to Water Corp 17/08/2020 Amended Stat Dec sent to DPLH to enable completion of transfer	
112/19		Stronger Communities Grant Upgrade Bowling Green	10/12/2019 Advised of successful application to pave and fence bowling green grant \$10,000. 31/03/2020 Brick paving around Bowling Green completed 07/08/2020 Fence Commenced 20/08/2020 Fence Completed	
17/20	10.1.2	Sale of Police House	27/03/2020 Sale to be handled by Professionals Geraldton. Put on hold until after Corona Virus restrictions are lifted to limit visitors to town. 04/06/2020 Sale authority signed with Professionals Geraldton	

Legend

Category	Status
Not Started	
In Progress	
Completed	

Agenda Reference:	CEO 08/20 – 02
Location/Address:	None
Name of Applicant:	None
Disclosure of Interest:	None
Date of Report:	14 th August 2020
Author:	Harry Hawkins Chief Executive Officer

Summary

Trust Deed amendments set out in the Deed of Variation are based on legal advice and are intended to assist the Trust's income tax exempt status by strengthening the position that the Trust is a State / Territory Body (STB). Legal advice identified that the Trustee's ability to retire and appoint a new Trustee might affect the Trust's classification as a State or Territory Body (STB). Council is asked to support this amendment.

Attachments

Proposed Amendments

Background

The Local Government House Trust ("The Trust") exists primarily to provide building accommodation for the Western Australian Local Government Association. Since January 2014, the Trust has provided WALGA with accommodation at 170 Railway Parade West Leederville.

The current trust deed commenced in 1993 and was amended in 2002 to reflect the merger of the metropolitan and country associations into WALGA. The current Trust Deed pronounces WALGA as Trustee and unit holders as Beneficiaries, with the Trustee holding property and associated monies "upon Trust" and in proportion to the units provided.

Commencement date of the current deed is 17 February 1993, with a vesting date 79 years from commencement - which means that the Trust ends in 2072.

The Trust is exempt from income tax on the basis of being a State / Territory Body (STB) pursuant to *Division 1AB of the Income Tax Assessment Act 1936*.

Trust Deed Variation

Trust Deed amendments set out in the Deed of Variation are based on legal advice and are intended to assist the Trust's income tax exempt status by strengthening the position that the Trust is a State / Territory Body (STB). Legal advice identified that the Trustee's ability to retire and appoint a new Trustee might affect the Trust's classification as a State or Territory Body (STB). This view, while based upon highly technical grounds, is a risk nonetheless.

Subsequently the Deed of Variation aims to strengthen the position that the Trust is a STB through the following amendments:

1. removing the existing Trustee's power to retire and appoint a new Trustee (Clause 2.1 and 2.2 (22.3) of the Deed of Variation)
2. enabling the beneficiaries to appoint and remove a Trustee (Clause 2.2 (22.4) of the Deed of Variation), and
3. ensuring that the Board of Management is the 'governing body' of the Trust (Clause 2.3 of the Deed of Variation)

Comment

The first two amendments outlined above remove powers granted to the Trustee in the 2002 Deed Variation resulting from the merger to a single Association representing WA Local Governments. These amendments which previously facilitated the transfer of trusteeship to the then new Western Australian Local Government Association are removed, but with the clarification that any appointment must be with the consent of the beneficiaries.

The final amendment intends to confirm that power rests with the Board of Management. As the Board of Management comprises Local Governments, this satisfies the requirements of a STB for tax purposes. This amendment reflects the actual operation of the Trustee in implementing the decisions of the Board of Management whilst retaining sufficient operational discretion to place and renew investments and pay suppliers.

These amendments provide greater power to beneficiaries through the Board of Management, and as such it is anticipated they will be considered acceptable.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple majority

Resolution: 69/20

MOVED: Cr Lefroy

SECONDED: Cr McQuie

That Council support the amendments to the Local Government House Trust Deed and consent to the Trustee formally executing the attached Deed of Variation and authorise the CEO to convey that consent to WALGA in writing.

CARRIED (6/0)

10.1.3	Northern Goldfields Interconnect Project – Gas Pipeline
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Agenda Reference: CEO 08/20 - 03
Location/Address: Shire of Sandstone
Name of Applicant: Chief Executive Officer
Disclosure of Interest: Nil
Date of Report: 17 August 2020
Author: Harry Hawkins Chief Executive Officer

Summary

APA Group owners and operators of the Dampier to Bunbury gas pipeline are investigating a proposed pipeline through the Shire of Sandstone to connect to the Goldfields gas pipeline and have asked the shire for any comments they may have on the proposal.

Attachments

Notification of project letter
Northern goldfields interconnect project flyer
Map of proposed pipeline

Background

APA group have contacted the shire to advise that they are investigating a proposed gas pipeline to run from a proposed compressor station adjacent to the Dampier to Bunbury pipeline through to the Goldfields gas pipeline approximately 40kms south of Leinster. The proposed route of the pipeline spans approximately 580kms and passes through the local government areas of the City of Greater Geraldton and the shires of Yalgoo, Mount Magnet, Sandstone and Leonora.

Comment

APA have applied for approval under sect 7 of the Petroleum Pipelines Act for early access to property along the route for the purposes of conducting preliminary environmental, cultural heritage and geotechnical surveys. Activities as a part of these surveys may be conducted on land managed by the shire.

While the shire has no power to intervene in the process Council is asked if they have any comments or seek further clarification in regard to the project. Individual land managers (pastoralists etc.) will also be contacted as a part of the investigation.

An employee of APA spoke to the CEO and advised that they wished to lease some land for a pipe stack during construction and was advised that a portion of the gymkhana ground might be available. He also advised that they will employ a road maintenance contractor to maintain the Paynes Find and Menzies roads used by trucks and other vehicles carting pipes etc in a good condition during construction of the pipeline.

Statutory Environment

Local Government Act 1995
Petroleum Pipelines Act 1969 section 7

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

Resolution: 70/20

MOVED: Cr Key

SECONDED: Cr Lefroy

That Council advise APA Group that they want assurance that during construction where the proposed pipeline crosses any shire maintained road that any maintenance or reinstatement works on the running surface are inspected and approved as satisfactory by the shire Works Supervisor.

CARRIED (6/0)

10.1.4	High Flow Diesel Fuel Bowser
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Agenda Reference: CEO 08/20 – 04
Location/Address: Payne Street Sandstone
Name of Applicant: None
Disclosure of Interest: None
Date of Report: 17 August 2020
Author: Harry Hawkins Chief Executive Officer

Summary

Due to drilling contractors buying large quantities of fuel that take considerable time to dispense and this is creating queues at the station the purchase of a fast flow bowser is being revisited.

Attachments

2019 Quote for high flow diesel fuel bowser including installation.

Background

In 2019 there was a request for a high flow diesel fuel bowser to be installed at the town fuel station however that installation never went ahead after flows were improved by the changing of the filter in the current bowser.

The level of exploration around the Sandstone area has increased significantly following the rise in the gold price to record highs and while some drilling contractors are having fuel delivered direct to them others are obtaining fuel from the town supply which is taking time to pump and at times creating long queues at the bowser. The installation of the high flow pump may encourage other truckies and contractors to use the fuel station in the future increasing income for the shire.

Comment

With the approval in the budget of a new OPT system for the fuel station it is considered that this might be the ideal time to include the installation of a high flow diesel pump in those works scheduled for October 2020 after the end of the main tourist season.

The representative for Geraldton company Fuel Fix who have taken over our service station maintenance is currently on leave so at the time of writing this report an updated quote was not available and the 2019 quote is attached as the cost is expected to be similar. Approval of this upgrade to the fuel station is requested now so that all works can be completed together alleviating a second shut down of the station.

It should also be noted when considering the installation of a fast flow pump that the town service station diesel tank only holds 16,000 litres and encouraging use by trucks, drillers and other mining vehicles may necessitate more frequent fuel deliveries resulting in increased costs. The higher volumes of fuel sold may also result in a situation as occurred on the 17th August where the service station tank was so low on diesel fuel that drivers were directed to the depot to purchase their diesel requiring staff help to obtain and pay for fuel.

Consultation

Shire President

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

The cost of approximately \$22,000 is unbudgeted expenditure

Voting Requirements

Simple majority

Resolution: 71/20

MOVED: Cr McQuie

SECONDED: Cr May

That Council,

1. Approve the purchase and installation of a fast flow diesel pump at the town service station at the same time the OPT system is being upgraded in October 2020 at a cost of approximately \$22,000 to be paid for from budget savings identified in the 6 monthly budget review, and
2. Ask the CEO to look into the cost of adding a new larger diesel tank to the OPT system and converting the current diesel tank into a tank for premium unleaded fuel.

CARRIED (6/0)

10.2 FINANCIAL REPORTS

10.2.1 Financial Statement for the month of June 2020

Location: Shire of Sandstone
Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 13 August 2020
Author: Harry Hawkins Chief Executive Officer

Summary

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

Attachments

Financial Statement for June 2020

Background

Summary of Funds – Shire of Sandstone as at: 31 July 2020

Municipal Cheque Account - On-line (BWA)	\$280,077.11
Municipal Investment Account – On-line (BWA)	\$646,901.26
Trust Fund (Bankwest)	\$7,200
Reserve Term Deposits (Bankwest)	\$3,943,025.44
Muni Term Deposits x 2	\$1,404,986.14

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. Due to changes in staffing at IT Vision who prepare accounts for the shire July reports were not completed in time to be included in the agenda.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

Resolution: 72/20

MOVED: Cr Key

SECONDED: Cr McQuie

That Council accepts the financial statement for the period ending 30 June 2020

CARRIED (6/0)

10.2.2 ACCOUNTS UPDATE FOR THE MONTH OF JULY 2020

(Includes Credit Cards, the Caravan Park, Fuel Sales and Rates report)

Location:	Shire of Sandstone
Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	15 August 2020
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: 73/20

MOVED: Cr Lefroy

SECONDED: Cr Key

That Council endorses the July 2020 accounts paid as presented:

Municipal Fund July 2020

- Municipal printed cheque numbers 105422 – 105426 totalling \$3,295.44
- EFT payment numbers 7682 – 7709 totalling \$151,130.40
- Superannuation \$9,189.44 & \$9,477.50 totalling \$18,666.94

Payroll EFT July 2020:

\$36,917.00 & \$37,627.00 totalling \$74,544.00

Credit Cards July 2020

DD 4572.1&2 totalling \$1262.80

CARRIED (6/0)

10.4 WORKS and SERVICES

10.4.1 WORKS SUPERVISOR'S REPORT August 2020

Agenda Reference: WS 08/20 – 01
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: None
Date of Report: 18 August 2020
Previous References: Nil
Author: Norbert Marwick, Works Supervisor

Summary

1. Crew Movements

The crew have completed the work on Lake Barlee Rd, and gravel patched over rocks on the Mt Magnet Rd SLK 9- 9.14.

They will be starting on Menzies-Sandstone Rd SLK 33.32-36.51 Wed 19/8/2020 But will be attending traffic control course between 1/9/2020 and when the town signage turns up the crew will be reduced to a skeleton crew so the signage can be erected.

2. Maintenance Grader

The Shire grader is Currently heading east on Menzies-Sandstone.

3. Contract Maintenance Grader

The grader is still Lake Barlee Rd and is still headed east. When finished Lake Barlee Rd. The grader will be on Paynes Find Rd headed North.

4. Employees

Brett has obtained his MC license and Banjo has been offered a permanent part time job on the Shire, Danny has had his contract extended to December 2020.

5. Plant

The Shires maintenance grader has had a 2000 hr service. The grader caravan has been repaired, dust proofed and converted to solar power with generator back up. I am currently waiting on quotes to trade the water tanker.

The Stock Grids have at last turned up and one has been installed on the Menzies Rd near Bulga Downs.

Consultation

All staff

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

Resolution: 74/20

Moved Cr McQuie

Seconded Cr Key

That Council receive the Works Supervisor's Report.

CARRIED (6/0)

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

CONFIDENTIAL ITEMS

14.2 Public Reading of Resolution

TIME and DATE of NEXT MEETING

The next scheduled Ordinary Council Meeting will be held on Thursday 24 September 2020.

15 CLOSURE OF MEETING

There being no further business, the Shire President closed the meeting at 2.00pm.

CERTIFICATION

I, _____, certify that the Minutes of the Meetings held on 23 July 2020, as shown, were confirmed as a true and accurate record at the Meeting held on 27 August 2020.

(Presiding Member)