



AGENDA

Ordinary Council Meeting

Thursday 25 February 2021
@ 12.30pm

To be held in the Council Chambers, Hack St Sandstone

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SHIRE OF SANDSTONE
S E R V E T H E P E O P L E

ORDINARY COUNCIL MEETING NOTICE PAPER

Thursday 25 February 2021 – 12.30pm

Dear President and Councillors,

An Ordinary Meeting of Council is called for Thursday 25 February 2021, in the Council Chambers, Hack Street, Sandstone, commencing at 12.30 pm.

Councillors please note:

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

Charlie Brown

Chief Executive Officer

19 February 2021

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.*

Charlie Brown

Chief Executive Officer

19 February 2021

Hack Street, SANDSTONE WA 6639

Tel (08) 9963 5802 Fax (08) 9963 5852

E-mail: 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.

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

Councillor's Name: _____

Date: ____/____/2021

Urgency: Low / Medium / High / Strategic

Road / Public Building / Area: _____

Request: _____

Description: _____

OFFICE USE ONLY:

Action Taken: _____

Comment: _____

Completed: ____/____/2021

Signature: _____

Inspected and/or authorised by: _____

(Chief Executive Officer)

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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	\$175/ \$350	No of km's	Office Use
25/02/2021	Full Council			

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

Total	Total
<input type="text"/>	<input type="text"/>
04109	Line Item 370 04100
	<input type="text"/>

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 _____

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**ORDINARY COUNCIL MEETING TO BE HELD ON
THURSDAY 25 FEBRUARY 2021
AGENDA SUMMARY and TABLE OF CONTENTS**

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15	3.0	Attendance	
15	4.0	Response to Previous Public Questions Taken on Notice	
15	5.0	Applications for Leave of Absence	
16	6.0	Declarations of Interest	
16	7.0	Public Question Time	
16	8.0	Confirmation of Minutes from Previous Meeting(s)	
16	8.1	Ordinary Council Meeting – 26 November 2020	/21
16	8.2	Special Council Meeting – 14 January 2021	/21
17	9.0	Presentations	
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17	10.1.1	Status Update Report – January 2021	/21
20	10.1.2	Purchase Fuel Tank and Trailer incl Budget Adjustment	/21
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24	10.1.4	Offer to Purchase 2 adjoining lots (246 & 247) in Green Street Sandstone	/21
27	10.1.5	Black Hill Station – Request for Comment on Carbon Farming	/21
29	10.1.6	Local Roads & Community Infrastructure Projects – Budget Amendment	/21
31	10.1.7	Petroleum Pipeline License – Opportunity to Comment	/21
33	10.2	Financial Reports	
33	10.2.1	Financial Statements for the Months of December 2020 and January 2021	/21
35	10.2.2	Accounts Update for the Month of December 2020 and January 2021	/21
37	10.4	Works and Services	
37	10.4.1	Works Supervisors Report January 2021	/21
38	11.0	Motions of Which Previous Notice Has Been Given	
38	12	Questions from Members Without Notice	

39	13	New Business of an Urgent Nature Introduced by Decision of the Meeting
39	14	Meeting Items Closed to the Public
39		Time and Date of Next Meeting
39	15	Closure of the Meeting
39		Certification of the Minutes of the Previous Meeting(s)



AGENDA and STAFF REPORTS
ORDINARY COUNCIL MEETING TO BE HELD IN
COUNCIL CHAMBERS, SANDSTONE ON THURSDAY 25 FEBRUARY 2021

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 (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 Charlie Brown	Chief Executive Officer
Mr Norbert Marwick	Works Supervisor

Visitors

3.2 Apologies

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 17 December 2020

STAFF RECOMMENDATION

MOVED: Cr

SECONDED: Cr

That the Minutes of the Ordinary Meeting of Council held on 17 December 2020 are confirmed as a true and accurate record of proceedings.

NOT/CARRIED (??)

8.2 The special meeting held on the 14th January 2021

STAFF RECOMMENDATION

MOVED: Cr

SECONDED: Cr

That the Minutes of the Special Meeting of Council held on 14 January 2021 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 – February 2021

Agenda Reference: CEO 02/21 - 01
Name of Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 17/02/2021
Previous References: Various
Author: Eddie Piper, Acting CEO

Summary

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

Attachments

Status Update January 2021

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 the decision regarding industrial land on the airport reserve and the reduced price for sale of the police house.

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 January 2021

CARRIED/NOT CARRIED (??)

Status Update January 2021

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 07/10/2020 Article in Midwest Times re lack of recognition of George Dent.		
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		

			<p>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</p>	
76/18	10.1.2	Transfer of management part of reserve 14178 – Caravan Park	<p>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</p>	
17/20	10.1.2	Sale of Police House	<p>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 12/10/2020 listing extension with the Professionals signed 26/10/2020 Professionals Geraldton advised that Council will accept lower price (\$50,000) 27/10/2020 Professionals suggest a price drop to \$55,000 on advertising 28/10/2020 Professionals were advised to drop price to \$55,000 as suggested. An offer of \$52,000 was received on 9th Feb 2021, however was withdrawn on 12th Feb 2021.</p>	
86/20	10.1.2	Request a change to Management Order on Aerodrome Reserve 10898 to allow industrial land to be developed and leased	<p>23/10/2020 Robert Fenn Development WA advised of Council's decision and asked to send draft letter to DPLH 26/10/2020 Letter sent to DPLH by Development WA 05/11/2020 Email rec'd from DPLH advising that land is generally excised from reserve and leased from the state govt. 06/11/2020 email from Development WA to DPLH arguing for land to remain in reserve and be leased from shire. 11/11/2020 DPLH advised that the shire will be able to</p>	

lease the airport land but only for a maximum 5 year term.

Legend

Category	Status
Not Started	Red
In Progress	Yellow
Completed	Green

10.1.2 Purchase Fuel Tank and Trailer incl Budget Adjustment

Agenda Reference: CEO 02/21-02
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: None

Date of Report: 21 January 2021
Previous References: Nil
Author: Eddie Piper , Acting CEO

Summary

The Shire currently owns a mobile diesel fuel tank, however the tank has split and any fuel contained in the tank escapes. This being the case it is dangerous as fire is an issue.

Background

There have been attempts to repair the tank without success. Further, the setup is aged and subject to heavy vibration thus requiring transport to be at only approx. 60km per hour.

The current set up is dangerous and therefore an occupational health issue for the driver and others if a fire develops.

The Works Supervisor has made temporary arrangements utilising a small tank which as a stop gap measure is satisfactory.

Background

The Works Supervisor has obtained an estimated replacement amount and it comes in at around \$55,000 (incl GST). There is no allowance in the 2020/21 budget so should council approve the purchase a budget amendment will be necessary. There is sufficient cash holding in the Plant Reserve. This was due for replacement in 2017.

Consultation

Norbert Marwick – Works Supervisor

Statutory Environment

Local Government Act 1995 Section 6.8(1)(b)

6.8 Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure -
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency

**absolute majority required*

(1a) In Subsection (1) –

Additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (2) Where expenditure has been incurred by a local government -
- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
 - (b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council

Policy Implications

Nil

Financial Implications

A budget amendment is necessary to the extent of \$55,000

Strategic Implications

Nil

Voting Requirements

Absolute Majority

Officer Recommendation

That Council:

1. Authorise the Chief Executive Officer (CEO) to amend the 2020/21 budget to facilitate the purchase of a new fuel tank incorporated into a modern trailer by:
 - a).Increase account No 12302 (Plant Purchases) by \$55,000 to \$433,740
 - b).Increase transfer from Plant Reserve from \$0 to \$55,000
2. Authorise the CEO to purchase a new fuel tank incorporated on a suitable trailer for servicing Shire owned plant with diesel fuel.

Moved Cr
Seconded Cr

CARRIED/NOT CARRIED (??)

10.1.3 Offer to Purchase 2 adjoining lots (99 & 516) in Payne Street Sandstone

Agenda Reference: CEO 02/21 - 03
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 14th February 2021
Author: Eddie Piper, Acting Chief Executive Officer

Summary

Council needs to consider any submissions lodged with the Acting CEO in relation to the disposal of lots 99 516 Payne Street Sandstone

Attachments

Nil

Background

The Shire at a Special Council Meeting held on 14th January 2021 resolved to reject an offer to purchase lots 99 and 516 Payne Street Sandstone of \$9,000 from Paul and Nicole MAY and make a counter offer to the MAY's of \$11,000 per block.

The detail of the lots are:

1. Lot 99 on Deposited Plan 223093 Volume 2746 Folio 566
2. Lot 516 on Deposited Plan 223093 Volume 2746 Folio 567

Council holds Duplicate Certificates of Title dated 5/5/2011 for both lots

Comment

The counter offer was forwarded to Mr and Mrs May who accepted at \$11,000 per lot equating to a total of \$22,000.

Council, in accordance with the Local Government Act 1995 sec 3.58, advertised the proposed disposition in the Midwest Times newspaper, on council's web site and on the Shire notice boards calling for any submissions in relation to the proposed disposition. Reveal of submissions close on 12th February 2021.

The Acting CEO can report that no submissions were received.

Consultation

Nil

Statutory Environment

Local Government Act 1995 Section 3.58

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 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 submissions 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 a 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 the 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.

[Section 3.58 amended: No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

Policy Implications

Nil

Financial Implications

A disposal will generate cash flow and increase the rate base of the Shire of Sandstone.

Strategic Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation

MOVED:

SECONDED:

That Council receive the advice of the CEO that no submissions were received by the closing date and that the CEO negotiate a settlement date with Paul and Nicole MAY.

CARRIED (0/0)

10.1.4 Offer to Purchase 2 adjoining lots (246 & 247) in Green Street Sandstone

Agenda Reference: CEO 02/21 - 04

Location/Address: Shire of Sandstone

SHIRE OF SANDSTONE

Name of Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 12th February 2021
Author: Eddie Piper, Acting Chief Executive Officer

Summary

Council needs to consider any submissions lodged with the Acting CEO in relation to the disposal of lots 246 & 247 Green Street Sandstone.

Attachments

Nil

Background

The Shire at a Special Council Meeting held on 14th January 2021 resolved to reject an offer to purchase lots 99 and 516 Payne Street Sandstone of \$9,000 from Justin Baker and make a counter offer to Mr Baker of \$11,000 per block.

The detail of the lots are:

1. Lot 246 on Deposited Plan 223094 Volume 2734 Folio 322
2. Lot 247 on Deposited Plan 223094 Volume 2734 Folio 323
- 3.

Council holds Duplicate Certificates of Title dated 5/5/2011 for both lots

Comment

The counter offer was forwarded to Mr Justin Baker who accepted at \$11,000 per lot equating to a total of \$22,000.

Council, in accordance with the Local Government Act 1995 sec 3.58, advertised the proposed disposition in the Midwest Times newspaper, on council's web site and on the Shire notice boards calling for any submissions in relation to the proposed disposition. Reveal of submissions close on 12th February 2021.

The Acting CEO can report that no submissions were received.

Consultation

Nil

Statutory Environment

Local Government Act 1995 Section 3.58

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.

SHIRE OF SANDSTONE

- (2) Except as stated in this section, a local government can only dispose of property to —
- (a) the highest bidder at 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 submissions 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 a 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 the 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.

[Section 3.58 amended: No. 49 of 2004 s. 27; No. 17 of 2009 s. 10.]

Policy Implications

Nil

Financial Implications

A disposal will generate cash flow and increase the rate base of the Shire of Sandstone

Strategic Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation

MOVED:

SECONDED:

That Council receive the advice of the CEO that no submissions were received by the closing date and that the CEO negotiate a settlement date with Justin BAKER.

CARRIED (0/0)

10.1.5 Black Hill Station – Request for Comment on Carbon Farming

Agenda Reference: CEO 02/21-05
Location/Address: Black Hill Station, Meekatharra – Sandstone Road
Name of Applicant: Climate Friendly
Disclosure of Interest: None

Date of Report: 3rd February 2021
Previous References: Nil
Author: Eddie Piper Acting CEO

Summary

An organisation known as Climate Friendly has requested Council comment on a proposal to conduct a carbon farming project on Black Hill Station.

Background

Mr Jack Petrakis contacted the shire on 16th December 2020 asking for any comments or advice on a request for Ministerial Approval to conduct a carbon farming project at Black Hill Station.

Comment

The email from Mr Petrakis reads as follows:

“To whom it may concern,

I am writing to follow up a previous email I sent on 16/12/20 regarding any comments or advice on a request for Ministerial approval to conduct a carbon farming project on Black Hill station.

I am from the organisation Climate Friendly, and we are the carbon project developer for Kalm Property Enterprises Pty Ltd as the Trustee for Kalm No 2 Family Trust (lessees for this property) who have registered the Black Hill Regeneration Project. I have attached the declaration and certificate of titles for the property we are requesting approval for.

Along with the project specific information I have also attached factsheet about how a carbon farming project works.

The process to get Ministerial approval states we are required to seek comment or advice from the Local Government Authorities prior to submitting to the State Government.

If you require any further information to provide said advice, please do not hesitate to contact me.

Kind regards,

Jack Petrakis”

Mr Petrakis attached information which may be useful to Elected Members when considering the request. The material is attached.

As the company is only seeking comment and/or advice to support its request to the Minister the Acting CEO can see no reason to object as the final decision will rest with the Minister. The attachment “Declaration of an Emission Reduction Fund project” has a condition that requires “that the written consent of each relevant interest-holder to the existence of the declaration must be obtained before the end of the first reporting period on the project”, hence the request by the company.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation

That Council advise Mr Jack Petrakis of Climate Friendly that it has no objection and cannot offer any advice to the establishment of a carbon farming project at Black Hill Station.

Moved Cr

Seconded Cr

CARRIED/NOT CARRIED (?!?)

10.1.6	Local Roads & Community Infrastructure Projects – Budget Amendment
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Agenda Reference: CEO 02/21 - 07
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: None

Date of Report: 2nd February 2021
Previous References: Nil
Author: Eddie Piper , Acting CEO

Summary

The Shire has been successful in having the projects submitted for the Local Roads and Community Infrastructure (LRCI) approved for funding.

SHIRE OF SANDSTONE

Background

With the approval the Council must now amend its 2020-21 Budget to reflect the works and funds associated with the projects.

Comment

The Acting CEO has been advised that the Federal Government have approved the projects submitted, they being:

1. Stage 1 Replace Recreation Centre Roof
2. Stage 2 Replace Recreation Centre Roof
3. Shade Sails at the Water Park
4. Fast Flow Fuel Tanks
5. Replace Roof at Visitors Centre

It is now necessary to amend the 2020-21 Budget to reflect the Revenue and Expenditure in accordance with the Local Government Act 1995 section 6.8(1) 9b)

Consultation

Nil

Statutory Environment

Local Government Act 1995 Section 6.8(1)(b)

6.8 Expenditure from municipal fund not included in annual budget

- (3) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure -
- (d) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (e) is authorised in advance by resolution*; or
 - (f) is authorised in advance by the mayor or president in an emergency

**absolute majority required*

(1a) In Subsection (1) –

Additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

- (4) Where expenditure has been incurred by a local government -
- (c) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
 - (d) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council

Policy Implications

Nil

Financial Implications

A budget amendment is necessary to allow the expenditure to undertake the projects.

Strategic Implications

Nil

Voting Requirements

Absolute Majority

Officer Recommendation

That Council authorise the Chief Executive Officer (CEO) to amend the 2020/21 budget to facilitate the recording of revenue and expenditure associated with the LRCI projects by:

1. Increase Grant Funding LRCI Phase 2 (account xxxx) by \$216,605 to \$216,605
2. Increase Grant Funding LRCI Phase 1 (account xxxx) by \$52,314 to xxxxxx
3. Replace roof Recreation Centre (Stage 1)(New Account) (new job)by \$52,314
4. Replace roof Recreation Centre (Stage 2)(New Account) (new job) by \$33,417
5. Shade Sail at Water Park (new Account) (New Job) by \$18,745
6. Fast Flow Fuel Tank Increase Capacity (New Account) (new job) by \$124,443
7. Replace Roof Visitors Centre (New Account) (new job) by \$40,000

Moved Cr

Seconded Cr

CARRIED/NOT CARRIED (???)

10.1.7	Petroleum Pipeline Licence – Opportunity to Comment
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Agenda Reference: CEO 02/21 - 08
Location/Address: Shire of Sandstone
Name of Applicant: Department of Mines, Industry Regulation and Safety
Disclosure of Interest: None

Date of Report: 11th February 2021
Previous References: Nil
Author: Eddie Piper, Acting CEO

Summary

The Shire is invited to make any comments regarding the petroleum pipeline licence lodged by the APA group, particularly in relation to Council's Planning Scheme.

Attachments

Letter and application for license for the Petroleum Pipeline in the Northern Goldfields

Background

The Acting CEO received an email requesting Council's comments. The letter (email) is attached but essentially outlines the detail of the license and the length of the pipeline and requests that council advise the Minister of any issues it may have in relation to planning.

Comment

The Department of Mines, Industry Regulation and Safety has requested any comments or observations by Council should be lodged by 10th March 2021.

The Acting CEO can see no issues at all with the pipeline in terms of the proposed route and any planning issues.

This being the case the Acting CEO can see no reason to lodge objections and to the contrary could offer support the application for the Petroleum Pipeline Licence (STP-PLA-A-0048)

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

There may be an opportunity to rate the pipeline as infrastructure.

Strategic Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation

That Council advise the Department of Mines, Industry Regulation and Safety that it has no objection to the issue of Petroleum Pipeline Licence Application STP_PLA_0048 and in fact supports the application.

Moved Cr
Seconded Cr

CARRIED/NOT CARRIED (??)

10.2 FINANCIAL REPORTS

10.2.1 Financial Statement for the months of December 2020 & January 2021

Agenda Reference: F 02/21 – 01
Location: Shire of Sandstone
Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 18 February 2021
Author: Charlie Brown Chief Executive Officer

Summary

The Statement of Financial Activity report for the months ending 31 December 2020 & 31 January 2021 are presented to Council in accordance with *Regulations 34 of the Local Government (Financial Management) Regulations 1996*.

Attachments

Financial Statements for December 2020 & January 2021

Background

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

Municipal Cheque Account - On-line (BWA)	\$687,900.10
Municipal Investment Account – On-line (BWA)	\$20,046.22
Trust Fund (Bankwest)	\$6.100
Reserve Term Deposits (Bankwest)	\$ 3,956,314.45
Muni Term Deposits x 1	\$ 803,950.00

Summary of Funds – Shire of Sandstone as at: 31 January 2021

Municipal Cheque Account - On-line (BWA)	\$328,506.54
Municipal Investment Account – On-line (BWA)	\$520,047.15
Trust Fund (Bankwest)	\$5,500
Reserve Term Deposits (Bankwest)	\$ 3,959,007.31
Muni Term Deposits x 1	\$ 803,950.00

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 statement for the periods ending 31 December 2020 & January 2021

NOT/CARRIED (??)

<p>10.2.2 ACCOUNTS UPDATE FOR THE MONTHS OF DECEMBER 2020 & JANUARY 2021 (Includes Credit Cards, the Caravan Park, Fuel Sales and Rates report)</p>

Agenda Reference: F 02/21 – 02
Location: Shire of Sandstone
Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 18 February 2021
Author: Rhonda Miles – Finance Officer
Senior Officer: Charlie Brown – 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 December 2020 and January 2021 accounts paid as presented:

Municipal Fund December 2020

- Municipal cheque numbers 105450 – 105459 totalling \$5,351.33
- EFT payment numbers 7959 – 8030 totalling \$254,280.70
- Superannuation \$7,904.21, \$7,936.94, \$8,079.28, & \$7,274.32 Total \$31,194.75

Trust Fund December 2020

- Trust cheque numbers 205128 – 205129 totalling \$1,000.00

Payroll EFT December 2020:

\$56,556.03, \$36,004.54, \$75,542.33 totalling \$168,102.90

Credit Cards December 2020

DD 4804.1 totalling \$1,197.87

Municipal Fund January 2021

- Municipal cheque numbers 105460 – 105465 totalling \$5,598.99
- EFT payment numbers 8031 – 8072 totalling \$410,112.04
- Superannuation \$5,657.35 & \$7,686.28 Total \$13,343.63

Trust Fund January 2021

- Trust cheque number 205130 totalling \$600.00

Payroll EFT January 2021:

\$28,578.00 & \$31,822.00 totalling \$60,400.00

Credit Cards January 2021

DD 4850.1 totalling \$1,920.27

CARRIED /NOT CARRIED (??)

10.4 WORKS and SERVICES

10.4.1 WORKS SUPERVISOR'S REPORT FEBRUARY 2021

Agenda Reference: WS 02/21 – 01
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: None
Date of Report: 16 February 2021
Previous References: Nil
Author: Norbert Marwick, Works Supervisor

Summary

1. Crew Movements

Heavy rain, loss of 2 crew members and breakdowns the RRG program is behind schedule by 3 weeks but is on track to finish 1st week in March. The Shire welcomes two new employees (William and Steven) to the construction team.

2. Maintenance Grader

Don has been on holidays and relieving as a truck driver on the construction crew for the last 2 months, he has commenced grading the Wiluna Rd 8/1/21.

3. Contract Maintenance Grader

The maintenance grader called back to work early after Christmas to repair Paynes Find Rd from Narndee Station to Shire boundary after a large rain event and is currently grading Mt Magnet- Youanmi Rd

4. Plant

PC017A Haulmore Side tipping 'A' trailer was delivered on 20/1/2021 and is working on the Paynes Find Road.

PC016 'A' Trailer was reported on 12/2/2021 to have major cracks in the main frame, and is not fit for use (will need to be floated to repairers or wreckers)

The old GTE water tanker (PC009B), Float Low Loader (PC007) and Roadwest Dolly (PC010) are at auction as this report is being written.

Consultation

All outside staff

Statutory Environment

Local Government Act 1995

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

Officer Recommendation

Moved Cr

Seconded Cr

That Council receive the Works Supervisor's Report for February 2021.

CARRIED/NOT CARRIED (??)

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 25 March 2021.

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 Meetings held on 17 December 2020 & 14th January 2021, as shown, were confirmed as a true and accurate record at the Meeting held on 14 February 2021.

(Presiding Member)