



MINUTES

Special Council Meeting

9 July 2021
10:30 am

Held in the Council Chambers, Hack St Sandstone

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



**SPECIAL COUNCIL MEETING HELD ON 9 JULY 2021
AGENDA SUMMARY and TABLE OF CONTENTS**

PAGE	AGENDA	ITEM	MINUTE No.
13	1.0	Declaration of Opening and Announcement of any Visitors	
13	2.0	Announcements from the Presiding Member and/or Councillors (without discussion unless otherwise determined)	
13	3.0	Attendance	
13	6.0	Declarations of Interest	
13	7.0	Public Question Time	
14	10.0	Officer's Reports	
14	10.1	CEO Reports	
14	10.1.1	Offer to Purchase 30 Hack Street Sandstone	SP-4/21
22	14.1	Meeting Items Closed to the Public	
22		Time and Date of Next Meeting	
22		Closure of the Meeting	

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

**AGENDA and STAFF REPORTS
SPECIAL COUNCIL MEETING HELD IN
COUNCIL CHAMBERS, SANDSTONE ON 9 JULY 2021**

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF ANY VISITORS

The Presiding Member, Cr Beth Walton (Shire President) declared the Meeting open at 10.30 am

**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
Cr C (Carol) Hodshon	Deputy Shire President
Cr F (Freda) May	
Cr V (Victoria) McQuie	
Cr D (David) Lefroy	

Staff Members

Mr Charlie Brown

3.2 Apologies

Cr K (Kerry) Key

3.3 Approved 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

Councillor May declared an impartiality interest in item 10.1.1

7 PUBLIC QUESTION TIME

Nil

10 OFFICERS REPORTS

10.1 CHIEF EXECUTIVE OFFICERS REPORTS

Cr May declared an interest and left the meeting at 10:33AM

10.1.1 Offer to Purchase 30 Hack Street Sandstone

Agenda Reference: CEO 07/21 - 01
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 6th July 2021
Author: Charlie Brown, Chief Executive Officer

Summary

The Shire of Sandstone owns 30 Hack Street Sandstone. Council has received three unsolicited offers to purchase this property.

Attachments

Emailed offers to purchase.

Background

Council previously agreed that Lot 527 HN 30 Hack Street is surplus to council requirement and that this property be placed on the market.

The detail of this property are:

1. Lot 527 on Deposited Plan 190352 Volume 1991 Folio 552

Council holds Certificate of Title dated 10/5/1994

Comment

The Local Government Act 1995 sec 3.58 outlines the procedure should Council wish to dispose of the lots.

Essentially a local government can dispose of an asset by;

1. Highest bidder at a public auction
2. By public tender
3. By giving local public notice of the details including describing the property concerned, giving full detail of the proposed disposition and inviting submissions on the proposed disposition.

The Chief Executive Officer sought a valuation of the property and the desk top value of \$60,000 was provided.

The property was advertised with the Professional Geraldton for \$65,000

As a result of this advertising 3 offers have been received to date varying from \$60,000 to \$75,550.00

A copy of these are attached as confidential attachments for your consideration.

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

Resolution No 52/21

MOVED: Cr McQuie

SECONDED: Cr Lefroy

That Council accept the highest bidder for this property being \$75,550.00 submitted by Melony Jane Halsall & Marc Christian Halsall plus/less other costs on settlement SUBJECT to the provisions of Local Government Act 1995 section 3.58 (3)(a) submissions and (b) being met and there being no submissions lodged that Council has an issue/concern with.

CARRIED (4/0)

Cr May returned to the Meeting 10:36AM

14 MEETING ITEMS CLOSED TO THE PUBLIC

14.1 Meeting Closed to the Public

Nil

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 July 2021 at 1:00pm

15 CLOSURE OF MEETING

There being no further business, the Shire President closed the meeting at 10:40AM.