



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

MINUTES

Ordinary Council Meeting

Thursday 23rd May 2024
Commencing at 1.00PM

Held in the Council Chambers, Hack St Sandstone

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**ORDINARY COUNCIL MEETING TO BE HELD ON
THURSDAY 23rd MAY 2024
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MINUTES and STAFF REPORTS

ORDINARY COUNCIL MEETING HELD IN COUNCIL CHAMBERS, SANDSTONE ON THURSDAY 23rd MAY 2024

1 DECLARATION OF OPENING AND ANNOUNCEMENT OF ANY VISITORS

The Presiding Member, Cr Bethel Walton (Shire President) declared the Meeting open at 1.04pm.

2 ANNOUNCEMENTS FROM THE PRESIDING MEMBER AND/OR COUNCILLORS

Without discussion unless otherwise determined.

3 ATTENDANCES

3.1 Present

Elected Members

Cr B (Bethel) Walton	Shire President (and Presiding member of this Meeting)
Cr V (Vicki) McQuie	Deputy Shire President
Cr C (Carol) Hodshon	
Cr D (David) Lefroy	
Cr J (James) Allison	
Cr M (Mark) Kevill	

Staff Members

Mr Peter Money	Chief Executive Officer
Mr Patrick O'Brien	Works Manager

Visitors

Nil

3.2 Apologies

Ms Tracey Weiss	Acting Deputy Chief Executive Officer
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3.3 Approved Leave of Absence

Nil

4 RESPONSES 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

Nil

6.2 Declarations of Proximity Interest

Nil

6.3 Declarations of Indirect Financial Interest

CEO Peter Money – Confidential Item 15.1

6.4 Declarations of Impartiality Interest

Nil

7 PUBLIC QUESTION TIME

Nil

8 CONFIRMATIONS OF MINUTES FROM PREVIOUS MEETINGS

45/24

8.1 Ordinary Meeting of Council held on the 24th April 2024

Officer Recommendation

Resolution No. 45/24

MOVED: Cr Lefroy

SECONDED: Cr Allison

That the Minutes of the Ordinary Meeting of Council held on 24th April 2024 be confirmed as a true and accurate records of proceedings.

CARRIED (6/0)

FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr McQuie, Cr Lefroy

AGAINST:

9 PRESENTATIONS

9.1 Petitions

Nil

9.2 Presentations

Nil

9.3 Deputations

Nil

9.4 Delegates/Councillor's Reports

Cr Walton gave a brief report on the Mid West Development Commission visit Sandstone on Friday 17th May 2024.

10 OFFICERS REPORTS

10.1 CHIEF EXECUTIVE OFFICER'S REPORTS

10.1.1 Status Report Update – April 2024

46 /24

Agenda Reference:	CEO 05/24 - 01
Name of Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	14 May 2024
Previous References:	Various
Author:	Peter Money, Chief Executive Officer

Summary

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

Attachments

Nil

Background

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

Comment

Document has been updated to include Progress made on Council decisions.

Status Update

Resolution No 31/17

Item No 10.1.7

Action That the plaque recognizing George Dent at Hacks Mine is reinstated and his family is offered the opportunity for a plaque to be placed in the new heritage park.

Responses/ Updates

03/05/2017 Letter sent to the family of George Dent advising Council decision.

19/03/2018 Ceramic photo of George Dent received from family for inclusion on plaque at Heritage Park.

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

Busy Bee to be arranged.

Wall in Memorial Park Constructed. Information to be displayed on Wall to be determined.

Need to Determine the Setout of Plaques to be attached to the Wall in Memorial Park. Policy to be created so all plaques are the same.

Currently looking at what other Councils may have.

10/01/2024 The family has been contacted and been asked to forward a proposed script for the plaques to be placed at Memorial Park and outside of Hacks Mine. The family has also been advised that the Council does not support the change in the name of Hack Street in Sandstone townsite and no further comment will be made on that matter.

31/01/2024 No further correspondence since this date.

17/04/2024 This is an item for discussion in the Briefing Session of 24/04/2024.

10/05/2024 The applicants have been advised of the Council decision. Shire staff are pursuing suppliers who will make these plaques.

Resolution No 91/21

Item No 10.1.5

Action Reserves Change of Purpose

That Council

1. advise the Department of Planning, Lands and Heritage, that they have no objection to the proposed change of purpose.
2. request that all "Commons" within the Shire, except for the Sandstone Town Common, be relinquished and amalgamated into the adjoining pastoral stations.

Reserve Number	Original Gaz	Original 1	Reserve Class	Reserve Area
9959	3448	24/11/1905	C	15535.8820000000
10022	133	26/01/1906	C	6581.5152000000
14645	4504	4/12/1914	C	1926.3037000000
17984	662	13/04/1922	C	1957.6643000000
17011	1174	16/08/1918	C	5034.3713000000

Responses/ Updates

- 29/11/2021** Letter to Department of Planning, Lands and Heritage advising Council resolution as above.
- 31/03/2023** Sought comments again regarding item two.
- 15/07/2023** Followed up this email.
- 15/07/2023** Made enquiries regarding excising part of Reserve 11714 for Industrial/commercial purposes, or having the reserve amended to include PTL.
- 26/07/2023** Discussion with Contract Town Planner regarding Reserve 11714.
- 02/02/2024** There is no further update on this matter.
- 27/02/2024** I contacted Planning Consultant Marc Halsall to ask if he knew at what stage this matter was at. He doesn't know about this matter; it must have been sent direct to the DLPH. However, he advised the Council should reconsider the proposed disposal of this land as he said it is the only land the Council owns around these former townsites. If development should ever happen in the future the Council has no land with which to negotiate with any mining or other developments that might arise. He advised against disposing of these parcels.
- 21/03/2024** Resolution No. 20/24 subsequent to Resolution No. 91/21
Council resolved to advise the DPLH that all Commons within the Shire are to be retained and not relinquished and amalgamated into adjoining pastoral stations.
- 02/04/2024** Request sent advising of the reversal of the Council decision and asking to cancel any proposed actions. No response received yet.

Consultation

Nil

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple majority

Officer Recommendation

Resolution No. 46/24

MOVED: Cr Allison

SECONDED: Cr McQuie

That Council accepts the Status Update for the month of April 2024.

CARRIED (6/0)

FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, McQuie, Cr Lefroy

AGAINST:

Agenda Reference:	CEO 05/24 – 02
Location/Address:	None
Name of Applicant:	None
Disclosure of Interest:	None
Date of Report:	14 May 2024
Author:	Peter Money, Chief Executive Officer

Summary

To report on actions performed under delegated authority for the month of April 2024.

Attachments

Nil

Background

To increase transparency this report has been prepared for Council and includes all actions performed under delegated authority.

Comment

The following table outlining the actions performed within the organisation, relative to delegated authority for the month of April 2024, is submitted to Council for information.

Date	Delegation Ref	Person / Classes Affected
5/04/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 05/04/2024
8/04/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 08/04/2024
10/04/2024	F1 - D11 Payment Procedure Municipal Fund	PAYROLL 10/04/2024
11/04/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 11/04/2024
18/04/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 18/04/2024
22/04/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 22/04/2024
23/04/2024	F1 - D11 Payment Procedure Municipal Fund	CREDITORS 23/04/2024
24/04/2024	F1 - D11 Payment Procedure Municipal Fund	PAYROLL 24/04/2024

Consultation

Nil

Statutory Environment

Local Government Act 1995 Section 9.49A

Policy Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple majority

Officer Recommendation

Resolution No. 47/24

MOVED: Cr Lefroy

SECONDED: Cr Hodshon

That Council, in accordance with section 5.46 of the *Local Government Act 1995*, accept the report outlining the actions performed under delegated authority for the month of April 2024.

CARRIED (6/0)

FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, McQuie, Cr Lefroy

AGAINST:

Agenda Reference:	CEO 05/24 - 03
Location/Address:	Shire of Sandstone
Name of Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	14 May 2024
Author:	Peter Money, Chief Executive Officer

Summary

Council is asked to consider endorsing the proposed rates for the 2024/2025 financial year and seek approval from the Minister for Local Government to adopt the proposed differential rates.

Attachments

Nil

Background

Council resolved at the Ordinary Council Meeting held on the 24 April 2024 to adopt the differential rates for advertising for the 2024/2025 financial year.

That Council:

- 1. Agrees to adopt a 2.5% rate increase for 2024/2025 with no change to the current Minimum Rates on qualified properties.*
- 2. Endorse the Differential Rating – Objects and Reasons for the 2024/2025 rating years as presented.*
- 3. Endorse the following proposed Differential General Rates Categories, Rates in the Dollar, and Minimum amounts for the Shire of Sandstone for the 2024/2025 financial year:*

<i>Land Category</i>	<i>Rate in the \$</i>	<i>Minimum Payment</i>
<i>GRV - SANDSTONE</i>	<i>7.0812</i>	<i>200.00</i>
<i>GRV - MINING / TWF</i>	<i>40.0006</i>	<i>200.00</i>
<i>UV - PASTORAL</i>	<i>6.560</i>	<i>400.00</i>
<i>UV - MINING</i>	<i>28.958</i>	<i>400.00</i>

- 4. Endorse a public consultation process on the proposed Differential General Rates and General Minimum Rates as follows:*

Statewide and Local public notice as per the requirements of Section 6.36 of the Local Government Act 1995.

Comment

A notice seeking submissions to the proposed differential rates for 2024/2025 was advertised in the West Australian newspaper on 1st May 2024. The closing date for submissions was the 22nd May 2024. No submission was received.

The rates adopted by Council were advertised which are an increase of 2.5% from the 2023/2024 financial year.

In adopting this increase Council is cognisant of its obligation to not rely on government on government or other grants to subsidise its activities.

As ministerial approval is required application and approval will be sought prior to the issue of the 2024/2025 rates notice.

Consultation

Statewide advertising

Statutory Environment

Local Government Act 6.33, 6.35

Policy Implications

Nil

Financial Implications

This rate increase will enable a balanced budget to be achieved.

Strategic Implications

Strategic Community Plan
Economic Outcome 1.2

Voting Requirements

Absolute Majority

Staff Recommendation

Resolution No. 48/24

That Council:

- 1 Notes that no submissions were received regarding the proposed 2024/2025 Differential Rates and Minimum Payments; and
- 2 Endorses the 2024/2025 Differential General Rate and Minimum Payments as follows, with a view of striking the rates as part of the 2024/2025 Budget adoption:

<i>Land Category</i>	<i>Rate in the \$</i>	<i>Minimum Payment</i>
<i>GRV - SANDSTONE</i>	<i>7.0812</i>	<i>200.00</i>
<i>GRV - MINING / TWF</i>	<i>40.006</i>	<i>200.00</i>
<i>UV - PASTORAL</i>	<i>6.560</i>	<i>400.00</i>
<i>UV - MINING</i>	<i>28.958</i>	<i>400.00</i>

- 3 Pursuant to Section 6.32, 6.33, 6.34, and 6.35 of the *Local Government Act 1995*, impose the above differential general and minimum rates on Gross Rental and Unimproved Values adopted for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget in the Rate Setting Statement, on approval of the Minister for Local Government, Sport and Cultural Industries

MOVED: Cr Allison

SECONDED: Cr Hodshon

CARRIED (BY ABSOLUTE MAJORITY)

FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, McQuie, Cr Lefroy

AGAINST:

Agenda Reference:	CEO 05/24 - 04
Location/Address:	Shire of Sandstone
Name of Applicant:	Chief Executive Officer
Disclosure of Interest:	Nil
Date of Report:	13 May 2024
Author:	Peter Money, Chief Executive Officer

Summary

This item recommends Council selects its preferred capital works program for the 2024/2025 financial year for budget preparation purposes only. The final selection will be made by Council when the Draft Budget document is presented for discussion and eventual approval.

Attachments

Spreadsheet

Background

Staff have been preparing a draft program of capital works based on projects not completed in 2023/2024, projects mentioned by Councillors and projects subject to grant funding.

Comment

The projects listed in this document are for discussion purposes and consideration by Council for inclusion in the Draft 2024/2025 budget.

Consultation

Internal

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Strategic Community Plan

Voting Requirements

Simple Majority

Staff Recommendation

Resolution No. 49/24

That Council approves projects to be included in the 2024/2025 Draft Budget as attached.

MOVED: Cr Allison

SECONDED: Cr Hodshon

CARRIED (6/0)

FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, McQuie, Cr Lefroy

AGAINST:

10.2 FINANCIAL REPORTS

10.2.1 Financial Statement for the month of April 2024

50/24

Agenda Reference:	F 05/24 – 01
Location:	Shire of Sandstone
Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	16 May 2024
Author:	Debby Barndon, Accountant

Summary

The Statement of Financial Activity report for the month ending 30 April 2024 is presented to Council in accordance with *Regulations 34 of the Local Government (Financial Management) Regulations 1996*.

Attachments

- 10.2.1 (1) Financial Statements April
- 10.2.1 (2) Capital Expenditure Summary April

Comments

Total Income reports a 7.50% variance on anticipated budget expectations.
Total Expenditure shows a variance of 8.78%.

Further explanations of variances at sub program level can be seen within the financial statements.

Capital Expenditure

A detailed look at capital expenditure can be found in note 8, as well as attachment 10.2.1 (4) showing levels of expenditure.

Summary of Cash on Hand – Shire of Sandstone as at 30 April 2024

Municipal Cheque Account - On-line (BWA)	\$809,215
Municipal Investment Account - On-line (BWA)	\$359
Trust Fund (Bankwest)	\$9,150
Trust Bank Term Deposit	\$297,333
Reserve Term Deposits (Bankwest)	\$5,347,375
Muni Term Deposit	\$931,059
Cash on Hand	\$1,450

Consultation

Chief Executive 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

Risk Implications

The Financial Activity report is presented monthly and provides a retrospective picture of the activities at the Shire. Contained within the report is information pertaining to the financial cost and delivery of strategic initiatives and key projects.

To mitigate the risk of budget over-runs or non-delivery of projects, the Chief Executive Officer has implemented internal control measures such as regular Council and management reporting and a quarterly process to monitor financial performance against budget estimates. Materiality reporting thresholds have been established at half the adopted Council levels, which equate to \$10,000 for operating budget line items and \$10,000 for capital items, to alert management prior to there being irreversible impacts.

It should also be noted that there is an inherent level of risk of misrepresentation of the financials through either human error or potential fraud. The establishment of control measures through a series of efficient systems, policies, and procedures, which fall under the responsibility of the Chief Executive Officer as laid out in the ***Local Government (Financial Management Regulations) 1996*** regulation 5, seek to mitigate the possibility of this occurring. These controls are set in place to provide daily, weekly, and monthly checks to ensure that the integrity of the data provided is reasonably assured.

Voting Requirements

Simple Majority

Officer Recommendation

That in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the Statement of Financial Activity and the Investment Report for the period ending 30th April 2024 be received, and all other statements noted.

Resolution No. 50/24

MOVED: Cr Lefroy

SECONDED: Cr Hodshon

CARRIED (6/0)

FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, McQuie, Cr Lefroy

AGAINSTS:

Agenda Reference:	F 05/24 – 02
Location:	Shire of Sandstone
Applicant:	Shire of Sandstone
Disclosure of Interest:	Nil
Date of Report:	15 May 2024
Author:	Debby Barndon, Accountant
Senior Officer:	Peter Money, Chief Executive Officer

Summary

Presented for Council’s information is the list of accounts paid in April 2024 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

- 10.2.2 (A) List of Accounts paid via EFT April
- 10.2.2 (B) List of Accounts paid via Direct Debit April
- 10.2.2 (C) List of Accounts paid via Cheque April
- 10.2.2 (D) Corporate Credit Card Payments April
- 10.2.2 (E) Caravan Park Takings April
- 10.2.2 (F) Town Fuel Sales April
- 10.2.2 (G) Rates Reconciliation April

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 Chief Executive Officer 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.

Month	Cheque	EFT's	Direct Debits	Credit Card	Payroll	Total Payments
July	650.31	449,799.87	36,086.06	4,509.55	99,743.00	590,788.79
August	1,692.20	629,504.03	50,596.88	2,671.95	146,711.00	831,176.06
September	1,296.60	472,636.15	44,495.93	3,163.58	105,442.00	627,034.26
October	289.80	486,716.58	38,475.21	4,575.45	119,209.00	649,266.04
November	0.00	509,248.91	44,995.82	1,443.00	204,601.37	760,289.10
December	1,257.90	357,143.09	40,735.22	825.70	107,909.00	507,870.91
January	4,500.00	580,176.30	39,581.73	932.51	216,578.40	841,768.94
February	233.47	273,847.84	37,425.60	1,765.69	113,803.00	427,075.60
March	7,033.10	274,393.55	43,238.79	1,626.50	118,583.00	444,874.90
April	266.53	188,232.14	43,317.05	2,469.95	118,173.00	352,458.67
May						0.00
June						0.00
Totals	17,219.91	4,221,698.46	418,948.29	23,983.88	1,350,752.77	6,032,603.31

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

Officer Recommendation

That the schedule of accounts paid during April 2024 as listed, covering Cheques, EFTs, Bank Charges, directly debited payments and wages as numbered from Councils Municipal Fund Bank and Council's Trust Fund Bank be endorsed by Council.

Resolution No. 51/24

MOVED: Cr Allison

SECONDED: Cr Hodshon

CARRIED (6/0)

FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, McQuie, Cr Lefroy

AGAINST:

Agenda Reference:	WM 05/24 - 01
Location/Address:	Various - Shire of Sandstone
Name of Applicant:	Shire of Sandstone
File Reference:	Nil
Disclosure of Interest:	Nil
Date of Report:	16 May 2024
Previous References:	Nil
Author:	Patrick O'Brien, Works Manager

Summary

To provide Council with an Activity Report on the operations of Council's Infrastructure division since the last meeting.

Attachments

None

Background

Below comprises a summarised activity progress report relating to outside staff and road works construction and maintenance crew, within Council's operation since last meeting.

Comment*Construction*

Road works on RTR project for 2024, Sandstone – Meekatharra Road is near completed. Signage and guideposts are to be installed.

Work will then commence on the Wiluna Road for the LRCIP funded work of whoa boys, drainage and levee banks.

Maintenance Grading

The contract maintenance grader is finalising preliminary work on the Wiluna Road for the LRCIP work. He will then move onto maintenance grading on the Paynes Find Road.

A grader driver to replace operator West who is on sick leave, was recruited but pulled out at the last minute. Another operator is being sought.

The new truck driver will commence employment on Monday 22nd May to replace one resignation.

A further grader/plant operator is being sought as in mid-June Danny Humphries will take leave. This makes expending the grant funds and completing the LRCIP project extremely difficult.

Town works/ Gardens/retic

The main street pots outside the Visitors Centre and Café are filled with new flowering plant.

The roses that were acquired under the LRCIP funding have been planted in Lefroy Park and also around the Shire Council Chambers/Administration building. There have been many compliments from the community about the return of roses to the town.

The 50 Kurrajong trees have arrived and plans are being prepared for the planting of these trees, most of which will occur after Aussie Tree Services have finished their work in Mid-June.

Contract labour will be employed to help prepare the medium strip gardens and plant the trees and shrubs and to ensure the reticulation is functioning correctly.

Information has been gathered for submission for the Bushfire assessment for the house on 10 Griffith Street.

The Caravan Park Manager is helping with preparation of the site for the two new units in the Caravan Park. He has been trucking in gravel, levelling the ground and rolling.

Two new Café signs have been erected on the Highway.

Workshop

Quotes are being sourced for a replacement workshop air compressor on a like for like basis.

Two new tyres were acquired for the Komatsu loader – one has already been fitted to replace a damaged tyre.

Repairs were carried out for the side tipper to repair cracks in the frame.
A new spare tyre carrier was fitted to the 140M grader.

The water tanker required a repair to the A frame.

A bull bar connection to the main grader truck is scheduled by a contract boiler maker for onsite in the works depot.

Six-month servicing of the fire extinguishers has been carried out but not yet completed. A new fire hose is to be fitted in the Caravan Park.

There is an opportunity to purchase a second hand Karcher road sweeper from Mt Magnet Shire. It has an enclosed cab and 387 hours on the clock. This would replace our existing sweeper and be good for another 10 years or so.

Consultation

Not applicable

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

No financial impost is associated with the activity report as it is retrospective.

Strategic Implications

Long-term objectives may be developed from time to time.

Voting Requirements

Simple majority.

Officer Recommendation

That the contents of the Works Manager's Report be acknowledged by Council.

Resolution No. 52/24

MOVED: Cr McQuie

SECONDED: Cr Hodshon

That the contents of the Works Manager's Report be acknowledged by Council.

CARRIED (6/0)

FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, McQuie, Cr Lefroy

AGAINST:

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**13.1 LAND ACQUISITION / ALLOCATION APPLICATION****53/24**

Agenda Reference: CEO 05/24 - 05
Location/Address: Shire of Sandstone
Name of Applicant: Shire of Sandstone
Disclosure of Interest: Nil
Date of Report: 6 May 2024
Author: Peter Money, Chief Executive Officer and Marc Halsall (Halsall and Associates)

Summary

This Item is a proposal to the Department of Lands, Planning and Heritage to acquire/allocate land for future development uses by the Council of the Shire of Sandstone or other parties.

Attachments

Attachment 1 - Maps of proposed acquisitions/allocations.

Background

The Shire of Sandstone is receiving an increasing number of enquiries from mining, transport and associated service industries to lease or acquire land in and around the Sandstone townsite for development for commercial purposes including camps, depots and lay down areas. These businesses and activities are a critical component of the State of Western Australia's important mining and export industries.

Sandstone is strategically centred in the region with roads through the Shire connecting important mining centres and the ports and processing centres such as Perth and Geraldton. There are direct routes in six directions to Leinster, Mt Magnet, Menzies, Meekatharra, Wiluna and via Paynes Find on the Perth route. Mining and the associated industries therefore travel consistently through Sandstone carrying multi million dollars of freight for export to various overseas ports.

Sandstone is central to the routes used by transport companies who, by law require facilities for rest and recreation, servicing of vehicles, road train parking and storage of a multitude of equipment used by the industries.

Currently the Shire is extremely deficient of available land for the current and future demand coming from developments that are now and continuing to increase in this region. There is very limited

freehold land available and the Shire has very limited options of crown land vested in the Shire for such uses particularly with power to lease.

Use of land for camps, transport depot and lay down areas and allied activity is better suited to areas about the outskirts of the town with larger land area requirements and separation from residential.

There is also an opportunity to seek to open-up some land for larger residential or low-key commercial use lots.

There is therefore a need to investigate the possibility of the Shire acquiring land or instigating changing the purpose of the land about the town to make this potentially available for such purposes.

Comment

An investigation into the various land parcels around the townsite has occurred considering tenure and availability. If land is not specifically set aside for the correct purpose by tenure, then this needs to be amended.

Consultation has occurred with the Department of Lands (DPLH) and the acquisition or allocation of land can occur in different ways and this is dependent on tenure. Typically, Crown Land is either unallocated (UCL) or reserved and vested for a purpose or leased for a purpose. Examples include sections of unallocated Crown Land in and around the townsite, a reserve such as the cemetery reserve which is vested in the Council for cemetery purposes and leased land such as pastoral leases.

Unallocated Crown Land can be acquired as freehold or could be leased by the Council or a private party with support of the Council and the Department of Lands and relevant Minister and potentially subleased by the Shire. Similarly, reserved land for a purpose can be relinquished as a reserve for a purpose allocated as unallocated Crown Land and again, leased or potentially created as freehold land. This can facilitate a more commercial approach to release of land to the market.

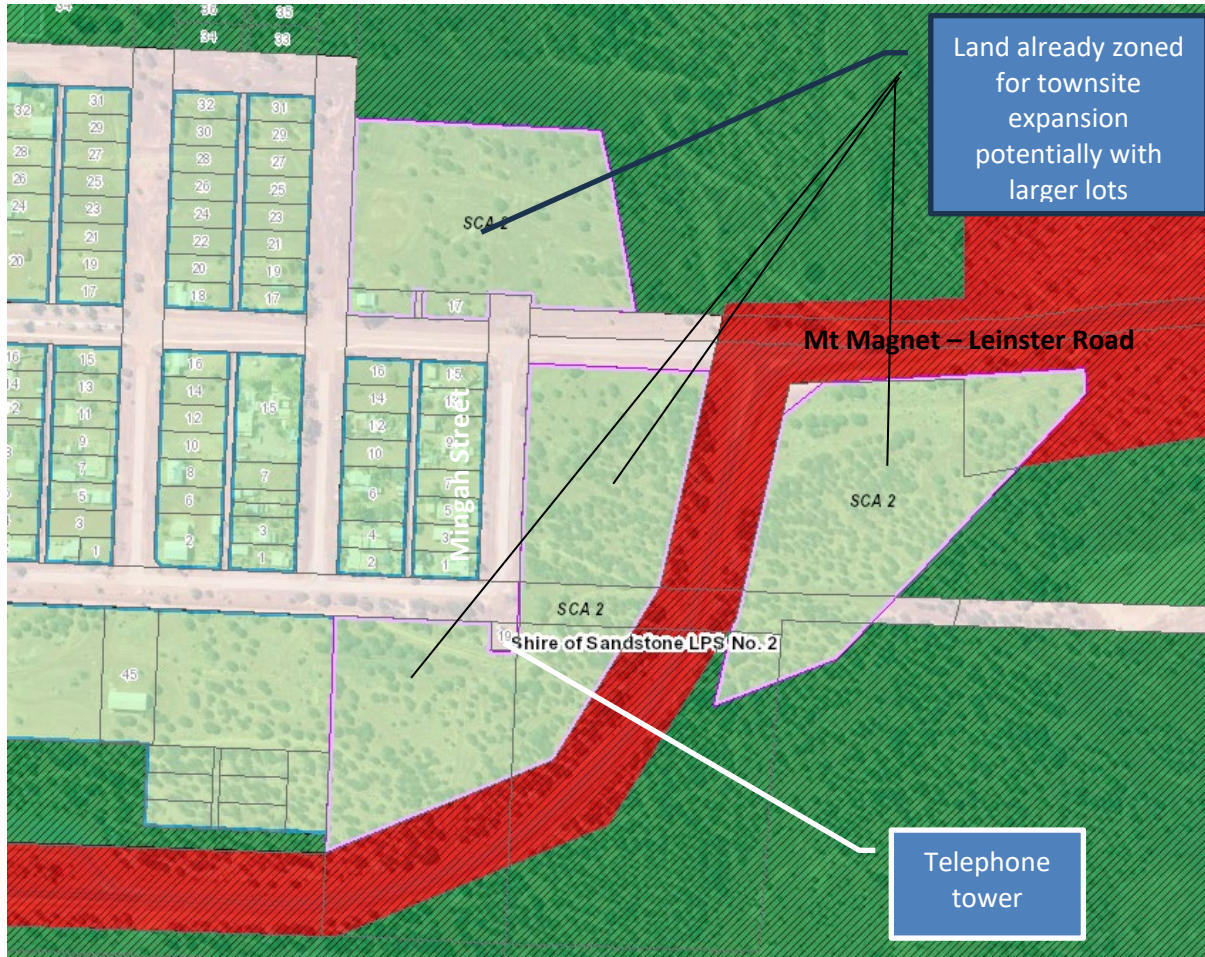
Land that is reserved for a purpose generally can be set aside for a different purpose, perhaps to the Council however, typically reserves that are set aside should not be commercially utilised. For example, it may be possible for the Shire to acquire some land as a public lay down area for parking and overnight camping as a general public service but not a reserve set aside that may be necessarily to be subleased for commercial gain. It is understood that this can be approved but it is more unusual.

The various options available can be explored with respect to each parcel of land in liaison with the Department of Lands (DPLH). If land is already vested in another authority, it would be necessary to liaise with that authority up front to see if they would be willing to relinquish the vesting of the land. For example, the Department of Health currently have the vesting of the old hospital reserve which is obviously defunct and if the Department of Health agreed to release this, then this land may be able to set aside as a different reserve vested in the Council for a purpose (generally with no financial profit motive) or perhaps converted to unallocated Crown Land and then leased or created as freehold for a purpose with potential to sublease.

The Shire has an endorsed Local Planning Scheme which already identifies some land for further residential development to the east and industrial to west. The areas to the east of town are either side of the Mt Magnet - Leinster Road and adjacent to Oroya Street around the BMX track and also fronting Mingah Street and Irvine Street wrapping around the telephone tower. The industrial zoned land to the west of the townsite is around the current Shire laydown area just south of the two sports ovals.

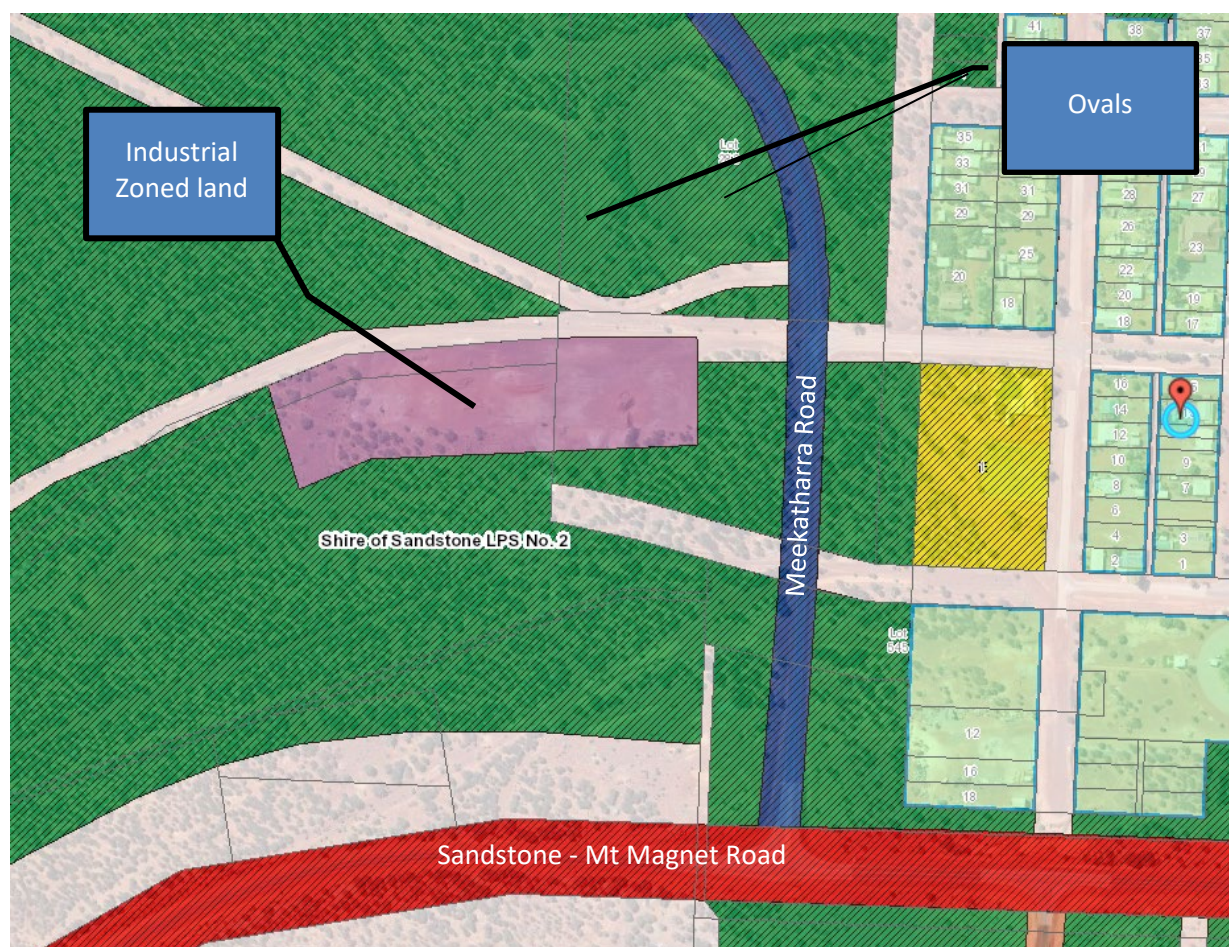
These parcels of land are identified below.

Eastern End of Town – Zoned Land



It is noted the SCA2 area above is zoned Rural Townsite and these areas do not interfere with other activity such as the golf course. It is only the BMX track area that is affected.

Western End of Town Adjacent to Gymkhana Grounds



The above land areas have reasonable ready access to roads, power, telecommunications and town water.

There is also a variety of crown land parcels around the Sandstone townsite that have allocation for various purposes many of which are defunct. Most of the land around the town is allocated at Town Common and much of this is not needed for recreation purposes. Several parcels have been identified as potential usable sites. The variety of allocation of these sites are as follows:

- Unallocated crown land (UCL)
- Portion of Reserve for Town Common (Lot 302) – the old Main Roads site and other land to the west of town (reserve 11714 – includes old borrow pit area)
- Reserve for Explosives Magazine (Reserve 11441) currently vested Dept Mines Industry Regulation and Safety
- Lot 405 Mt Magnet Leinster Road (UCL)
- Old Hospital Site (Reserve 10897) – currently vested with Dept of Health
- Portion Lot 402 UCL southeast of the Mt Magnet Leinster Road and telephone tower
- Portion of the Town Common on the western side of the entry to the Tip Site

This proposal seeks Council approval to make application to and engage with the Department of Lands, Planning and Heritage for the possible acquisition or to make available various portions of land in and around the Sandstone townsite. The purpose of the proposed acquisitions/allocations is to enable the various interested parties such as developmental, transport and service industries to have more options to set up operations in the Shire of Sandstone.

SHIRE OF SANDSTONE

Justification for allocation of such land is the fact that Sandstone is receiving significant interest from various parties in land. This is partially due to the fact the town has six roads feeding into and through, and is midway way point to the Geraldton port, and as such occupies an import geographical position. Now and into the future the Shire has the unique opportunity to be part of the ongoing and increasing development of industries in this region. This will benefit of the Shire and its people and importantly, play an important role in supporting the continuing growth in the economic success of the State.

To meet this demand the Shire needs to provoke the state Government to make land available and this could be through the Shire acquiring such land and making this available. This will ensure that opportunities are available now and into the future. State Government officers appear keen to assist.

Generally mining developments happen quickly as mining companies must move to take advantage of what can be fluctuating product prices and hence they often seek to acquire or lease land without much forward warning.

Engagement with the Dept Lands will open up discussion on the prospects for the land identified in this report and the relevant attachments and commencement of such processes will be an important move to bring more land opportunities to the town in line with the Local Planning Scheme and current and future demand. More flexibility is required.

Some of the opportunities identified may prove difficult some may be easier. The intent is to explore these and start the process with matters reported back to Council for further decision-making if there is to be any acquisition with financial implications for Council.

Consultation

Dept. Planning Lands and Heritage

Statutory Environment

Nil

Policy Implications

Nil

Financial Implications

Nil at this time

Strategic Implications

Strategic Community Plan Outcomes

1.2 A diverse stable economy

1.3 An effective transport network

2.2 A built environment supporting the community and retaining our heritage.

Consistent with the Local Planning Strategy and Scheme.

Voting Requirements

Simple Majority

Staff Recommendation

Resolution No. 53/24

MOVED: Cr Kevill

SECONDED: Cr Allison

That Council approves an application to the Department of Lands, Planning and Heritage to seek acquisition / allocation of the following properties as identified in the mapping at attachment 1 :

- Portions of Reserve for Town Common (Lot 302) including:
 - the old Main Roads site (3km east of town),
 - other land to the west of town (reserve 11714 – includes old borrow pit area),
 - Portion of the Town Common on the western side of the entry to the Tip Site,
 - Portion of Town Common zoned for Rural Townsite SCA2 east of town.
- Portion reserve 12100 (lot 300), Portion reserve 13902, and Portion of Vacant Crown Land zoned industrial west of town
- Reserve for Explosives Magazine (Reserve 11441) currently vested Dept Mines Industry Regulation and Safety
- Lot 405 Mt Magnet-Leinster Road (UCL) (south of caravan park
- Old Hospital Site (Reserve 10897) – currently vested with Dept of Health
- Portion Lot 402 UCL southeast of the Mt Magnet Leinster Road and telephone tower

CARRIED (6/0)

FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr McQuie, Cr Lefroy

AGAINST:

14 MEETING ITEMS CLOSED TO THE PUBLIC**14.1 Discussion on confidential item****54/24****Officer Recommendation**

That Council move behind closed doors to discuss confidential items.

Resolution No. 54/24

MOVED: Cr McQuie

SECONDED: Cr Hodshon

CARRIED (6/0)

FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr McQuie, Cr Lefroy

AGAINST: Nil

15 CONFIDENTIAL ITEMS**15.1 Public Reading of Resolution****15.1.1 CEO POSITION PERFORMANCE REVIEW****55/24**

Agenda Reference: CEO 05/24 - 0
Location/Address: Shire of Sandstone
Name of Applicant: Peter Money
Disclosure of Interest: The Applicant/Author has a financial interest in the Item
Date of Report: 14 May 2024
Author: Peter Money, Chief Executive Officer

Summary

This Item discusses and determines and/or confirms the Performance Criteria of the incumbent acting CEO as required by Clause 4.1 of the incumbents Contract of Employment.

Attachments

Contract extracts

Background

The applicant was employed to act in the position of Chief Executive Officer commencing on 4th December 2023 and expiring on 3rd December 2024.

Clause 4.1 of the Contract of Employment requires that Council and the applicant discuss and determine all the performance criteria within 3 months of the commencement date.

Comment

This review is late as other matters have taken priority over this requirement.

Clause 4.3 also permits the Council in consultation with the applicant to decide who will conduct the review.

Council may conduct the review or employ an external agent to carry out the review. If an external agent is employed to conduct the review, I am giving Council one month notice in accordance with Clause 4.4.1 (a) of the Contract.

Schedule 3 of the Contract "Performance Criteria" determines the following matters are those to be considered for review and assessment:

- (a) Governance and compliance (including compliance with Written Law)
- (b) Assistance to the Council
- (c) Implementation of Council decisions and policies
- (d) Management of the Local Government's resources
- (e) Customer service
- (f) Leadership and interpersonal skills
- (g) Strategic projects and programs.

Though the purpose of this Item refers to the performance criteria of the CEO, it is requested that Council give consideration to Clause 11.1 of the Contract which states employment under this Contract must conclude on the Expiry Date without either party giving notice.

Accordingly, it is requested that Council gives notice of its intention, or not, to terminate the Contract at the expiry date in accordance with Clause 11.1 of the Contract.

Alternatively, it is requested that Council give consideration to offering a Contract of permanency in the CEO position for a period to be determined by the Council.

It is noted there is no obligation on Council to either give early notice of intention to let the Contract terminate or to consider offering a contract of permanency.

Consultation

Nil

Statutory Environment

Local Government Act s5.39

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Strategic Community Plan

Key Objective 4

Leadership

4.1 A strategically focused Council

4.2 An efficient and effective organisation

Voting Requirements

Absolute Majority

Staff Recommendation

Resolution No. 54/24

MOVED: Cr Hodshon

SECONDED: Cr Allison

1. That Council acknowledges compliance with the Performance Criteria and confirms a satisfactory performance since the appointment to the position as Acting CEO;
2. That Council advertises the position of Chief Executive Officer for a 3-year term in accordance with the Local Government Act.

CARRIED (6/0)

FOR: Cr Walton, Cr Kevill, Cr Allison, Cr Hodshon, Cr McQuie, Cr Lefroy

AGAINST:

16 TIME and DATE of NEXT MEETING

The next scheduled Ordinary Council Meeting will be held on Thursday 27th June 2024.

17 CLOSURE OF MEETING

There being no further business, the Shire President closed the meeting at 3.00 pm.

18 CERTIFICATIONS

I, _____, certify that the Minutes of the Ordinary Council Meeting held on 24th April 2024, as shown, were confirmed as a true and accurate record at the Meeting held on 23rd May 2024.

(Presiding Member)