

Unconfirmed copy of Minutes of
Meeting held on 6 March 2015 subject
to confirmation at meeting to be held
on 24 April 2015

SHIRE OF EAST PILBARA

These minutes were confirmed by the council
as a true and accurate record at the ordinary
council meeting held on 24 / 4 / 2015



Avraige

EAST PILBARA SHIRE COUNCIL

MINUTES

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council was held,
in Council Chambers, Newman,
10.00 AM, FRIDAY, 6 MARCH, 2015.

Allen Cooper
CHIEF EXECUTIVE OFFICER



DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of East Pilbara for any act, omission or statement or intimation occurring during Council or Committee Meetings. The Shire of East Pilbara 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 or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity who acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee Meeting does so at that person's or legal entity's own risk.

In particular and without derogating any planning application or application of a licence, any statement or intimation of approval made by any member or Officer of the Shire of East Pilbara during the course of any meeting is not intended to be and is not taken as notice of approval from the Shire of East Pilbara.

The Shire of East Pilbara warns that anyone who has any application lodged with the Shire of East Pilbara must obtain and should only rely on

WRITTEN CONFIRMATION

of the outcome of the application and any conditions attaching to the decision made by the Shire of East Pilbara in respect of the application.

Signed: _____
Allen Cooper
Chief Executive Officer

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	5
2	RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE	5
2.1	ATTENDANCES	5
2.2	APOLOGIES	5
2.3	LEAVE OF ABSENCE	5
3	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	5
4	PUBLIC QUESTION TIME	6
5	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	6
6	APPLICATIONS FOR LEAVE OF ABSENCE	6
7	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING.....	6
7.1	CONFIRMATION OF MINUTES.....	6
8	MEMBERS REPORT	7
8.1	ITEMS FOR RECOMMENDATION	7
8.2	ITEMS FOR INFORMATION.....	7
9	OFFICER'S REPORTS	9
9.1	CHIEF EXECUTIVE OFFICER.....	9
9.1.1	CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JANUARY 2015	9
9.1.2	AFFIXING COMMON SEAL TO EMPLOYMENT CONTRACT FOR THE MANAGER COMMUNITY WELLBEING.....	12
9.1.3	DEVELOPMENT ASSESSMENT PANELS (DAP) - LOCAL GOVERNMENT NOMINATIONS.....	14
9.1.4	EIGHT YEAR WARD AND REPRESENTATIVE REVIEW	18
9.1.5	JOINT KIMBERLEY, PILBARA AND NORTHERN TERRITORY FORUM 2015 - DARWIN 2-4 MAY 2015	23
9.2	DEPUTY CHIEF EXECUTIVE OFFICER	26

9.2.1	DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JANUARY 2015	26
9.2.2	AFFIXING COMON SEAL TO THE LEASE AGREEMENT OF NEWMAN MAINSTREET PROJECT INC - LOT 1403 MINDARRA DRIVE NEWMAN, RESERVE 41950.	30
9.2.3	AFFIXING COMMON SEAL TO CONTRACT - KIRKGATE CONSULTING - DEVELOP SOEP EVENTS STRATEGY.....	34
9.2.4	AFFIXING COMMON SEAL TO CUSTOMER FUNDED WORKS AGREEMENT - WATER CORPORATION.....	37
9.2.5	AFFIXING COMMON SEAL TO FUNKY BUS AGREEMENT YMCA	40
9.2.6	AFFIXING COMMON SEAL TO SUB LEASE FOR MUZZ BUZZ FRANCHISING PTY LTD	43
9.2.7	AFFIXING COMMON SEAL TO VARIATION TO FUNDING AGREEMENT WITH THE MINISTRY FOR THE ARTS AND MARTUMILI ARTISTS.....	47
9.2.8	AUDIT COMMITTEE REPORT 19 TH FEBRUARY 2015	50
9.2.9	AUDIT REPORT 2014.....	52
9.2.10	COMPLIANCE AUDIT RETURN 2014	55
9.2.11	PURCHASING AND TENDER PROCEDURES POLICY UPDATE	58
9.2.12	COMMUNITY ASSISTANCE GRANTS FEBRUARY 2015.....	67
9.2.13	DISABILITY ACCESS AND INCLUSION PLAN 2015 - 2019	74
9.2.14	AWARD OF TENDER - RFT 02-2014/15 - RSL MEMORIAL STAGE 2 WORKS (MARBLE BAR)	79
9.2.15	MONTHLY FINANCIAL STATEMENTS - NOVEMBER 2014.....	88
9.2.16	MONTHLY FINANCIAL STATEMENTS - DECEMBER 2014.....	90
9.2.17	CREDITORS FOR PAYMENT.....	92
9.3	DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES ...	95
9.3.1	DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS - JANUARY 2015	95
9.3.2	AFFIXING COMMON SEAL TO EVOQUA WATER TECHNOLOGIES PTY LTD	100

9.3.3	DELEGATION TO CHIEF EXECUTIVE OFFICER TO AWARD TENDERS FOR THE PERIOD TO 24 APRIL 2015.....	103
9.3.4	DOGS PROHIBITED AREA – CAPRICORN RESERVE	110
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	114
11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL	114
11.1	NEW POLICY – JUNIOR COMMUNITY AND SPORTING ORGANISATIONS ASSISTANCE POLICY BE ACCEPTED AS ITEM 11.1.1	114
11.1.1	NEW POLICY - JUNIOR COMMUNITY AND SPORTING ORGANISATIONS ASSISTANCE POLICY	114
	JUNIOR COMMUNITY AND SPORTING ORGANISATIONS ASSISTANCE POLICY	115
11.2	AIRPORT AVIATION FEES AND CHARGES – OVERALL REVEIW BE ACCEPTED AS ITEM 11.2.1	118
11.2.1	AIRPORT AVIATION FEES AND CHARGES – OVERALL REVIEW	118
11.3	BUDGET REVIEW AS AT 31 JANUARY 2015 BE ACCEPTED AS ITEM 11.3.1	128
11.3.1	BUDGET REVIEW AS AT 31 JANUARY 2015.....	128
12	CONFIDENTIAL MATTERS BEHIND CLOSED DOORS	133
12.1	MEETING CLOSED TO MEMBERS OF THE PUBLIC.....	133
12.1.1	ANNUAL PERFORMANCE REVEIW APPRAISAL - CHIEF EXECUTIVE OFFICER.....	133
12.2	MEETING OPEN TO MEMBERS OF THE PUBLIC	134
13	GENERAL BUSINESS.....	135
13.1	ADSL MARBLE BAR.....	135
13.2	MARBLE BAR SWIMMING POOL	135
13.3	MARBLE BAR & NULLAGINE AIRSTIPS.....	135
13.4	MAIN ROADS FENCING FROM MARBLE BAR AND PORT HEDLAND	135
13.5	CAPE KERAUDREN.....	135

13.6	CAPE KERAUDREN ENTRANCE.....	135
13.7	NULLAGINE FOOTBRIDGE.....	136
13.8	NULLAGINE BANNERS.....	136
13.9	NULLAGINE GYM	136
13.10	NULLAGINE AIRSTRIp.....	136
13.11	NULLAGINE CAUSEWAY.....	136
13.12	TREES HANGING OVER POWERLINES.....	136
13.13	NEWMAN NEIGHBOURHOOD CENTRE BINGO	136
13.14	NEWMAN NETBALL COURTS	137
13.15	TAXI STAND – TOWN CENTRE	137
13.16	NEWMAN AQUATIC CENTRE WATER PLAY AREA	137
13.17	MR RICK MILLER – THANK YOU.....	137
14	DATE OF NEXT MEETING	137
15	CLOSURE	137

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairman declared the meeting open at 10:22 AM and thanked the Marble Bar and Nullagine Councillors for attending at such short notice due to the unpredictable weather as the venue was changed from Marble Bar to Newman.

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Lynne Craigie
Lang Coppin OAM
Anita Grace
Shane Carter
Craig Hoyer
Gerry Parsons
Doug Stead
Kevin Danks
Dean Hatwell
Stephen Kiernan
Biddy Schill

Shire President
Deputy Shire President

Officers

Mr Allen Cooper
Ms Sian Appleton
Mr Rick Miller

Mrs Sheryl Pobrica

Chief Executive Officer
Deputy Chief Executive Officer
Director Technical and Development
Services
Executive Services Administration Officer

Public Gallery

Nil

2.2 APOLOGIES

Councillor Apologies

Nil

Officer Apologies

Nil

2.3 LEAVE OF ABSENCE

Nil

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

MOVED: Cr Shane Carter

SECONDED: Cr Lang Coppin

[Minutes January 30 2015 Council.DOCX](#)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/157

THAT the minutes of the Ordinary Meeting of Council held on 30 January 2015, be confirmed as a true and correct record of proceedings with the following amendment:

Item 13.8 OCM30012015

13.8 PILBARA HINTERLAND AGRICULTURAL DEVELOPMENT INITIATIVE (PHADI)

DELETE: Cr Lang Coppin spoke about the information bulletin regarding the Chinese businessman who would like to set up and transform degraded land for agriculture. This is very exciting for the Pilbara and if the Shire of East Pilbara could make contact with Elion Resources to find out more of their plans for the area.

INSERT: Cr Lang Coppin spoke about the information bulletin regarding the Chinese businessman who would like to set up and transform land for agricultural purposes. This is very exciting for the Pilbara and if the Shire of East Pilbara could make contact with Elion Resources to find out more of their plans for the area.

CARRIED
RECORD OF VOTE: 11 - 0

To be actioned by Mr Allen Cooper, Chief Executive Officer.

8 MEMBERS REPORT

8.1 ITEMS FOR RECOMMENDATION

Nil

8.2 ITEMS FOR INFORMATION

Cr Dean Hatwell attended:

- Marble Bar Race Club Meeting
- Marble Bar Tourist Association
- Opening of the Marble Bar Museum
- Marble Bar Event Forum

Cr Kevin Danks attended:

- Marble Bar Race Club Meeting
- Marble Bar Tourist Association
- Opening of the Marble Bar Museum

Cr Lang Coppin attended:

- Ken Giblett 30 Years Long Service Celebrations

Cr Biddy Schill attended:

- Neil O'Connor's 20 years' service with the Shire of East Pilbara

Cr Shane Carter attended:

- Newman Visitors Centre committee meeting x 2

Cr Gerry Parsons attended:

- Shire Christmas Party 12.12.2014
- Newman Town Centre Meeting 15.12.2014
- Newman Chamber of Commerce 16.12.2014
- Newman Chamber of Commerce 15.01.2015
- Newman Neighbourhood Meeting 19.01.2015
- Australia Day Ceremony Newman 26.01.2015
- Newman Town Centre Meeting 18.02.2015
- Audit Committee Meeting 19.02.2015
- Meeting with Melissa Price MLA Member for Durrack 20.02.2015
- Audit Committee Meeting 26.02.2015

Cr Craig Hoyer attended:

- Newman Netball Association Meeting

Cr Anita Grace attended:

- PRC Meeting Perth 23.02.2015
- PRC Training Perth 23.02.2015
- Indigenous Forum Perth 23.02.2015
- Liquor Accord Meeting
- Audit Committee Meeting 19.02.2015
- Meeting with Melissa Price MLA Member for Durrack 20.02.2015
- Audit Committee Meeting 26.02.2015
- Presided Australian Citizenship 27.02.2015

Cr Lynne Craigie attended:

- Horizon Power Meeting in Carnarvon
- ALGA Strategic Planning meetings in Canberra
- WALGA State Council Meeting
- PRC Meeting Perth
- Indigenous Forum Perth 23.02.2015
- Freight Policy Forum
- WALGA Honours Panel Meeting
- Visit to Clarke Enterprise Zone in the Philippines
- State Road Funding Meeting Perth
- LGIS Interviews
- Economic Summit
- PRC Meeting with DG Indigenous Communities
- Selection Panel Meeting
- Country Reform Meeting
- Metro Reform Windup
- Meeting with Mr David Templeman
- Pilbara Development Commission Meetings
- EPIS Meeting Newman
- Newman Visitors Centre Meeting
- Regional Development Australia - Pilbara Meeting
- Meeting with Minister Colin Holt
- Meeting with Minister Peter Collier
- Meeting with Minister Dean Nalder
- Local Government Planning Meeting
- Landcorp Workshop re: Town Centre

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JANUARY 2015

File Ref: CLR 4-5
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To inform of the action taken in relation to Council decisions.

BACKGROUND

Council requested to be informed of the progress and completion of previous decisions.

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) The council –

(a) directs and controls the local government's affairs; and

(b) is responsible for the performance of the local government's functions.

(2) Without limiting subsection (1), the council is to -

(a) oversee the allocation of the local government's finances and resources; and

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/158

MOVED: Cr Anita Grace

SECONDED: Cr Kevin Danks

THAT the "Status of Council Decisions" – Chief Executive Officer for January 2015 be received.

**CARRIED
RECORD OF VOTE: 11 - 0**

To be actioned by Mr Allen Cooper, Chief Executive Officer.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
26 September 2014	9.1.5	EIGHT YEAR WARD AND REPRESENTATION REVIEW	CEO	Presented to Council 6 th March 2015	April 2015
12 December 2014	9.1.2	CHIEF EXECUTIVE OFFICER - ANNUAL PERFORMANCE REVIEW	Shire President	Presented to Council 6 th March 2015	In Progress
12 December 2014	9.1.4	WA LOCAL GOVERNMENT TRADE EXHIBITION AND CONVENTION 2015	ESAO	Accommodation has been booked need to confirm who will be attending for flights	In Progress
	13.10	JET SKI USAGE AT OPTHAMIA DAM Cr Shane Carter asked if jet skis can be used at Ophthalmia Dam. Mr Allen Cooper replied the Dam is owned by BHP Billiton and the rule was no machines with engines e.g.: motorboats can be used on the dam as it could contaminate the water, but he would ask the question about jet skis.	CEO	Question sent to BHP Billiton	Answer in the Information Bulletin March 2015. Completed.

**9.1.2 AFFIXING COMMON SEAL TO EMPLOYMENT CONTRACT FOR THE
MANAGER COMMUNITY WELLBEING**

File Ref: ADM-1-1
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr David Kular
Manager Human Resources
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek approval to affix the common seal of the Shire of East Pilbara to the employment contract of the Manager Community Wellbeing.

BACKGROUND

Council recently employed Mr Philip (Pip) Parsonson, Manager Community Wellbeing, for a two year contract term, expiring on 1st February 2017.

COMMENTS/OPTIONS/DISCUSSIONS

Nil

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Policy:
Council's Policy Manual

EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3
Date 27th June 2003

Objective:
To allow for the proper execution of documents.

Policy:
All documents validly executed will have the common seal affixed and the President and the Chief Executive Officer's attestations affixing the seal. Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

3.2 Employment opportunities

3.2.1 Promote a variety of choice in local employment

Responsible officer: DCEO

Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/159

MOVED: Cr Anita Grace

SECONDED: Cr Gerry Parsons

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr Philip (Pip) Parsonson, Manager Community Wellbeing for a term of two years, expiring on 1st February 2017.

**CARRIED
RECORD OF VOTE: 11 - 0**

To be actioned by Mr David Kular, Manager Human Resources.

9.1.3 DEVELOPMENT ASSESSMENT PANELS (DAP) - LOCAL GOVERNMENT NOMINATIONS

File Ref: CLR-4-4
Attachments: [DAP.pdf](#)
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to nominate two elected members to sit on the local Development Assessment Panel (DAP) and two elected members as proxy.

BACKGROUND

Fifteen Development Assessment Panels (DAP) came into operation on 1 July 2011, to determine development applications that meet a certain threshold value. Each DAP Comprises five members: three specialist members, one of which is the presiding member, and two local members.

Under regulation 26 of the *Planning and Development (Development Assessment Panels) Regulations 2011*, Council is requested to nominate two elected members to sit on the local DAP, and two elected members as proxy.

Currently Cr Lynne Craigie and Cr Dean Hatwell are appointed as members of the local DAP, with Cr Doug Stead and Cr Craig Hoyer as proxy members that expire on 26th April 2015.

A Letter from the Government of Western Australia Development Assessment Panels is attached for your information.

COMMENTS/OPTIONS/DISCUSSIONS

Nominations are required to be received no later than Friday 27 February 2015, The Manager Development Services – Planning, Mr Adam Majid, has written/mailed to the Development Assessment Panels asking for an extension on the date and the names of the nominations will be given after the ordinary Council meeting, 6th March 2015.

The Minister for Planning will consider and appoint all nominees' for up to a two year term, expiring on 26th April 2017.

All appointed local members will be placed on the local government member register and advised of DAP training dates and times. It is mandatory requirement, pursuant to the DAP regulations, that all DAP members attend training before they can sit on a DAP and determine applications. Local government representatives who have previously been appointed to a DAP and have received training are not required to attend further training.

Local government elections may result in a change to local DAP membership if current councillors, who are DAP members, are not re-elected. In this instance, the proxy local DAP members will take the place for the former local DAP members. If both local and alternate (proxy) local members are not re-elected, the local government will need to re-nominate for the Minister's consideration of appointment.

The Council should consider the above matters in selecting nominees as local DAP members.

Local DAP members are entitled to be paid for their attendance at DAP training and at DAP meetings, unless they fall within a class of persons excluded from payment.

Members who are not entitled to payment of sitting, training and State Administrative Tribunal attendance fees include Federal, State and local government employees, active or retired judicial officers and employees of public institutions. These DAP members are not entitled to be paid without the Minister's consent, and such consent can only be given with the prior approval of Cabinet. This position is in accordance with Premier's circular – *State Government Boards and Committees Circular (2010/02)*.

STATUTORY IMPLICATIONS/REQUIREMENTS

Planning and Development (Development Assessment Panels) Regulations 2011

Part 4 – Development assessment panels

Division 1 – DAP members

26. JDAP local government member register

- (1) The Minister must cause to be established and maintained a register of local government members of JDAPs.
- (2) Subject to sub-regulation (4), the register must include the names of 2 members of the council of each local government of a district for which a JDAP is established.
- (3) Whenever it is necessary to include a member of a council of a local government on a local government register under sub-regulation (2), the Minister must –
 - a. in writing, request the local government to nominate a member of the council of the local government for inclusion on the register; and
 - b. unless sub-regulation (4) applies, include on the register the name of the person nominated.
- (4) If, within 40 days after the date on which the Minister makes a request under sub-regulation (3), or such longer period as the Minister may allow, the local government fails to nominate a person for inclusion on the local government

register in accordance with the request, the Minister may include on the register as a representative of the local government a person who –

- a. is an eligible voter of the district of the local government; and
- b. the Minister considers has relevant knowledge or experience that will enable that person to represent the interests of the local community of that district.

- (5) For the purposes of sub-regulation (4)(a) a person is an eligible voter of a district if that person is eligible under the *Local Government Act 1995* section 4.29 or 4.30 to be enrolled to vote at elections for the district.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

- 1.1 Efficient and effective local government

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/160

MOVED: Cr Kevin Danks

SECONDED: Cr Anita Grace

THAT Council nominate the following two Councillors as members of the local Development Assessment Panel (DAP).

- 1. Cr Dean Hatwell**
- 2. Cr Anita Grace**

THAT Council nominate the following two Councillors as proxy as members of the local Development Assessment Panel (DAP).

- 1. Cr Lynne Craigie**
- 2. Cr Gerry Parsons**

CARRIED
RECORD OF VOTE: 11 - 0

To be actioned by Mrs Sheryl Pobrica, Executive Services Administration Officer.

9.1.4 EIGHT YEAR WARD AND REPRESENTATIVE REVIEW

File Ref: ADM-5-1
Attachments: [Advertisement.docx](#)
[Discussion Paper Part A.pdf](#)
[Discussion Paper Part B.pdf](#)
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr Allen Cooper
Chief Executive Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

11:02 AM Mr Rick Miller left Chambers.

REPORT PURPOSE

To consider the Review of Wards and Representation, discussion paper December 2014.

BACKGROUND

The review processed commenced in September 2014 see item 9.1.5.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/52

MOVED: Cr Stephen Kiernan

SECONDED: Cr Biddy Schill

THAT Council

- 1. Note the correspondence received from the Local Government Advisory Board.*
- 2. Request the CEO to take the necessary action to ensure the review is undertaken by the 31st March 2015.*

CARRIED

RECORD OF VOTE: 11 - 0

To be actioned by Mr Allen Cooper, Chief Executive Officer.

Schedule 2.2 of the Local Government Act (the act) 1995 requires a local government, with ward representation to carry out a review of its ward boundaries and the number of Councillors representing each ward, from time to time so that no more than eight years elapse between successive reviews.

A local public notice of the review has been advertised for the required time, 6 weeks – copy attached.

No review papers have been requested or submissions received at the time of writing the agenda item.

The election ratio at the time of the October 2013 election was as follows:

Ward	Number of Councillors	Number of Electors	Councillor to Elector Ratio	Current Councillor	Expiry
Central	1	172	172	Cr Dean Hatwell	2017
East	1	366	366	Cr Kevin Danks	2017
Lower Central	1	131	131	Cr Biddy Schill	2015
North	1	14	14	Cr Lang Coppin	2017
North West	1	79	79	Cr Stephen Kiernan	2015
South	6	2333	389	Cr Lynne Craigie Cr Anita Grace Cr Gerry Parsons Cr Craig Hoyer Cr Shane Carter Cr Doug Stead	2015 2017 2015 2015 2017 2017
Total	11	3095	Ave: 281		

The review process involves a number of steps and includes the following:

- The Council resolves to undertake a review; completed 26th September 2014.
- Public submission period opens;
- A call for public submission period closes; closed 18th February 2015.
- The Council considers all submissions and relevant factors and makes a decision on a proposal;
- The Council submits a report and proposal to the Board for consideration; and
- The Board submits a recommendation to the Minister for Local Government and Communities as appropriate.

The discussion paper considered six options.

- Option 1 - Maintain current ward boundaries
- Option 2 - Create two wards
- Option 3 - Create three wards
- Option 4 - Create four wards
- Option 5 - Four wards incorporation of a Rural Ward
- Option 6 - No wards

After consideration of this review document and reading the previous review it is considered the Option 5 with 9 Councillors should be seriously considered by Council. It gives a balance representation throughout the whole of the shire area.

The makeup of Option 5 with 9 Councillors is shown as below:

Ward	Number of Electors	Number of Councillors	Councillor Elector Ratio	% Ratio Deviation
Marble Bar	138	1	1:138	60.12%
Newman	2035	5	1:407	-17.63%
Nullagine	110	1	1:110	68.21%
Rural	832	2	1:416	20.23%
Total	3115	9	1:346	

The previous review in (2006) Council resolved which was accepted by Local Government Advisory Board, to keep the structure as it was, 6 wards and 11 Councillors.

COMMENTS/OPTIONS/DISCUSSIONS

Open for discussion.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 2 – Constitution of local government (Division 1 - Districts and wards) 2.2. Districts may be divided into wards (pg 12)

2.2. *Districts may be divided into wards*

- (1) *The Governor, on the recommendation of the Minister, may make an order —*
 - (a) *dividing a district into wards; or*
 - (b) *creating new wards in a district that is already divided into wards; or*
 - (c) *changing the boundaries of a ward; or*
 - (d) *abolishing any or all of the wards into which a district is divided; or*
 - (e) *as to a combination of any of those matters.*
- (2) *For the purposes of this Act —*
 - (a) *an order that divides a district into wards is to be regarded as establishing a ward system for the district; and*
 - (b) *an order that abolishes all of the wards into which a district is divided and does not create new wards, is to be regarded as discontinuing the ward system for the district.*
- (3) *Schedule 2.2 (which deals with wards and representation) has effect.*
- (4) *The Minister can only make a recommendation under subsection (1) if the Advisory Board has recommended under Schedule 2.2 that the order in question should be made.*

Schedule 2.2 of the Local Government Act 1995 refers to the requirement for and form of Ward and Representation.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community

engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

FINANCIAL IMPLICATIONS

The administrative costs associated with any changes after the review would be met from within the existing budget.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION:

THAT Council in accordance with Schedule 2.2 of the Local Government Act 1995 (The Act) it is recommended to the Local Government Advisory Board that:

- 1. An order be made under S2.2(1) to abolish the existing ward boundaries as detailed in the map attached.**
- 2. An order be made under S2.3 to name four (4) wards Newman, Marble Bar, Nullagine and Rural as detailed in the map attached, and**
- 3. An order be made under S2.18 to designate the following number of offices of Councillors for each ward:**

Newman (5)

Marble Bar (1)

Nullagine (1)

Rural (2)

COUNCIL RESOLUTION: 201415/161

MOVED: Cr Kevin Danks

SECONDED: Cr Anita Grace

THAT Council advise the the Local Government Advisory Board that Council felt that the existing ward structure of (11) councillors elected from (6) wards being:

South	(6)
Central	(1)
Lower Central	(1)
North	(1)
North West	(1)
East	(1)

Is the most appropriate for this Shire.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 10 - 1**

Reason for Non Acceptance of Officer's Recommendation: Council voted to remain the same ward structure as existing, as it meets the needs of such a diverse and large municipality.

To be actioned by Mr Allen Cooper, Chief Executive Officer.

**9.1.5 JOINT KIMBERLEY, PILBARA AND NORTHERN TERRITORY FORUM
2015 - DARWIN 2-4 MAY 2015**

File Ref: ORG 4-6
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

11:05 AM Mr Rick Miller returned to the Chambers

REPORT PURPOSE

To determine attendees to the 2015 Joint Kimberley, Pilbara and Northern Territory Forum.

BACKGROUND

The Kimberley Zone of WALGA and Regional Collaborative Group Joint Kimberley, Pilbara and Northern Territory Forum "The Next Port of Call" will be held in Darwin from Saturday 2 to Monday 4 May 2015. The forum will be attended by delegates from the Kimberley, Pilbara and the Northern Territory Local Governments and State organisations.

The three day forum will be held at the Hilton Darwin, 32 Mitchell Street, Darwin and will commence at 8.30am each day.

- Day one of the forum will focus on Agriculture and Water Management and will conclude with a Bus Tour.
- Day two of the forum will focus on Infrastructure and the support of the State and Territory to deliver infrastructure projects and which projects WA and the NT can work on collaboratively.
- Day three of the forum will focus on Indigenous Issues specifically Local Government services delivery, government programs and initiatives addressing transients and the indigenous advancement strategy.

The registration fee for the three days is \$650 per delegate. This includes the forum, catering, dinners, airport transfers and the bus tour.

Further details of the forum program will be forwarded once the arrangements are confirmed.

COMMENTS/OPTIONS/DISCUSSIONS

The Joint Kimberley, Pilbara and Northern Territory Forum is an annual event and is usually attended by a number of Councillors and Executive staff.

Councillors who wish to take their partners to the Joint Kimberley, Pilbara and Northern Territory Forum can at the expense of the Councillor.

There will be a cost of \$300 per partner attending in the forum in Darwin which includes airport transfers and dinners held during the forum. Flights for partners are extra and are at the Councillor's expense.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

1.1.2 Continued strong financial management

1.1.3 Effective business management

FINANCIAL IMPLICATIONS

Cost involved

Flights – Air north Port Hedland to Darwin return estimate cost	\$538.02 p/p
– Qantas Newman to Darwin return estimate cost	\$984.00p/p

Registration	\$650.00p/p
--------------	-------------

Includes the forum, catering, dinners, airport transfers and the bus tour.

Accommodation – Hilton Darwin	\$956.00p/p
\$239.00 per night including Breakfast per councillor	

Partners can attend at a cost of \$300.00 plus the cost of flights to Darwin return at the cost of attendee.

Costs are included in Councils annual budget allocation at;

Members	41007 Conference and Seminars Expenses. Budget \$52,000 spent to 30/01/2015 \$36,324.25. Balance \$15,675.75
---------	--

Staff	41103 Conference and Seminars Expenses
-------	--

Budget \$36,400 spent to 30/01/2015 \$14,019.34
Balance \$22,380.66

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council;

1. Approve the attendance of Councillors _____ / _____ / _____, the Chief Executive Officer and / or the Deputy Chief Executive Officer to attend the Joint Kimberley, Pilbara and Northern Territory Forum 2015 on 2-4 May 2015 in Darwin.
2. Any Partners expenses are to be covered by the Councillors/Officer.

COUNCIL RESOLUTION: 201415/162

MOVED: Cr Anita Grace

SECONDED: Cr Shane Carter

THAT Council;

1. Approve the attendance of all Councillors, the Chief Executive and the Deputy Chief Executive Officer to attend the Joint Kimberley, Pilbara and Northern Territory Forum 2015 on 2-4 May 2015 in Darwin.
2. Any Partners expenses are to be covered by the Councillors/Officer.

**CARRIED
RECORD OF VOTE: 11 - 0**

Reason for Non Acceptance of Officer's Recommendation: Council felt that it was an appropriate forum for all Councillors to attend.

To be actioned by Mrs Sheryl Pobrica, Executive Services Administration Officer.

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

**9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS
- JANUARY 2015**

File Ref: CLR 4-5
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

11:14 AM Cr Gerry Parsons left Chambers.
11:14 AM Mr Allen Cooper left Chambers.
11:15 AM Mr Allen Cooper returned to the Chambers
11:16 AM Cr Gerry Parsons returned to the Chambers
11:17 AM Mr Rick Miller left Chambers.
11:19 AM Mr Rick Miller returned to the Chambers
11:24 AM Cr Doug Stead left Chambers.

REPORT PURPOSE

To inform of the action taken in relation to Council decisions.

BACKGROUND

Council requested to be informed of the progress and completion of previous decisions.

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

- (a) directs and controls the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

(2) *Without limiting subsection (1), the council is to -*

- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies.*

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/163

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

THAT the "Status of Council Decisions" – Deputy Chief Executive Officer for January 2015 be received.

**CARRIED
RECORD OF VOTE: 10 - 0**

To be actioned by Ms Sian Appleton, Deputy Chief Executive Officer

**SHIRE OF EAST PILBARA
ORDINARY COUNCIL MEETING MINUTES**

6 MARCH, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
26 September 2014	13.8	AMENITIES AT RADIO HILL Cr Lynne Craigie asked if we can investigate further amenities at Radio Hill including a toilet, improved lighting and a water fountain.	DCEO MAP	Will need to be considered at 2015/2016 budget	July 2015
24 October 2014	13.1	SPORTING COMPLEX MARBLE BAR FIVE YEAR PLAN Cr Dean Hatwell asked if the electrical works can be included in the five year plan for the sporting complex. Ms Sian Appleton, Deputy Chief Executive Officer answered yes this will be included in the five year plan as appropriate.	DCEO	Still being completed	June 2015
24 October 2014	13.2	MARBLE BAR AQUATIC CENTRE Cr Stephen Kiernan asked if the Marble Bar Pool could get some table, chairs and shade in the grass area. Ms Sian Appleton replied yes a work order will be raised for the request.	MAP	Have sought permission from education department who will contribute \$20k – Toddler Shade and chair on order	June 2015
12 December 2014	11.1.1	TENDER 2014-15 RFT10 - CRIB ROOMS & AMENITIES MARBLE BAR & NULLAGINE DEPOTS	MAP		March 2015
12 December 2014	13.5	RADIO SERVICES IN NULLAGINE Cr Biddy Schill asked what channels are operating in Nullagine as it is only the ABC, she thought there were more channels operating. Deputy Chief Executive Officer to follow up.	DCEO	Seeking further information	April 2015
12 December 2014	13.8	FLUSHING TOILET AT DINGO PARK Cr Lynne Craigie asked if a flushing toilet could be put in the facility of Dingo Park as people refuse to use the Boomerang Oval public toilets under the grandstand. Ms Sian Appleton, Deputy Chief Executive Officer to follow up.	DCEO	Investigating use of Sports Complex toilets during office hours. – Trial to take place signs ordered.	April 2015

**SHIRE OF EAST PILBARA
ORDINARY COUNCIL MEETING MINUTES**

6 MARCH, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
	13.7	MARBLE BAR AQUATIC CENTRE CONTRACT BETWEEN DEPARTMENT OF EDUCATION AND SHIRE OF EAST PILBARA Cr Dean Hatwell commented the contract between the Department of Education and the Shire of East Pilbara for the Marble Bar Aquatic Centre is due to expire this year and what is happening. Ms Sian Appleton replied yes the contract is due to expire 16 th June 2015 and staff will be discussing the agreement with the Department of Education.	DCEO	In consultation with Education Department	June 2015
	13.11	REST STOP NULLAGINE REST STOP NULLAGINE Cr Biddy Schill raised a number of issues with the new rest stop in Nullagine. Deputy Chief Executive Officer to follow up	DCEO	Coordinator Building Services investigating – Quotes to convert back to wet system. Replace doors at Council cost	

**9.2.2 AFFIXING COMMON SEAL TO THE LEASE AGREEMENT OF NEWMAN
MAINSTREET PROJECT INC - LOT 1403 MINDARRA DRIVE NEWMAN,
RESERVE 41950.**

File Ref: A408540
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Marisa Wolfenden
Coordinator Property Services
Location/Address: Lot 1403 Mindarra Drive, Newman
Name of Applicant: Newman Mainstreet Pty Ltd
Author Disclosure of Interest: Nil
11:26 AM Cr Doug Stead returned to the Chambers

REPORT PURPOSE

To seeking Council approval to enter into a new lease agreement with Newman Mainstreet Project Inc for the Newman Community Hall located at Lot 1403 Mindarra Drive Newman, Reserve 41950.

To affix the Shire of East Pilbara common seal to the new agreement between the Shire of East Pilbara and Newman Mainstreet Project Inc.

BACKGROUND

The Shire of East Pilbara entered into a lease agreement with Newman Mainstreet Project Inc commencing on the 1st March 2005 for a term of 10 years only, expiry date being 28th February 2015.

COMMENTS/OPTIONS/DISCUSSIONS

The lease conditions for Lot 1403 Mindarra Drive, Newman known as the Newman Community Hall on Reserve 41950 will be as follows;

- Term of Lease 5 years, commencing 1st March 2015 until the 28th February 2020.
- Option Period – 5 years from 1st March 2020 to 28th February 2025.
- General maintenance is the responsibility of the lessee for the property and building.
- Peppercorn Lease.
- Utilities – Lessee is responsible for all outgoings, including water and power consumption, ESL etc.
- Insurance – Lessee is responsible for insurances.
- Annual Service Fee – as per adopted fees and charges set by Council
- Lease – No cost to Council for the preparation, documentation and registration of the lease agreement.

- Documentation – the Lessee is responsible to provide the Shire of East Pilbara with current copies of their committee details, Certificate of Currency (Public Liability) and other insurance documents.
- No subleasing will be permitted without Council approval.
- Approval of the Minister for Lands is required under the Management Order, prior to any lease agreement being entered into.
- Disposal of Land, Section 3.58 of the Local Government Act 1995 is not required.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

LEGAL IMPLICATIONS

Local Government Act - Section 3.58

Regarding disposal of property (includes to sell, lease, or otherwise dispose of, whether absolutely or not).

Local Gov't Regulations Part 6 - Miscellaneous

30. *Dispositions of property to which section 3.58 does not apply*

(2) *A disposition of land is an exempt disposition if -*

(b) *the land is disposed of to a body, whether incorporated or not -*

(i) *the objects of which are of charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and*

(ii) *the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;*

POLICY IMPLICATIONS

Delegation From: Council

Delegation To: Chief Executive Officer

Council File Reference: ADM 14-9

Legislative Authority for Delegation S 5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

Authority to prepare the necessary documentation to execute documents taking into account any specific or policy requirements of council where:

The Council has authorised entering into a formal contract or a formal contract is considered necessary by the Chief Executive Officer as part of the day to day operation of the Council or a formal contract is authorised under a delegated authority from the Council

Authority for exercise of Power/ Duty/ Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law.

Date of Delegation _____

Delegator (Shire President) _____

EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2003

All documents validly executed will have the common seal affixed and the President and the Chief Executive Officer's attestations affixing the seal. Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

Objective

To allow for the proper execution of documents.

Policy

Council's Policy Manual 27 June 2004 on page 78

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

- 2.4.3 Provide relevant and affordable community services
Responsible officer: MCW
Timing: 1-5 years

Goal 3 – Economic – Planned Actions

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

- 3.3 Provide adequate community infrastructure
 - 3.3.1 Ensure well managed and equitable provision of community infrastructure
Responsible officer: MBA
Timing: 1-5 years

The Shire of East Pilbara seeks to foster harmonious communities that acknowledge a shared heritage; develop strong community connections, and have access to relevant and affordable community services and well-managed community infrastructure.

- 2.2 Education and training
 - 2.2.1 Encourage high quality education and diverse skills development
Responsible officer: MCW
Timing: 1-5 years

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/164

MOVED: Cr Gerry Parsons

SECONDED: Cr Stephen Kiernan

THAT Council

- 1. Approve the lease between the Shire of East Pilbara and Newman Mainstreet Project Inc for Lot 1403, Mindarra Drive Newman on Reserve 41950 – known as Newman Community Hall;**
 - Term of Lease 5 years, commencing 1st March 2015 until the 28th February 2020.
 - Option Period – 5 years from 1st March 2020 to 28th February 2025.
 - General maintenance is the responsibility of the lessee for the property and building.
 - Peppercorn Lease.
 - Utilities – Lessee is responsible for all outgoings, including water and power consumption, ESL etc.
 - Insurance – Lessee is responsible for all insurances.
 - Annual Service Fee – as per adopted fees and charges set by Council
 - Lease – No cost to Council for the preparation, documentation and registration of the lease agreement.
 - Documentation – the Lessee is responsible to provide the Shire of East Pilbara with current copies of their committee details, Certificate of Currency (Public Liability) and other insurance documents.
 - No subleasing will be permitted without Council approval
 - Approval of the Minister for Lands is required under the Management Order, prior to any lease agreement being entered into.
 - Disposal of Land, Section 3.58 of the Local Government Act 1995 is not required.
- 2. Approve to affix the common seal to the lease agreement between the Shire of East Pilbara and Newman Mainstreet Project Inc upon approval from the Minister of Lands.**

**CARRIED
RECORD OF VOTE: 11 - 0**

To be actioned by Mrs Marisa Wolfenden, Coordinator Property Services.

**9.2.3 AFFIXING COMMON SEAL TO CONTRACT - KIRKGATE CONSULTING -
DEVELOP SOEP EVENTS STRATEGY**

File Ref: LEG-18-4-3
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Dawn Brown
Asset & Procurement Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To advise Council that the Common Seal has been affixed under delegated authority to the Contract with Kirkgate Consulting in relation to Developing the Shire's Events Strategy.

BACKGROUND

The Shire recently undertook a RFQ process in relation to the Development of the Shire's Events Strategy.

Evaluation of the submissions received indicated that Kirkgate Consulting would be the most beneficial to the Shire.

A Contract for the Development of the Shire's Events Strategy has been drawn up and signed by both parties, and the Common Seal has been affixed.

COMMENTS/OPTIONS/DISCUSSIONS

Kirkgate Consulting will develop a high quality Events Strategy and Business Plan in order to:

- Guide Council decision making in the future;
- Build community capacity and sustainability;
- Form beneficial partnerships with other organisations to develop existing and new events which bring triple bottom line outcomes for the region.

Kirkgate Consulting will also review and refine the Shire's Public Events Guidelines and develop an Events Funding Framework.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2013

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and the Shire President and the Chief Executive Officer's attestations affixing the seal. Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

Delegation From: Council

Delegation To: Chief Executive Officer

Council File Reference: ADM-14-9

Legislative Authority for Delegation: S5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

Authority to prepare the necessary documentation to execute documents taking into account any specific or policy requirements of council where:

The Council has authorised entering into a formal contract or a formal contract is considered necessary by the Chief Executive Officer as part of the day to day operation of the Council or a formal contract is authorised under a delegated authority from the Council.

Authority for exercise of Power/Duty/Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law

Date of Delegation _____

Delegator (Shire President) _____

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

1.3 Engaged community

1.3.1 Increase community awareness

Responsible officer: MCW

Timing: 1 year

Goal 3 – Economic – Planned Actions

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

3.1 Business diversification and promotion

3.1.3 Encourage tourism

Responsible officer: DCEO

Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

The cost of the Development of the Shire's Events Strategy is \$31,000 plus gst.

GL 41010 has an adopted budget of \$120,000.

Committed expenditure to the value of \$53,894.20 has been raised to this GL to date.

Following the raising of the purchase order for Kirkgate Consulting, the available balance of this GL will be \$31,105.80.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/165

MOVED: Cr Dean Hatwell

SECONDED: Cr Gerry Parsons

THAT Council note that the Common Seal has been affixed under delegated authority to the Contract with Kirkgate Consulting in relation to Developing the Shire's Events Strategy.

CARRIED

RECORD OF VOTE: 11 - 0

To be actioned by Mrs Dawn Brown, Asset & Procurement Administration Officer

**9.2.4 AFFIXING COMMON SEAL TO CUSTOMER FUNDED WORKS
AGREEMENT - WATER CORPORATION**

File Ref: A401685
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Dawn Brown
Asset & Procurement Administration Officer
Location/Address: 881 ETHEL CREEK STREET, NEWMAN – ETHEL
CREEK PARK
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To advise Council that the Common Seal has been affixed under delegated authority to the Customer Funded Works Agreement with the Water Corporation in relation to connecting a new sewer line for the proposed new public restroom to be located at the Ethel Creek Park.

BACKGROUND

As part of CLGF Financial Assistance Agreement 2012/13 funding of \$200,000 has been approved for the supply and installation of an accessible public toilet at Ethel Creek Park in Newman.

As part of the supply and installation of the new public toilet it is necessary to install a new sewer line, which will connect into existing sewer infrastructure.

In accordance with the Water Corporation's Land Servicing Policy, it is a mandatory requirement that all developments make contributions towards the provision of wastewater infrastructure.

COMMENTS/OPTIONS/DISCUSSIONS

The cost of the above sewer head works was \$37,372.50 (gst inc). This amount was paid on the 7th January, 2015.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2013

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and the Shire President and the Chief Executive Officer's attestations affixing the seal. Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

Delegation From: Council
Delegation To: Chief Executive Officer
Council File Reference: ADM-14-9
Legislative Authority for Delegation: S5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

Authority to prepare the necessary documentation to execute documents taking into account any specific or policy requirements of council where:

The Council has authorised entering into a formal contract or a formal contract is considered necessary by the Chief Executive Officer as part of the day to day operation of the Council or a formal contract is authorised under a delegated authority from the Council.

Authority for exercise of Power/Duty/Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law

Date of Delegation _____

Delegator (Shire President) _____

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

3.3 Provide adequate community infrastructure

3.3.1 Ensure well managed and equitable provision of community infrastructure

Responsible officer: MBA

Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/166

MOVED: Cr Anita Grace

SECONDED: Cr Gerry Parsons

THAT Council note that the Common Seal has been affixed under delegated authority to the Customer Funded Works Agreement with Water Corporation in relation to connecting a new sewer line for the proposed new public restroom to be located at Ethel Creek Park in Newman.

CARRIED
RECORD OF VOTE: 11 - 0

To be actioned by Mrs Dawn Brown, Asset & Procurement Administration Officer.

9.2.5 AFFIXING COMMON SEAL TO FUNKY BUS AGREEMENT YMCA

File Ref: FAC-15-3
Attachments: [Funky Bus Agreement.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mr Pip Parsonson
Manager Community Wellbeing
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To advise the council that the Common Seal has been affixed under delegated authority to the Agreement for Use of the Newman Funky Bus in relation to the YMCA's continued use of the bus for the purpose of transporting children to and from out of school care.

BACKGROUND

The Shire provided the YMCA the use of Funky bus in 2014 to transport children to and from out of school care

In light of an incident late in 2014 Hannah Petrickovic Community Wellbeing Administration Officer reviewed the agreement that was in place and under direction from Sian Appleton Deputy CEO a new agreement was drawn up by McLeods Barristers & Solicitors to ensure that both the Shire and the YMCA would be insured in the event of any further incidents or accidents.

The new agreement has been granted for free use of the Funky Bus for the four school terms and will expire on the 17th December 2015.

COMMENTS/OPTIONS/DISCUSSIONS

Nil

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2013

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and the Shire President and the Chief Executive Officer's attestations affixing the seal. Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

Delegation From: Council
Delegation To: Chief Executive Officer
Council File Reference: ADM-14-9
Legislative Authority for Delegation: S5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

Authority to prepare the necessary documentation to execute documents taking into account any specific or policy requirements of council where:

The Council has authorised entering into a formal contract or a formal contract is considered necessary by the Chief Executive Officer as part of the day to day operation of the Council or a formal contract is authorised under a delegated authority from the Council.

Authority for exercise of Power/Duty/Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law

Date of Delegation _____

Delegator (Shire President) _____

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

3.3 Provide adequate community infrastructure

3.3.1 Ensure well managed and equitable provision of community infrastructure

Responsible officer: MBA

Timing: 1-5 years

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

The Shire of East Pilbara seeks to foster harmonious communities that acknowledge a shared heritage; develop strong community connections, and have access to relevant and affordable community services and well-managed community infrastructure.

2.2 Education and training

2.2.1 Encourage high quality education and diverse skills development

Responsible officer: MCW

Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/167

MOVED: Cr Dean Hatwell

SECONDED: Cr Stephen Kiernan

THAT Council note that the Common Seal has been affixed under delegated authority to the Agreement for Use of the Newman Funky Bus in relation to the YMCA's continued use of the bus for the purpose of transporting children to and from out of school care

CARRIED

RECORD OF VOTE: 11 - 0

To be actioned by Mr Pip Parsonson, Manager Community Wellbeing.

**9.2.6 AFFIXING COMMON SEAL TO SUB LEASE FOR MUZZ BUZZ
FRANCHISING PTY LTD**

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Dawn Brown
Asset & Procurement Administration Officer

Location/Address: Lot 1419 Fortescue Avenue, Newman

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To advise Council that the Common Seal has been affixed under delegated authority to the Sub Lease with Muzz Buzz Franchising Pty Ltd in relation to the drive through coffee shop at Lot 1419 Fortescue Avenue, Newman.

BACKGROUND

At the Council meeting held 28th September, 2012, Council resolved (201213/66):

THAT Council in addition to the matter listed in its resolution on the 24th August, 2012 with respect to entering into a lease between the Newman Visitors Centre for a Drive Through Coffee Shop at Lot 1419, (Reserve 40221) add the following requirements:

- The lease is subject to the prior approval of the Minister of Lands.
- The lease allow for the lessee with the approval of the Shire of East Pilbara (and the Minister for Lands) to sublet or otherwise allow the proposed drive through coffee shop to use portion of the lease area for the purpose of a commercial take away coffee shop.
- Term of the lease not to exceed 5 years.
- No cost to Council or the Newman Visitor's Centre for the preparation, registration and documentation of the lease document.
- The sub lease must comply with all Planning, Building and Health Regulations and Acts. Conditions as per Resolution at 24th August 2012 Council meeting.
- The Shire of East Pilbara give public notice of the intention to dispose of portion of Lot 1419, Fortescue Drive, Newman (Newman Visitors Centre) as required under section 3.58 of the Local Government Act 1995.

And at the Council meeting held 26th October, 2012, Council resolved (201415/196):

THAT Council resolve to amend the resolution from the Shire of East Pilbara's Council Minutes held in Marble Bar on 28th September, 2012, Item 9.2.5 to the following:

- The term of the sub lease being for the proposed Drive Through Coffee Shop at Lot 1419, Reserve 42127, known as Newman Visitors Centre to be amended to 5 years with a 5 year option.
- Subject to the continuance of the Newman Visitors Centre lease agreement.

COMMENTS/OPTIONS/DISCUSSIONS

Sub Lease documents have now been prepared and signed by the Shire of East Pilbara, Newman Visitors Centre and Muzz Buzz Franchising. The documents have been forwarded to the Minister for Lands for signing.

The Sub Lease is for a period of five years commencing on the 14th July, 2014 and expires on the 13th July, 2019 with the option of a further term of four years and seven months commencing on the 14th July, 2019 and expiring on the 13th February, 2023.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2013

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and the Shire President and the Chief Executive Officer's attestations affixing the seal. Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

Delegation From:

Council

Delegation To:

Chief Executive Officer

Council File Reference:

ADM-14-9

Legislative Authority for Delegation: S5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

Authority to prepare the necessary documentation to execute documents taking into account any specific or policy requirements of council where:

The Council has authorised entering into a formal contract or a formal contract is considered necessary by the Chief Executive Officer as part of the day to day operation of the Council or a formal contract is authorised under a delegated authority from the Council.

Authority for exercise of Power/Duty/Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law

Date of Delegation _____

Delegator (Shire President) _____

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

3.1 Business diversification and promotion

3.1.1 Provide support for established and emerging business bodies and local businesses

Responsible officer: DCEO

Timing: 1-5 years

3.1.2 Build a thriving and diverse economy

Responsible officer: DCEO

Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation. Rent of \$25,500 per annum gst ex is payable by Muzz Buzz Franchising Pty Ltd, with an annual fixed rent review of 4%.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/168

MOVED: Cr Dean Hatwell

SECONDED: Cr Stephen Kiernan

THAT Council note that the Common Seal has been affixed under delegated authority to the Sub Lease with Muzz Buzz Franchising Pty Ltd in relation to the drive through coffee shop at Lot 1419 Fortescue Avenue, Newman.

CARRIED

RECORD OF VOTE: 11 - 0

To be actioned by Mrs Dawn Brown, Asset & Procurement Administration Officer.

**9.2.7 AFFIXING COMMON SEAL TO VARIATION TO FUNDING AGREEMENT
WITH THE MINISTRY FOR THE ARTS AND MARTUMILI ARTISTS**

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Sian Appleton
Deputy Chief Executive Officer

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To advise Council that the Common Seal has been affixed under delegated authority to the Variation to the Funding Agreement between the Attorney-General's Department (Ministry for the Arts) and the Shire of East Pilbara (Martumili Artists National Jobs Program) with respect to the Indigenous Visual Arts Industry Support Program.

BACKGROUND

The original Funding Agreement was dated 26th August, 2013 and for the 2014/15 year included the amount of \$32,144.00. This has been increased to \$64,288.00.

The Ministry for Arts have prepared a Variation to the Funding Agreement. The varied Funding Agreement commenced from the date of signing the Variation document. The Variation document was signed and sealed by the Shire on the 25th February 2015.

The Activity Objectives and Values remain the same as the original Funding Agreement being to provide employment to Indigenous persons in positions supporting Australia's Indigenous Arts, Language, Culture and Broadcasting sectors.

COMMENTS/OPTIONS/DISCUSSIONS

The Variation includes additional funding income of \$32,144.00 (gst ex) to deliver indigenous visual arts services for Martu artists in the Shire of East Pilbara region.

Therefore the total funding income for this project has increased from \$32,144.00 to \$64,288.00 (gst ex).

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2013

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and the Shire President and the Chief Executive Officer's attestations affixing the seal. Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

Delegation From: Council

Delegation To: Chief Executive Officer

Council File Reference: ADM-14-9

Legislative Authority for Delegation: S5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

Authority to prepare the necessary documentation to execute documents taking into account any specific or policy requirements of council where:

The Council has authorised entering into a formal contract or a formal contract is considered necessary by the Chief Executive Officer as part of the day to day operation of the Council or a formal contract is authorised under a delegated authority from the Council.

Authority for exercise of Power/Duty/Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law

Date of Delegation _____

Delegator (Shire President) _____

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

The Shire of East Pilbara seeks to foster harmonious communities that acknowledge a shared heritage; develop strong community connections, and have access to relevant and affordable community services and well-managed community infrastructure.

2.3 Art, culture and youth

2.3.3 Foster artistic and creative expression

Responsible officer: DCEO

Timing: 1-3 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/169

MOVED: Cr Dean Hatwell

SECONDED: Cr Stephen Kiernan

THAT Council note that the Common Seal has been affixed under delegated authority to the Variation to the Funding Agreement between the Attorney-General's Department (Ministry for the Arts) and the Shire of East Pilbara (Martumili Artists National Jobs Program) with respect to the employment to Indigenous persons in positions supporting Australia's Indigenous Arts, Language, Culture and Broadcasting sectors..

**CARRIED
RECORD OF VOTE: 11 - 0**

To be actioned by Ms Sian Appleton, Deputy Chief Executive Officer.

9.2.8 AUDIT COMMITTEE REPORT 19TH FEBRUARY 2015

File Ref: FIN-21-1
Attachments: [Financial Report 2013_2014](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sian Appleton
Deputy Chief Executive Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to consider the recommendations of the Audit Committee.

BACKGROUND

The Audit Committee met on the 19th February 2015 and the minutes of that meeting are attached.

COMMENTS/OPTIONS/DISCUSSIONS

Role of the Audit Committee

As a requirement of the Local Government Act the Audit Committee was formed “to provide an independent oversight of the financial systems of the local government on behalf of the Council. As such, the committee will operate to assist Council to fulfil its corporate governance, stewardship, leadership and control responsibilities in relation to the local government’s financial reporting and audit responsibilities”.

STATUTORY IMPLICATIONS/REQUIREMENTS

Refer to attached Committee minutes.

POLICY IMPLICATIONS

Refer to attached Committee minutes.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire’s resources – that deliver optimum benefits to the community.

1.1 Efficient and effective local government

1.1.2 Continued strong financial management
Responsible officer: DCEO
Timing: 1 year

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/170

MOVED: Cr Lang Coppin

SECONDED: Cr Biddy Schill

THAT Council consider the following recommendations as presented by the Audit Committee:-

AUDIT COMMITTEE RECOMMENDATION 1:

THAT the monthly financial statements for the period 1 July 2014 to 30 November 2014 of the 2014/2015 financial year as presented be received.

AUDIT COMMITTEE RECOMMENDATION 2:

THAT the Audit Committee accepts the annual financial statements for the 2013/2014 financial year as presented.

AUDIT COMMITTEE RECOMMENDATION 3:

THAT the Audit Committee recommends to Council that the Audit Committee Report from BDO Audit (WA) Pty Limited for the year ended 30 June 2014 be received.

AUDIT COMMITTEE RECOMMENDATION 4:

THAT the Audit Committee recommends Council adopt the Compliance Audit Return for the calendar year of 2014.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

To be actioned by Ms Sian Appleton, Deputy Chief Executive Officer.

9.2.9 AUDIT REPORT 2014

File Ref: FIN-21-1
Attachments: [Audit Report 2014](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sian Appleton
Deputy Chief Executive Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To review and accept the Auditor's Audit Report and Report to the Audit Committee as presented.

BACKGROUND

The Shire's annual financial audit for the year ended 30 June 2014 was an unmodified audit opinion and it stated:

Audit Opinion

- "In our opinion, the financial report of the Shire of East Pilbara;*
- (i) presents fairly, in all material respects, the financial position of Shire of East Pilbara as at 30 June 2013, and of its performance for the year ended; and*
 - (ii) Complies with Australian Accounting Standards (including the Australian Accounting Interpretation); and*
 - (iii) Is prepared in accordance with the requirements of the Local Government Act 1995 Part 6 (as amended), and Regulations under that act; and*
 - (iv) The following financial ratios included in the annual financial report are supported by verifiable information and reasonable assumptions:*
 - (a) The asset consumption ratio; and*
 - (b) The asset renewal funding ratio."*

This is the audit report that is published within the annual report.

As well as the audit opinion the auditor also presents a Report to the Audit Committee that identifies key audit risk, including a summary of the audit procedures and adjusted/unadjusted difference. There were no uncorrected misstatements identified during the audit.

The Local Government Act requires Council to consider any matters raised in the Report to the Audit Report, to assess whether the responses to the report are satisfactory and to forward a copy of those responses to the Local Government Department.

The details of the requirements are to be found under the “Statutory Implications/Requirements” later in this item.

COMMENTS/OPTIONS/DISCUSSIONS

The Auditor’s Report to the Audit Committee is attached.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 7 - Audit (Division 3 - Conduct of audit) 7.9. Audit to be conducted

(1) An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to-

- a) the mayor or president;
- b) the CEO of the local government; and
- c) the minister

Part 7 - Audit (Division 3 - Conduct of audit) 7.12A. Duties of local government with respect to audits

(3) A local government is to examine the report of the auditor prepared under section 7.9 (1), and any report prepared under section 7.9 (3) forwarded to it, and is to –

- a) determine if any matters raised by the report, or reports, require action to be taken by the local government; and
- b) ensure that appropriate action is taken in respect of those matters.

(4) A local government is to –

- a) prepare a report on any actions under subsection (3) in respect of an audit conducted in respect of a financial year; and
- b) forward a copy of that report to the Minister, by the end of the next financial year, or 6 months after the last report prepared under 7.9 is received by the local government, whichever is the latest time.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire’s resources – that deliver optimum benefits to the community.

1.1 Efficient and effective local government

1.1.2 Continued strong financial management
Responsible officer: DCEO
Timing: 1 year

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/171

MOVED: Cr Lang Coppin

SECONDED: Cr Kevin Danks

THAT Council

- 1. Review the Auditors Report to the Audit Committee;**
- 2. Receive the Report to the Audit Committee.**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

To be actioned by Ms Sian Appleton, Deputy Chief Executive Officer

9.2.10 COMPLIANCE AUDIT RETURN 2014

File Ref: LEG-1-11
Attachments: [Compliance Audit Report 2014](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sian Appleton
Deputy Chief Executive Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council's comment on and receivable of the Local Government Compliance Audit Return ("CAR") for the period 1 January 2014 to 31 December 2014.

BACKGROUND

Council must complete an annual audit of compliance with statutory requirements.

The Compliance Audit Return is a checklist of compliance with statutory obligations relating to the provision of services by, and the management of, a local government.

The *Local Government Act 1995*, requires that each local government is to carry out a compliance audit for the period 1 January to 31 December each year, against the requirements included in the CAR for that year.

After the completion of the CAR, the following should the occur:

- (a) the Audit Committee is to review the CAR;
- (b) the CAR is to then be presented to a subsequent meeting of Council;
- (c) the CAR is to be adopted by the Council before 31 March;
- (d) the adoption is to be recorded in the minutes of the meeting at which it is adopted; and
- (e) a certified copy of the return, along with the relevant section of the minutes and any additional information explaining or qualifying the compliance audit, is to be submitted to the Department of Local Government by 31 March.

COMMENTS/OPTIONS/DISCUSSIONS

Over previous years this Council has produced the report by using either an independent consultant or by doing the report in house. On this occasion the Compliance Audit has been completed by an independent consultant.

The structure of the CAR was revised for the 2011 year with the areas of compliance being restricted to those matters considered to be of high risk. This resulted in the CAR being reduced in size from the previous 27 pages to eight pages for the 2011

and 2012 return. The format of that year has now been replicated again for the 2013 year.

The compliance report now has 9 sections, and these sections contain a total of 78 compliance points. The table below sets out the detail referred to:

Area questions relate to	No of Q's	Yes Answers	No Answers	Not Applicable
Commercial Enterprises	5	0	0	5
Delegation of Power / Duty	13	7	0	6
Disclosure of Interest	16	16	0	0
Disposal of Property	2	2	0	0
Elections	1	1	0	0
Finance	15	9	0	6
Local Government Employees	5	0	0	5
Official Conduct	6	5	0	1
Tenders for Providing Goods and Services	15	9	0	6
TOTAL	78	49	0	29

High compliance has been achieved, with the "Yes" answers representing 49 out of 49, or a 100% achievement rate.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 7 - Audit (Division 4 - General) 7.13. Regulations as to audits (pg 269)
"Regulations as to audits.

Regulations may make provision –

- (i) requiring local governments to carry out...an audit compliance as prescribed."

Regulation 13 of the *Local Government (Audit) Regulations* prescribes the items to be subject to audit.

Regulation 14 of the *Local Government (Audit) Regulations* states that a compliance audit shall be prepared and lays out the form and manner of its preparation.

Regulation 15 of the *Local Government (Audit) Regulations* deals with the return of the compliance audit to the Department of Local Government after its presentation to the Audit Committee and Council.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.4 Maintaining a High Standard of Governance

- 3.4.1** *Ensure compliance with relevant Statutes and statutory authorities*
A greater than 90% compliance achievement in the annual compliance audit
How funded – Municipal Funds
Responsible Directorate – Whole of Organisation

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/172

MOVED: Cr Gerry Parsons

SECONDED: Cr Doug Stead

THAT Council adopt the Compliance Audit Return for the calendar year of 2014.

CARRIED

RECORD OF VOTE: 11 - 0

To be actioned by Ms Sian Appleton, Deputy Chief Executive Officer

9.2.11 PURCHASING AND TENDER PROCEDURES POLICY UPDATE

File Ref: FIN 10-12
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Candice Porro
Senior Finance Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

The purpose of this report is to consider amendments to the Purchasing and Tender Procedures Policy to reflect the current situation.

BACKGROUND

The purchasing and Tender Procedures Policy must be updated regularly to reflect current changes and trends within the organisational structure and technology updates which has been reflected in this document.

COMMENTS/OPTIONS/DISCUSSIONS

The amended policy will reflect up to date information of the inclusion of Community Wellbeing Administration Officer having authorisation to raise purchase orders up to the value of \$2,000 and deletion of restrictions to Executive Services Administration Officer – this has been reviewed and no longer require.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

10.12 PURCHASING AND TENDER PROCEDURES

Minute No: Item 9.1.6
Date: 27th June 2003
5th May 2006
9.3.5 27th April 2007
9.4.1 24th July 2009
9.1.6 29th January 2010
9.2.5 11 March 2011
9.1.8 3 February 2012
9.2.4 25 May 2012
9.2.7 28 July 2012
9.2.6 28 June 2013
9.2.7 27 September 2013
9.2.9 6 December 2013
9.2.6 30 January 2015

Responsible Officer: Chief Executive Officer and Directors

Objective

- To provide compliance with the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996* (as amended).
- To set guidelines which must be followed when inviting tenders for works and services within the Shire.
- To ensure consistency that purchasing activities integrate within all Shire of East Pilbara operational areas.

1.1 Purchase Procedures

NOTE: All Figures in this policy are exclusive of GST

The following procedures will be adhered to when purchasing items and other goods and services as per the adopted budget. All purchase orders are to be completed as set out below.

\$0 - \$50	Under direction from the authorised supervisor, petty cash may be utilised for purchases in this range.
\$51 - \$5,000	Under direction from the authorised supervisor, a purchase order book will be utilised without quotes necessarily being obtained.
\$5,001 - \$39,999	Under direction from the authorised supervisor, a purchase or other order will be utilised and three verbal or written quotes shall be obtained.
\$40,000 - \$99,999	Under direction from the authorised supervisor, and in consultation with the Chief Executive Officer, the Deputy Chief Executive Officer and/or the Director Technical and Development Services a purchase order will be utilised and three written quotes shall be obtained. In obtaining written quotations the Council Purchasing Service shall be utilised wherever practicable.
\$100,000 & greater	Under direction from the authorised supervisor tenders will be invited as follows. If work is allowed for in the budget a request for tender form is to be submitted to the Chief Executive Officer for approval. If the work is not allowed for in the budget permission to go to tender must be obtained from Council.

Capital Expenditure

All capital purchase orders will be signed by the Chief Executive Officer, Deputy Chief Executive Officer or the Director Technical & Development Services with the exception of road construction and plant fleet which can be signed by Manager Technical Services – Rural.

Definition of a Capital Item for the purpose of the Shire of East Pilbara:

- Any item budgeted as a capital item in the adopted budget;
- Any item to be purchased, which involves the replacement of an existing asset through the sale, trade-in, write-off or disposal of an item on the fixed asset register.

Refer to the Accounting Policy in the Council's Policy Manual for the further treatment of non-current assets.

No item of a capital nature may be purchased unless included in the adopted budget, or if unbudgeted, has been approved by "absolute majority" of Council prior to the purchase of the item. (Council has no retrospective right of approval of purchase of non-budgeted items of capital.)

In order to preserve the cash flow of the Shire, major items of budgeted capital expenditure should be deferred, where possible, until the second or third quarter of the financial year. However all capital orders must be raised by the 30 April to allow adequate time for payment by June 30 of each year. In all cases, the timing of the expenditure on major items of capital should be discussed and agreed with the Deputy Chief Executive Officer.

Orders for Goods & Services

Purchase orders must be made out and signed by authorised persons for all goods and services ordered for the Shire at the time that the order is placed.

Orders should never be raised retrospectively.

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$100,000. If the purchase is in excess of \$100,000 a requisition is to be authorised by the Chief Executive Officer prior to the order being issued:

- Deputy Chief Executive Officer
- Director Technical & Development Services
- Manager Technical Services – Rural (road construction and plant only)

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$30,000. If the purchase is in excess of \$30 000 a requisition is to be authorised by their supervisor prior to the order being issued;

- Managers
- Coordinator Property Services

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$10 000.

- Coordinators
- Works Supervisor (Newman and Marble Bar)

If the purchase is in excess of \$10,000 a requisition is to be authorised by their supervisor prior to the order being issued.

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$2,000.

- Duty Officers – Newman Aquatic Centre

- Team Leader – Works Crew (Newman)
- Field Officer and client Services – Martumili
- Technical Services Administration Officer
- RPT Bus Driver
- Executive Services Administration Officer (~~restricted to staff and councillor training/conference expenses~~)
- Asset and Procurement Administration Officer
- Marble Bar Mechanic
- Community Wellbeing Administration Officer

Light Vehicle Purchases

The designated Fleet Officer is authorized to purchase light vehicles under \$100,000 utilising the WA State Purchasing Agreement and adhering to Council's budget decisions and Councils Light Vehicle Policy. Any vehicle incurring the luxury car tax will have to be approved by the Chief Executive Officer or the Deputy Chief Executive Officer.

Consultants Services

Services separately identified in the adopted budget to be at officer's discretion up to \$20,000.

Between \$20,001 and \$100,000 a Request For Quote procedure shall be utilised, in compliance with purchase thresholds.

A request for services, which it is envisaged, will exceed \$100,000 shall undergo the full tender process.

Light Vehicle Disposals

The preference for the disposal of light vehicles (less than \$100,000) is by public auction.

The reserve sale price is to be determined by the Manager Technical Services – Rural in conjunction with the Chief Executive Officer and/or the Director Technical and Development Services.

The following information sources will be utilised in determining the reserve sale price:

- *Valuation by the auction house.*
- *Valuation from a recognised source i.e.: red book.*
- *Internet research.*
- *Past sales by auction house.*

Disposals are to be completed within the same financial year, or within 3 months of receipt of a new vehicle, whichever is the sooner to maximise sales return

1.2 Regulatory Compliance

In the following instances public tenders or quotation procedures are exempt (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the *Local Government (Functions and General) Regulations 1996* apply.
- The Purchase is under the Shire of East Pilbara Supplier Panel and is under \$30,000 exc. GST.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

1.1 Efficient and effective local government

1.1.2 Continued strong financial management

1.1.3 Effective business management

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/173

MOVED: Cr Dean Hatwell

SECONDED: Cr Anita Grace

THAT Council adopt the changes to the Purchasing and Tender Procedures Policy as presented:

10.12 PURCHASING AND TENDER PROCEDURES

Minute No: Item 9.1.6

**Date: 27th June 2003
5th May 2006**

9.3.5 27th April 2007

9.4.1 24th July 2009

9.1.6 29th January 2010

9.2.5 11 March 2011

9.1.8 3 February 2012

9.2.4 25 May 2012

9.2.7 28 July 2012

9.2.6 28 June 2013

9.2.7 27 September 2013

9.2.9 6 December 2013

9.2.6 30 January 2015

9.2.11 6 March 2015

Responsible Officer: Chief Executive Officer and Directors

Objective

- To provide compliance with the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996* (as amended).
- To set guidelines which must be followed when inviting tenders for works and services within the Shire.
- To ensure consistency that purchasing activities integrate within all Shire of East Pilbara operational areas.

1.1 Purchase Procedures

NOTE: All Figures in this policy are exclusive of GST

The following procedures will be adhered to when purchasing items and other goods and services as per the adopted budget. All purchase orders are to be completed as set out below.

\$0 - \$50	Under direction from the authorised supervisor, petty cash may be utilised for purchases in this range.
\$51 - \$5,000	Under direction from the authorised supervisor, a purchase order book will be utilised without quotes necessarily being obtained.
\$5,001 - \$39,999	Under direction from the authorised supervisor, a purchase or other order will be utilised and three verbal or written quotes shall be obtained.
\$40,000 - \$99,999	Under direction from the authorised supervisor, and in consultation with the Chief Executive Officer, the Deputy Chief Executive Officer and/or the Director Technical and

- Development Services a purchase order will be utilised and three written quotes shall be obtained. In obtaining written quotations the Council Purchasing Service shall be utilised wherever practicable.
- \$100,000 & greater Under direction from the authorised supervisor tenders will be invited as follows. If work is allowed for in the budget a request for tender form is to be submitted to the Chief Executive Officer for approval. If the work is not allowed for in the budget permission to go to tender must be obtained from Council.

Capital Expenditure

All capital purchase orders will be signed by the Chief Executive Officer, Deputy Chief Executive Officer or the Director Technical & Development Services with the exception of road construction and plant fleet which can be signed by Manager Technical Services – Rural.

Definition of a Capital Item for the purpose of the Shire of East Pilbara:

- . Any item budgeted as a capital item in the adopted budget;
- . Any item to be purchased, which involves the replacement of an existing asset through the sale, trade-in, write-off or disposal of an item on the fixed asset register.

Refer to the Accounting Policy in the Council's Policy Manual for the further treatment of non-current assets.

No item of a capital nature may be purchased unless included in the adopted budget, or if unbudgeted, has been approved by "absolute majority" of Council prior to the purchase of the item. (Council has no retrospective right of approval of purchase of non-budgeted items of capital.)

In order to preserve the cash flow of the Shire, major items of budgeted capital expenditure should be deferred, where possible, until the second or third quarter of the financial year. However all capital orders must be raised by the 30 April to allow adequate time for payment by June 30 of each year. In all cases, the timing of the expenditure on major items of capital should be discussed and agreed with the Deputy Chief Executive Officer.

Orders for Goods & Services

Purchase orders must be made out and signed by authorised persons for all goods and services ordered for the Shire at the time that the order is placed.

Orders should never be raised retrospectively.

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$100,000. If the purchase is in excess of \$100,000 a requisition is to be authorised by the Chief Executive Officer prior to the order being issued:

- Deputy Chief Executive Officer
- Director Technical & Development Services
- Manager Technical Services – Rural (road construction and plant only)

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of

\$30,000. If the purchase is in excess of \$30 000 a requisition is to be authorised by their supervisor prior to the order being issued;

- Managers
- Coordinator Property Services

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$10,000.

- Coordinators
- Works Supervisor (Newman and Marble Bar)

If the purchase is in excess of \$10,000 a requisition is to be authorised by their supervisor prior to the order being issued.

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$2,000.

- Duty Officers – Newman Aquatic Centre
- Team Leader – Works Crew (Newman)
- Field Officer and client Services – Martumili
- Technical Services Administration Officer
- RPT Bus Driver
- Executive Services Administration Officer
- Asset and Procurement Administration Officer
- Marble Bar Mechanic
- Community Wellbeing Administration Officer

Light Vehicle Purchases

The designated Fleet Officer is authorized to purchase light vehicles under \$100,000 utilising the WA State Purchasing Agreement and adhering to Council's budget decisions and Councils Light Vehicle Policy. Any vehicle incurring the luxury car tax will have to be approved by the Chief Executive Officer or the Deputy Chief Executive Officer.

Consultants Services

Services separately identified in the adopted budget to be at officer's discretion up to \$20,000.

Between \$20,001 and \$100,000 a Request For Quote procedure shall be utilised, in compliance with purchase thresholds.

A request for services, which it is envisaged, will exceed \$100,000 shall undergo the full tender process.

Light Vehicle Disposals

The preference for the disposal of light vehicles (less than \$100,000) is by public auction.

The reserve sale price is to be determined by the Manager Technical Services – Rural in conjunction with the Chief Executive Officer and/or the Director Technical and Development Services.

The following information sources will be utilised in determining the reserve sale price:

- *Valuation by the auction house.*
- *Valuation from a recognised source i.e.: red book.*
- *Internet research.*
- *Past sales by auction house.*

Disposals are to be completed within the same financial year, or within 3 months of receipt of a new vehicle, whichever is the sooner to maximise sales return

1.2 Regulatory Compliance

In the following instances public tenders or quotation procedures are exempt (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;
- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the *Local Government (Functions and General) Regulations 1996* apply.
- The Purchase is under the Shire of East Pilbara Supplier Panel and is under \$30,000 exc. GST.

**CARRIED
RECORD OF VOTE: 11 - 0**

To be actioned by Mrs Candice Porro, Senior Finance Officer.

9.2.12 COMMUNITY ASSISTANCE GRANTS FEBRUARY 2015

File Ref: CSV-9-4-2
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mr Pip Parsonson
Manager Community Wellbeing
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

*An Interest was declared by Cr Gerry Parsons for Item No. 9.2.12
Nature of Interest: Direct
Extent of Interest: Life Member - Newman Tee Ball Association
11:35 AM Cr Gerry Parsons left Chambers.*

REPORT PURPOSE

For council to consider and make decision on the Community Assistance Grant Funding Applications for Round 2 of the 2014/2015 financial year.

BACKGROUND

Community Assistance Grant applications can be made by clubs and community groups twice per year. Round One (1) opens on the 1st of July and closes on the 31st July and are assessed at the next scheduled Council Meeting. Round Two (2) opens on January 1st and closes on January 31st and are assessed at the next scheduled Council Meeting. Each application is eligible for a grant of up to \$5,000 in cash or in kind.

To be successful, an application must meet one or more of the following criteria:

1. **Club/organisation development** e.g. governance and management strategies such as installation of accounting systems, hiring of consultants to prepare business and succession plans.
2. **Hosting special events** associated with the club/organisation e.g. state championships, yearly interstate championships, promotion, marketing, venue equipment and/or hire.
3. **Sporting club development** e.g. coaching courses, governance training and/or grant writing courses.
4. **Beautification of facilities and/or premises** e.g. refurbishment and renovations of premises or facilities

An application must also meet the following terms and conditions:

- Have no outstanding debts (greater than 30 days) with the Shire of East Pilbara.
- Have no outstanding acquittals from previous Community Assistance Grant applications.

- Funds must be used for the purpose for which they were approved. Unspent funds are to be returned to the Shire at the conclusion of the activity / programme.
- Funds must be utilised solely for the provision of benefits to residents within the Shire of East Pilbara.
- Shire of East Pilbara must be acknowledged during the course of the event and in any publications that arise as a result of the event/activities/ programs.
- Council grants will need to be at least matched by the organisation through an equivalent financial contribution or in kind support.

Further the following are ineligible to apply for the funding:

- State or Federal Government Agencies.
- Profit organisations.
- Fund raising events e.g. quiz nights, cake stalls, and raffles.
- Projects that are not community focussed.
- Organisations which have received Community Assistance Grant funding by the Shire of East Pilbara within the previous 2 years.

COMMENTS/OPTIONS/DISCUSSIONS

This round the Shire of East Pilbara received four (4) applications from community groups and sporting clubs who are all based in the East Pilbara. Three (3) of the four applications met the Shire community assistance grants criterion, details are as follows;

<i>Applicant</i>	<i>Met Criteria (Yes/No)</i>	<i>Comment/Description</i>
<i>St John Ambulance Newman</i>	<i>No</i>	<i>Applicant received a Community Assistance Grant in Round 1 of 2013/2014 CAG and they do not comply with the 50% matched financial/in-kind contribution requirement</i>
<i>Newman T-Ball Association</i>	<i>Yes</i>	<i>North-West Championships</i>
<i>Newman Jetsprint Club</i>	<i>Yes</i>	<i>Newman Points Round</i>
<i>Ngurra Kujungka</i>	<i>Yes</i>	<i>Western Desert League Round One</i>

Applications have been individually assessed to assist the decision making process.

Newman T-Ball Association

Name of organisation		Newman T-Ball Association	
Activity the organisation is seeking funding for		Northwest Championships	
Amount Requested \$ 5,000		Total Budget \$ 39,700	
Type of fund request	In kind <input checked="" type="checkbox"/>	Cash <input type="checkbox"/>	
Funding sought from other organisations	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
If yes, amount funded from other organisation/s	\$ 14,800		
Previous funding from Shire of East Pilbara	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If yes, amount received and Year \$4,336 Year: 2011
Funds Acquitted	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:
Outstanding Shire Debts	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:
Does Application meet funding criteria?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:
<input type="checkbox"/>	Club/ organisation development e.g. Governance and management strategies such as installation of accounting procedures, hiring of consultants to prepare business and succession plans, governance training, grant writing process		
<input checked="" type="checkbox"/>	Hosting Special events associated with club/ organisation example: championships, yearly interstates championships, promotions, marketing, venue equipment and/ or hire.		
<input type="checkbox"/>	Sporting club development such as coaching and/ or official courses		
<input type="checkbox"/>	Beautification of facilities and/or premises e.g. refurbishment and renovation of premises or facilities		
Target Group of project outcome	Junior Athletes		
Description	The Northwest Championships is an event held in rolling Northwest towns. It has always been a very successful event & gives the vast areas clubs a chance to get together.		
Benefit to East Pilbara Community	Promotes community involvement & a healthy active lifestyle.		
Acknowledgement of SOEP	Verbal & written media; Logo on competition booklet; signage displayed during the championships; open to other suggestions		

Newman Jetsprint Club

Name of organisation		Newman Jetsprint Club			
Activity the organisation is seeking funding for		Newman Points Round			
Amount Requested \$ 5,000			Total Budget \$ 17,660		
Type of fund request		In kind <input type="checkbox"/>		Cash <input checked="" type="checkbox"/>	
Funding sought from other organisations		YES <input checked="" type="checkbox"/>		NO <input type="checkbox"/>	
If yes, amount funded from other organisation		\$ 2,000			
Previous funding from Shire of East Pilbara		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If yes, amount received and Year	\$5,000 x 2 Year: 2011
Funds Acquitted		YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
Outstanding Shire Debts		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
Does Application meet funding criteria?		YES <input type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<input type="checkbox"/>	Club/ organisation development e.g. Governance and management strategies such as installation of accounting procedures, hiring of consultants to prepare business and succession plans, governance training, grant writing process				
<input checked="" type="checkbox"/>	Hosting Special events associated with club/ organisation example: championships, yearly interstates championships, promotions, marketing, venue equipment and/ or hire.				
<input type="checkbox"/>	Sporting club development such as coaching and/ or official courses				
<input type="checkbox"/>	Beautification of facilities and/or premises E.g. refurbishment and renovation of premises or facilities				
Target Group of project outcome		Club members, spectators and participants			
Description		Newman points round is a unique event, this type of racing is only done in 4 places in Australia & we are lucky to have Newman as one of them.			
Benefit to East Pilbara Community		Bringing a unique, high quality & exciting sport to Newman, The event will bring in a lot of people from out of town & will provide the opportunity for spectators & participants to see what a show Newman can put on.			
Acknowledgement of SOEP		Signage around the race circuit, via the public address system, printed material – posters/ programmes etc. photographic shots with logo in background			

Ngurra Kujungka Inc.

Name of organisation		Ngurra Kujungka Inc.	
Activity the organisation is seeking funding for		Western Desert League Round One	
Amount Requested \$ 5,000		Total Budget \$ 71,200	
Type of fund request	In kind <input type="checkbox"/>	Cash <input checked="" type="checkbox"/>	
Funding sought from other organisations	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
If yes, amount funded from other organisation/s	\$ 40,900		
Previous funding from Shire of East Pilbara	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If yes, amount received and Year
Funds Acquitted	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Comments: N/A
Outstanding Shire Debts	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:
Does Application meet funding criteria?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:
<input type="checkbox"/>	Club/ organisation development e.g. Governance and management strategies such as installation of accounting procedures, hiring of consultants to prepare business and succession plans, governance training, grant writing process		
<input checked="" type="checkbox"/>	Hosting Special events associated with club/ organisation example: championships, yearly interstates championships, promotions, marketing, venue equipment and/ or hire.		
<input type="checkbox"/>	Sporting club development such as coaching and/ or official courses		
<input type="checkbox"/>	Beautification of facilities and/or premises e.g. refurbishment and renovation of premises or facilities		
Target Group of project outcome	Martu people of the Western Desert region. Estimated 500 people from 8 communities		
Description	Delivery of round one of the Western Desert League at Punmu to drive improvements in health, training, employment & education for the people of the Western Desert through sport, art, music & culture. The regional carnival will comprise of football, softball, Kidsport & cultural activities.		
Benefit to East Pilbara Community	With 8 Martu communities participating this event will significantly contribute to the healthy lifestyles of the indigenous people through planning, organisation & facilitating of a sustainable sport & recreation program. Ngurra Kujunka Inc. currently has 2 indigenous sports		

	development officers in Nullagine & Marble Bar who are working with Shire rec services to build higher involvement.
Acknowledgement of SOEP	Banners displayed, logo placed on all promotional material, verbal announcements throughout festival & invitation for the Shire to attend the festival

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

6.6 COMMUNITY ASSISTANCE GRANTS

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

The Shire of East Pilbara seeks to foster harmonious communities that acknowledge a shared heritage; develop strong community connections, and have access to relevant and affordable community services and well-managed community infrastructure.

2.4.1 Promote diverse, harmonious and caring communities

Responsible officer: MCW

Timing: 1-3 years

2.4.2 Build strong community groups, networks and governance

Responsible officer: MCW

Timing: 1-5 years

2.4.4 Equity and opportunities for all

Responsible officer: MCW

Timing: 1-3 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/174

MOVED: Cr Anita Grace

SECONDED: Cr Shane Carter

THAT Council:

1. Approve the Community Assistance Grant Application for Newman T-Ball Association for \$5,000 cash contribution for the North-West Championships.
2. Approve the Community Assistance Grant Application for Newman Jetsprint Club for \$5,000 cash donation for the Newman Point Round
3. Approve the Community Assistance Grant Application for Ngurra Kujunjka for \$5,000 cash donation for the Western Desert League Round One

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 9 - 1

To be actioned by Mr Pip Parsonson, Manager Community Wellbeing.

9.2.13 DISABILITY ACCESS AND INCLUSION PLAN 2015 - 2019

File Ref: CSV-2-1
Attachments: [DAIP 2015.docx](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mr Pip Parsonson
Manager Community Wellbeing
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil
11:39 AM Cr Gerry Parsons returned to the Chambers

REPORT PURPOSE

To seek Council approval to advertise and place on public exhibition, the Draft Disability Access and Inclusion Plan 2015 - 2019

BACKGROUND

Pursuant to section 28(1) of the Disability Services Act 1993 ("the Act"), each public authority must have a Disability Access and Inclusion Plan. The Shire of East Pilbara has a Disability Access and Inclusion Plan 2010 – 2014, which was adopted by Council on 24 September 2010.

Pursuant to section 28(7) of the Act, each public authority must review its Disability Access and Inclusion Plan not more than five (5) years from the date it was lodged with the Disability Services Commission. ("the Commission"). The current Shire of East Pilbara Disability Access and Inclusion Plan was submitted to the Commission in 2010. Although five years have not passed since the Disability Access and Inclusion Plan was lodged with the Commission, the Plan is no longer current as it was dated 2010 – 2014. Accordingly, the Disability Access and Inclusion Plan is now due to be updated.

COMMENTS/OPTIONS/DISCUSSIONS

Pursuant to section 28(10) of the Act, a public authority must undertake public consultation when preparing, reviewing or amending a Disability Access and Inclusion Plan.

Community consultations and a formal review by consultants E-Qual on the Disability Access and Inclusion Plan 2010 – 2014 were conducted in the summer of 2013/14. E-Qual presented a report on the community consultations and the review of the Plan to the Shire in January 2014.

The consultation process for the DAIP review was open for a three week timeframe leading up to the end of year school holidays and Christmas-New Year period 2013/14. There were a total of 25 community members/service providers who engaged with the

consultation process and 23 staff members from the Shire of East Pilbara who also participated in the process.

The consultation was advertised or promoted:

- On the Shire's website and specific page for the DAIP.
- Through 'All Shire staff' internal emails
- Community Noticeboards
- Hard copies available at public building and service providers.

The various consultation methods used included:

- A community survey form. This was available in hard copy from all council operating facilities i.e. Newman Recreation Centre, Newman Youth Centre, Marble Bar Administration Office, Newman House.
- The survey form was also available online on the Shires' website.
- Focus groups with Service Providers in Newman, Nullagine and Marble Bar
- One on one discussion with Community members.
- Semi structured discussions at the Disability Awareness Week BBQ hosted by DSC in Newman.
- Internal staff survey available on our website and via email, as well as face to face discussions with staff.

In February 2015 the Manager Community Wellbeing reviewed the E-QUAL report and recommendations and incorporated many of the consultation findings and recommendations into this (attached) updated DAIP.

Findings from the staff and community consultation responses found that:-

- 61% of staff were not aware of the Shire's Disability Access and Inclusion Plan
- 82% of staff had not received disability awareness training from previous employers or the Shire.
- 74% of staff would be interested in doing Disability Awareness Training.
- Shire staff and community recommended that alternative formats for Shire information and website material should be publicised and available to the public.
- Respondents wanted the Shire to establish an annual workshop for staff and the community to improve awareness of disability and access issues.
- Public building facilities and spaces should be annually audited to ensure facilities are compliant with current legislation in Newman, Nullagine and Marble Bar.
- Respondents felt that a reference group should be established with SOEP Staff, service providers and community members to support the implementation of the DAIP.
- There was strong support for advocacy initiatives to improve employment options and support for people living with disability.
- The majority of community members were not aware of disability services in the East Pilbara and felt that the disabled parking bays in town were not signed appropriately.

- There could be improved community awareness campaigns initiated on disability issues in the East Pilbara.

Findings from the consultation process found that the major accessibility needs for the East Pilbara are:-

- Difficulties of accessing public venues i.e. public pools did not have hoist or ramp access.
- Lack of footpath accessibility in Nullagine and Marble Bar.
- Access to information in alternative formats is not available through community services in the East Pilbara.
- Web access to Shire and community websites not available in alternative formats.
- Lack of community awareness around access and inclusion issues.

The consultation provided a variety of views on access and inclusion in the East Pilbara. Issues for community members and staff included:-

- Lack of community and staff awareness on disability issues and access in the East Pilbara.
- Access to alternative formats not widely available at the Shire and local businesses and organisations.
- Lack of clear signage for disabled parking bays in Newman, Nullagine and Marble Bar
- Lack of footpath access in Nullagine and Marble Bar.
- A ramp and pool hoist for the public pools.

The feedback also raised some issues outside the Shire's responsibility which the Shire could refer on to local working groups, enterprise and state government such as;

- Education on the responsibility of the carers.
- Emergency management in cyclone season for people with a disability.
- Lobby for additional services to assist people, family and carers with a disability.
- Increase of public transport between remote communities.
- Lack of respite and disability services in the East Pilbara.

The updated Disability Access and Inclusion Plan 2015-2019 includes strategies to redress many of the issues as identified in the E-Qual report. The report also mentions a decision to include a voluntary new outcome within the Plan that includes strategies to promote disability and inclusion awareness within the broader community of the East Pilbara. This has been added as a new Outcome in the updated Draft Disability Access and Inclusion Plan 2015 – 2019.

In April 2013 the Disability Services Commission notified all public authorities in WA of an amendment to DAIPs that require the addition of a new outcome, 'Outcome 7: Employment of People with Disability' in all Disability Access and Inclusion Plans. Amended DAIPs that include the addition of Outcome 7 are to be submitted to the Disability Services Commission by 1 July 2015. Outcome 7: Employment of People with Disability' is included in the updated Draft Disability Access and Inclusion Plan 2015 – 2019.

STATUTORY IMPLICATIONS/REQUIREMENTS

Disability Services Act (WA) 1993: Sections 28 - 29B

Disability Services Regulations (WA) 2004: Sections 5 - 10

POLICY IMPLICATIONS

Nil.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

- 1.3.1 Increase community awareness
Responsible officer: MCW
Timing: 1 year
- 1.3.2 Excellence in customer service
Responsible officer: MFA
Timing: 1-3 years
- 1.3.3 Implement civic engagement projects
Responsible officer: MCW
Timing: 1-3 years

Goal 2 – Social – Planned Actions

The Shire of East Pilbara seeks to foster harmonious communities that acknowledge a shared heritage; develop strong community connections, and have access to relevant and affordable community services and well-managed community infrastructure.

- 2.4 Diverse and inclusive communities
 - 2.4.1 Promote diverse, harmonious and caring communities
Responsible officer: MCW
Timing: 1-3 years
 - 2.4.2 Build strong community groups, networks and governance
Responsible officer: MCW
Timing: 1-5 years
 - 2.4.4 Equity and opportunities for all
Responsible officer: MCW
Timing: 1-3 years

Goal 3 – Economic – Planned Actions

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

3.3 Provide adequate community infrastructure

3.3.2 Build connected and accessible towns

Responsible officer: DTDS

Timing: 1-5 years

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

1.2 Foster a great place to work

1.2.1 Engaged and valued workforce

Responsible officer: MHR

Timing: 1-3 years

1.2.2 Encourage employee health and wellbeing

Responsible officer: MHR

Timing: 1-3 years

1.2.3 Plan, attract and maintain staff

Responsible officer: MHR

Timing: 1-5 years

FINANCIAL IMPLICATIONS

There are no current resources allocated, will need to be considered as part of next budgetary process.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/175

MOVED: Cr Dean Hatwell

SECONDED: Cr Stephen Kiernan

THAT Council approve the advertising and public exhibition of the Draft Disability Access and Inclusion Plan 2015 – 2019 for a period of four (4) weeks.

**CARRIED
RECORD OF VOTE: 11 - 0**

To be actioned by Mr Pip Parsonson, Manager Community Wellbeing.

**9.2.14 AWARD OF TENDER - RFT 02-2014/15 - RSL MEMORIAL STAGE 2
WORKS (MARBLE BAR)**

File Ref: LEG-13-4-2
Attachments: [Confidential – under separate cover](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mr Warren Barker
Coordinator Building Services
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to consider tenders for the RSL Memorial Stage 2 Works at Marble Bar, and to seek approval for the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contract for the successful tenderer.

BACKGROUND

As part of CLGF Financial Assistance Agreement 2012/13 funding of \$200,000 has been approved for the Stage 2 works for the RSL Memorial at Marble Bar.

The Tender Scope of Works included:

- Site preparation for new works including relocation of existing elements as shown drawings.
- New paving to match existing with 'corten' laser cut time line embedded in the concrete paving.
- New interpretive signage and graphics as detailed on drawings.
- New seating and paving areas as shown on drawings.
- Reinstatement of grass landscape area and reticulation.
- Thoroughly clean the site and make good to any damage prior to handover.

NOTE: Marble Bar is in Cyclone Region 'B' and all signage and supports and footings to be constructed to allow for a Cyclone Region 'B' rating.

COMMENTS/OPTIONS/DISCUSSIONS

The tender was advertised in the West Australian newspaper on Saturday, 20th December, 2014 and on the Shire's website. The tender was also advertised on the Tenderlink e-Tendering Portal.

Closing date for the tender was 11:00am on Tuesday, 10th February, 2015.

At close of tender four (4) tenders were received as follows:

Tenderer
RBT - Robinson Buildtech
Landscaping WA Pty Ltd
Centrefield Holdings t/a In-Situ Construction and Maintenance Pty Ltd
Gumala Enterprises Pty Ltd

Of the four tender submissions received, three (3) were compliant and one (1) was not compliant.

The documentation outlined the qualitative selection criteria with the associated weightings for the evaluation of the tenders as follows:

No.	Criteria	Weighting
1	Demonstrated Understanding	40%
2	Tendered Price	25%
3	Relevant Experience	20%
4	Key Personnel Skills and Experience	10%
5	Tenderers Resources	5%

Value for money and costing also formed part of the assessment and consideration. A full assessment of the tender submissions is attached under separate confidential cover.

The results of the tender assessment indicate that Centrefield Holdings t/a In-Situ Construction and Maintenance Pty Ltd is the most advantageous to Council, offering local knowledge, skills and demonstrated ability in this area.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

10.12 PURCHASING AND TENDER PROCEDURES



10.12| Purchasing and Tender Procedures

Responsible Directorate	Technical and Development Services
Responsible Officer	Chief Executive Officer Deputy Chief Executive Officer Director Technical and Development Services
File Number	TCH 1-7

Objective

1. To provide compliance with the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996* (as amended).
2. To set guidelines which must be followed when inviting tenders for works and services within the Shire.
3. To ensure consistency that purchasing activities integrate within all Shire of East Pilbara operational areas.

Purchase Procedures

NOTE: All Figures in this policy are exclusive of GST

The following procedures will be adhered to when purchasing items and other goods and services as per the adopted budget. All purchase orders are to be completed as set out below.

\$0 - \$50	Under direction from the authorised supervisor, petty cash may be utilised for purchases in this range.
\$51 - \$5,000	Under direction from the authorised supervisor, a purchase order book will be utilised without quotes necessarily being obtained.
\$5,001 - \$39,999	Under direction from the authorised supervisor, a purchase or other order will be utilised and three verbal or written quotes shall be obtained.
\$40,000 - \$99,999	Under direction from the authorised supervisor, and in consultation with the Chief Executive Officer, the Deputy Chief Executive Officer and/or the Director Technical and Development Services a purchase order will be utilised and three written quotes shall be obtained. In obtaining written quotations the Council Purchasing Service shall be utilised wherever practicable.



\$100,000 & greater	Under direction from the authorised supervisor tenders will be invited as follows. If work is allowed for in the budget a request for tender form is to be submitted to the Chief Executive Officer for approval. If the work is not allowed for in the budget permission to go to tender must be obtained from Council.
---------------------	--

Capital Expenditure

All capital purchase orders will be signed by the Chief Executive Officer, Deputy Chief Executive Officer or the Director Technical & Development Services with the exception of road construction and plant fleet which can be signed by Manager Technical Services – Rural.

Definition of a Capital Item for the purpose of the Shire of East Pilbara:

1. Any item budgeted as a capital item in the adopted budget;
2. Any item to be purchased, which involves the replacement of an existing asset through the sale, trade-in, write-off or disposal of an item on the fixed asset register.

Refer to the Accounting Policy in the Council's Policy Manual for the further treatment of non-current assets.

No item of a capital nature may be purchased unless included in the adopted budget, or if unbudgeted, has been approved by "absolute majority" of Council prior to the purchase of the item. (Council has no retrospective right of approval of purchase of non-budgeted items of capital).

In order to preserve the cash flow of the Shire, major items of budgeted capital expenditure should be deferred, where possible, until the second or third quarter of the financial year. However all capital orders must be raised by the 30 April to allow adequate time for payment by June 30 of each year. In all cases, the timing of the expenditure on major items of capital should be discussed and agreed with the Deputy Chief Executive Officer.

Orders for Goods & Services

Purchase orders must be made out and signed by authorised persons for all goods and services ordered for the Shire at the time that the order is placed. **Orders should never be raised retrospectively.**

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$100,000. If the purchase is in excess of \$100,000 a requisition is to be authorised by the Chief Executive Officer prior to the order being issued:

1. Deputy Chief Executive Officer
2. Director Technical & Development Services
3. Manager Technical Services – Rural (road construction and plant only)



The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$30,000. If the purchase is in excess of \$30,000 a requisition is to be authorised by their supervisor prior to the order being issued;

1. Managers
2. Coordinator Property Services

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$10,000.

1. Coordinators
2. Works Supervisor (Newman and Marble Bar)

If the purchase is in excess of \$10,000 a requisition is to be authorised by their supervisor prior to the order being issued.

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to a maximum value of \$2,000:

1. Duty Officers – Newman Aquatic Centre
2. Team Leader – Works Crew (Newman)
3. Field Officer and client Services – Martumili
4. Technical Services Administration Officer
5. RPT Bus Driver
6. Executive Services Administration Officer (restricted to staff and councillor training/conference expenses)
7. Asset and Procurement Officer

Light Vehicle Purchases

The designated Fleet Officer is authorized to purchase light vehicles under \$100,000 utilising the WA State Purchasing Agreement and adhering to Council's budget decisions and Councils Light Vehicle Policy. Any vehicle incurring the luxury car tax will have to be approved by the Chief Executive Officer or the Deputy Chief Executive Officer.

Consultants Services

Services separately identified in the adopted budget to be at officer's discretion up to \$20,000.

Between \$20,001 and \$100,000 a Request For Quote procedure shall be utilised, in compliance with purchase thresholds.

A request for services, which it is envisaged, will exceed \$100,000 shall undergo the full tender process.



Light Vehicle Disposals

The preference for the disposal of light vehicles (less than \$100,000) is by public auction.

The reserve sale price is to be determined by the Manager Technical Services – Rural in conjunction with the Chief Executive Officer and/or the Director Technical and Development Services.

The following information sources will be utilised in determining the reserve sale price:

1. Valuation by the auction house.
2. Valuation from a recognised source ie: red book.
3. Internet research.
4. Past sales by auction house.

Disposals are to be completed within the same financial year, or within 3 months of receipt of a new vehicle, whichever is the sooner to maximise sales return

Regulatory Compliance

In the following instances public tenders or quotation procedures are exempt (regardless of the value of expenditure):

1. An emergency situation as defined by the Local Government Act 1995;
2. The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
3. The purchase is under auction which has been authorised by Council;
4. The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
5. Any of the other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 apply;
6. The purchase is under the Shire of East Pilbara Supplier Panel and is under \$30,000 exc GST.



References	<ul style="list-style-type: none"> • <i>Local Government Act 1995</i> • <i>Local Government (Functions and General) Regulations 1996 (as amended)</i> 		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	5 May 2006	Item No	
Review/Amendment Date	27 April 2007	Item No	9.3.5
Review/Amendment Date	24 July 2009	Item No	9.4.1
Review/Amendment Date	29 January 2010	Item No	9.1.6
Review/Amendment Date	11 March 2011	Item No	9.2.5
Review/Amendment Date	3 February 2012	Item No	9.1.8
Review/Amendment Date	25 May 2012	Item No	9.2.4
Review/Amendment Date	28 July 2012	Item No	9.2.7
Review/Amendment Date	28 June 2013	Item No	9.2.6
Review/Amendment Date	27 September 2013	Item No	9.2.7
Review/Amendment Date	6 December 2013	Item No	9.2.9
Review/Amendment Date	24 April 2014	Item No	9.2.17
Next Review			

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

- 1.1 Efficient and effective local government
 - 1.1.1 Ethical, accountable and transparent decision-making
 - Responsible officer: DCEO
 - Timing: As appropriate

Goal 2 – Social – Planned Actions

The Shire of East Pilbara seeks to foster harmonious communities that acknowledge a shared heritage; develop strong community connections, and have access to relevant and affordable community services and well-managed community infrastructure.

- 2.3 Art, culture and youth
 - 2.3.1 Develop and implement community pride projects
 - Responsible officer: MCW
 - Timing: 1 year

FINANCIAL IMPLICATIONS

\$200,000 allocated from CLGF funding. Balance to be sourced from municipal funds, through the reduction in key matrix capital expenditure GL49027.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/176

MOVED: Cr Lang Coppin

SECONDED: Cr Anita Grace

THAT Council

1. Award Tender 02-2014/15 RSL Memorial Stage 2 Works (Marble Bar) to Centrefield Holdings t/a In-Situ Construction & Maintenance for the tendered price of \$226,290.00 (gst ex)
2. Approve the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contract between the Shire and Centrefield Holdings t/a In-Situ Construction & Maintenance with respect to this Tender.
3. Approve the additional expense to be sourced from the unexpended key matrix capital account 49027.

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0

To be actioned by Mr Warren Barker, Coordinator Property Services.

9.2.15 MONTHLY FINANCIAL STATEMENTS - NOVEMBER 2014

Attachments: [November 2014 Variance Report.doc](#)
[November Monthly Financial Statements.pdf](#)

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Mrs Lisa Davis
Coordinator Financial Services

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To provide Councillors with a monthly financial statement on the operations of Council.

BACKGROUND

The attached 12-page report details the financial activities of the Council for the period November 2014 of the 2014/2015 financial year –

There are 4 sections of the monthly report:

1. An operating statement comparing income and expenditure to the adopted budget for each function of Council.
2. A more detailed schedule which breaks the operating statement down into the various operational sections and departments of Council.
3. A schedule detailing all expenditure for the year to date for individual capital items.
4. A statement of cash flows.

COMMENTS/OPTIONS/DISCUSSIONS

The Deputy Chief Executive Officer will provide an overview and explanation as required of how to interpret the financial statement at the meeting.

Reportable variations in accordance with accounting policies are as follows:

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 6 Financial Management
Division 4 General financial provisions
Section 6.4(2)

"The financial report is to –

- (a) be prepared and presented in the manner and form prescribed; and*
- (b) contain the prescribed information."*

Local Government (Financial Management) Regulations 1996
Part 4 Financial reports
Reg 34(1) -

"A Local Government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –

- (a) annual budget estimates ...*
- (b) budget estimates to the end of the month to which the statement relates;*
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) the net current assets at the end of the month to which the statement relates."*

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY

Complies with Council's Accounting Policies as per the current Policy Manual.

PLAN FOR FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/177

MOVED: Cr Shane Carter

SECONDED: Cr Dean Hatwell

That the monthly financial statements for the period November 2014 of the 2014/2015 financial year as presented be received.

CARRIED
RECORD OF VOTE: 11 - 0

To be actioned by Mrs Lisa Davis, Coordinator Financial Services.

9.2.16 MONTHLY FINANCIAL STATEMENTS - DECEMBER 2014

Attachments:	December 2014 Variance Report.doc December Monthly Financial Statements.pdf
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mrs Lisa Davis Coordinator Financial Services
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

To provide Councillors with a monthly financial statement on the operations of Council.

BACKGROUND

The attached 13-page report details the financial activities of the Council for the period December 2014 of the 2014/2015 financial year –

There are 4 sections of the monthly report:

5. An operating statement comparing income and expenditure to the adopted budget for each function of Council.
6. A more detailed schedule which breaks the operating statement down into the various operational sections and departments of Council.
7. A schedule detailing all expenditure for the year to date for individual capital items.
8. A statement of cash flows.

COMMENTS/OPTIONS/DISCUSSIONS

The Deputy Chief Executive Officer will provide an overview and explanation as required of how to interpret the financial statement at the meeting.

Reportable variations in accordance with accounting policies are as follows:

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 6 Financial Management
Division 4 General financial provisions
Section 6.4(2)

“The financial report is to –

- (a) *be prepared and presented in the manner and form prescribed; and*
- (b) *contain the prescribed information."*

Local Government (Financial Management) Regulations 1996
Part 4 Financial reports
Reg 34(1) -

"A Local Government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –

- (a) *annual budget estimates ...*
- (b) *budget estimates to the end of the month to which the statement relates;*
- (c) *actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
- (d) *material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) *the net current assets at the end of the month to which the statement relates."*

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY

Complies with Council's Accounting Policies as per the current Policy Manual.

PLAN FOR FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/178

MOVED: Cr Gerry Parsons

SECONDED: Cr Shane Carter

That the monthly financial statements for the period December 2014 of the 2014/2015 financial year as presented be received.

CARRIED
RECORD OF VOTE: 11 - 0

To be actioned by Mrs Lisa Davis, Coordinator Financial Services.

9.2.17 CREDITORS FOR PAYMENT

File Ref: FIN10-2

Attachments: [Schedule of Accounts Cheque.pdf](#)
[Schedule of Accounts EFT.pdf](#)
[Schedule of Accounts Manual Chq.pdf](#)

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Mrs Jeanette Bessell
Finance Officer

Location/Address: 06/03/15

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

Council endorsement of payment to creditors.

BACKGROUND

As per the attachment list, outlines payments made to creditors since the Council meeting on the 30/01/15.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT26884 – EFT27291	\$4,702,501.88,
	Total	\$4,702,501.88
Cheque Payments	CHQ23334 – CHQ23384	233,296.46
Manual Cheque Payments	CHQ220 – CHQ221	21,302.59
	Total	\$254,599.05
	GRAND TOTAL	<u>\$4,957,100.93</u>

Please note the computer system allows for only a limited field for the description of goods/services purchased, therefore the description shown on the attached Schedule of Accounts may not show the entire description entered for the goods/services purchased.

CANCELLED AND UNUSED CHEQUES:

UNUSED CHEQUES
CHQ23383

CANCELLED CHEQUES & EFTS
26905 and 27280

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government (Financial Management) Regulations 1996
Part 2 – General financial management
Reg 11

- (1) *A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of –*
- (a) *cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and*
 - (b) *petty cash systems.*

Local Government (Financial Management) Regulations 1996
Part 2 – General financial management
Reg 12

- (1) *A payment may only be made from the municipal fund or the trust fund –*
- (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds – by the CEO; or*
 - (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*
- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY IMPLICATIONS

Nil.

PLAN FOR THE FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

Total expenses of \$4,957,100.93

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/179

MOVED: Cr Gerry Parsons

SECONDED: Cr Stephen Kiernan

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT26884 – EFT27291	\$4,702,501.88,
	Total	\$4,702,501.88

Cheque Payments	CHQ23334 – CHQ23384	233,296.46
Manual Cheque Payments	CHQ220 – CHQ221	21,302.59
	Total	\$254,599.05

GRAND TOTAL	\$4,957,100.93
--------------------	-----------------------

CARRIED
RECORD OF VOTE: 11 - 0

To be actioned by Mrs Jeanette Bessell, Finance Officer.

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

9.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS - JANUARY 2015

File Ref: CLR 4-5
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

11:45 AM Mr Allen Cooper left Chambers.
11:47 AM Mr Allen Cooper returned to the Chambers
11:50 AM Cr Stephen Kiernan left Chambers.
11:59 AM Cr Stephen Kiernan returned to the Chambers
12:05 PM Cr Anita Grace left Chambers.
12:05 PM Ms Sian Appleton left Chambers.
12:08 PM Cr Anita Grace returned to the Chambers
12:11 PM Ms Sian Appleton returned to the Chambers

REPORT PURPOSE

To inform of the action taken in relation to Council decisions.

BACKGROUND

Council requested to be informed of the progress and completion of previous decisions.

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Section 2.7
The role of the council

(1) *The council –*

- (a) directs and controls the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

(2) *Without limiting subsection (1), the council is to -*

- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies.*

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/180

MOVED: Cr Gerry Parsons

SECONDED: Cr Biddy Schill

THAT the "Status of Council Decisions" – Director Technical and Development Services for January 2015 be received.

**CARRIED
RECORD OF VOTE: 11 - 0**

To be actioned by Mr Rick Miller, Director Technical and Development Services.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
16 December 2011	13.5	SIGNS – RECOGNITION ON THE DESERT ROADS Cr Lang Coppin asked if it was possible to get plaques/signs about the history and stories of the desert roads e.g.: rabbit proof fence. People always stop to read on their travels and Shire of East Pilbara needs recognition for these roads.	DTDS CEO DCEO	Nov 2013 - Cr Lang Coppin & DTDS travelled desert roads and recorded condition of windmills and marked points of interest for future tourist mapping. Executive to allocate resources to develop themes and seek funding	Pending

**SHIRE OF EAST PILBARA
ORDINARY COUNCIL MEETING MINUTES**

6 MARCH, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
23 August 2013	13.3	WOODIE WOODIE AREA Cr Kevin Danks has asked if it was possible to have the correct names on the signs. Cr Kevin Danks will give the correct names. Director Technical and Development Services to follow up.	MTS-R	Installations has commence and completion 1 st week March	March 2015
23 May 2014	13.1	CAPE KERAUDREN BOAT RAMP Cr Stephen Kiernan asked if the width of the boat ramp can be looked at, as it could be a hazard especially at night time. Director Technical and Development Officer to follow up.	MTS-R	Rock work stabilisation to ramp sides complete for gravelling of access. Concrete works to ramp to happen in March 2015	March 2015
27 th June 2014	13.5	ROCK WALL – RADIO HILL Cr Shane Carter asked if the rock wall up on Radio Hill can be completed as it was never finished. Mr Rick Miller, Director Technical and Development Services to follow up.	DTDS MTS-N	Repairs to existing wall completed. Matching stone to be sourced to complete final 8 metres. Quotes being accessed	March 2015
26 September 2014	13.1	DOG AGILITY PARK Cr Anita Grace asked if we can investigate water being installed at the dog agility park in Newman.	DTDS MDS-H	Design and costings to be investigated	March 2015
26 September 2014	13.5	AIRPORT RESIDENCE CARDS Cr Biddy Schill asked if the Newman Airport residence cards can be sent to residents in towns outside of Newman, with their rates receipt. Mr Rick Miller, Director Technical & Development Services, to investigate.	DTDS DCEO CEO	Options to be investigated by Executive	March 2015
12 December 2014	13.2	WATER WELLS / WINDMILLS Cr Lang Coppin asked if the Shire of East Pilbara can organise and other parties to help maintain the water wells / windmills along the desert roads as	DTDS MTS-R	Discussions have been held with relevant communities and arrangements will be made to select and	Completed

**SHIRE OF EAST PILBARA
ORDINARY COUNCIL MEETING MINUTES**

6 MARCH, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		it will save lives. Director Technical and Development Services to follow up.		prioritise well repairs. Report on works will be included in info bulletin	
12 December 2014	13.4	SOLAR LIGHTING – NULLAGINE TOWN PARK Cr Biddy Schill asked if there could be solar lighting install at the town park as she attended the Christmas Tree Lighting no lighting available and it was very dark. Director Technical and Development Services to follow up.	DTDS MTS-R	To be investigated and costed for budget consideration.	February 2015
12 December 2014	13.6	NULLAGINE RUBBISH TIP Cr Biddy Schill said there was a sign at the rubbish tip stating NO oil, batteries and tyres to be left at the Nullagine Rubbish Tip. What are the residents of Nullagine supposed to do with these? Mr Rick Miller, replied that it is illegal to dispose of oil, batteries and tyres at the Nullagine tip and suggests the residents keep these until they are heading towards Newman or Port Hedland, as these refuse tips have the correct disposal for such items.	DTDS	Will further investigate other solutions Investigating setting aside lockable area that could be manned for set hours per week. Assessing compliance with regulation	March 2015
12 December 2014	13.9	DINGO PARK – DOUBLE GATE Cr Lynne Craigie asked if it was possible to get the double gate system on both sides of the dog park as it is only on one side at the moment and when you open the single gate the dogs tend to run out. Director Technical and Development Services to follow up.	DTDS MTS-N	Completed	February 2015 Completed
30 January 2015	13.3	SIGNS MARBLE BAR AIRPORT Cr Dean Hatwell asked if the airport signs going to the airport from Marble Bar	MTS-R	In Progress	March 2015

**SHIRE OF EAST PILBARA
ORDINARY COUNCIL MEETING MINUTES**

6 MARCH, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		and Port Hedland sides can be replaced as they still have the telephone sign on them. Director Technical and Development Services to follow up.			
30 January 2015	13.4	SEATING IN FRONT OF CRC MARBLE BAR Cr Dean Hatwell asked if the seats in front of the Marble Bar CRC office can be cleaned as they dirty. Director Technical and Development Services to follow up.	DTDS MTS-R	A works request has been raised	Feb 2015
30 January 2015	13.5	MARBLE BAR HOUSE NUMBERING Cr Dean Hatwell asked for an update regarding the house numbers. Mr Rick Miller replied due to an error in the purchasing of the house numbers this had been put on hold. Numbers have been re-ordered and advertising, getting the message out to the Marble Bar residents will be happening very soon.	DTDS TSAO	New numbers were delivered to MB. Plates were wrong colour and supplier is sending new set at their cost	April 2015
30 January 2015	13.9	CONTRACTORS Cr Lang Coppin asked due to fuel prices dropping is this being reflected in a decrease on road maintenance contractor rates. Mr Rick Miller replied that he would have the arrangements reviewed.	DTDS MTS-R	The rates were set as hourly rates at the time tender was awarded for duration of contract	Completed
30 January 2015	13.12	WASTED WATER AT IRRUNGADJI COMMUNITY Cr Biddy Schill said there was a lot of water going to waste at the community and if it was possible for the Shire to contact the Water Department to investigate. Director Technical and Development Services to follow up	DTDS TSAO	The water corporation has been advised	Completed

9.3.2 AFFIXING COMMON SEAL TO EVOQUA WATER TECHNOLOGIES PTY LTD

File Ref: LEG 13-4-11
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr Rick Miller
Director Technical and Development Services
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To inform Council of use of delegation of authority provided on 30 January 2015 to award tender and to request authority to execute the contract document under common seal.

BACKGROUND

At Ordinary Council Meeting held 30 January 2015, Council resolution 201415/156:

THAT Council delegate authority to the CEO (or in the absence of the CEO the Acting CEO) under s.5.42(1) and (2) and s.5.43(b) of the Local Government Act, to accept the following tenders for the period up to the 6th March, 2015 up to the value of the nominated amounts:

Tender No	Description	Funding Provider	Expenditure Account	Budget Amount (ex GST)
RFT 02-2014/15	Marble Bar RSL Park Memorial Stage 2	CLGF	119054	\$200,000
RFT 05-2014/15	Newman Administration Office Extension	CLGF	49021	\$500,000
RFT 13-2014/15	Crib Rooms & Amenities Marble Bar & Nullagine Depots	CLGF	129594 129608	\$330,000 \$190,000
RFT 11-2014/15	Chlorination Plant, Pumps & Associated Equipment Servicing	Municipal Funds	111149, 111195 & 101106	\$671,800pa

COMMENTS/OPTIONS/DISCUSSIONS

The Shire of East Pilbara is committed to providing efficient and effective services that represents “value for money” to its residents/community not only for main town of the district Newman but also for remotely located town Marble Bar. Hence, the Shire of East Pilbara requires various chlorination plant, pumps and associated equipment to be fully serviced at recommended frequency’s (currently twice per year), which is including but not limited to the Shire of East Pilbara’s:-

- Waste Water Treatment plant (Newman),
- Capricorn Sport Ovals (Newman),

- East Newman Irrigation system (East Newman)
- Two (2) swimming pools.
 - One (1) located at Newman and
 - One (1) located at Marble Bar.

The servicing of Chlorination Plant and Pumps for the Shires two (2) Swimming Pools and Newman Waste Treatment Plant is to align with *the Shire of East Pilbara Strategic Community Plan 2013-2022 "Our Key Priorities- 3.3.1 "Ensure well managed and equitable provision of community infrastructure" and 4.2.2. "Promote improved water management"*.

These services are funded through the relevant operational accounts in the adopted budget.

It was required to advertise a tender to undertake the procurement for the services of Chlorination plant, pumps and Associated Equipment services for the Shire of East Pilbara.

The request for tenders closing date was Friday 12 December 2014. Six (6) tender submissions, including an alternative offer, were received from the following companies:

Broom Family Trust, Pump n Seal Australia, Hydramet Pty Ltd (both conforming and alternative offer), Evoqua Water Technologies and Commercial Aquatics Australia.

The tender evaluation assessed each submission against a set of qualitative criteria being; Experience and Capacity, Personnel/Locality, Performance and Plant and Equipment. This was then considered in conjunction with the submitted price. After evaluation it was determined that the most advantageous offer for quality and pricing to Council was provided by Evoqua Water Technologies Pty Ltd.

This recommendation was presented to the CEO to consider and award under delegated authority Tender RFT 11–2014/2015 Chlorination Plant, Pumps and Associated Equipment Servicing for the Shires Newman Waste Water Treatment Plant, Two (2) Swimming Pools and Irrigation Systems to Evoqua Water Technologies Pty Ltd for an initially period of 2 (two) years, with an option of an additional 1 (one) plus 1 (one) year extension, as per tendered specifications for the annual lump sum amount of \$ 129,302 per annum Exclusive of GST.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 3 - Functions of local governments (Division 3 - Executive functions of local governments) (Subdivision 6 - Various executive functions) 3.57. Tenders for providing goods or services (pg 70)

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2003

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and the President and the Chief Executive Officer's attestations affixing the seal. Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

3.3 Provide adequate community infrastructure

3.3.1 Ensure well managed and equitable provision of community infrastructure

Responsible officer: MBA

Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/181

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

THAT Council approve the Chief Executive Officer to affix the common seal of the Shire of East Pilbara to the contract between the Shire and Evoqua Water Technologies Pty Ltd for Servicing of Chlorination Plant, Pumps & Associated Equipment.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

To be actioned by Mr Rick Miller, Director Technical and Development Services.

**9.3.3 DELEGATION TO CHIEF EXECUTIVE OFFICER TO AWARD TENDERS
FOR THE PERIOD TO 24 APRIL 2015**

File Ref: LEG-13-41-4
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr Rick Miller
Director Technical and Development Services
Location/Address: Kalgan and Newman Drive, Newman landfill
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To request Council to delegate authority to the CEO to award tenders for the period up to the next Ordinary Council meeting to be held on the 24th April, 2015. This is to allow projects that have tight timelines or related to grants and acquittals to be progressed to minimise the risk of losing grant funding and to deliver the works program.

BACKGROUND

Shire officers have reviewed the adopted budget and noted that some of the subject approved projects are linked to external funding and/or have certain timeframes for works to be completed and acquitted. With funding becoming more and more difficult to obtain, funding bodies are also tightening up on acquittal timelines and in some cases money allocated is being withdrawn, if projects run over the agreed time. To minimise the risk of this occurring with Shire projects, staff have identified projects as likely to be tendered and could be awarded before 24th April, 2015 to assist in meeting the delivery and acquittal deadlines.

The Kalgan & Newman Drive projects will have an outcome of improved safety and involve road widening, road reconstruction, pathway reconstruction and alignment and improved lighting and the weighbridge project will improve operations and meet objectives of the waste minimisation strategy and Department Environment & Regulations reporting requirements.

Tender No	Description	Funding Provider	Expenditure Account	Budget Amount (ex GST)
RFT 14-2014/15	Kalgan and Newman Drive Construction of Roadworks	National Blackspot Program (100% funded)	129598 129600	\$810,000
RFT 16-2014/15	Newman Landfill Weighbridge	Shire	109017	\$300,000

The successful tenderers contracts will also require Shire execution under common seal.

COMMENTS/OPTIONS/DISCUSSIONS

It will be recommended that the CEO (or in the absence of the CEO, the Acting CEO) be delegated authority to award tenders for the following projects up to the nominated values:

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 3 - Functions of local governments (Division 3 - Executive functions of local governments) (Subdivision 6 - Various executive functions) 3.57. Tenders for providing goods or services (pg 70)

Part 5 - Administration (Division 4 – Local government employees) 5.42. Delegation of some powers and duties to CEO (pg 153)

- (1) A local government may delegate (absolute majority required) to the CEO the exercise of any of its powers or the discharge of any of its duties under-
- (a) this act other than those referred to in section 5.43; or
- (2) A delegation under this section is to be in writing and may be general or otherwise provided in the instrument of delegation.

Part 5 - Administration (Division 4 – Local government employees) 5.43. Limits on delegations to CEO (pg 153)

A local government cannot delegate to a CEO any of the following powers or duties –

(b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.

POLICY IMPLICATIONS

10.12 Purchasing and Tender Procedures

Responsible Directorate	Technical and Development Services
Responsible Officer	Chief Executive Officer Deputy Chief Executive Officer Director Technical and Development Services
File Number	TCH 1-7

Objective

1. To provide compliance with the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996* (as amended).
2. To set guidelines which must be followed when inviting tenders for works and services within the Shire.
3. To ensure consistency that purchasing activities integrate within all Shire of East Pilbara operational areas.

Purchase Procedures

NOTE: All Figures in this policy are exclusive of GST

The following procedures will be adhered to when purchasing items and other goods and services as per the adopted budget. All purchase orders are to be completed as set out below.

\$0 - \$50	Under direction from the authorised supervisor, petty cash may be utilised for purchases in this range.
\$51 - \$5,000	Under direction from the authorised supervisor, a purchase order book will be utilised without quotes necessarily being obtained.
\$5,001 - \$39,999	Under direction from the authorised supervisor, a purchase or other order will be utilised and three verbal or written quotes shall be obtained.
\$40,000 - \$99,999	Under direction from the authorised supervisor, and in consultation with the Chief Executive Officer, the Deputy Chief Executive Officer and/or the Director Technical and Development Services a purchase order will be utilised and three written quotes shall be obtained. In obtaining written quotations the Council Purchasing Service shall be utilised wherever practicable.
\$100,000 & greater	Under direction from the authorised supervisor tenders will be invited as follows. If work is allowed for in the budget a request for tender form is to be submitted to the Chief Executive Officer for approval. If the work is not allowed for in the budget permission to go to tender must be obtained from Council.

Capital Expenditure

All capital purchase orders will be signed by the Chief Executive Officer, Deputy Chief Executive Officer or the Director Technical & Development Services with the exception of road construction and plant fleet which can be signed by Manager Technical Services – Rural.

Definition of a Capital Item for the purpose of the Shire of East Pilbara:

1. Any item budgeted as a capital item in the adopted budget;
2. Any item to be purchased, which involves the replacement of an existing asset through the sale, trade-in, write-off or disposal of an item on the fixed asset register.

Refer to the Accounting Policy in the Council's Policy Manual for the further treatment of non-current assets.

No item of a capital nature may be purchased unless included in the adopted budget, or if unbudgeted, has been approved by "absolute majority" of Council prior to the purchase of the item. (Council has no retrospective right of approval of purchase of non-budgeted items of capital).

In order to preserve the cash flow of the Shire, major items of budgeted capital expenditure should be deferred, where possible, until the second or third quarter of the financial year. However all capital orders must be raised by the 30 April to allow adequate time for payment by June 30 of each year. In all cases, the timing of the expenditure on major items of capital should be discussed and agreed with the Deputy Chief Executive Officer.

Orders for Goods & Services

Purchase orders must be made out and signed by authorised persons for all goods and services ordered for the Shire at the time that the order is placed. **Orders should never be raised retrospectively.**

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$100,000. If the purchase is in excess of \$100,000 a requisition is to be authorised by the Chief Executive Officer prior to the order being issued:

1. Deputy Chief Executive Officer
2. Director Technical & Development Services
3. Manager Technical Services – Rural (road construction and plant only)

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$30,000. If the purchase is in excess of \$30,000 a requisition is to be authorised by their supervisor prior to the order being issued;

1. Managers
2. Coordinator Property Services

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$10,000.

1. Coordinators
2. Works Supervisor (Newman and Marble Bar)

If the purchase is in excess of \$10,000 a requisition is to be authorised by their supervisor prior to the order being issued.

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to a maximum value of \$2,000:

1. Duty Officers – Newman Aquatic Centre
2. Team Leader – Works Crew (Newman)
3. Field Officer and client Services – Martumili
4. Technical Services Administration Officer
5. RPT Bus Driver
6. Executive Services Administration Officer (restricted to staff and councillor training/conference expenses)
7. Asset and Procurement Officer

Light Vehicle Purchases

The designated Fleet Officer is authorized to purchase light vehicles under \$100,000 utilising the WA State Purchasing Agreement and adhering to Council's budget decisions and Councils Light Vehicle Policy. Any vehicle incurring the luxury car tax will have to be approved by the Chief Executive Officer or the Deputy Chief Executive Officer.

Consultants Services

Services separately identified in the adopted budget to be at officer's discretion up to \$20,000.

Between \$20,001 and \$100,000 a Request For Quote procedure shall be utilised, in compliance with purchase thresholds.

A request for services, which it is envisaged, will exceed \$100,000 shall undergo the full tender process.

Light Vehicle Disposals

The preference for the disposal of light vehicles (less than \$100,000) is by public auction.

The reserve sale price is to be determined by the Manager Technical Services – Rural in conjunction with the Chief Executive Officer and/or the Director Technical and Development Services.

The following information sources will be utilised in determining the reserve sale price:

1. Valuation by the auction house.
2. Valuation from a recognised source ie: red book.
3. Internet research.
4. Past sales by auction house.

Disposals are to be completed within the same financial year, or within 3 months of receipt of a new vehicle, whichever is the sooner to maximise sales return

Regulatory Compliance

In the following instances public tenders or quotation procedures are exempt (regardless of the value of expenditure):

1. An emergency situation as defined by the Local Government Act 1995;
2. The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
3. The purchase is under auction which has been authorised by Council;
4. The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
5. Any of the other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 apply;
6. The purchase is under the Shire of East Pilbara Supplier Panel and is under \$30,000 exc GST.

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2003

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and the President and the Chief Executive Officer's attestations affixing the seal. Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

- 1.1.3 Effective business management
 - Responsible officer: DCEO
 - Timing: 1-3 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/182

MOVED: Cr Dean Hatwell

SECONDED: Cr Shane Carter

- 1. THAT Council delegate authority to the CEO (or in the absence of the CEO the Acting CEO) under s.5.42(1) and (2) and s.5.43(b) of the Local Government Act, to accept the following tenders for the period up to the 24th April, 2015 up to the value of the nominated amounts:**

Tender No	Description	Funding Provider	Expenditure Account	Budget Amount (ex GST)
RFT 14-2014/15	Kalgan and Newman Drive Construction of Roadworks	National Blackspot Program (100% funded)	129598 129600	\$810,000
RFT 16-2014/15	Newman Landfill Weighbridge	Shire	109017	\$300,000

- 2. Approve the Chief Executive Officer to affix the common seal of the Shire of East Pilbara to the contracts between the Shire of East Pilbara and the successful tenders.**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

To be actioned by Mr Rick Miller, Director Technical and Development Services.

9.3.4 DOGS PROHIBITED AREA – CAPRICORN RESERVE

File Ref: A409370
Attachments: [Capricorn Dogs Prohibited.jpg](#)
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Andrew Norris
Coordinator Ranger and Emergency Services
Location/Address: Capricorn Reserve
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To declare by resolution Dog Prohibited Areas for the football oval portion of the Capricorn Reserve as per point 3 of the previous resolution relating to Dog Exercise Areas contained in Council minutes of 26 September, 2014 Council meeting.

BACKGROUND

Under changes to the Dog Act 1976, Council now has to declare dog prohibited areas by resolution. Council on 25 July 2014 made a resolution giving notice of its intent to declare the football oval portion of Capricorn Reserve a prohibited area.

At the Ordinary Council Meeting September 26th, 2014, Council resolved the following:

COUNCIL RESOLUTION: 201415/69

MOVED: Cr Dean Hatwell

SECONDED: Cr Gerry Parsons

1. Declare the following areas dog prohibited areas:
 - a) a public building, unless permitted by a sign;
 - b) a theatre or picture gardens;
 - c) all food premises and food transport vehicles;
 - d) a public swimming pool;
 - e) a public toilet block or changing room; and
 - f) a cemetery, unless otherwise provided for in the local governments local law relating to cemeteries.
 - g) Lot 36 Wilara Street, Newman and Lot 33 Kurra Street, Newman (jointly known as Snake Park).
 - h) around children's play equipment comprising an area set aside by a wall or fence as, or where there is no wall or fence, an area within 10 metres of the edge of playing equipment or apparatus;
2. Declare the following areas dog exercise areas, subject to the specified exclusions:
 - a) Newman - Reserve 38372, Capricorn Oval, Thulluna Crescent
 - b) Newman - Lot 840 Boorthanna Crescent
 - c) Newman - Reserve 38512, Boomerang Oval & Dog Agility Area, Newman Drive

- d) Nullagine - Reserve 23348, 167 Cooke Street, Nullagine

Exclusions:

- i. an area set aside by a wall or fence around children's play equipment or where there is no wall or fence, an area within 10 metres of the edge of playing equipment or apparatus;
- ii. an area within 10 metres of the edge of a playing field being used for sporting or other activities, as permitted by the local government, during the times of such use; or
- iii. a car park, thoroughfare, access way or right of way. and;

3. **To give notice of its intention to declare that the football oval at Capricorn Reserve is prohibited to dogs at all times, as shown on Map A-38372.**
4. To give notice of its intent to declare Lots 229 and 230 Marble Bar prohibited to dogs, as shown on Map E-229 230.
5. To investigate alternative sites in Marble Bar for use as a dog exercise area
6. To investigate a potential dog exercise area in East Newman.
7. This resolution is subject to any written law and any law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992* (Commonwealth) section 9(2).

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0

COMMENTS/OPTIONS/DISCUSSIONS

To progress the matter, Public Notice was advertised in the Northwest Telegraph Newspapers on 14 and 28 January 2015. Public notices were erected at the proposed prohibited areas in early February advertising the changes and no comment has been received to date.

Copies of the advertisements are contained below.



After the declaration of the prohibited areas, provision has been made to further advise the public of the change via the Shire of East Pilbara website, public notices and signage. It is intended that these areas come into force as from the 31st March, 2015. Rangers will then enter into an education phase to alert dog owners of the changes and the alternative locations.

(Newman Lot1955)

STATUTORY IMPLICATIONS/REQUIREMENTS

LOCAL GOVERNMENT ACT 1995

Part 1 - Introductory matters 1.7. Local public notice (pg. 8)

Part 1 - Introductory matters 1.9. Decisions by absolute majority (pg. 9)

DOG ACT 1976 (As Amended)

Section 31 - Control of dogs in certain public places.

Section 31(5) - A local government must specify dog exercise areas.

Local Governments are required to give 28 days' notice of the intention to specify dog prohibited areas or dog exercise areas. Once the council resolution has been passed, the local government should inform the public of the new restrictions via appropriate signage at relevant public places, on their website and on Council noticeboards.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

1.1 Efficient and effective local government

1.1.1 *Ethical, accountable and transparent decision-making*

Goal 2 – Social – Planned Actions

The Shire of East Pilbara seeks to foster harmonious communities that acknowledge a shared heritage; develop strong community connections, and have access to relevant and affordable community services and well-managed community infrastructure.

2.1 Health and recreation

2.1.1 *Promote safe and healthy communities*

2.1.2 *Encourage active lifestyles*

2.1.3 *Encourage high rates of participation in community activities and events*

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/183

MOVED: Cr Gerry Parsons

SECONDED: Cr Shane Carter

1. Declare the following area a dog prohibited area as of 7th March 2015:
 - i. The portion of Capricorn Reserve that comprises the football oval bounded by the existing fence, as shown highlighted in red on the attached Plan A - Capricorn Reserve.
2. This resolution is subject to any written law and any law of the Commonwealth about assistance animals (guide dogs and similar) as defined in the *Disability Discrimination Act 1992 (Commonwealth) section 9(2)*.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

To be actioned by Mr Andrew Norris, Coordinator Ranger & Emergency Services.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

12:15 PM Meeting adjourned for Lunch.

1:16 PM Meeting resumed, All Councillors and staff returned to Chambers.

Nil

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL

11.1 NEW POLICY – JUNIOR COMMUNITY AND SPORTING ORGANISATIONS ASSISTANCE POLICY BE ACCEPTED AS ITEM 11.1.1

COUNCIL RESOLUTION: 201415/184

MOVED: Cr Shane Carter

SECONDED: Cr Gerry Parsons

THAT the New Policy – Junior Community and Sporting Organisations Assistance Policy be accepted as item 11.1.1.

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0

11.1.1 NEW POLICY - JUNIOR COMMUNITY AND SPORTING ORGANISATIONS ASSISTANCE POLICY

File Ref:	LEG-2-1
Attachments:	Junior Community and Sporting Organisations Assistance Policy final.docx
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Emma Whakaruru Coordinator Administration Services
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to consider adopting new policy - Junior Community and Sporting Organisations Assistance Policy.

BACKGROUND

To establish the process in which junior community and sporting organisations receive in-kind contributions made by Council.

COMMENTS/OPTIONS/DISCUSSIONS

The draft policy was presented to Corporate at the Corporate Discussion Session held on 30 January 2015.

Council can support, not support or amend the Policy.

The Policy is detailed below:

JUNIOR COMMUNITY AND SPORTING ORGANISATIONS ASSISTANCE POLICY

Policy

Responsible Directorate	Corporate and Community Services
Responsible Officer	Manager Recreation and Events
File Number	LEG-2-1

Objective

To establish the process in which junior community and sporting organisations receive in-kind contributions made by Council.

Policy

1. Applications will be received by non-profit junior community and sporting organisations (excluding Government Departments or Agencies), based in the Shire East Pilbara who seek free use of ovals; green spaces; courts; Council facilities and associated equipment.
2. Junior community and sporting organisation must meet the following eligibility criteria:
 - a) Organisations are to be based within the Shire of East Pilbara
 - b) Organisations must be an organisation that is not for profit - meaning any monies generated are used to carry out the purpose of the organisation and are not distributed to any of its members
 - c) Offers programmes, activities and events for junior members of the community whom are aged between 4 -16 years.
3. Organisations must make application for this support, prior to an event or activity occurring, using the appropriate application form for in kind usage.
4. Organisations must complete the Hire Application Form and sign and agree to the Conditions of Hire together with supplying the appropriate supporting documentation eg fixtures, Public Liability insurance with the booking application.

5. The associated costs with any free use shall be documented and costed according to the relevant charges cited in the current Fees and Charges document.
6. Costs associated with lighting on ovals, courts and inside Council facilities and bonds are not included with this policy.
7. Costs associated with electricity charges of a Council facility are not included within this policy.
8. This policy will only apply to those organisations that do not have existing debts with the Shire of East Pilbara.
9. Throughout the term of hire all monies for lights and electricity accrued shall be up to date and not in arrears.
10. The Shire of East Pilbara will document all in-kind contributions as per the established internal processes.
11. The Shire of East Pilbara will consider its level of financial contribution to this policy at the annual budget meeting.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

New Policy Making Guidelines:

1. Draft policies are to be in standard format and include policy objectives and the policy statement.
2. Discuss reasons for the policy with your supervisor and prepare an amended/final draft.
3. The policy is to be presented and discussed at the Executive Management meeting.
4. The policy is to be presented at Corporate Discussion for input from Councillors.
5. The policy will then be presented to Council for adoption and inclusion in the Staff Policy Manual.

NOTE: New policies or major amendments will not be permitted at the annual review of the Staff Policy Manual.

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

The Shire of East Pilbara seeks to foster harmonious communities that acknowledge a shared heritage; develop strong community connections, and have access to relevant and affordable community services and well-managed community infrastructure.

2.1 Health and recreation

2.1.2 Encourage active lifestyles
Responsible officer: MCW
Timing: 1-3 years

2.1.3 Encourage high rates of participation in community activities and events
Responsible officer: MCW
Timing: 1 year

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/185

MOVED: Cr Dean Hatwell

SECONDED: Cr Craig Hoyer

THAT Council adopt the Junior Community and Sporting Organisations Assistance Policy as attached.

CARRIED

RECORD OF VOTE: 11 - 0

To be actioned by

**11.2 AIRPORT AVIATION FEES AND CHARGES – OVERALL REVIEW BE
ACCEPTED AS ITEM 11.2.1**

COUNCIL RESOLUTION: 201415/186

MOVED: Cr Shane Carter

SECONDED: Cr Gerry Parsons

**THAT the Airport Aviation Fees and Charges – Overall Review be accepted as
item 11.2.1.**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

11.2.1 AIRPORT AVIATION FEES AND CHARGES – OVERALL REVIEW

File Name: Aviation F&C R1 OLD ONE THAT WAS PUT IN THE MINUTES BY MISTAKE.docx - This line will not be printed do
not delete

File Ref: FIN-23-10

**Responsible Officer: Mr Rick Miller
Director Technical and Development Services**

**Author: Mr Leon Burger
Manager Airport Services**

Proposed Meeting Date: 6 March 2015

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council's approval for the review of airport Aviation Fees and Charges (A-F&C) for implementation from 1 July 2015.

BACKGROUND

The A-F&C approved for FY2009/10 for the use of Newman Airport has remained unchanged to the present, with the exception of combining the scheduled services Landing- and Terminal Co-user Fees effective 26 October 2012 (**COUNCIL RESOLUTION: 201213/205**).

Even this rationalisation of the two fees did not constitute any increase in costs to the airlines.

The logic behind keeping A-F&C constant for a period of five years was to provide both airlines and the shire with a stable operating cost- and income base upon which business plans can be developed. However, this period has now expired and in the interest of sound financial and business practices it is necessary to review these F&C.

The logic behind the policies applicable to specific A-F&C will require review in terms of their current applicability and industry norms.

DISCUSSION

FY 2014-15 A-F&C

The following A-F&C are current for Newman Airport (GST Inc).

Function 12 – Transport FY2014-15		
Aerodromes		
Landing Fees		
All landing aircraft 10,000kg MTOW and above	20.65	Per 1,000 Kg Pro-Rata
All landing aircraft 5,000 - 10,000kg MTOW	14.14	Per 1,000 Kg Pro-Rata
All landing aircraft up to 5,000kg MTOW	10.99	Per 1,000 Kg Pro-Rata
Aircraft exempted from Landing Fees	Free	As Approved By The CEO
Set Fee per RPT Landing	453.20	Includes all scheduled flights
Minimum monthly charge per invoice	11.00	
Apron Parking Fees		
All aircraft up to 5,000kg MTOW	8.56	Per date or part thereof
All aircraft > 5,000kg MTOW	2.44	Per 1,000 kg Pro-Rata, Per Date or part thereof
Passenger Service Charge		
Departing	21.02	Per passenger
Arriving	21.02	Per passenger
Children Under 12 years of age	Free	
Transit Passengers	Free	
Screening Fees		
Departing Passengers Over 2 years of age	9.23	All RPT Flights to be screened. All Non-RPT flights of MTOW>20,000 kgs to be screened

Price Index Comparisons

According to the latest Department of Statistics data the Average Perth CPI from September 2009 until September 2014 has been 2.7%/annum. This equates to a compound price index rise over this five-year period of 14.25%.

In a document released by the Department of Regional Development and Lands – Regional Price Index 2011 – the All Groups Price index for the Pilbara as compared to Perth is 137.1%, and for Newman specific 137.9%. Some significant indicators for Newman that directly affects our Business Plans are the Transport index of 114.8%, and Insurance at 392.4%.

The above document does not address the costs of services such as maintenance, materials and construction. However, in the WA State Aviation Strategy released by the Department of Transport in 2014, it acknowledges that both CAPEX and OPEX costs of maintaining and expanding airport infrastructure in Regional WA is as high as 250-300% of that in capital cities. Whereas this is not expected to change significantly over the next few years for regional airport operators, airlines have been

capitalising on the significant changes in the AUD/US\$ exchange rates and lower fuel prices.

It therefore stands to reason that an overall review of A-F&C is required to ensure that future financial demands can be met in terms of airport Operational, Asset Management and supporting Business Plans. Where specific policies apply to individual F&C they should be addressed individually, while a percentage fee increase to all F&C should be implemented.

In view of the fact that no F&C increases have been implemented for the past six years, a general increase of 5% applicable to all A-F&C is considered to be reasonable. It will furthermore be prudent in future to adjust airport F&C annually by at least the current Perth CPI, including other external factors impacting on the Business Plans.

Set Fee per Scheduled Landing

Until 2010 the largest aircraft to be operated into Newman were the QantasLink B717 and F100 aircraft at 50 tonnes and 44 tonnes respective MTOW (Maximum Take-off Weight), and the Virgin operated E190 aircraft at 48 tonnes. However, in 2009 this airport was only serviced by F100 aircraft. Calculated at the per-tonnage rate, the landing fee for such an aircraft should therefore be \$ 1032.50 (GST Incl). When compared to the fixed RPT Landing Fees in 2009 of \$ 412.00, this equates to 45.35% of the per-tonnage fee, or a fee discounted at 54.65%.

With the introduction of larger B738 aircraft in March 2011, and the A320 in September 2012, the per-tonnage comparison against the applicable set fees changed considerably. The comparison is against the set RPT fee FY2009/10 of \$ 374.55 + \$ 37.45 GST = \$ 412.00 (GST Incl).

<u>Aircraft</u>	<u>MTOW</u>	<u>Rate/t</u>	<u>Normal Fee</u>	<u>Set RPT Rate</u>	<u>Discounted Rate</u>
B738	77t	20.65	\$ 1,589.82	\$ 412.00	74.09%
A320	78t	20.65	\$ 1,610.70	\$ 412.00	74.42%

Post September 2012 the terminal co-user fees were rolled into the set RPT Landing Fees. Even when compared to that apparent increase in landing fees, the percentages do not change significantly (GST Incl).

<u>Aircraft</u>	<u>MTOW</u>	<u>Rate/t</u>	<u>Normal Fee</u>	<u>Set RPT Rate</u>	<u>Discounted Rate</u>
B738	77t	20.65	\$ 1,589.82	\$ 453.20.00	71.49%
A320	78t	20.65	\$ 1,610.70	\$ 453.20.00	71.86%

Due to the restrictions of having only three RPT (Regular Public Transport) parking bays, the introduction of larger capacity aircraft, coupled to the introduction of a slot system in July 2012, partially solved apron congestion resulting from the abnormal increases in both aircraft movements and passenger numbers between FYE 2010 and FYE 2013. The increased revenue from these streams somewhat offset the fact that no adjustments to A-F&C were implemented.

However, the increases in aircraft MTOW have had a significant impact on the airport infrastructure, especially the runways, taxiways and RPT Apron. Since January 2012 in excess of AUD10M has been spent on improving, upgrading and maintaining the operational infrastructure.

The historic rationale to apply a fixed RPT Landing Fee of about a 50% discount rate is understandable when only aircraft of 40-50t MTOW serviced Newman. However, the introduction of the heavier aircraft, their effect on the manoeuvre surfaces and the effective discount rate of 74% can no longer be accommodated. It should also be noted that other regional airports within the Pilbara do not offer a reduced rate to scheduled operators.

Due to the significant differences between the various aircraft MTOW, a single figure will not be appropriate. It would be simpler and more applicable to apply a reduced per tonnage rate to scheduled flights that will still provide airlines with some benefits, but also close the discount gap that has developed. A standard 40% reduction in the per-tonnage rate, coupled to the abolishment of the Terminal Co-user fee, will provide such a state and will be easy to administer through AvData.

Even at the discount rate of 40%, a net increase in income of 50% can be expected.

SCHEDULED LANDING FEES COMPARISON (GST Incl)

Aircraft Type	Jul-14	Set RPT Fee/Landing	Income	Jul-15	MTOW - Tonnes	Fee/t	Fee/Landing	Income @ Normal Rates	Airlines Discounted @ 40%
F100	1	\$453.20	\$453.20	6	44	\$19.71	\$867.24	\$5,203.44	\$3,122.06
B717	8	\$453.20	\$3,625.60	14	50	\$19.71	\$985.50	\$13,797.00	\$8,278.20
E190	4	\$453.20	\$1,812.80	3	48	\$19.71	\$946.08	\$2,838.24	\$1,702.94
B737	35	\$453.20	\$15,862.00	24	77	\$19.71	\$1,517.67	\$36,424.08	\$21,854.45
A320	4	\$453.20	\$1,812.80	0	78	\$19.71	\$1,537.38	\$0.00	\$0.00
Charters				1	44	\$19.71	\$867.24	\$867.24	\$520.34
TOTAL/Week	52		\$23,566.40	48				\$59,130.00	\$35,478.00
Annualized			\$1,225,452.80					\$3,074,760.00	\$1,844,856.00
				Increase Income - Landing Fees				\$619,403.20	50.54%

Passenger Service Charge (PSC)

The Passenger Service Charges revenue stream constitutes the bulk of the aviation income stream. It applies to all arriving and departing passengers, with the exception of transit passengers and children below the age of 12. The exception of transit passengers are an industry norm, and at Newman applies primarily to passengers disembarking during technical stops, where Newman is not their initial point of departure or final destination by air.

However, the industry norm is for all passengers above the age of 2 years of age to be charged PSC, or a discounted rate for passenger between 2 and 12 years of 50%. The shire's approved screening F&C applies to all departing passengers above the age of 2 years.

It will therefore be in line with the industry norm and screening F&C to reduce the age for PSC from 12 to 2 years of age.

Excluding Screening Fees which are budget neutral, PSC constitutes 89.15% of current A-F&C. Excluding the interest on reserves, A-F&C constitutes 90.24% of overall airport income (FY2014/15 budget). Based on the passenger numbers forecast for FY2014/15 of 420,000 passengers as compared to actual numbers, a reduction of 8.76% is currently forecasted. In terms of loss of income this equates to \$703,248. As there is no evidence to date that the decline in passenger numbers will stabilise or recover, the trend is expected to continue.

The introduction of a 5% increase to these fees (as discussed above) will recover some of the lost revenue due to the decline in passenger numbers.

The five-year forecast below is a comparison to the forecast Aviation Income for FY2014/15, and based on the following assumptions:

- No increase per annum in aircraft movements or passengers numbers for the first three years, and thereafter a 3%/annum increase.
- An annual adjustment of A-F&C of a Perth CPI of 2.5%.
- Screening fees are adjusted annually by the CPI as per the services agreement.

	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
		0.00%	0.00%	0.00%	3.00%	3.00%
Aircraft Movements	3,000	2,704	2,704	2,704	2,785	2,869
Passenger Numbers	385,000	385,000	385,000	385,000	396,550	408,447
		0%	0%	0%	3%	3%
Passenger Service Fees	\$8,092,700	\$8,496,950	\$8,709,374	\$8,709,374	\$8,970,655	\$9,239,775
Landing Fees - RPT Aircraft	\$1,225,453	\$3,047,408	\$3,123,593	\$3,123,593	\$3,217,301	\$3,313,820
Landing & Parking Fees - GA	\$54,000	\$54,000	\$55,350	\$56,734	\$58,152	\$59,606
Screening	\$1,757,600	\$1,757,600	\$1,801,540	\$1,846,579	\$1,892,743	\$1,940,062
Aviation F&C	\$11,129,753	\$13,355,958	\$13,689,857	\$13,736,279	\$14,138,851	\$14,553,262

The introduction of a 5% increase to these fees (as discussed above) will recover some of the lost revenue due to the decline in passenger numbers.

Screening Fees

Screening Fees were approved by Council on 31 January 2014 (**RESOLUTION: 201314/211**).

Comparative screening costs based on these factors are:

FY 2014/15		FY 2015/16	
Operating, equipment & site lease costs	\$ 301,651.42	Operating, equipment & site lease costs	\$ 308,596.91
Total Staffing Contract Costs	\$ 1,687,379.15	Total Staffing Contract Costs	\$ 1,448,987.30
Total Recoverable Security Screening Costs	\$ 1,989,030.57	Total Recoverable Security Screening Costs	\$ 1,757,584.21
Annual Departing passengers	237,000	Annual Departing passengers	192,500
Total Annualised passenger charge (Excl)	\$ 8.39	Total Annualised passenger charge (Excl)	\$ 9.13
GST	0.84	GST	.91
Total Annualised passenger charge (GST Incl)	\$ 9.23	Total Annualised passenger charge (GST Incl)	\$ 10.04

Whereas Total Recoverable Screening Costs have decreased by 14.1%, the outgoing passenger numbers have decreased by 18.78 %. The latter is therefore the primary driver of the overall increase of 8.78% in the cost per passenger for screening services at Newman.

New Route Incentive

In April 2012 Council approved the New Route Incentive: **RESOLUTION: 201112/268**

In the interest of still attracting new routes into/out of Newman, this concession should be maintained. The variation being the change of age limit of passengers to which PSC applies.

Resident Air Services Operators

Five different companies (mainly within the General Aviation category) currently use Newman Airport as base of operations. These companies are charged at the standard A-F&C rates.

Across the industry it is standard practice to provide resident operators with concessionary rates, mainly due to their frequency of use. Different models can be devised and implemented, but the most commonly used are flat monthly/annual rates – irrespective of the number of landings – vs a percentage concession against standard rates.

The first option is dependent on an operator having a finite and definable fleet of aircraft. In the second option a discount rate is simply applied to an account issued

against standard rates to the specific operator – irrespective of which company aircraft is involved.

At Newman Airport only one operator actually has a defined number of aircraft. Others often exchange aircraft from other basis, or fly aircraft in as required for maintenance. This category of operators is difficult to monitor, and will therefore not be practical within Option One.

In adopting Option Two, AvData can be instructed to apply a discount rate to their invoices. An applicable discount rate should be similar to that offered to scheduled service; 40%.

Airside Escorting

Airside vehicle access is regulated through the Office of Transport Security (OTS) regulations and the Newman Airport Transport Security Plan (TSP). An Authority to Drive Airside (ADA) is issued to drivers and vehicles that qualify in terms of these regulations and plans. These are generally limited to:

- Operators that have the requirement to drive airside in the execution of their daily duties, and are in possession of a valid security clearance card.
- Identified vehicles that are to be used during such tasks.

Examples of operators/vehicles that qualify for ADAs are (but not limited to):

- Airport management staff and vehicles.
- NWAS staff and vehicles.
- Resident air operators staff and vehicles; limited to demonstrated requirements.

However, it regularly occurs that visiting aircraft (General Aviation) require baggage and freight to be transported airside by vehicle. In such an event an Aerodrome Reporting Officer (ARO) has to escort such a vehicle airside. During normal operating hours such a duty requires an ARO to be diverted from his/her daily duties to perform escort duties. However, after hours it requires a call-out of the duty ARO for escort duties.

Duty AROs are compensated for afterhour's works at the shire approved overtime rates. If escort services are required it therefore has a direct financial implication to this shire; whether during or outside normal working hours. As such services are not generally required by the majority of visiting aircraft, it cannot be categorised as being covered by other A-F&C such as landing and parking fees. It is customer specific.

Other airports within the Pilbara do charge airside escort fees. The shire has no historic fees within this category. However, under Function 14 – Private Works, an hourly labour rate of \$ 75.90 + \$ 7.59 GST = \$83.59 has been adopted.

Adopting a similar rate rounded up to \$81.82 + \$8.18 GST = \$90.00 per hour, billed at a minimum first 30 minutes and thereafter at 15 minute increments, will enable the shire to recover the costs associated with airside escort duties.

Notice to Airlines

Resolution 201314/211 regarding Screening F&C also states that these F&C will be reviewed by the shire in February of each year for implementation from the start of a new FY. In order for airlines to incorporate any A-F&C changes into their ticketing price structures, they require a 90 day notification of such changes. If changes in Screening F&C are to be incorporated into ticket pricings, then it stands to reason that any other A-F&C changes should be done likewise.

In order to meet this timeline it is therefore vital that the proposed changes to A-F&C be approved by Council ahead of the standard F&C and budget approvals processes based on:

6 March 2015	Council adopt A-F&C for FY 2015/16
31 March 2015	FY 2015/16 A-F&C distributed to airlines and published on website
April – June 2015	90-day window for airlines to adjust ticket pricing.

CONCLUSION

Restructuring Newman Airport Aviation Fees and Charges based on the above therefore results in (GST Inc):

Function 12 – Transport FY2015-16		
Aerodromes		
Landing Fees		
All landing aircraft 10,000kg MTOW and above	21.68	Per 1,000 Kg Pro-Rata
All landing aircraft 5,000 - 10,000kg MTOW	14.85	Per 1,000 Kg Pro-Rata
All landing aircraft up to 5,000kg MTOW	11.54	Per 1,000 Kg Pro-Rata
Aircraft exempted from Landing Fees	Free	As Approved By The CEO
Scheduled Services	60%	Of the per tonnage rate
Resident Operators	60%	Of the per tonnage rate
New Route Concession		Full landing/parking fees applicable
Minimum monthly charge per invoice	11.00	
Apron Parking Fees		
All aircraft up to 5,000kg MTOW	8.99	Per date or part thereof
All aircraft > 5,000kg MTOW	2.56	Per 1,000 kg Pro-Rata, Per Date or part thereof
Scheduled Services	60%	Of the per tonnage rate
Resident Operators	60%	Of the per tonnage rate
Airside Escort Duties	90.00	Per hour: minimum charge 30 minutes with 15 minute increments
Passenger Service Charge		
Departing	22.07	Per passenger

Arriving	22.07	Per passenger
New Route Concession	11.00	Per passenger
Children Under 2 years of age	Free	
Transit Passengers	Free	
Screening Fees		
Departing Passengers Over 2 years of age	10.04	All RPT Flights to be screened. All Non-RPT flights of MTOW>20,000 kgs to be screened

By comparison with a neighbouring airport within the Pilbara, and assuming a 70 t MTOW aircraft with a 160 seat capacity and 100% load factor, the figures would be:

	Newman (FY15/16)	Karratha (FY 14/15)
Landing	\$ 910.56	\$ 2,884.00
Parking	\$ 179.20	\$ 189.00
PSC	\$ 7,062.40	\$ 5,001.60
Screening	<u>\$ 1,606.40</u>	<u>\$ 1,849.60</u>
Totals:	\$ 9,758.56	\$ 9,924.20

POLICY IMPLICATIONS

3.4 BUDGET AMENDMENTS

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.2 Asset Management

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/187

MOVED: Cr Shane Carter

SECONDED: Cr Anita Grace

That Council:

- Approves the reviewed and amendments to Newman Airport Aviation Fees and Charges for implementation effective 01 July 2015 as set out below.

Function 12 – Transport FY2015-16		
Aerodromes		
Landing Fees		
All landing aircraft 10,000kg MTOW and above	21.68	Per 1,000 Kg Pro-Rata
All landing aircraft 5,000 - 10,000kg MTOW	14.85	Per 1,000 Kg Pro-Rata
All landing aircraft up to 5,000kg MTOW	11.54	Per 1,000 Kg Pro-Rata
Aircraft exempted from Landing Fees	Free	As Approved By The CEO
Scheduled Services	60%	Of the per tonnage rate
Resident Operators	60%	Of the per tonnage rate
New Route Concession		Full landing/parking fees applicable
Minimum monthly charge per invoice	11.00	
Apron Parking Fees		
All aircraft up to 5,000kg MTOW	8.99	Per date or part thereof
All aircraft > 5,000kg MTOW	2.56	Per 1,000 kg Pro-Rata, per date or part thereof
Scheduled Services	60%	Of the per tonnage rate
Resident Operators	60%	Of the per tonnage rate
Airside Escort Duties	90.00	Per hour: minimum charge 30 minutes with 15 minute increments
Passenger Service Charge		
Departing	22.07	Per passenger
Arriving	22.07	Per passenger
New Route Concession	11.00	Per passenger
Children Under 2 years of age	Free	
Transit Passengers	Free	
Screening Fees		
Departing Passengers Over 2 years of age	10.04	All RPT Flights to be screened. All Non-RPT flights of MTOW>20,000 kgs to be screened

- That Aviation Fees and Charges be reviewed annually by at least the current Perth CPI, including other external factors impacting on the Business Plans, effective 1 July of the applicable FY.
- That notice of the adopted fees be advertised pursuant to section 6.19 Local Government Act 1995.
- That such fees and charges be included in Council's FY2015/16 budget.

CARRIED
RECORD OF VOTE: 11 - 0

To be actioned by Mr Leon Burger, Chief Operating Officer Airports.

11.3 BUDGET REVIEW AS AT 31 JANUARY 2015 BE ACCEPTED AS ITEM 11.3.1

COUNCIL RESOLUTION: 201415/188

MOVED: Cr Shane Carter

SECONDED: Cr Gerry Parsons

THAT the Budget Review as at 31 January 2015 be accepted as item 11.3.1.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

11.3.1 BUDGET REVIEW AS AT 31 JANUARY 2015

File Ref:	FIN-23-10
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mrs Lisa Davis Coordinator Financial Services
Proposed Meeting Date:	06 March 2015
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to consider and accept the budget review as at 31 January 2015.

BACKGROUND

This report outlines projected variance with the 2014/2015 budget and proposed changes to the budget and brief explanation of why the changes are required. Also attached is a seventeen page report detailing projected actual figures to 31 January and variance against budget figures.

There are three sections to the budget review attachment:

1. A financial activity report outlining variance against project actuals and the 2014/2015 budget.
2. A reconciliation of projected actual capital expenditure against the 2014/2015 budget.
3. Projected net assets as at 30 June 2015.

COMMENTS/OPTIONS/DISCUSSIONS

The Deputy Chief Executive Officer will provide an overview and explanation as required of how to interpret the Budget Review.

The bought forward surplus in the budget varied by \$1.5 million from the actual bought figure. Over \$1.0 million of this expenditure was allowed for in the budget

however approximately \$500,000 was not. This means there was initially an overspend of this amount.

As at the 31 January material variances in the operating and capital budget are as follows:

General Purpose Funding – Function 3

Interim rates up on budget by approximately \$300,000.

Governance – Function 4

Supervision Fee income is down on budget by \$190,000. Underspend on wages approximately \$170,000.

Education and Welfare – Function 8

Staff vacancies mean underspend of approximately \$150,000

Community Amenities – Function 10

Estimated tip fees and liquid disposal fees are up on budget by approximately \$300,000. Planning applications are down on budget - \$150,000.

Recreation and Culture – Function 11

Staff vacancies mean underspend of approximately \$150,000

Transport – Function 12

Plant purchases underspend of approximately \$400,000.

All areas not specifically mentioned remain within variance levels to budget targets. Excluding noncash items and funding programmes a surplus of approximately \$750,000 is currently forecast.

The following additional expenditure on capital is submitted for consideration by Council:

New Capital Expenditure		
Archive Shed – Depot	New	250,000
Family, Children and Youth Infrastructure Planning	Increase	100,000
Nullagine Crib rooms	Increase	130,000
Marble Bar Crib rooms	Increase	40,000
Newman Fitness Centre Upgrade	Change	150,000
TOTAL ADDITIONAL CAPITAL EXPENDITURE		670,000

Note: The fitness Centre Upgrade is being funded by savings in the Recreation Centre area.

It is recommended that the \$200,000 reserve transfer for plant does not occur as the plant purchases underspend owing to savings was \$400,000.

Capital Items not Undertaken		
Business Incubator Land purchase		350,000
Lot 500 Land Purchase		40,000
Nullagine Public Toilets		90,000
TOTAL CAPITAL WORK NOT UNDERTAKEN		480,000

Proposed New Reserve Transfers		
Long Service Leave		100,000
Waste Management		200,000
TOTAL CAPITAL WORK NOT UNDERTAKEN		300,000

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government (Financial Management) Regulations 1996 – Part 3 Annual Budget s6.2

33A. *Review of budget*

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
 - (a) *consider the local government’s financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
 - (b) *consider the local government’s financial position as at the date of the review; and*
 - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*

**Absolute majority required.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

Local Government Act 1995 Part 6, Division 4

6.11. *Reserve accounts*

- (1) *Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.*
- (2) *Subject to subsection (3), before a local government —*
 - (a) *changes* the purpose of a reserve account; or*

(b) uses the money in a reserve account for another purpose,
it must give one month's local public notice of the proposed change of purpose or proposed use.*

** Absolute majority required.*

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

The Shire of East Pilbara seeks to deliver high quality corporate governance and demonstrate accountability to its constituents. All decisions are informed by community engagement – leading to the effective allocation of the Shire's resources – that deliver optimum benefits to the community.

- 1.1 Efficient and effective local government
 - 1.1.1 *Ethical, accountable and transparent decision-making*
Responsible officer: DCEO
Timing: As appropriate
 - 1.1.2 *Continued strong financial management*
Responsible officer: DCEO
Timing: 1 year

FINANCIAL IMPLICATIONS

If the budget review is accepted by Council it is expected that Council will bring forward a surplus of approximately \$165,000 into the 2015/2016 year.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/189

MOVED: Cr Lang Coppin

SECONDED: Cr Gerry Parsons

THAT Council

1. Accept the Budget Review for the 31st January 2013 as set out.
2. Authorise additional capital expenditure from surplus as follows:

New Capital Expenditure		
Archive Shed – Depot		200,000
Newman Fitness Centre Upgrade		150,000
TOTAL ADDITIONAL CAPITAL EXPENDITURE		350,000

3. Authorise additional reserve transfers as follows:

Proposed New Reserve Transfers		
Long Service Leave		100,000
Waste Management		200,000
TOTAL CAPITAL WORK NOT UNDERTAKEN		300,000

4. Authorise that the budgeted transfer from Plant Reserve to municipal for \$200,000 does not occur.

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0

12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

12.1 MEETING CLOSED TO MEMBERS OF THE PUBLIC

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/190

MOVED: Cr Shane Carter

SECONDED: Cr Gerry Parsons

THAT in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

- (a) A matter affecting an employee or employees.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

12.1.1 ANNUAL PERFORMANCE REVIEW APPRAISAL - CHIEF EXECUTIVE OFFICER

File Ref: ADM-1-1

**Responsible Officer: Cr Lynne Craigie
Shire President**

**Author: Mr Allen Cooper
Chief Executive Officer**

1:37 PM Ms Sian Appleton left Chambers.

1:37 PM Mr Rick Miller left Chambers.

1:37 PM Mrs Sheryl Pobrica left Chambers.

PURPOSE

For Council to Consider the outcome of the performance review of the Chief Executive Officer.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/191

MOVED: Cr Anita Grace

SECONDED: Cr Gerry Parsons

THAT the performance review of the Chief Executive Officer be accepted without modification.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

To be actioned by Cr Lynne Craigie, Shire President.

12.2 MEETING OPEN TO MEMBERS OF THE PUBLIC

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/192

MOVED: Cr Shane Carter

SECONDED: Cr Gerry Parsons

THAT in accordance with Section 5.23 (1) of the Local Government Act 1995 the meeting is open to members of the public.

**CARRIED
RECORD OF VOTE: 11 - 0**

1:45 PM *Ms Sian Appleton returned to the Chambers*
1:45 PM *Mr Rick Miller returned to the Chambers*
1:45 PM *Mrs Sheryl Pobrica returned to the Chambers*

13 GENERAL BUSINESS

13.1 ADSL MARBLE BAR

Cr Stephen Kiernan asked the Shire to continue to follow up with Telstra regarding ADSL in Marble Bar.

Mr Allen Cooper, Chief Executive Officer to follow up.

13.2 MARBLE BAR SWIMMING POOL

Cr Dean Hatwell asked if it was possible to get another person or advertise to get a permanent fulltime pool person based in Marble Bar. At the moment the Marble Bar pool person is on a FIFO roster and the pool is closed for a week and then extra days after the person is back due to the chemical levels are not satisfactory.

Ms Sian Appleton replied that they are looking into this and might have a person to take over while the Marble Bar pool person is on the week's leave.

13.3 MARBLE BAR & NULLAGINE AIRSTIPS

Cr Lang Coppin asked why there is a need to change the status of the Marble Bar and Nullagine Airstrips as long as it passes for the Flying Doctors to land and take off.

Mr Rick Miller, Director Technical and Development Officer to follow up.

13.4 MAIN ROADS FENCING FROM MARBLE BAR AND PORT HEDLAND

Cr Kevin Danks asked if the fencing that Main Roads WA is going to construct along the main road from Marble Bar to Port Hedland for cattle and wild life, is it going to be on the existing fence line or will it be placed somewhere else and who will be responsible for the ongoing maintenance.

Mr Rick Miller, Director Technical and Development Services to follow up.

13.5 CAPE KERAUDREN

Cr Shane Carter said he went to the Cape recently and the water bore was constantly running and when he asked the Ranger why it was on, he mentioned it was to stop the cows entering the ranger's station area. He then asked is it possible to get fencing around the Ranger's house and also is it possible to get showers installed at the Cape.

Ms Sian Appleton, Deputy Chief Executive Officer replied this is already in the Cape Keraudren report and the infrastructure is in the budget for works to be completed.

13.6 CAPE KERAUDREN ENTRANCE

Cr Shane Carter asked if it was possible to get a sign put up at the Cape, at the pay toll advising patrons what their entrance fee covers.

Coordinator Building Services to follow up.

13.7 NULLAGINE FOOTBRIDGE

Cr Biddy Schill asked who is responsible to repair the footbridge from town to Irrudjundji Community as it is lifting.

Director Technical and Development Services to follow up.

13.8 NULLAGINE BANNERS

Cr Biddy Schill asked when is Nullagine going to get banners for the banner poles as she has been asked where the banners are.

Ms Sian Appleton, Deputy Chief Executive Officer replied the banners have been ordered.

13.9 NULLAGINE GYM

Cr Biddy Schill asked if there was an alternative to the pub holding the key to the gym as people cannot use the gym while pub is closed and also people are using the gym without paying.

Ms Sian Appleton said they are looking into this with different options eg: CRC Nullagine holding the key and taking payments for the use of the gym.

13.10 NULLAGINE AIRSTRIP

Cr Biddy Schill asked who is responsible for monitoring the condition of the Nullagine Airstrip and advise weather condition.

Mr Rick Miller, Director Technical and Development Services replied it is the responsibility to the pilot to land or not. He will follow up as maybe the Airport Reporting Officer at the mine site nearby may be able to do an inspection.

Mr Rick Miller, Director Technical and Development Services to follow up.

13.11 NULLAGINE CAUSEWAY

Cr Biddy Schill asked if lighting and a path can be installed on the Nullagine Causeway.

Mr Rick Miller, Director Technical and Development Services to follow up as it could be the responsibility of Main Roads WA.

13.12 TREES HANGING OVER POWERLINES

Cr Doug Stead asked if the Shire can contact BHP Billiton regarding the trees hanging over the power lines.

Mr Rick Miller, Director Technical and Development Services to follow up.

13.13 NEWMAN NEIGHBOURHOOD CENTRE BINGO

Cr Gerry Parsons asked what is the reason for the Newman Neighbourhood Centre as they cannot obtain a Bingo permit. Is it possible to follow up and explain the legislation and planning requirements?

Mr Rick Miller, Director Technical and Development Services to follow up.

13.14 NEWMAN NETBALL COURTS

Cr Gerry Parsons said the Newman Netball Courts require urgent repairs as the Newman Netball Association competition starts very soon and Newman will be hosting the 2015 Pilbara Championships.

Ms Sian Appleton, Deputy Chief Executive Officer to follow up.

13.15 TAXI STAND – TOWN CENTRE

Cr Anita Grace asked if the taxi stand can be moved as she felt it is in the wrong location. Sometimes there are many people waiting and they sit on the road causing more problems with commuters walking and driving.

Mr Rick Miller, Director Technical and Development Services to follow up.

13.16 NEWMAN AQUATIC CENTRE WATER PLAY AREA

Cr Lynne Craigie asked what is happening with the water play area.

Ms Sian Appleton, Deputy Chief Executive Officer replied that an audit has been conducted and we are waiting on the report.

13.17 MR RICK MILLER – THANK YOU

Cr Anita Grace acknowledged and thanked Mr Rick Miller for his help after a person had vandalised the electrical box outside the Celebration Liquor Shop which could have caused a major hazard if someone had touch this. Mr Rick Miller helped with the roping off the area and organising the repairs.

14 DATE OF NEXT MEETING

24 April 2015.

15 CLOSURE

2:45 PM