

Unconfirmed copy of Minutes of Meeting held on 24 July 2015 subject to confirmation at meeting to be held on 28 August 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 28/8/2015



A handwritten signature in black ink, appearing to be 'Allen Cooper', is written over the text of the confirmation statement.

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, 24 JULY, 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

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairman declared the meeting open at 10:03 AM and welcomed the Visitors in the public gallery.

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
Dean Hatwell
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 & Development
Services.
Executive Services Administration Officer

Public Gallery

Mr Ben Leahy

Northwest Telegraph

2.2 APOLOGIES

Councillor Apologies

Stephen Kiernan

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 Dean Hatwell

[Minutes June 26 2015 Council.DOCX](#)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/01

THAT the minutes of the Ordinary Meeting of Council held on 26 June 2015, be confirmed as a true and correct record of proceedings.

**CARRIED
RECORD OF VOTE: 8 - 0**

To be actioned by Mr Allen Cooper, Chief Executive Officer

7.2 CONFIRMATION OF PRC MINUTES 29TH JUNE 2015

[PRC Council Minutes 29.06.2015](#)

MOVED: Cr Gerry Parsons

SECONDED: Cr Anita Grace

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/02

THAT the minutes of the Ordinary Meeting of the Pilbara Regional Council held on 29th June 2015, be received.

**CARRIED
RECORD OF VOTE: 8 - 0**

**11.1 DIFFERENTIAL RATING AGENDA REPORT BE ACCEPTED AS ITEM
11.1.1 AND BROUGHT FORWARD AFTER ITEM 7.2**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/03

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

THAT the Differential Rates be accepted as item 11.1.1 and brought forward after item 7.2 so Council can apply to the Department of Local Government and Communities for approval for the differential rates before item 9.2.2 Council Budget 2015/2016 can be accepted.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 8 - 0**

11.1.1 DIFFERENTIAL RATING

File Ref: FIN-22-7
Attachments: Nil
**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 continued implementation of our current differential rating categories and to endorse the imposition of the differential rate categories, as stated, with the adoption of the 2015/2016 budget.

BACKGROUND

Council has adopted a process of differential rating since the 2006/2007 budget. Part of the process is that the intention to differentially rate must be advertised by public notice. In order to again consider differential rates for the 2015/2016 budget advertising must be undertaken.

At the April council meeting Council resolved:-

THAT Council

- 1. Support in principle the following differential rates, subject to the finalisation of the 2015/2016 draft budget and the establishment of the funding shortfall required from imposition of rates on GRV and UV rated properties:*

| | <i>Rate in \$</i> | <i>Minimum</i> |
|--|-------------------|----------------|
| <i>Gross Rental Value – Industrial</i> | <i>1.7521</i> | <i>\$650</i> |

| | | |
|---|--------|-------|
| Gross Rental Value – Town Centre | 4.2362 | \$650 |
| Gross Rental Value – Nullagine Townsite | 7.5373 | \$400 |
| Gross Rental Value – Transient Workforce Accommodation | 3.3661 | \$650 |
| Gross Rental Value – Other | 1.8214 | \$650 |
| Unimproved Value – Pastoral/Special Leases | 4.6477 | \$200 |
| Unimproved Value – AML Leases | 18.229 | \$200 |
| Unimproved Value – Mining Leases | 18.229 | \$200 |
| Unimproved Value – General Leases | 18.229 | \$200 |
| Unimproved Value – Petroleum Leases | 18.229 | \$200 |
| Unimproved Value – Exploration Leases | 16.042 | \$200 |
| Unimproved Value – Prospecting Leases | 16.042 | \$200 |

2. Give local public notice of its intention to implement differential rating in 2015/2016.
3. Apply to the Minister for Local Government for approval to impose differential rates that exceed the statutory two times limit in both the GRV and UV areas for the 2015/2016 financial year

This was based on a 3% yield above last year's income.

On the 13th March 2015 Council received information regarding the Valuation of Land Amendment Bill 2015. This letter is attached for information.

The correspondence states that we would be provided shortly with new values to assist in rate modelling. We have since received these indicative values and further correspondence stating –

“As this takes some time for us to implement this into our system, we have come up with a spreadsheet as a guide that you can use to remodel your rates accordingly if necessary. Please note that this is just a guide and that any changes to the tenement after this data was extracted may effect the value again.

Please find attached a spreadsheet with the “proposed changes” that will occur within your shire due to the legislation changes on certain tenements.”

On the 14th May 2015 Council received new valuations for GRV properties with residential values decreasing by 47.76% on average and commercial decreasing by 60.99% on average.

On the 19th May 2015 Council received changes to pastoral UV values. Correspondence from Landgate stated -

“Rents for Pastoral Leases have recently been reviewed and have resulted in significant changes to the UVs. Leases on minimum rent will see an increase in the UV due to an increase in the minimum rent charged, whilst other Pastoral Leases may show a significant reduction in UVs due to reduced rents charged.”

Accordingly for Council to still achieve the 3% yield increase of rates raised for each category, significant changes needed to be made to the rate in the dollar amounts.

In light of this Council accepted the following resolution at the 26th June 2015 Council meeting.

OFFICER'S RECOMMENDATION

THAT Council

1. **Support in principle the following differential rates, subject to the finalisation of the 2015/2016 draft budget and the establishment of the funding shortfall required from imposition of rates on GRV and UV rated properties:**

| | Rate in \$ | Minimum |
|---|------------|---------|
| Gross Rental Value – Industrial | 1.7521 | \$650 |
| Gross Rental Value – Town Centre | 4.5750 | \$650 |
| Gross Rental Value – Nullagine Townsite | 10.627 | \$400 |
| Gross Rental Value – Transient Workforce Accommodation | 9.8290 | \$650 |
| Gross Rental Value – Other | 3.4242 | \$650 |
| Unimproved Value – Pastoral/Special Leases | 6.0420 | \$200 |
| Unimproved Value – AML Leases | 18.229 | \$200 |
| Unimproved Value – Mining Leases | 18.229 | \$200 |
| Unimproved Value – General Leases | 18.229 | \$200 |
| Unimproved Value – Petroleum Leases | 18.229 | \$200 |
| Unimproved Value – Exploration Leases | 28.880 | \$200 |
| Unimproved Value – Prospecting Leases | 28.880 | \$200 |

2. **Endorse the local public notice given of Council's intention to implement differential rating in 2015/2016.**
3. **Apply to the Minister for Local Government for approval to impose differential rates that exceed the statutory two times limit in both the GRV and UV areas for the 2015/2016 financial year.**

COMMENTS/OPTIONS/DISCUSSIONS

An application was made to the Department of Local government as per this recommendation. Information received from the Department of Local Government suggested changes would be needed to the Rate in the \$ for both the Exploration and Prospecting categories and the Transient Workforce category. These changes are reflected in the following table.

| | Rate in \$ | Minimum |
|---|------------|---------|
| Gross Rental Value – Industrial | 1.6250 | \$650 |
| Gross Rental Value – Town Centre | 4.5950 | \$650 |
| Gross Rental Value – Nullagine Townsite | 9.5000 | \$400 |
| Gross Rental Value – Transient Workforce Accommodation | 7.0000 | \$650 |
| Gross Rental Value – Other | 3.2340 | \$650 |
| Unimproved Value – Pastoral/Special Leases | 6.0420 | \$200 |
| Unimproved Value – AML Leases | 18.1405 | \$200 |
| Unimproved Value – Mining Leases | 18.1405 | \$200 |
| Unimproved Value – General Leases | 18.1405 | \$200 |
| Unimproved Value – Petroleum Leases | 18.1405 | \$200 |
| Unimproved Value – Exploration Leases | 18.1405 | \$200 |

Unimproved Value – Prospecting Leases 18.1405 \$200

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act - Section 6.36. - Local government to give notice of certain rates

- (1) Before imposing any differential general rates or a minimum payment applying to a differential rate category under section 6.35(6)(c) a local government is to give local public notice of its intention to do so
- (2) A local government is required to ensure that a notice referred to in subsection (1) is published in sufficient time to allow compliance with the requirements specified in this section and section 6.2(1).
- (3) A notice referred to in subsection (1) –
 - (a) may be published within the period of 2 months preceding the commencement of the financial year to which the proposed rates are to apply on the basis of the local government's estimate of the budget deficiency;
 - (b) is to contain –
 - (i) details of each rate or minimum payment the local government intends to impose;
 - (ii) an invitation for submissions to be made by an elector or a ratepayer in respect of the proposed rate or minimum payment and any related matters within 21 days (or such longer period as is specified in the notice) of the notice; and
 - (iii) any further information in relation to the matters specified in subparagraphs (i) and (ii) which may be prescribed;

And

- (c) is to advise electors and ratepayers of the time and place where a document describing the objects of, and reasons for, each proposed rate and minimum payment may be inspected.
- (4) The local government is required to consider any submissions received before imposing the proposed rate or minimum payment with or without modification.
- (5) Where a local government –
 - (a) in an emergency, proposes to impose a supplementary general rate or specified area rate under section 6.32(3)(a); or
 - (b) proposes to modify the proposed rates or minimum payments after considering any submissions under subsection (4),It is not required to give local public notice of that proposed supplementary general rate, specified area rate, modified rate or minimum payment.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.1 Financial Stability

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/04

MOVED: Cr Dean Hatwell

SECONDED: Cr Shane Carter

THAT Council

1. Support in principle the following differential rates, subject to the finalisation of the 2015/2016 draft budget and the establishment of the funding shortfall required from imposition of rates on GRV and UV rated properties:

| | Rate in \$ | Minimum |
|---|------------|---------|
| Gross Rental Value – Industrial | 1.6250 | \$650 |
| Gross Rental Value – Town Centre | 4.5950 | \$650 |
| Gross Rental Value – Nullagine Townsite | 9.5000 | \$400 |
| Gross Rental Value – Transient Workforce Accommodation | 7.0000 | \$650 |
| Gross Rental Value – Other | 3.2340 | \$650 |
| Unimproved Value – Pastoral/Special Leases | 6.0420 | \$200 |
| Unimproved Value – AML Leases | 18.1405 | \$200 |
| Unimproved Value – Mining Leases | 18.1405 | \$200 |
| Unimproved Value – General Leases | 18.1405 | \$200 |
| Unimproved Value – Petroleum Leases | 18.1405 | \$200 |
| Unimproved Value – Exploration Leases | 18.1405 | \$200 |
| Unimproved Value – Prospecting Leases | 18.1405 | \$200 |

2. Apply to the Minister for Local Government for approval to impose differential rates that exceed the statutory two times limit in both the GRV and UV areas for the 2015/2016 financial year.

CARRIED
RECORD OF VOTE: 8 - 0

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

10:06 AM Ms Sian Appleton, Deputy Chief Executive Officer left Chambers.

8 MEMBERS REPORT

8.1 ITEMS FOR RECOMMENDATION

8.2 ITEMS FOR INFORMATION

Cr Gerry Parsons attended:

- PRC Meeting – Karratha
- Councillors Newman Shopping Centre Visit
- Newman Neighbourhood Centre Meeting
- Town Square Meeting
- Dinner Minister Tony Simpson
- Meeting Minister Tony Simpson
- Newman Chamber of Commerce and Industry
- Council Budget Meeting

Cr Anita Grace attended:

- NAIDOC Ceremony
- Australian Citizenship
- Dinner Minister Tony Simpson
- Meeting Minister Tony Simpson
- Council Budget Meeting

Cr Shane Carter attended:

- Newman Tourist Visitor Centre Meeting
- Council Budget Meeting

Cr Craig Hoyer attended:

- Dinner Minister Tony Simpson
- Official Opening of the SOEP Art Centre & Martumili Art Gallery
- Councillors Newman Shopping Centre Visit
- AFL Regional Roadshow – Club league Development

Cr Dean Hatwell attended:

- Marble Bar Race Club Committee Meeting
- Marble Bar Tourist Association Meeting
- Marble Bar Community Resource Centre Meeting
- Council Budget Meeting

Cr Lang Coppin attended:

- Council Budget Meeting

Cr Bidy Schill attended:

- Council Budget Meeting

Cr Lynne Craigie attended:

- Dinner Minister Tony Simpson
- Meeting Minister Tony Simpson
- Councillors Newman Shopping Centre Visit
- PRC Meeting – Karratha
- Horizon Power Meetings
- Meeting with Landcorp
- WALGA Meetings
- Newman Chamber of Commerce Professional Event Speaker
- Council Budget Meeting

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JUNE 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: 201516/05

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

THAT the “Status of Council Decisions” – Chief Executive Officer for June 2015 be received.

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | RESPONSIBLE OFFICER | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|-----------------------------|----------------|--|----------------------------|-----------------------------|----------------------------------|
| 6 March 2015 | 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. | CEO | To discuss options with PDC | On going |
| 26 June 2015 | 13.3 | NORTHERN AUSTRALIA WHITE PAPER Cr Lang Coppin asked for a letter of support be sent regarding the Northern Australia White Paper. CEO responded this will be considered for Council in the future. | CEO | Agenda Item to be completed | August 2015 |

**CARRIED
RECORD OF VOTE: 8 - 0**

To be actioned by Mr Allen Cooper, Chief Executive Officer

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JUNE 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

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: 201516/06

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

THAT the “Status of Council Decisions” – Deputy Chief Executive Officer for June 2015 be received.

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | DIRECTORATE | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|----------------------|---------|--|-------------|---|---------------------------|
| 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 | August 2015 |
| 30 January 2015 | 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 | August 2015 |
| 6 March 2015 | 13.9 | NULLAGINE GYM Cr Bidy 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 | DCEO | Still being investigated | September 2015 |

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | DIRECTORATE | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|----------------------|---------|--|-------------|---|---------------------------|
| | | eg: CRC Nullagine holding the key and taking payments for the use of the gym. | | | |
| 24 April 2015 | 9.2.9 | TO REPORT ON THE CONDITION OF THE WATER PLAYGROUND AT THE NEWMAN AQUATIC CENTRE, COMMENT ON ITS COMPLIANCE AND CONSIDER OPTIONS FOR ITS FUTURE | DCEO | Report back to Council | September 2015 |
| 22 May 2015 | 9.2.5 | NULLAGINE COMMUNITY SPACES | DCEO | Further work being undertaken as per resolution | December 2015 |

CARRIED
RECORD OF VOTE: 8 - 0

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

9.2.2 COUNCIL BUDGET 2015 2016

File No: FIN-23-10
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

COUNCIL RESOLUTION: 201516/07

MOVED: Cr Gerry Parsons

SECONDED: Cr Lang Coppin

THAT the item be deferred pending advice on item 11.1.1 from the Department of Local Government and Communities.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 8 - 0**

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

REPORT PURPOSE

To adopt Council's budget for the 2015/2016 financial year.

BACKGROUND

Council is required to adopt its budget for 2015/2016 by the 31st August 2015. The draft budget (under separate cover) has been compiled with regard to Council's strategic documents, resolutions of Council over the last 12 months and input from Councillors and Council Officers.

COMMENTS/OPTIONS/DISCUSSIONS

Council must adopt the budget by the 31st August 2015, or seek an extension from the Minister for Local Government.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

6.2. Local government to prepare annual budget

(1) During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.

* Absolute majority required.

Local Government (Financial Management) Regulations 1996

Part 3 — Annual budget — s. 6.2

22. Form and content of annual budget (Act s. 6.2(1))

- (1) *The annual budget of a local government is to be in a form that includes the following —*
- (a) *an income statement;*
 - (b) *a cash flow statement;*
 - [(c) *deleted*]
 - (d) *a rate setting statement showing details of —*
 - (i) *the revenue and expenditure that have been taken into account to determine the budget deficiency; and*
 - (ii) *the total amount of the general rates to be imposed; and*
 - (iii) *any deficit or surplus remaining after the imposition of the general rates;*
 - (e) *in relation to the rates proposed to be imposed by the local government, the information set forth in regulation 23;*
 - (f) *in relation to the service charges proposed to be imposed by the local government, the information set forth in regulation 24;*
 - (g) *in relation to the fees and charges proposed to be imposed by the local government, whether under the Act or under any other written law, the information set forth in regulation 25;*
 - (h) *in relation to —*
 - (i) *any discount or other incentive proposed to be granted for early payment of any amount of money; or*
 - (ii) *the proposed waiver or grant of a concession in relation to any amount of money; or*
 - (iii) *the proposed writing off of any amount of money,*
the information set forth in regulation 26;
 - (i) *notes containing the information set forth in regulation 27 and such other supporting notes, tables and other information as the local government considers will assist in the interpretation of the annual budget.*
- (2) *The financial information disclosed in the annual budget, other than the cash flow statement, is to be compiled on an accrual accounting basis.*

POLICY IMPLICATIONS

3.3 Budget Preparation

3.5 Budget Management – Capital Acquisitions

STRATEGIC COMMUNITY PLAN

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

FINANCIAL IMPLICATIONS

To allow for the Council’s financial operations for the 2015/2016 financial year.

VOTING REQUIREMENTS

Absolute.

Dealt with after item 9.3.2

9.2.3 FINANCIAL REPORTING AND MATERIALITY

File Ref: FIN-23-5
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 and approve the level of materiality required under the Local Government (Financial Management) Regulations 1996 34(5), for financial reporting in respect of variances and the original adopted budget.

BACKGROUND

Local Government (Financial Management) Regulations 1996 34(5) requires each financial year, a Local Government adopt a percentage or value, calculated in accordance with AASB 1031, to be used in the statement of financial activity for reporting material variances. Council need to take into account the level of materiality which it is to adopt, as explanations for each material variance is required as per the Local Government (Financial Management) 1996 Regulations 34(2).

COMMENTS/OPTIONS/DISCUSSIONS

Under Local Government (Financial Management) 1996 Regulations 34(5) Each financial year, a Local Government is to adopt a percentage or value, calculated in accordance with AASB 1031 (formally AAS 5), to be used in the statement of financial activity for reporting material variance.

Local Government (Financial Management) Regulations 1996 34(2) requires an explanation for each material variance in the Statement of Financial Activity against the original adopted budget.

As per AASB 1031.9, information is material if its omission, misstatement or non-disclosure has the potential to adversely affect decision about the allocation of scarce resources made by users. It also can affect the discharge of accountability by the management or government body of the entity.

As local governments are not for profit entities they are primarily concerned with the achievements of objectives rather than the generation of profit, the material variance need to be assessed carefully.

The Shire of East Pilbara Financial Management Reports use a materiality threshold to measure, monitor and report on the financial performance and position of the

Shire. Currently the materiality threshold used is variances greater or lower than 10% of the original adopted budget, and greater than \$10,000 in value.

Under AASB 1031.15, quantitative thresholds are used as guidance for determining the materiality of the amount of an item or an aggregate of items. It is therefore recommended that in the Financial Management Reports this materiality be applied to a sub function level.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1996 (Part 4) – Section 6.4

Local Government (Financial Management) Regulations 1996

Part 4—Financial reports—s.6.4

34. Financial activity statement required each month (Act s. 6.4)

(1A)

- (5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

AASB 1031 – Materiality – July 2004

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/08

MOVED: Cr Anita Grace

SECONDED: Cr Shane Carter

THAT Council adopt a material variance plus or minus 10% of the original budget and a value greater than \$10,000, to be applied per sub-function level, for the financial year ended 2015/2016.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 8 - 0**

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

9.2.4 FREEDOM OF INFORMATION 2015

File Ref: LEG-9-3-1
Attachments: [Freedom of Information 2015.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

To seek Councils endorsement of the Freedom of Information Statement 2015 in accordance with Part 5 of the *Freedom of Information Act 1992*.

BACKGROUND

It is a compliance requirement of the *Freedom of Information Act 1992* that Council accept an up to date Freedom of Information Statement every twelve months.

COMMENTS/OPTIONS/DISCUSSIONS

The Freedom of Information Statement has recently been updated and is attached for Councils approval.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 5 - Administration (Division 7 - Access to information) 5.91. Interpretation (pg 185)

Part 5 - Administration (Division 7 - Access to information) 5.92. Access to information by council, committee members (pg 185)

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/09

MOVED: Cr Dean Hatwell

SECONDED: Cr Craig Hoyer

THAT Council endorse the Freedom of Information Statement 2015 in accordance with Part 5 of the *Freedom of Information Act 1992*.

**CARRIED
RECORD OF VOTE: 8 - 0**

To be actioned by Ms Emma Whakaruru, Coordinator Administration Services

9.2.5 CREDITORS FOR PAYMENT

File Ref: FIN10-2
Attachments: [Schedule of Accounts_Cheque.pdf](#)
[Schedule of Accounts_Chq.pdf](#)
[Schedule of Accounts_EFT.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Jeanette Bessell
Finance Officer
Location/Address: N/A
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 26th June 2015.

COMMENTS/OPTIONS/DISCUSSIONS

| FUND | VOUCHER | AMOUNT |
|------------------------|---------------------|------------------------------|
| EFT Payments | EFT28954 – EFT29462 | \$6,342,681.21 |
| | Total | \$6,342,681.21 |
| Cheque Payments | CHQ23614 – CHQ23653 | \$37,882.42 |
| Manual Cheque Payments | CHQ238 – CHQ240 | \$2,244.17 |
| | Total | \$40,126.59 |
| | GRAND TOTAL | <u>\$6,382,807.80</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

CANCELLED CHEQUES & EFTS

EFT29241 and EFT29283

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 \$6,382,807.80

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/10

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

THAT Council endorse the payments:

| FUND | VOUCHER | AMOUNT |
|------------------------|---------------------|------------------------------|
| EFT Payments | EFT28954 – EFT29462 | \$6,342,681.21 |
| | Total | \$6,342,681.21 |
| Cheque Payments | CHQ23614 – CHQ23653 | \$37,882.42 |
| Manual Cheque Payments | CHQ238 – CHQ240 | \$2,244.17 |
| | Total | \$40,126.59 |
| | GRAND TOTAL | <u>\$6,382,807.80</u> |

**CARRIED
RECORD OF VOTE: 8 - 0**

To be actioned by Ms Candice Porro, Senior Finance Officer

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

9.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS - JUNE 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

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: 201516/11

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

THAT the “Status of Council Decisions” – Director Technical and Development Services for June 2015 be received.

| 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 marked points of interest for future tourist mapping. Executive to allocate resources to develop themes and seek funding | Pending |
| 30 January 2015 | 13.5 | MARBLE BAR HOUSE NUMBERING Cr Dean Hatwell asked for an update regarding the house numbers. | DTDS TSAO | Brochure to be distributed after budget adopted. Shire to install numbers on all Shire Buildings | August 2015 |
| 6 March 2015 | 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. Councillors discussed and felt that the existing taxi stand next to the pool is all that is needed for a town of this size. The Director Technical and Development Services to arrange removal of the designated taxi bays in the town centre carpark. | DTDS | Taxi Drivers to be advised and Works Request raised to remove the 2 taxi signs and bays. | August 2015 |
| 26 June 2015 | 13.2 | WATER FOUNTAIN MARBLE BAR SKATE PARK | MTS-R | Works request raised to be | August 2015 |

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | DIRECTORATE | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|----------------------|---------|---|-------------|--|---------------------------|
| | | Cr Stephen Kiernan asked if a water fountain can be installed at the skate park in Marble Bar. | | investigated and costed | |
| 26 June 2015 | 13.4 | MARBLE BAR HERITAGE TRAIL Cr Dean Hatwell said the heritage trail signs are in poor condition and if it is possible for these to be replaced and updated. It was mentioned that this may be already be replacement signs stored at the Marble Bar Depot. | MTS-R | Works request raised to be investigated and actioned as required | August 2015 |

**CARRIED
RECORD OF VOTE: 8 - 0**

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

**9.3.2 TENDER RFT 17-2014/15 - ARCHIVE BUILDING & ANIMAL
MANAGEMENT FACILITY**

File Ref: LEG-13-4-17

Attachment: **Proposed Facility Layout**
[Plans Animal Management Area](#)

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

Author: **Mr Ian H**
Special Projects/Project Manager (Consultant)

Location/Address: **Works Depot, Cnr Welsh and Woodstock
Drives, Newman**

Name of Applicant: **N/A**

Author Disclosure of Interest: **Nil**

10:55 AM Meeting adjourned.

11:26 AM Meeting resumed, All Councillors and staff returned to Chambers.

11:26 AM Ms Sian Appleton returned to the Chambers

REPORT PURPOSE

For Council to consider tender submissions for the Archive Building & Animal Management Facility Tender and to seek approval for the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contract of the successful tenderer.

BACKGROUND

The Archive and Animal Management Facility project will have an outcome of improved community safety and care pertaining to animal management and storage of archive documentation in accordance with the Shire of East Pilbara's Record Keeping Plan 2013.

The upgrade and relocation of the pounds will also facilitate the integration of the adjacent lot purchased by the shire for the future expansion of the depot.

The Tender was for the appointment of a contractor to demolish existing facilities and construct a 136m² Archive Building and a combined Animal Management Facility with associated infrastructure located at the Shire's Works Depot, cnr Welsh and Woodstock Drives, Newman, as per:

- Demolition of two existing storage facilities (Existing shed and associated infrastructure);
 - Construction of a 136m² Archive Facility including fire suppression, 24/7 air conditioning unit/s;
 - Construction of Dog Pound Facility (including dog exercise area);
 - Construction of Cat Facility;
 - Construction of Chicken Facility;
-

- All asphalt areas including parking;
- Security lighting and 24/7 automated security gate; and
- Drainage and landscape works

The Tender was advertised in the West Australian newspaper on the 16th May, 2015 and also on the Tenderlink Portal. The Tender was originally scheduled to close at 2.00pm Wednesday, 10th June, 2015, however the Shire issued an Addendum (No. 2) on the 9th June, 2015 advising that the closing date was extended to 2.00pm Friday, 12th June, 2015.

The Shire also issued an Addendum (No. 1) on the 8th June, 2015 which stated *“Please be advised that with respect to Clause 1.5 (Selection Criteria) and the Lump Sum Price Schedule Table on page 20 of the RFT documentation, the Principal reserves the right for Council to make a resolution, to select one component, multiple components from the list of nine, or all nine components to be awarded to the Contractor to be undertaken upon award of a Contract.”*

COMMENTS/OPTIONS/DISCUSSIONS

A mandatory site inspection formed part of the tender process and occurred at 10.00am on the 26th May, 2015. One tenderer, Ahrens Group Pty Ltd attended this mandatory site inspection.

At close of Tender, Tender submissions were received from two companies, with one of these submissions including both a conforming submission and an alternative response for consideration:

- 1) Megara Constructions Pty Ltd (Non Conforming)
- 2) Ahrens Group Pty Ltd (Conforming)
- 3) Ahrens Group Pty Ltd (Alternative Response)

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

| | |
|--------------------------------------|---------------|
| Relevant Experience | Weighting 25% |
| Skills & Experience of Key Personnel | Weighting 10% |
| Methodology | Weighting 5% |
| Demonstrated Understanding | Weighting 20% |
| Price Consideration | Weighting 40% |

Value for money and costing also formed part of the assessment and consideration.

A full assessment of the tender submissions and associated costings are attached under separate confidential cover.

The difference in the costings between the Ahrens original tender option 1 and their option 2 alternative response, is that Ahrens in their alternative response in "Preliminaries...Design, Construction and Commissioning" believe they can redesign the Archive building and Animal Management Facility by using tilt-up panels only where the fire wall restriction are required on the boundary wall of Council's depot land and three meters into Council depot and utilising alternative building

methods/materials for the rest of the facility that will both comply with Australian Standards and Private Certification therefore reducing the cost. Administration have reviewed Ahrens alternative response and will recommend the costing that is most advantageous to Council and within funding as itemised in point 5.1 Summary Statement, " Value for Money" All new design drawings on the alternative building methods/materials must be submitted by Ahrens (including private certification) to Administration and approved by Administration before any works can commence.

The results of the tender assessment indicate that the Alternative Response received from Ahrens Group Pty Ltd is the most advantageous to Council, offering local knowledge, skills and demonstrated ability in this area. Ahrens Group's

Alternative Response demonstrates best value for money by:

- Demolition of two existing storage facilities;
- Construction of a 136m² Archive Facility with no air conditioning or fire suppression (including office);
- Construction of Dog Pound Facility (including dog exercise area);
- Construction of Cat Facility;
- Construction of Chicken Facility and
- All Parking areas will now be of a compacted base and sub base structure similar to road construction methods.

Works would be expected to commence upon execution of the Contract, with the above works to be completed by December, 2015.

The successful Tenderer's Contract will also require Shire execution under common seal.

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

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 with 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
7. Asset and Procurement Administration Officer
8. Marble Bar Mechanic
9. 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 Council's 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):

7. An emergency situation as defined by the Local Government Act 1995;
8. 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;
9. The purchase is under auction which has been authorised by Council;
10. The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
11. Any of the other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1995 apply;
12. 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 |
| Review/Amendment Date | 12 December 2014 | | 9.2.2 |
| Review/Amendment Date | 30 January 2015 | Item No | 9.2.6 |
| Review/Amendment Date | 6 March 2015 | Item No | 9.2.11 |
| Next Review | | | |

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.

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

1.1.3 Effective business management

Responsible officer: DCEO

Timing: 1-3 years

FINANCIAL IMPLICATIONS

Resource requirements will be in accordance with budgetary allocation.

| Tender No. | Description | Expenditure Account | 2015/2016 Budget Amount (ex GST) |
|----------------|---|----------------------|----------------------------------|
| RFT 17-2014/15 | Archive Building and Animal Management Facility | GL 49037 GL 59019 | \$300,000 \$330,000 |

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council

1. Award tender RFT 17-2014/15 Archive Building and Animal Management Facility to Ahrens Group Pty Ltd (Alternative Response) for the Fixed Lump Sum Price \$571,544.00 ex gst to undertake the following works:

| Item | Component | Fixed Price (Exc GST) |
|---|---|-----------------------|
| 1 | Preliminaries Design, Construction and Commissioning | \$86,920.00 |
| 2 | Demolition of two existing facilities (shed and associated infrastructure) | \$18,960.00 |
| 3 | Construction of a 136sqm Archive facility with no air conditioning, no fire suppression. (including office) | \$280,550.00 |
| 4 | Construction of Dog Pound Facility (including dog exercise area) | \$ 107,364.00 |
| 5 | Construction of Cat Facility | \$16,390.00 |
| 6 | Construction of Chicken Facility | \$28,090.00 |
| 7 | Construct parking areas to a compacted gravel road standard allowing for future sealing. | \$33,270.00. |
| FIXED LUMP SUM TOTAL (ex GST) For all works in accordance with the Specification and Drawings including connection of facilities (excluding Archive Shed Component) to existing leach drain. | | \$571,544.00 |

2. Approve the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contract between the Shire and Ahrens Group Pty Ltd with respect to this Tender.

COUNCIL RECOMMENDATION:

MOVED: Cr Lang Coppin

SECONDED: Cr Bidy Schill

THAT Council reject the Tender RFT 17-2014/2015 Archive Building and Animal Management Facility

LOST RECORD OF VOTE: 4 - 4

COUNCIL RECOMMENDATION:

MOVED: Cr Gerry Parsons

THAT Council accept the Tender RFT 17-2014/2015 Archive Building and Animal Management Facility.

MOTION LAPSED DUE TO THE LACK OF A SECONDER

COUNCIL RESOLUTION: 201516/12

MOVED: Cr Anita Grace

SECONDED: Cr Gerry Parsons

THAT Council

- 1. No Tender for RFT 17-2014/15 Archive Building and Animal Management Facility be accepted; and**
- 2. The design and requirements for this tender be re-evaluated and re-tendered.**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 8 - 0**

To be actioned by Mr Ian Hamilton, Special Projects/Project Manager (Consultant)

Reason for Non Acceptance of Officer's Recommendation: Council is requesting costings on different alternatives.

9.2.2 COUNCIL BUDGET 2015 2016

OFFICER'S RECOMMENDATION

THAT Council

1. Adopt the 2015/2016 draft budget as presented;
2. Adopt the schedule of rates, sewerage rates, fees and charges and rubbish, as detailed.

COUNCIL RESOLUTION: 201516/13

MOVED: Cr Gerry Parsons

SECONDED: Cr Lang Coppin

THAT Council

1. Adopt the 2015/2016 draft budget including the Schedule of Fees and Charges and incorporating the following differential rating and valuations:

(a) General Rate

- (i) A rate in the dollar for 2015/2016 will apply as follows:

| | Rate in \$ | Minimum |
|---|------------|---------|
| Gross Rental Value – Industrial | 1.6250 | \$650 |
| Gross Rental Value – Town Centre | 4.5950 | \$650 |
| Gross Rental Value – Nullagine Townsite | 9.0000 | \$400 |
| Gross Rental Value – Transient Workforce Accommodation | 7.0000 | \$650 |
| Gross Rental Value – Other | 3.2340 | \$650 |
| Unimproved Value – Pastoral/Special Leases | 6.0420 | \$200 |
| Unimproved Value – AML Leases | 18.1405 | \$200 |
| Unimproved Value – Mining Leases | 18.1405 | \$200 |
| Unimproved Value – General Leases | 18.1405 | \$200 |
| Unimproved Value – Petroleum Leases | 18.1405 | \$200 |
| Unimproved Value – Exploration Leases | 18.1405 | \$200 |
| Unimproved Value – Prospecting Leases | 18.1405 | \$200 |

- (ii) The GRV Industrial rate will apply to an estimated 116 properties having a total rateable valuation of \$13,269,060 and generating \$221,298 of income;
- (iii) The GRV Town Centre rate will apply to an estimated 42 properties having a total rateable valuation of \$5,651,052 and generating \$262,930 of income;
- (iv) The GRV Nullagine Town Site rate will apply to an estimated 44 properties having a total rateable valuation of \$328,701 and generating \$35,946 of income;

- (v) The GRV Transient Workforce Accommodation will apply to an estimated 13 properties having a total rateable valuation of \$23,331,940 and generating \$1,563,235;
- (vi) The GRV Other rate will apply to an estimated 2,500 properties having a total rateable valuation of \$81,920,278 and generating \$2,870,218 income;
- (vii) The UV Pastoral/Special rate will apply to an estimated 69 properties having a total rateable valuation of \$5,480,065 and generating \$334,553 of income;
- (viii) The UV Other rate will apply to an estimated 1,899 properties having a total rateable valuation of \$35,167,345 and generating \$6,428,795 of income;
- (ix) In addition to the above rates, it is estimated a further \$225,000, being interim rates, will be received during the year;
- (x) Minimum rates detailed at (c) below are included in the figures at (ii) through (xii) above;

(b) Discounts, Concessions, Incentives and Write-off Information

- (i) No discount for the early payment of rates will be offered in 2015/2016;
- (ii) Incentives are offered for the early payment of rates in accordance with Council's Rate Payment Incentive Prize Policy. They are detailed below:

First Prize:

Shire of East Pilbara rates refund (up to a value of \$1,000.00 not including service charges)

Second Prize

Perth Ambassador Hotel – 2 nights weekend stay for 2 people including buffet breakfast each morning – valued at \$560

Third Prize

Margarets Beach Resort – 2 nights accommodation in a Studio Apartment – value \$500

Fourth Prize:

Quality Resort Sorento – 2 nights accommodation for 2 people with ocean views– value \$498

Fifth Prize

River Gums Holiday Retreat – 2 nights accommodation– Valued at \$470

Sixth Prize

Candice Porro – Arbonne Products– Valued at \$100

Seventh Prize

Newman Golf Club Whole Foods Café – Lunch or Breakfast including cake and coffee– Valued at \$100

- (iii) A total of \$20,000 rates are estimated to be written off during the year. The majority of this estimate relates to mining tenements that have lapsed and become uncollectable.

(c) Minimum Rates

The object of minimum rates is to ensure that all property owners contribute at least a standard minimum amount towards the provision of local government services which would otherwise be payable in accordance with (a) above;

- (i) A minimum rate of \$400 (GRV) in Nullagine townsite with all remaining GRV assessments having a minimum rate of \$650 (GRV). A minimum rate of \$200 (UV) will apply for 2015/2016;
- (ii) The GRV general minimum will apply to an estimated 615 properties having a total rateable valuation of \$5,245,964 and generate income totalling \$390,000;
- (iii) The UV general minimum will apply to an estimated 580 properties having a total rateable valuation of \$367,891 and generate income totalling \$116,000;
- (iv) The GRV Nullagine Town Site minimum will apply to an estimated 15 properties having a total rateable valuation of \$13,477 and generate income totalling \$6,000;
- (v) The pastoral / special lease general minimum will apply to an estimated 21 properties having a total rateable valuation of \$12,447 and generate income totalling \$4,200;

(d) Rubbish Charges

The charge for rubbish collection service shall be \$250 per service and applied to 2,334 properties will generate income totalling \$583,300.

(e) Sewerage Rates

Where properties in the Newman townsite have the ability to connect to the town's sewerage scheme a rate will be raised, under the Health Act, against that property for the purpose of maintaining and running the Newman Sewerage Treatment Plant.

The Rate to be imposed for the 2015/2016 year will be 0.6436 cents in the dollar on the gross rental value of the property. The total expected revenue from this rate is \$611,400.

(f) Instalments

Payment of rates and rubbish charges may be made by one of three methods as follows:

- (i) Single payment Due Date: 7 September 2015
- (ii) Four instalments 1st Due Date: 7 September 2015
 2nd Due Date: 9 November 2015
 3rd Due Date: 11 January 2016
 4th Due Date: 14 March 2016

A \$5.00 administration fee is payable on the second and any subsequent payments made under an instalment option to cover the cost of producing reminder notices. The total expected revenue from the imposition of this fee for 2015/2016 is \$7,000.

(iii) Other arrangements

A \$50.00 administration fee is payable for any Rates Payment Agreements outside the normal instalment option.

(g) Interest Penalty

Interest at a rate of 8% per annum will apply for the late payment of rates if the single payment option is selected or an agreement is entered into outside of the normal instalment option. An interest rate of 4% will apply if an instalment option is selected. It is estimated that the total amount of interest to be collected in 2015/2016 will be \$45,000.

The interest penalty will accrue daily on a simple interest basis as follows:

- No instalment option: Interest shall accrue on rates outstanding for thirty five days after the issue date (i.e. 7 September 2015). Eligible pensioners are exempt.
- Instalment option taken: Interest shall accrue daily on any instalment payment that remains unpaid after the due date of that instalment and will continue to accrue until such time as that instalment is paid. Eligible pensioners are exempt.
- Arrears: Interest shall begin to accrue from 1 July 2015, on all rates including previous interest charges that remain in arrears. Eligible pensioners are exempt.

2. Adopt the schedule of rates, sewerage rates, fees and charges and rubbish, as detailed.

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 8 - 0

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

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

**11.1 DIFFERENTIAL RATING AGENDA REPORT BE ACCEPTED AS ITEM
11.1.1 AND BROUGHT FORWARD AFTER ITEM 7.2**

11.1.1 DIFFERENTIAL RATING

File Ref: FIN-22-7
Attachments: Nil
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

Item 11.1.1 dealt with after item 7.2

11.2 APPLICATION TO KEEP MORE THAN TWO DOGS AT 22 WARRAMBUCCA CRESCENT, NEWMAN WA 6753 BE ACCEPTED AS ITEM 11.2.1

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/14

MOVED: Cr Gerry Parsons

SECONDED: Cr Anita Grace

THAT the Application to Keep More than Two Dogs at 22 Warrambucca Crescent, Newman WA 6753 be accepted as item 11.2.1

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 8 - 0**

11.2.1 APPLICATION TO KEEP MORE THAN TWO DOGS AT 22 WARRAMBUCCA CRESCENT, NEWMAN WA 6753

File Ref: RNG 1-3 ICS15-25354
**Responsible Officer: Mr Rick Miller
Director Technical and Development Services**
**Author: Mr Kyle Cameron
Shire Ranger**
Location/Address: 22 Warrambucca Crescent, Newman WA 6753
Name of Applicant: Mrs Deborah Easterbrook
Author Disclosure of Interest: Nil

REPORT PURPOSE

The applicant Mrs Deborah Easterbrook seeks approval to keep three dogs at 22 Warrambucca Crescent, Newman, WA 6753.

BACKGROUND

Mrs Deborah Easterbrook has made an application to Council under Section 26 of the Dog Act 1976, to keep three dogs on the premises at 22 Warrambucca Crescent, Newman, WA. 6753. Mrs Easterbrook has applied to keep three dogs on her property;

two of which belong to her daughter who normally resides in Queensland and is currently travelling overseas for a period of twelve months.

It is Mrs Easterbrook's intention to remain with one dog on the property after her daughter returns from overseas.

Rangers undertook normal enquiries to determine if the application was appropriate.

The details of the dogs are as follows:

| DOG (breed) | SEX | COLOUR | REGISTRATION NUMBER | STERILISED Y/N |
|--------------------|------------|----------------|----------------------------|-----------------------|
| 1. Cavalier King | Male | Tri - Coloured | TBA | |

| | | | | |
|-------------------------|------|-----------------|-----|--|
| Charles Spaniel | | | | |
| 2 Miniature Fox Terrier | Male | Black and White | TBA | |
| 3.Chihuahua | Male | Cream | TBA | |

COMMENTS/OPTIONS/DISCUSSIONS

As part of the application process four surrounding residents were issued with Residential Survey forms under the Dog Act (1976), none were returned. Public Notices were placed under the Dog Act (1976) with no response. Ranger Kyle Cameron did speak with two neighbours personally – Both neighbours indicated that they saw no problem with three dogs residing at Number 22 Warrambucca crescent.

Dog History:

No Dog History on SOEP records.
No complaints have previously been received in relation to the dogs.

Property Inspection:

A full inspection was carried out by Council Rangers of the premises on 8th July 2015.
It was noted that the yard space in general was small, however it is felt that this should not pose an issue as all three dogs are older in age and require less exercise area.
The yard space it's self was found to be clean and tidy.
The fencing and gating of the premises was found to be satisfactory. The dogs were inspected and found to be in good health and compliant with the Dog Act 1976.

STATUTORY IMPLICATIONS/REQUIREMENTS

Dog Act 1976 (as amended), - Section 26. Limitation as to numbers; is applicable

S26 (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —

- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;
- (b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and
- (c) may be revoked or varied at any 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
 - 1.1.1 Ethical, accountable and transparent decision-making
Responsible officer: DCEO
Timing: As appropriate

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/15

MOVED: Cr Gerry Parsons

SECONDED: Cr Shane Carter

That Council approve the application to keep three (3) dogs at 22 Warrambucca Crescent, Newman. WA. 6753, subject to the following standard conditions:

- 1. All Dogs are to be registered with the Shire of East Pilbara at all times**
- 2. Only those dogs specified in the application may be kept at the nominated address.**
- 3. Fencing must be maintained such that all dogs are confined upon the premises at all times, unless in the company of a responsible person and in compliance with the provisions of the Dog Act 1976 (As Amended).**
- 4. Any contravention of the Dog Act 1976 (As Amended) is reason for immediate, “on the spot”, revocation of this permission.**
- 5. Any complaints about the behaviour or treatment of the dogs may lead to the cancellation of this approval.**

**CARRIED
RECORD OF VOTE: 8 - 0**

To be actioned by Mr Kylie Cameron, Shire Ranger

12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

Nil

13 GENERAL BUSINESS

13.1 NULLAGINE PUBLIC TOILETS

Cr Dean Hatwell asked who was responsible for the cleaning of the Nullagine Public Toilet as he called in on his way to Newman, the toilet had been hosed out, everything was wet including the toilet paper and the basin was still dirty.

Mr Rick Miller replied the Shire of East Pilbara are responsible for the cleaning and will follow up.

13.2 CAPE KERAUDREN

Cr Bidy Schill commented over the school holiday period, customers visited Cape Keraudren and due the many patrons visiting there was no clear camping space available? The patrons were forced to borrow a whipper snipper from the Ranger to clear some scrub to create a camping area.

Ms Sian Appleton to follow up.

13.3 NULLAGINE – BLUE HOUSE

Cr Bidy Schill asked who does the Blue House belong too as it is empty and could be used by community groups/members of the public. Can a letter be written to ask what they intend doing to the Blue House.

Ms Sian Appleton, Deputy CEO replied it is owned by the Water Corporation and letter will be written.

13.4 GINGIANNA POOL

Cr Shane Carter said there is a derelict caravan on the turn off to Gingianna Pool which requires removing.

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

13.5 GREAT NORTHERN HIGHWAY

Cr Anita Grace asked if the rubbish from the Newman Airport turn off to the Capricorn Roadhouse could be removed from the side of the Great Northern Highway.

Mr Rick Miller to follow up with Main Roads.

13.6 SPEED SIGN – KALGAN DRIVE

Cr Anita Grace said the solar speed advice sign on Kalgan Drive is still not working.

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

13.7 NEWMAN FIRE STATION

Cr Lynne Craigie asked if the wrecked cars used for training sessions at the fire station, can be requested to be removed as it doesn't look nice when coming into the township.

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

14 DATE OF NEXT MEETING

28th August 2015, Newman

15 CLOSURE

12PM