



EAST PILBARA SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council will be held,
in Council Chambers, Newman,
10.00 AM, FRIDAY, 25 JULY, 2014.

Allen Cooper
CHIEF EXECUTIVE OFFICER

THE HEART
OF THE
PILBARA



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..... | 3 |
| 2 | RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE | 3 |
| 2.1 | ATTENDANCES | 3 |
| 2.2 | APOLOGIES | 3 |
| 2.3 | LEAVE OF ABSENCE | 3 |
| 3 | RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE | 3 |
| 4 | PUBLIC QUESTION TIME | 3 |
| 5 | PETITIONS/DEPUTATIONS/PRESENTATIONS..... | 3 |
| 6 | APPLICATIONS FOR LEAVE OF ABSENCE | 3 |
| 7 | CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING..... | 4 |
| 7.1 | CONFIRMATION OF MINUTES..... | 4 |
| 8 | MEMBERS REPORT | 4 |
| 8.1 | ITEMS FOR RECOMMENDATION | 4 |
| 8.2 | ITEMS FOR INFORMATION..... | 4 |
| 9 | OFFICER'S REPORTS | 5 |
| 9.1 | CHIEF EXECUTIVE OFFICER..... | 5 |
| 9.1.1 | CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JUNE 2014 | 5 |
| 9.2 | DEPUTY CHIEF EXECUTIVE OFFICER | 7 |
| 9.2.1 | DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JUNE 2014 | 7 |
| 9.2.2 | COUNCIL BUDGET 2014/2015..... | 11 |
| 9.2.3 | AFFIXING THE COMMON SEAL TO THE ADDENDUM OF THE MEMORANDUM OF UNDERSTANDING AND FUNDING AGREEMENT BETWEEN NULLAGINE COMMUNITY RESOURCE CENTRE AND THE SHIRE OF EAST PILBARA... | 17 |

| | | |
|------------|--|-----------|
| 9.2.4 | FINANCIAL REPORTING AND MATERIALITY..... | 21 |
| 9.2.5 | MAY FINANCIAL STATEMENTS 2014 | 24 |
| 9.2.6 | CREDITORS FOR PAYMENT..... | 26 |
| 9.2.7 | CAPE KERAUDREN PROPOSED LAND EXCISION | 29 |
| 9.3 | DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES ... | 32 |
| 9.3.1 | DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS - JUNE 2014 | 32 |
| 9.3.2 | AAA NATIONAL CONVENTION, AGM, GALA DINNER AND TECHNICAL WORKSHOPS..... | 36 |
| 9.3.3 | DOG AMENDMENT REGULATIONS..... | 39 |
| 10 | MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN | 43 |
| 11 | NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL | 43 |
| 12 | CONFIDENTIAL MATTERS BEHIND CLOSED DOORS..... | 43 |
| 13 | GENERAL BUSINESS..... | 43 |
| 14 | DATE OF NEXT MEETING | 43 |
| 15 | CLOSURE | 43 |

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

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

Deputy Shire President

Officers

Mr Allen Cooper
Ms Sian Appleton
Mr Rick Miller

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

Ms Sheryl Pobrica

Executive Services Administration Officer

Public Gallery

2.2 APOLOGIES

Councillor Apologies

Lynne Craigie
Gerry Parsons

Shire President

Officer Apologies

Nil

2.3 LEAVE OF ABSENCE

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

[Minutes June 27 2014 Council.DOCX](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of Council held on 27 June 2014, be confirmed as a true and correct record of proceedings.

8 MEMBERS REPORT

8.1 ITEMS FOR RECOMMENDATION

8.2 ITEMS FOR INFORMATION

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JUNE 2014

File Ref: CLR 4-5
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Ms 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

THAT the “Status of Council Decisions” – Chief Executive Officer for June 2014 be received.

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | RESPONSIBLE OFFICER | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|-----------------------------|----------------|----------------------------------|----------------------------|-----------------------------|----------------------------------|
| 31 January 2014 | 9.1.8 | EXTENSION OF LEASE KURRA VILLAGE | CEO | | On Going |

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

**9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS
- JUNE 2014**

File Ref: CLR 4-5
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Ms Sheryl Pobrica
Executive Services Administration Officer
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Name of Applicant: N/A
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STATUTORY IMPLICATIONS/REQUIREMENTS

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(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

THAT the “Status of Council Decisions” – Deputy Chief Executive Officer for June 2014 be received.

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | DIRECTORATE | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|-----------------------------|----------------|--|--------------------|--|----------------------------------|
| 23 August 2013 | 13.5 | CIVIC CENTRE – MARBLE BAR Cr Stephen Kiernan asked if the flooring can be repaired or replaced due to wear and tear. Also the window could be tinted and lights checked. Manager Building Assets to follow up | MBA | Flooring still being assessed. | In Progress |
| 25 October 2013 | 15.1 | SKATE PARK MARBLE BAR Cr Stephen Kiernan asked when the mobile skate park would be purchased for Marble Bar. Deputy Chief Executive Officer replied. Further information is currently being sought on the mobile skate park. | DCEO | Public Meeting is being held regarding site for the skate park. Money allocated. | On Going |
| 27th June 2014 | 9.2.2 | MARBLE BAR SKATE PARK LOCATION | MCW | | In Progress |
| 6 December 2013 | 13.11 | CAPE KERAUDREN Cr Lang Coppin asked about the running and managing cost for Cape Keraudren. Deputy Chief Executive Officer replied a report was currently being undertaken by the Manager Building Assets. | DCEO | Meeting 13 th June 2014 with the Department to discuss future of Cape Keraudren | On Going |
| 14 March 2014 | 9.2.20 | MARBLE BAR RESERVE 2906 – CONSIDERATION OF GAUGING CABLEWAY (FLYING FOX) | MBA | Waiting for response from Department of Water & Rivers | On Going |

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

25 JULY, 2014

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | DIRECTORATE | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|-----------------------------|----------------|--|--------------------|---|----------------------------------|
| 24 April 2014 | 13.2 | <p>FLAGPOLE MARBLE BAR POOL Cr Dean Hatwell asked if a flagpole can be installed at the Marble Bar Pool as Australia Day celebrations are held at the pool and cannot put up a flag. Deputy Chief Executive Officer to follow up.</p> | MCW | Flag pole is being investigated. | In Progress |
| 24 April 2014 | 13.3 | <p>LANDSCAPING MINDARRA DRIVE Cr Shane Carter said the landscaping is starting to look good, is it possible to meet with the Newman Club to discuss their intentions. Deputy Chief Executive Officer to follow up.</p> | DCEO | Letter written requesting the possibilities of attendance at council meeting. Replied via phone 12.06.2014 Newman Club representative will be attending the July 2014 Council Meeting. | In Progress |
| 23 May 2014 | 9.2.2 | DRAFT NEWMAN RECREATION PLAN | DCEO | Closing Date – 14 th July 2014 | In Progress |
| 23 May 2014 | 9.2.3 | DRAFT REPORTS - IMPROVING YOUTH, FAMILY AND CHILDREN'S SERVICES DELIVERY IN NULLAGINE AND MARBLE BAR | DCEO | Closing Date – 14 th July 2014 | In Progress |
| 23 May 2014 | 13.2 | <p>MARBLE BAR OUTDOOR CINEMA Cr Dean Hatwell asked when the outdoor cinema will be utilised for the community especially for the school holiday program. Manager Community Wellbeing to follow up.</p> | MCW | | On Going |
| 23 May 2014 | 13.3 | <p>MARBLE BAR CIVIC CENTRE Cr Dean Hatwell has asked if the forms for the hiring of the Marble Bar Civic Centre be simplified. Deputy Chief Executive Officer to follow up.</p> | DCEO | | On Going |
| 27 th June 2014 | 13.6 | <p>CIVIC CENTRE – MARBLE BAR Cr Dean Hatwell asked if a stock take of the table and chairs could be arranged at the Marble Bar Civic Centre. Ms Sian Appleton, Deputy Chief Executive Officer to</p> | DCEO | | |

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

25 JULY, 2014

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | DIRECTORATE | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|-----------------------------|----------------|---|--------------------|-----------------------------|----------------------------------|
| | | follow up. | | | |
| 27 th June 2014 | 13.8 | <p>NULLAGINE NEW TOILET BLOCK AND SEATING Cr Bidy Schill said thank you for the new toilet block and seating area in Nullagine, installed through the Pilbara Regional Council but she had a concern as there is no hand basin, no water supply, no lighting, and no toilet roll holders is it possible to get these installed. Ms Sian Appleton, Deputy Chief Executive Officer to follow up.</p> | DCEO | | |
| 27 th June 2014 | 13.9 | <p>MULTI PURPOSE CENTRE – NULLAGINE Cr Bidy Schill would like an update on the proposed Multi-Purpose Centre in Nullagine. Ms Sian Appleton, Deputy Chief Executive Officer to follow up.</p> | DCEO | | |

9.2.2 COUNCIL BUDGET 2014/2015

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

REPORT PURPOSE

To adopt Council's budget for the 2014/2015 financial year.

BACKGROUND

Council is required to adopt its budget for 2014/2015 by the 31st August 2014. 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 2014, 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 2014/2015 financial year.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council

- (1) **Adopt the 2014/2015 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 2014/2015 will apply as follows:**

| | Rate in \$ | Minimum |
|---|-------------------|----------------|
| Gross Rental Value – Industrial | 1.7011 | \$650 |
| Gross Rental Value – Town Centre | 4.1128 | \$650 |
| Gross Rental Value – Nullagine Town Centre | 7.3178 | \$400 |
| Gross Rental Value – Transient Workforce Accommodation | 3.2680 | \$650 |
| Gross Rental Value – Other | 1.7684 | \$650 |
| Unimproved Value – Pastoral/Special Leases | 4.5124 | \$200 |
| Unimproved Value – AML Leases | 17.698 | \$200 |
| Unimproved Value – Mining Leases | 17.698 | \$200 |
| Unimproved Value – General Leases | 17.698 | \$200 |
| Unimproved Value – Petroleum Leases | 17.398 | \$200 |
| Unimproved Value – Exploration Leases | 15.575 | \$200 |
| Unimproved Value – Prospecting Leases | 15.575 | \$200 |

- (ii) **The GRV Industrial rate will apply to an estimated 111 properties having a total rateable valuation of \$11,367,380 and generating \$195,500 of income;**
- (iii) **The GRV Town Centre rate will apply to an estimated 37 properties having a total rateable valuation of \$5,620,180 and generating \$226,300 of income;**
- (iv) **The GRV Nullagine Town Site rate will apply to an estimated 44 properties having a total rateable valuation of \$439,796 and generating \$34,800 of income;**
- (v) **The GRV Transient Workforce Accommodation will apply to an estimated 12 properties having a total rateable valuation of \$64,199,716 and generating \$2,037,000 of income;**
- (vi) **The GRV Other rate will apply to an estimated 2,141 properties having a total rateable valuation of \$133,836,516 and generating \$2,481,400 income;**
- (vii) **The UV Prospecting rate will apply to an estimated 231 properties having a total rateable valuation of \$316,444 and generating \$58,400 of income;**

- (viii) The UV Exploration rate will apply to an estimated 815 properties having a total rateable valuation of \$7,847,882 and generating \$1,205,800 of income;
- (ix) The UV Pastoral/Special rate will apply to an estimated 66 properties having a total rateable valuation of \$10,544,712 and generating \$465,000 of income;
- (x) The UV Other rate will apply to an estimated 828 properties having a total rateable valuation of \$25,994,777 and generating \$4,500,600 of income;
- (xi) In addition to the above rates, it is estimated a further \$230,000, being interim rates, will be raised during the year;
- (xii) 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 2014/2015;
- (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:

Shade Sail - The Shade Sail Man – valued up to \$2,500

Second Prize

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

Third Prize:

Karijini Eco Retreat – 2 nights accommodation in a Deluxe Eco Tent including continental breakfast– value \$349

Fourth Prize

Margaret's Forest Holiday Apartments – 1 nights accommodation in a One Bedroom Spa Apartment – Valued at \$230

- (iii) A total of \$15,000 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 2014/2015;
- (ii) The GRV general minimum will apply to an estimated 409 properties having a total rateable valuation of \$4,248,696 and generate income totalling \$265,900;
- (iii) The UV general minimum will apply to an estimated 642 properties having a total rateable valuation of \$399,744 and generate income totalling \$128,400;
- (iv) The GRV Nullagine Town Site minimum will apply to an estimated 15 properties having a total rateable valuation of \$35,028 and generate income totalling \$6,000;
- (v) The pastoral / special lease general minimum will apply to an estimated 18 properties having a total rateable valuation of \$12,618 and generate income totalling \$3,600;

(d) Rubbish Charges

The charge for rubbish collection service shall be \$250 per service and applied to 2,070 properties will generate income totalling \$517,500.

(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 2014/2015 year will be 0.2702 cents in the dollar on the gross rental value of the property. The total expected revenue from this rate is \$436,200.

(f) Instalments

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

- (i) Single payment **Due Date: 6 October 2014**
- (ii) Four instalments **1st Due Date: 6 October 2014**
 2nd Due Date: 8 December 2014
 3rd Due Date: 2 February 2015
 4th Due Date: 6 April 2015

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 2014/2015 is \$6,000.

(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 2014/2015 will be \$25,000.

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 October 2014). 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 2014, on all rates including previous interest charges that remain in arrears. Eligible pensioners are exempt.

**9.2.3 AFFIXING THE COMMON SEAL TO THE ADDENDUM OF THE
MEMORANDUM OF UNDERSTANDING AND FUNDING AGREEMENT
BETWEEN NULLAGINE COMMUNITY RESOURCE CENTRE AND THE
SHIRE OF EAST PILBARA**

File Ref: ORG-12-1

Attachments: [Memorandum of Understanding CRC Nullagine & SOEP](#)

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Sue Michoff
Manager Community Wellbeing

Location/Address: Nullagine Hall (Gallop Hall) A330548

Name of Applicant: Nullagine Community Resource Centre

Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval to apply the common seal to the amendment of the Memorandum of Understanding and Funding Agreement between the Nullagine Community Resource Centre and The Shire of East Pilbara for the provision of library services to incorporate the administration of bookings and cleaning of the Gallop Hall facility.

BACKGROUND

On the 31st January 2014, at The Shire of East Pilbara ordinary council meeting, Item 9.2.14 was tabled to affix the common seal to the Memorandum of understanding and Funding Agreement between the Nullagine Community Resource Centre and The Shire of East Pilbara. Item 9.2.14 was moved at the meeting.

In June 2014 East Pilbara Independence Service (EPIS) ended their tenancy agreement and handed possession of Gallop Hall, Nullagine back to The Shire of East Pilbara. Throughout the duration of the lease agreement EPIS was responsible for the hire of Gallop Hall as a public facility and the required cleaning of premises.

There is currently no process for the administration of bookings for community and commercial groups requiring use of Gallop Hall.

COMMENTS/OPTIONS/DISCUSSIONS

In order to hire Gallop Hall there must be a central location in Nullagine to administer the bookings. This process will at the minimum involve collecting paperwork, handling of keys, forwarding invoice information to finance and assessing the building prior to and post-booking, in line with the Conditions of Hire and Use of the Building.

Cleaning of the premises is also required in order to provide hire of the premises.

The Shire of East Pilbara Nullagine Works Depot staffs have access to Gallop Hall; however the nature of their work creates difficulty in meeting the fundamental administration tasks required for managing the facility.

The Nullagine Public Library, whilst staffed by Nullagine Community Resource Centre staff, is a Shire of East Pilbara facility, located next to Gallop Hall and available during business hours.

The Shire of East Pilbara approached the Nullagine Community Resource Centre to consider absorbing the administration of bookings for Gallop Hall into the Library Officer position. Nullagine Community Resource Centre considered this in their June 2014 Board meeting and has indicated that there is sufficient scope within the allocated staff hours to incorporate the administration of bookings for Gallop Hall into the Library Officer position.

Further, the Nullagine Community Resource Centre has requested to provide staffing for the cleaning of Gallop Hall at the rate of \$30 per hour, exclusive of cleaning equipment and materials.

Within the current Memorandum of Understanding, under the 'Purpose of the Agreement' it is stated that both parties agree to work together to "Identify ways to continue to develop the range of services that can be provided by the Nullagine Community Resource Centre and the Nullagine Community Library."

Booking procedures, Fees and Charges and Hire Conditions of Use for Gallop Hall are currently under review. Updated Fees and Charges will be tabled for consideration at the August Shire of East Pilbara Ordinary Council Meeting.

As per the conditions of the Memorandum of Understanding and Funding Agreement, dated 31/01/2014, between the Nullagine Community Resource Centre Incorporated and The Shire of East Pilbara, amendments may only occur by mutual agreement in writing between the parties.

The proposed Addendum incorporates the following changes only:

Nature of the Collaboration:

Under the terms of this agreement Nullagine Community Resource Centre Inc. will:

- m) To provide administrative services for the booking of the Shire of East Pilbara Public facility Gallop Hall, located in Nullagine.
- n) Provide cleaning services to Gallop Hall in line with hire and conditions of use of the facility

Under the terms of this agreement The Shire of East Pilbara will:

- f) Reimburse Nullagine Community Resource Centre at the rate of \$30 per hour plus GST for cleaning services of Gallop Hall in line with the hire and conditions of use of the facility
- g) Provide cleaning equipment and consumables for the maintenance and cleaning of the Gallop Hall.

Operational Costs:

The following table is a further breakdown of operational costs associated with running the Nullagine Public Library:

| Operational Costs | Shire of East Pilbara Responsibility | Nullagine Community Resource Centre Responsibility |
|--|---|---|
| Cleaning Equipment and Consumables – Gallop Hall | 100% | 0% |

Council can approve or not approve the request to amend the Nullagine Community Resource Centre Memorandum of Understanding and Funding Agreement.

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.

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.

2.4 Diverse and inclusive communities

2.4.2 Build strong community groups, networks and governance
Responsible officer: MCW
Timing: 1-5 years

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council approve the application of the common seal of The Shire of East Pilbara to the amendment of the Nullagine Community Resource Centre Memorandum of Understanding and Funding Agreement.

9.2.4 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

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 2014/2015.

9.2.5 MAY FINANCIAL STATEMENTS 2014

| | |
|---------------------------------------|--|
| Attachments: | May 2014 Variance Report.doc May Financials.pdf |
| Responsible Officer: | Ms Sian Appleton Deputy Chief Executive Officer |
| Author: | Ms 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 December 2013 of the 2013/2014 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. Graphs showing budget v actual and Income & Expenditure by Nature & Type
4. A schedule detailing all expenditure for the year to date for individual capital items.
5. A statement of cash flows.

COMMENTS/OPTIONS/DISCUSSIONS

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

Reportable variations in accordance with accounting policies are submitted on attached report.

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

POLICY

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

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

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

That Council receive the monthly financial statements for the period July 2013 to May 2014, of the 2013/2014 financial year, as presented.

9.2.6 CREDITORS FOR PAYMENT

File Ref: FIN-10-2
Attachments: [Schedule of Accounts EFT.pdf](#)
[schedule of accounts chq.pdf](#)
[schedule of accounts written chq.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Candice Porro
Expenditure 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 27th June 2014.

COMMENTS/OPTIONS/DISCUSSIONS

| FUND | VOUCHER | AMOUNT |
|---------------------|--------------------|------------------------------|
| EFT Payments | EFT24181-EFT24684 | 6,836,692.08 |
| | Total | \$6,836,692.08 |
| Cheque Payments | 22934-22997 | 118,966.10 |
| Manual Chq Payments | 152-178 | 106,294.13 |
| | Total | \$225,260.23 |
| | GRAND TOTAL | <u>\$7,061,952.31</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
EFT22943, EFT22962

CANCELLED CHEQUES & EFTS
167,168,169,171

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 \$7,061,952.31

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the payments:

| FUND | VOUCHER | AMOUNT |
|---------------------|--------------------|------------------------------|
| EFT Payments | EFT24181-EFT24684 | 6,836,692.08 |
| | Total | \$6,836,692.08 |
| Cheque Payments | 22934-22997 | 118,966.10 |
| Manual Chq Payments | 152-178 | 106,294.13 |
| | Total | \$225,260.23 |
| | GRAND TOTAL | <u>\$7,061,952.31</u> |

9.2.7 CAPE KERAUDREN PROPOSED LAND EXCISION

| | |
|--------------------------------|--|
| Responsible Officer: | Ms Sian Appleton Deputy Chief Executive Officer |
| Author: | Mr Glenn Britton Manager Assets and Procurement |
| Location/Address: | Reserve 39135 - Cape Keraudren |
| Name of Applicant: | N/A |
| Author Disclosure of Interest: | Nil |

REPORT PURPOSE

To consider a proposal from the Department of Parks and Wildlife to excise land from Cape Keraudren Reserve for inclusion into their adjoining "Marine Park".

BACKGROUND

Since 1985, Shire of East Pilbara is the Primary Interest Holder of Crown Reserve 39135 at Cape Keraudren, held for the purpose of "Recreation". The reserve has an area on 4,800 hectares which is used as a Camping Ground.

Cape Keraudren is classified as a "Nature Based Park" under the *Caravan and Camping Grounds Act 1995*. Local Governments (within its district) may operate a Caravan Park/Camping Ground without a license, but has an inferred responsibility to comply with the Act and Regulations.

At its meeting on 16 December 2009, Council supported the indicative management plan for the proposed Eighty Mile Beach Marine Park, which incorporates Cape Keraudren. The report was supported on the basis that the Marine Park plan's did not impact on the management of the Cape Keraudren camping area.

At its meeting on 27 September 2013, Council accepted the 'Cape Keraudren Recreation Management Plan' which provides many recommendations to management direction for the Reserve into the future.

Referred in the 'Cape Keraudren Recreation Management Plan'

9.3.1 Option 10 – Transfer Management to another Government Agency

Cape Keraudren Reserve occupies part of the Ramsar Wetland and is adjacent to the proposed Eighty Mile Beach Marine Park, both of which are to be managed by Department of Environment and Conservation (DEC). The Conservation Commission could be approached to consider including the reserve in its conservation estate, with DEC taking over management of Cape Keraudren Reserve as a Conservation Park. Factors in favour of this option:

The proposed marine park goes to High Water Mark elsewhere along the coast but abuts the reserve at Low Water Mark, and the mangroves in the reserve have high conservation value;

Most visitors to Cape Keraudren reserve will interact with the Ramsar Wetland and proposed marine park, so the reserve functions as an entry point to both;

The camping and recreation opportunities on the reserve could be made similar to the style of facilities DEC provides in other coastal national parks. However, as DEC managers for this area are based in Broome it is likely there would be a number of issues to address before DEC could take over management of the reserve, particularly the resourcing of this management.

COMMENTS/OPTIONS/DISCUSSIONS

The Shire received a letter of 15 November 2013 from the Department of Parks and Wildlife requesting comments on a proposal to amend the boundaries of the Cape Keraudren Reserve to exclude intertidal areas.

Department of Parks and Wildlife suggests that the proposal :

- Would not impact on the Shire's management of the camping facilities; and
- Would compliment the Shire's existing management strategies.

Department of Parks and Wildlife considers that the proposal will result in:

- Simpler management for visitors
- More practical boundaries
- Promotion of the area
- Additional dedicated marine park resources

Department of Parks and Wildlife suggest that if the Shire is supportive of the proposal, a meeting should be arranged to discuss the various elements in detail.

Shire comments on the proposal are:

- There is a large area proposed to be excised from the Reserve however the land is predominantly intertidal and mangroves which do not directly impact the Shire's camping uses;
- It is usual that land boundaries are created at the high water mark of the ocean/river (as currently exists); however at Cape Keraudren Reserve the boundary is established at the low water mark. Given the tidal size, this suggests that the Shire is responsible for the management of the offshore reef (visible at low tide). The reef is better managed by Department Parks and Wildlife;
- The Shire is currently completing an environmental report to consider the existing and possible alternative locations for the boat ramp. Within the proposal, the Shire is proposed to retain an intertidal area around the existing boat ramp, however given the future position of that boat ramp is unclear;
- The Shire has concerns on possible limitations to recreational fishing;
- There are concern's with respect to the fashion on which the Reserve is proposed to be broken up (apparently from a height datum) and the number of land islands created for the Shires management. These land islands do not have access to the property and can only be accessed through the proposed Marine Park Reserve;
- Council should be mindful of comments within the 'Cape Keraudren Recreation Management Plan'.

The Shire's Chief Executive Officer has had informal discussions on the matter with the Department of Parks and Wildlife.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 3 - Functions of local governments (Division 3 - Executive functions of local governments) (Subdivision 6 - Various executive functions) 3.58. Disposing of property (pg 71)

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.

- 1.1.1 Ethical, accountable and transparent decision-making
Responsible officer: DCEO
Timing: As appropriate
- 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

THAT Council supports finalising terms of agreement with the Department of Parks and Wildlife for the excision of Reserve 39135 to be included in adjoining Marine Park.

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

9.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS - JUNE 2014

File Ref: CLR 4-5
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Ms 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

THAT the “Status of Council Decisions” – Director Technical and Development Services for June 2014 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 | Nov 2013 - Cr Lang Coppin & DTDS travelled desert roads and recorded condition of windmills and marked points of interest for future tourist mapping. Officers to allocate resources to develop themes and seek funding | Pending |
| 23 August 2013 | 13.6 | STREET NUMBERING MARBLE BAR Cr Stephen Kiernan asked what was happening in regards to the street numbering in Marble Bar. | DTDS | Street plates to be ordered and will be held at Marble Bar Office | Complete |
| 14 March 2014 | 13.11 | ROGERS WAY NEXT TO AQUATIC CENTRE Cr Anita Grace asked if it was possible to have speed signs erected as there is a lot of traffic speeding and fears someone is going to be hit coming out from the Aquatic Centre. Director Technical and Development Services to follow up. | MTS-N | Work Order to be raised for action – 40km/h speed signs to be ordered and area to be monitored | Complete |
| 24 April 2014 | 13.4 | FIRE STATION NEWMAN RECLAIM WATER Cr Doug Stead has asked about reclaim water for the greening of the Newman Fire Station. Director Technical and Development Services to follow up. | DTDS | Written application by Newman Fire Station to SOEP. – Verbal advice will be provided on process | In Progress |

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

25 JULY, 2014

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | DIRECTORATE | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|-----------------------------|----------------|---|--------------------|--|----------------------------------|
| 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. | DTDS | DTDS has inspected. A works request will be raised to carry out minor repairs to make safe | In Progress |
| 23 May 2014 | 13.6 | ROAD VERGE – VISITORS CENTRE TO WHALEBACK MINESITE Cr Gerry Parsons asked who was responsible for the roadside from the visitors centre to Mt Whaleback Minesite as the vegetation is over grown and requires cutting back. Director Technical and Development Services said the Shire is responsible for this and will follow up on the query. | DTDS | A Works request has been raised and works expected to be complete by end of July | Complete |
| 27 th June 2014 | 13.1 | SHIRE OF EAST PILBARA – CATAPILLAR 140M GRADERS Cr Lang Coppin asked if Council could receive a report on the performance of the Shire of East Pilbara, Caterpillar 140m Grader's. Mr Rick Miller, Director Technical and Development Services to prepare a report for consideration. | DTDS | A Confidential report will be tabled for reading prior to budget meeting | 24/07/2014 |
| 27 th June 2014 | 13.2 | RUBBISH BUILDING MATERIALS Cr Anita Grace asked if the building material between the Anglican Church and Pit Stop the land in the middle be cleaned up or removed. Mr Rick Miller, Director Technical and Development Services to follow up. | MDS-P MDS-B | Managers to investigate and action | In Progress |
| 27 th June 2014 | 13.3 | RUBBISH BIN – RADIO HILL Cr Shane Carter asked if the rubbish bin can be replaced on radio hill as it is missing, location near the car park. Mr Rick Miller, Director Technical and Development Services to follow up. | DTDS | A Works Request will be raised | In Progress |

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | DIRECTORATE | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|-----------------------------|----------------|--|--------------------|---|----------------------------------|
| 27 th June 2014 | | SOLAR LIGHTS - RADIO HILL Cr Shane Carter asked if the solar lights can be replaced or repaired on Radio Hill as some ground are broken or not working. Mr Rick Miller, Director Technical and Development Services to follow up. | CBS | A Works Request will be raised to assess costs and options. | In Progress |
| 27 th June 2014 | | 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 | A Works Request will be raised | In Progress |
| 27 th June 2014 | 13.7 | MARBLE BAR 50KMS SPEED SIGN Cr Dean Hatwell asked if the Shire of East Pilbara can follow up to Main Roads regarding the 50kms speed limit and signs to be put up on the main street of Marble Bar. Mr Rick Miller, Director Technical and Development Services to follow up. | DTDS | MRWA advise they are installing in July 2014 | End July |
| 27 th June 2014 | 13.10 | DOG CONTROL NULLAGINE Cr Bidy Schill asked if the Rangers could come to Nullagine more often as there is a problem with dogs roaming the streets. Mr Paul Dickson, Manager Community Safety to follow up. | MCS | Rangers have arranged to attend on a more regular basis to engage with community members to remove problem dogs | Complete |
| 27 th June 2014 | 13.11 | RUBBISH TIP – MARBLE BAR Cr Kevin Danks said the Marble Rubbish Tip is nearly full and has the Shire identified another area for a rubbish tip. Mr Rick Miller replied the Shire has already identified the possibility of extending the life of the rubbish tip and this will also include a section for asbestos disposal. | DTDS MTS-R | Noted and will be considered in future tip extensions | Complete |

9.3.2 AAA NATIONAL CONVENTION, AGM, GALA DINNER AND TECHNICAL WORKSHOPS

| | |
|---------------------------------------|---|
| File Ref: | FAC 1-5 |
| Attachments: | AAA National Conference Program 2014.pdf |
| Responsible Officer: | Mr Rick Miller Director Technical and Development Services |
| Author: | Mr Leon Burger Chief Operating Officer-Airports |
| Location/Address: | N/A |
| Name of Applicant: | N/A |
| Author Disclosure of Interest: | Nil |

REPORT PURPOSE

To determine Council and shire representatives to attend the Australian Airports Association's Annual National Conference, AGM, Gala Dinner and Technical Workshops for 2014. This convention is to be held by the Australian Airports Association on the Gold Coast from Sunday 23 November to Thursday 27 November 2014, with the last two days being technical workshops.

BACKGROUND

The Shire of East Pilbara is a member of the Australian Airports Association. This convention is an annual event that provides the opportunity for Council and shire representatives to meet with other airport, airline and regulatory figures that share common issues and interests we experience with the operation of shire owned and operated airports.

COMMENTS/OPTIONS/DISCUSSIONS

The conference is a well attended conference by delegates from Councillors , middle management to senior management that, allows networking and discussions from day to day issues through to current and strategic issues. This year's convention is to be held over five days in the Gold Coast Convention & Exhibition Centre, Gold Coast, Queensland:

Sunday 23 November 2014

Optional leisure and sporting events for early arrivals

1700 – 1900: Welcoming Function

Monday 24 November 2014

0900 – 1730: National Convention & Industry Exhibition

1900 - 2300: Networking Function

Tuesday 25 November 2014

0915 – 1630: National Convention & Industry Exhibition

1630 - 1715: AAA AGM

AAA National Airport Industry Awards 2014 & Gala Dinner

Evening 1900 - 2330

Wednesday 26 November 2014

0915 - 1700: Technical Workshops & Industry Exhibition

1830 - 2230: Networking Function

Thursday 27 November 2014

0915 - 1700: Technical Workshops & Industry Exhibition

Friday 28 November 2014

Optional Gold Coast Airport Tour

The full program for the convention and workshops is attached. Allowance has been made in the draft budget for two management staff members to attend the full program. Tentative accommodation bookings have made for an additional three nominated Councillors and/or shire representatives at the Jupiters Gold Coast. Accommodation bookings have to be confirmed by 15 August 2014. Early Bird and group discounts for program registration is available and maximum cost benefit can be achieved by registering and paying before 31 August 2014.

Cost estimates for up to 5 people at Early Bird rates are:

- 5 x Registration Day 1 & 2: \$ 4,350.00
- 2 x Registration Day 3 & 4: \$ 2,190.00
- 5 x Gala Dinner and Awards \$ 750.00
- 3 x Accommodation (4 nights) \$ 2,380.00
- 2 x Accommodation (6 nights) \$ 2,388.00
- 5 x Return flights \$ 7,500.00
- \$19,558.00**

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

1.11 SHIRE PRESIDENT & COUNCILLORS – ATTENDANCE FEES, EXPENSES & ALLOWANCES

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

Resource requirements are in accordance with draft budgetary allocation FY 2014/15 Function 12 Airports budgetary allocation for two airport management staff members to attend the full program. No budgetary allowance for additional members has been made from the airports' budget.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

1. THAT Council authorises the CEO to nominate Shire Officers to attend the full program over period 23 to 27 November 2014.
2. THAT Council authorise Cr _____ and Cr _____ to attend the 2014 AAA Convention and Gala Event over period 23 to 25 November 2014.

9.3.3 DOG AMENDMENT REGULATIONS

| | |
|---------------------------------------|---|
| Attachments: | Dog Exercise Areas |
| Responsible Officer: | Mr Rick Miller Director Technical and Development Services |
| Author: | Mr Andrew Norris Coordinator Ranger and Emergency Services |
| Location/Address: | Location/Address |
| Name of Applicant: | Not Applicable |
| Author Disclosure of Interest: | Nil |

REPORT PURPOSE

To ensure compliance with the Dog Amendment Regulations 2014 - changes affecting local laws.

BACKGROUND

The Shire of East Pilbara local laws establish dog exercise areas, or prohibit dogs absolutely from areas, under the local government's control. From 1 November 2013 the Dog Amendment Act removed a local government's ability to make local laws in respect of these two areas.

In order to relieve local governments from having to remove these provisions from their local laws by following the local lawmaking process set out in section 3.12 of the *Local Government Act* 1995 - the Dog Regulations provide a sunset date (31 July 2014) for the operation of those clauses. This means that if a local government has a local law containing clauses which establish dog exercise areas, or prohibit dogs absolutely from areas; these clauses will be inoperable from 31 July 2014.

Should local governments wish to establish exercise areas or specify places where dogs are prohibited, they must now do so via a council resolution (by absolute majority) in accordance with amended section 31 of the *Dog Act* 1976 rather than through a local law.

COMMENTS/OPTIONS/DISCUSSIONS

Those clauses of the Dogs Local Law 2011 referring to prohibited areas and exercise areas will have no effect from the 14 July 2014. New Sections and subsections from the Amended Dog Act 1976 are now applicable. Those Sections are contained under Section 31. 'Control of dogs in certain public places'. The Sub-sections 31(1) to 31(5) prescribes the various conditions and permutations for specifying these areas.

To allow for suitable public notification under Section 31(3C) (28 days prior to specifying an area) a notice was placed in the Northwest Telegraph newspaper and on public Notice Boards in mid June 2014.

Council may now lawfully specify prohibited and exercise areas by resolution without the need for a local law or gazettal, provided that the advertising period prior to each specification is observed.

Under the current Local law the following areas were prohibited absolutely:

- (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) an area set aside by a wall or fence as a children's playground, or where there is no wall or fence, an area within 10 metres of the edge of playing equipment or apparatus

And the following areas were designated exercise areas subject to the advertised conditions:

- (a) Newman - Reserve 38372, Capricorn Oval, Thulluna Crescent
- (b) Newman - Lot 840 Boorthanna Crescent
- (c) Newman - Reserve 38512, Boomerang Oval, Newman Drive
- (d) Nullagine - Reserve 23348, 167 Cooke Street, Nullagine
- (e) Marble Bar - Reserve 29882, 230 General Street, Marble Bar

Conditions where and when exercise areas do not apply –

- (a) an area set aside by a wall or fence as a children's playground, or where there is no wall or fence, an area within 10 metres of the edge of playing equipment or apparatus;
- (b) 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
- (c) a car park, thoroughfare, access way or right of way.

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

N/A

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.

- 2.1 Health and recreation
 - 2.1.1 Promote safe and healthy communities
Responsible officer: MCW
Timing: 1-3 years
 - 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

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute majority

OFFICER'S RECOMMENDATION

THAT Council

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) an area set aside by a wall or fence as a children's playground, 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 conditions and restrictions as specified
 - a) Newman - Reserve 38372, Capricorn Oval, Thulluna Crescent
 - b) Newman - Lot 840 Boorthanna Crescent
 - c) Newman - Reserve 38512, Boomerang Oval, Newman Drive
 - d) Nullagine - Reserve 23348, 167 Cooke Street, Nullagine
 - e) Marble Bar - Reserve 29882, 230 General Street, Marble Bar

Conditions where and when exercise areas do not apply:

- a) an area set aside by a wall or fence as a children's playground, or where there is no wall or fence, an area within 10 metres of the edge of playing equipment or apparatus;
 - b) 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
 - c) a car park, thoroughfare, access way or right of way. and;
3. 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)*.

- 10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL**
- 12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS**
- 13 GENERAL BUSINESS**
- 14 DATE OF NEXT MEETING**
22nd August 2014, Newman
- 15 CLOSURE**