

Unconfirmed copy of Minutes of
Meeting held on 25 May 2012 subject to
confirmation at meeting to be held on
22 June 2012



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, 25 MAY 2012.

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.....	1
2	RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE	1
2.1	ATTENDANCES	1
2.2	APOLOGIES	1
2.3	LEAVE OF ABSENCE	1
3	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	1
4	PUBLIC QUESTION TIME	2
5	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	2
6	APPLICATIONS FOR LEAVE OF ABSENCE	2
7	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING.....	2
7.1	CONFIRMATION OF MINUTES.....	2
7.2	PILBARA REGIONAL COUNCIL MINUTES 30 TH APRIL 2012...	2
8	MEMBERS REPORT	3
8.1	ITEMS FOR RECOMMENDATION	3
8.2	ITEMS FOR INFORMATION	3
9	OFFICER'S REPORTS	4
9.1	CHIEF EXECUTIVE OFFICER.....	4
9.1.1	EXECUTIVE SERVICES - STATUS OF COUNCIL DECISIONS APRIL 2012	4
9.1.2	PROPOSED GROUPED DWELLING - LOT 1747 (#7) NIMINGARRA DRIVE, NEWMAN	8
9.1.3	APPOINTMENT OF CHAIRPERSON – LOCAL EMERGENCY MANAGEMENT COMMITTEES NULLAGINE AND MARBLE BAR	11
9.1.4	ADMENDMENT TO THE STALLHOLDER AND STREET TRADING POLICY	13

9.2	DEPUTY CHIEF EXECUTIVE OFFICER	19
9.2.1	CORPORATE SERVICES - STATUS OF COUNCIL DECISIONS - APRIL 2012	19
9.2.2	AFFIX COMMON SEAL OF SHIRE OF EAST PILBARA TO HEALTH PROMOTION SPONSORSHIP AGREEMENT NO#21462 FOR TRIATHLON APRIL 2012	22
9.2.3	REVIEW OF MEETING ATTENDANCE FEES AND MEMBER ALLOWANCES.....	25
9.2.4	AMENDMENT TO PURCHASING AND TENDER PROCEDURES	30
9.2.5	ECONOMIC DEVELOPMENT AND TOURISM STRATEGY.....	46
9.2.6	OFFICIAL OPENING FOR ROYALTIES FOR REGIONS PROJECTS	48
9.2.7	FINANCIAL REPORTING AND MATERIALITY.....	50
9.2.8	SUNDRY DEBTORS FOR WRITE OFF	52
9.2.9	MONTHLY FINANCIAL STATEMENTS - MARCH 2012	55
9.2.10	CREDITORS FOR PAYMENT.....	59
9.3	DIRECTOR TECHNICAL SERVICES	62
9.3.1	TECHNICAL SERVICES STATUS OF COUNCIL DECISIONS - APRIL 2012	62
9.3.2	AFFIX COMMON SEAL TO COMMERCIAL LEASE - NEWMAN AIRPORT BLOCKS 3 & 4 – SHIRE OF EAST PILBARA AND SEANALISA HOLDINGS PTY LTD - (MCLAREN HIRE)	67
9.3.3	AFFIX COMMON SEAL TO COMMERCIAL LEASE - NEWMAN AIRPORT LEASE AREA 1 – SHIRE OF EAST PILBARA AND LINKFORCE ENGINEERING.	70
9.3.4	TENDER 09_2011/12 PROVISIONS OF ROAD SWEEPING SERVICES, NEWMAN	73
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	75
11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL	76
11.1	EROSION GULLY REHABILITATION – DEGREY RIVER, BE ACCEPTED AS AGENDA ITEM 11.1.1	76

11.1.1	EROSION GULLY REHABILITATION – DEGREY RIVER.....	76
11.2	LINFOX REQUEST TO ACQUIRE/LEASE PORTION OF LOT 36 KOONDRA LOCATION (OPPOSITE AIRPORT), BE ACCEPTED AS AGENDA ITEM 11.2.1	79
11.2.1	LINFOX REQUEST TO ACQUIRE/LEASE PORTION OF LOT 36 KOONDRA LOCATION (OPPOSITE AIRPORT).....	79
11.3	EXCISION OF PORTION OF RESERVE 4154 BEING LOT 511 KURRA STREET, NEWMAN BE ACCEPTED AS AGENDA ITEM 11.3.1	82
11.3.1	EXCISION OF PORTION OF RESERVE 41654 BEING LOT 511 KURRA STREET, NEWMAN.....	82
11.4	TENDER RFT 10-2011/2012 PROVISION OF WET HIRE OF PLANT EQUIPMENT AND PERSONNEL, BE ACCEPTED AS AGENDA ITEM 11.4.1.....	85
11.4.1	RFT 10-2011/2012 PROVISION OF WET HIRE OF PLANT, EQUIPMENT AND PERSONNEL.....	85
12	CONFIDENTIAL MATTERS BEHIND CLOSED DOORS.....	92
13	GENERAL BUSINESS.....	92
13.1	CHINAMAN POOL MARBLE BAR.....	92
13.2	MARBLE BAR ROAD.....	92
13.3	WELSH DRIVE.....	92
13.4	NEWMAN SHOPPING CENTRE	92
13.5	BHP BILLITON – MATCH GIVING PROGRAM	92
13.6	RUBBISH BINS – NEXT TO CHICKEN TREAT	92
13.7	KANGAROO STATUES.....	93
13.8	OLD CARAVANS – MARBLE BAR.....	93
13.9	MARBLE BAR TOWN CENTRE.....	93
13.10	VACANT LAND AT SHOPPING CENTRE	93
14	DATE OF NEXT MEETING	93
15	CLOSURE.....	93

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairman declared the meeting open at 10:17AM.

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Cr Lang Coppin

Deputy Shire President

Cr Shane Carter

Cr Craig Hoyer

Cr Doug Stead

Cr Darren Bennetts

Cr Kevin Danks

Cr Sue Owen

Cr Stephen Kiernan

Cr Anita Grace

Officers

Mr Allen Cooper

Chief Executive Officer

Mr Rick Miller

Director Technical and Development
Services

Mrs Sheryl Pobrica

Executive Services Administration Officer

Public Gallery

Nil

2.2 APOLOGIES

Councillor Apologies

Cr Lynne Craigie

Shire President

Cr Gerry Parsons

Officer Apologies

Sian Appleton

Deputy Chief Executive Officer

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

[Minutes April 27 2012 Council.DOC](#)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/279

MOVED: Cr Doug Stead

SECONDED: Cr Shane Carter

THAT the minutes of the Ordinary Meeting of Council held on 27 April 2012, be confirmed as a true and correct record of proceedings.

CARRIED

RECORD OF VOTE: 9 - 0

To be actioned by Mr Allen Cooper, Chief Executive Officer

7.2 PILBARA REGIONAL COUNCIL MINUTES 30TH APRIL 2012

[Minutes April 27 2012 Council.DOC](#)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/280

MOVED: Cr Anita Grace

SECONDED: Cr Kevin Danks

THAT the minutes of the Ordinary Meeting of the Pilbara Regional Council held on 30 April 2012, be received.

CARRIED

RECORD OF VOTE: 9 - 0

To be actioned by Mr Allen Cooper, Chief Executive Officer

8 MEMBERS REPORT

8.1 ITEMS FOR RECOMMENDATION

Nil

8.2 ITEMS FOR INFORMATION

Cr Craig Hoyer

- Attended Rio Tinto Hope Downs Visit
- Attended Budget Breakfast with the Hon Brendon Grylls
- Attended Career Expo

Cr Doug Stead

- Attended Rio Tinto Hope Downs Visit
- Attended BHP Billiton Match Giving Presentation

Cr Anita Grace

- Attended Pilbara Regional Council Meeting in Newman
- Attended Budget Breakfast with the Hon Brendon Grylls
- Attended Newman Women's Shelter meeting

Cr Sue Owen

- Attended Marble Bar Tourist Association meeting
- Attended Development Assessment Panels Committee Teleconference.

Cr Kevin Danks

- Attended Marble Bar Tourist Association meeting
- Attending Marble Bar Race Club meeting

Cr Stephen Kiernan

- Attended Marble Bar Community Resource Centre meeting

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 EXECUTIVE SERVICES - STATUS OF COUNCIL DECISIONS APRIL 2012

File No: 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*

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.2 Improve Community Engagement

- 3.2.1 Encourage community participation in the decision making processes undertaken by the Shire
Continuing role
How funded – Municipal Funds
Responsible Directorate – Executive

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/281

MOVED: Cr Anita Grace

SECONDED: Cr Sue Owen

THAT the "Status of Council Decisions" – Executive Services report for April 2012 be received.

**CARRIED
RECORD OF VOTE: 9 - 0**

To be actioned by Mr Allen Cooper, Chief Executive Officer

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
28 January 2011	9.1.11	PROPOSED TOWN PLANNING SCHEME NO 4 – ADMENDMENT NO 14	MDS-P	With WAPC for Final Approval	On Going
22 July 2011	11.1.1	TENDER 10/2010-2011 DESIGN, SUPPLY AND DELIVERY OF MODULAR TYPE HOUSING	MBA	Awaiting utility connection	July 2012
16 December 2011	9.1.9	PLANNING APPLICATION FOR PROPOSED CLOSURE OF A PORTION OF ROAD RESERVE BOUNDED BY LOTS 1 & 2 AND 1315 NEWMAN DRIVE AND LOT 1316 MACKAY STREET	MDS-P	Forwarded to DRDL for approval – applicant advised	July 2012
3 February 2012	9.1.4	QUEEN'S BIRTHDAY HOLIDAY 2012 – REQUEST FOR ALTERNATIVE DATES.	ESAO	Will need to be advertised when approved by the WA Governor - still waiting response.	Awaiting Response
3 February 2012	9.1.5	EXPRESSION OF INTEREST - NULLAGINE CARAVAN PARK LEASE	CPS		On Going
3 February 2012	11.1.1	RESIDENTIAL INFILL PROGRAM (LAZY LANDS), NEWMAN – PREPARED BY THE DEPARTMENT OF REGIONAL DEVELOPMENT AND LANDS	CEO	Draft Tender documents prepared	On Going
23 March 2012	9.1.10	PROPOSED ROAD CLOSURE OF ROAD BOUND BY LOTS 1, 2 & 1315 NEWMAN DRIVE AND LOT 1346 MACKAY STREET, NEWMAN	MDS-P	Forward to DRDL for approval – applicant advised	July 2012
23 March 2012	13.11	MARBLE BAR TOWN SPLIT WHEN FLOODING Cr Stephen Kiernan said when there is a significant amount of rain, the town of Marble Bar splits into two because the creek cuts the town. This causes a problem with LEMC and how to get the residents to shelters. Coordinator Ranger and Emergency Services to follow up.	CRES	This should be addressed through MB LEMC to find/seek suitable solutions and request to SOEP to implement.	On Going
27 April 2012	9.1.6	STALLHOLDER AND STREET TRADING POLICY	MDS-H	Amendment to Policy at May Meeting	May 2012

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
27 April 2012	9.1.7	POWER TO LEASE - RESERVE 44274 & 40409	MDS-P	Forwarded to DRDL for approval	July 2012
27 April 2012	12.1.1	ANNUAL PERFORMANCE REVIEW APPRAISAL- CHIEF EXECUTIVE OFFICER	CEO	With Shire President	

**9.1.2 PROPOSED GROUPED DWELLING - LOT 1747 (#7) NIMINGARRA DRIVE,
NEWMAN**

File No: A418470
Attachments: [Lot 1747 Nimingarra.pdf](#)
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr Adam Majid
Manager Development Services - Planning
Location/Address: 7 Nimingarra Drive, Newman
Name of Applicant: Thermal Comfort Homes
Author Disclosure of Interest: Nil

REPORT PURPOSE

Council's consideration is required for a proposed grouped dwelling development which is situated outside of the Interim Residential Development Policy area.

BACKGROUND

An application has been received which proposes a two (2) dwelling grouped development at the subject lot. It is proposed that the existing house on the block will be repositioned to the rear half to allow for the installation of a new dwelling to the front half of the subject lot. The subject lot is zoned Residential with an R-Coding of R15/40. The block has a total area of 817m².

COMMENTS/OPTIONS/DISCUSSIONS

The proposal is located outside of the Interim Residential Development Policy area which stipulates certain areas of the Residential zoned land within the Newman Townsite which can be developed to the higher R40 density coding. It is noted that Council has previously approved such developments outside of the Policy area. However, it is still a requirement that developments outside of the Policy area achieve the objectives of the Policy to ensure that development is consistent throughout Newman.

Where approval is sought for development above the base R15 coding, the proposal must respond to the following Policy objectives:

- Enhancement of the existing streetscape;
- A high quality of built form;
- Passive surveillance of the public realm (both streets and open space); and
- Integration of development at the higher density code with adjoining development at the base density code.

In relation to the proposed development and after assessment of the submitted plans, it is deemed that the proposal is consistent with the Policy and achieves the above mentioned objectives. The proposal is consistent with the Residential Design

Codes with regards to acceptable development criteria and that the proposal is at a density of between R20 and R25.

The applicant has also provided a plan detailing the proposed landscaping to the subject lot which is compliant with Council's Policy regarding landscaping for residential development.

It is therefore recommended that Council grant approval to the proposed development.

STATUTORY IMPLICATIONS/REQUIREMENTS

The applicant/owner will have a right of review to the State Administrative Tribunal should they feel aggrieved by Council's decision.

POLICY IMPLICATIONS

Interim Residential Development Policy.

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.6 Planning for Land

1.6.3 Work with State Government Agencies and potential developers to ensure diversity and affordability in built product
Ongoing – Lobbying/Advocacy role
Responsible Directorate – Executive and Development and Regulatory Services

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/282

MOVED: Cr Darren Bennetts

SECONDED: Cr Anita Grace

THAT Council approves the proposed Grouped Dwelling development at Lot 1747 Nimingarra Drive, Newman subject to the following conditions:

- 1. Development shall be in accordance with the approved plans unless conditioned otherwise;**
- 2. The dwelling to be retained on site shall be brought up to an acceptable external appearance and standard similar to the proposed new dwelling and/or to the satisfaction of the Manager Development Services – Planning;**
- 3. All crossovers being constructed in accordance with the specifications of Council's crossover policy and to the satisfaction of the Shire of East Pilbara;**
- 4. Prior to the commencement of the development, details of the proposed colours and textures of the dwelling(s) shall be submitted and approved by the Manager Development Services – Planning;**
- 5. Landscaping shall be in accordance with the approved plan and shall be fully installed prior to occupancy and satisfactorily maintained thereafter; and**
- 6. Fencing on the front boundary shall not be installed and any fencing forward of the building line on either side boundary shall be reduced to 750mm in height;**

**CARRIED
RECORD OF VOTE: 9 - 0**

To be actioned by Mr Adam Majid, Manager Development Services - Building

**9.1.3 APPOINTMENT OF CHAIRPERSON – LOCAL EMERGENCY
MANAGEMENT COMMITTEES NULLAGINE AND MARBLE BAR**

File No: ORG 23-6
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr Andrew Norris
Coordinator Ranger and Emergency Services
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

Council are required to appoint a Chairperson for the Nullagine and Marble Bar Local Emergency Management Committees. (Emergency Management Act 2005).

BACKGROUND

Under current Legislation, Council is required to appoint a chairperson to the Nullagine and Marble Bar local Emergency Management Committees.

COMMENTS/OPTIONS/DISCUSSIONS

It is proposed that Sergeant Peter Vale be appointed to this position in Marble Bar. (Sergeant Peter Vale is the Marble Bar Local Emergency Coordinator) and that Sergeant Graeme Bond be appointed as Chairperson to the Nullagine LEMC. (Sergeant Graeme Bond is the Nullagine local Emergency Coordinator).

STATUTORY IMPLICATIONS/REQUIREMENTS

Section 38 (3) Emergency Management Act 2005

(3)A local emergency management committee consists of —

- (a) a chairman and other members appointed by the relevant local government in accordance with subsection (4); and
 - (b) if the local emergency coordinator is not appointed as chairman of the committee, the local emergency coordinator for the local government district.
- (4) Subject to this section, the constitution and procedures of a local emergency management committee, and the terms and conditions of appointment of members, are to be determined by the SEMC.

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/283

MOVED: Cr Anita Grace

SECONDED: Cr Doug Stead

THAT Council

- 1. THAT Council approves the appointment of Sergeant Peter Vale to the position of chairperson for the Marble Bar Local Emergency Management Committee (LEMC).**
- 2. THAT Council approves the appointment of Sergeant Graeme Bond to the position of chairperson for the Nullagine Local Emergency Management Committee (LEMC).**

**CARRIED
RECORD OF VOTE: 9 - 0**

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

9.1.4 ADMENDMENT TO THE STALLHOLDER AND STREET TRADING POLICY

File No: LEG 5-6
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Edmore Masaka
Manager Development Services - Health
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To consider an amendment to a policy to facilitate trading in public places within the Shire of East Pilbara.

BACKGROUND

The Shire of East Pilbara Public Places and Local Government Property Local Law was gazetted on 3 February 2012. One of the purposes of this local law is the control of activities and trading in thoroughfares. On 27 April 2012, Council considered and adopted a policy to facilitate this trading in Public Places.

COMMENTS/OPTIONS/DISCUSSIONS

The current Stallholder and Street Trading Policy does not provide for the exemption upon application of not for profit and community organisations from conducting their fundraising trade activities on public land without acquiring a licence as provided in subclause 2 of clause 3.1 of The Shire of East Pilbara Public Places and Local Government Property Local Law

STALLHOLDER AND STREET TRADING POLICY AMENDMENT

First Bullet point under APPLICATION TO CONDUCT A STALL OR TRADE IN A PUBLIC PLACE to read;

“The appropriate application fees as periodically adopted in the Shire of East Pilbara’s Fees and Charges Schedule and/or any applicable legislative provision except in the case of food businesses conducted as fundraising events and exempted in accordance with the provisions of Section 109 of the Food Act 2008 or not for profit and community organisations which have applied as required by subclause (2) of clause 3.1of the Public Places and Local Government Property Local Law 2011, and obtained exemption from complying with the provisions of Subclause (1) of clause 3.1 of the same local law.”

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Shire of East Pilbara Public Places and Local Government Property Local Law 2012".

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.4 Maintaining a High Standard of Governance

FINANCIAL IMPLICATIONS

No financial resource impact

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/284

MOVED: Cr Stephen Kiernan

SECONDED: Cr Darren Bennetts

THAT Council adopt the amendment to the Stallholders and Street Traders

CARRIED

RECORD OF VOTE: 9 - 0

To be actioned by Mr Edmore Masaka, Manager Development Services - Health

STALLHOLDER AND STREET TRADING

Minute No: item 9.1.6

Date: 27th April 2012

9.1.4 25th May 2012

OBJECTIVES:

- To provide for the orderly operation of temporary trading activities within the Shire of East Pilbara and compliance with the requirements of Council's Local Laws;
- To ensure that temporary trading activities are carried out in a manner so as not to detract and or cause harm to the amenity of public places and safety of pedestrians and residents;
- To provide a service or commodity to the community without undue disruption to traffic or pedestrians;
- To provide clarity and guidance with regards to the preparation and assessment of Stallholder and Trader's Permits.

APPLICATION:

- This policy is to be read in conjunction with Council's Local Law relating to "Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law";
- Where there is a discrepancy between this Policy and the Local Law, the Local Law shall prevail for the extent of such discrepancy;
- Shire employees shall have due regard to both Local Law and this Policy when assessing such application(s) made under the Local Law.

APPLICATION TO CONDUCT A STALL OR TRADE IN A PUBLIC PLACE:

All applications to conduct a Stall or Trade in a public place should be lodged with the Shire at least 10 days prior to the first day of intended trading with the exception of those applications to cater at Public Events which must be lodged at least 4 weeks before the event. (Late fees may apply to late applications)

All applications must be made on the prescribed form as prepared by the Shire's Environmental Health section and shall include all details as stated on the form including:

- ***The appropriate application fees as periodically adopted in the Shire of East Pilbara's Fees and Charges Schedule and/or any applicable legislative provision except in the case of food businesses conducted as fundraising events and exempted in accordance with the provisions of Section 109 of the Food Act 2008 or not for profit and community organisations which have applied as required by subclause (2) of clause***
-

3.1 of the Public Places and Local Government Property Local Law 2011, and obtained exemption from complying with the provisions of Subclause (1) of clause 3.1 of the same local law.

- The appropriate application fees as periodically adopted in the Shire of East Pilbara's Fees and Charges Schedule and/or any applicable legislative provision.
- Full Name and address of the applicant/s;
- Specify location(s) in and/or on which the applicant wishes to conduct their business activity and is to include a site plan;
- Full details of the goods or services to be traded;
- Proposed days and hours of operation;
- Evidence of appropriate levels of public liability insurance;
- Construction details of the proposed stall and other items such as furniture, lighting provision of power that is proposed to be used in conjunction with such stall. The stall must comply with the attached pictorial presentation of a stall attached to the end of this policy.
- Where a fixed stall is proposed, the applicant must detail by way of a plan the position of such stall in relation to property boundaries, roads, footpaths, buildings and any other such structure;
- Where the stall is a vehicle, trailer or similar, details of such vehicle, trailer or similar in addition to a current copy of the Third Party Motor Vehicle Insurance;
- Where it is proposed to operate a stall or trade on land which is privately owned but considered a public place (e.g. Shopping Centre), the applicant must include a letter signed by the owner and/or occupier of such land granting the applicant to conduct such stall or trade from such premises.;
- Where it is proposed to operate a stall or trade on land which is a public place though owned by the State (not including the Local Government), the applicant must also include a letter signed by the relevant State department/agency in control of such land granting the applicant to conduct such stall or trade from such land.

ADDITIONAL REQUIREMENTS FOR THOSE HANDLING (SUPPLY AND SALE) OF FOOD PRODUCTS:

- A copy of a valid Food Business Notification/Registration certificate issued in accordance with the requirements of the Food Act 2008 (the Act) by the Shire of East Pilbara or any other Enforcement Agency as described in Section 8 of the Act.
- Documentary evidence of the completion of an approved Food Safety Course by each food handler/s intending to handle food during the event/s. A free online Food Safety Course "**I'M ALERT**" can be accessed on the Shire's website. 'NB. Approved means approved by the Shire's Environmental Health Officer'

- Once granted, the trading Permit must be conspicuously displayed in/at the stall at all times during trading.

ADDITIONAL REQUIREMENTS FOR APPLICANTS INTENDING TO GIVE AWAY FOOD AT COMMUNITY AND PUBLIC EVENTS

- Any applicant intending to handle and give away food at community and public events are required by this Policy to inform the Shire **at least four (4) days before the event**, clearly stating the food products they intend to handle as well as arrangements made for the safe handling of the food so as to enable the Shire Environmental Health Officer to make an assessment of the food risk involved and advise of appropriate food handling requirements. This is a precautionary measure and is in the interest of all concerned. It is not intended to inhibit activity.
- Any food stall used for the handling of food is required by this policy to comply with the minimum standards of a food stall as presented in the Shire of East Pilbara Temporary Food Stall Trading Conditions. Standards may vary according to the "Risk" level of the food.

LOCATIONS FROM WHICH A STALL OR TRADING MAY BE PERMITTED:

The following locations within the Newman town site are the preferred locations from which stalls and traders may conduct business:

1. The open parking area at the Capricorn Oval entrance west of the water storage tanks;
2. The Newman Visitors Centre Parking area;
3. Boomerang Oval Parking area (Paved area scheduled to be completed by July 2012)

Where an applicant seeks permission to conduct a stall or trade other than at the designated sites within Newman listed above, the applicant shall provide written justification and reasons for such request.

APPLICATIONS IN RESPECT TO THE TOWNSITES OF MARBLE BAR AND NULLAGINE

Any applications for Trading Approvals for the above town sites will be at the discretion of the Shire's Health and Planning staff and are subject to the applicant providing the relevant details as required as part of the normal application process.

CONDUCTING A STALL OR TRADING AT A PUBLIC EVENT:

Stalls and/or trading at a public event will only be approved where the applicant has received written permission from the event organiser and such permission is supplied with the application. For the purposes of an event organised by the Shire, approval is to be sought from the Shire's Community Wellbeing Department.

For large community events such as the Fortescue Festival and annual Race Days, it is preferable that all applications shall be coordinated, collated and submitted to the Shire by the event organiser at least **four (4) weeks prior to the event**. The event organiser may also choose to cover such stalls and traders under their public liability insurance as required for the entire event. Additionally, all event organisers are still expected to meet their Duty of Care obligations in ensuring the food safety of people attending the event.

GROUND(S) ON WHICH APPLICATIONS MAY BE REFUSED:

- The applicant is deemed not a fit or proper person to hold a permit. An applicant will be deemed not a fit and proper person where they have committed a breach of the Shire's Local Law or any other legislation considered pertinent to conduct their proposed business;
- The applicant proposes to conduct a stall in an area where stalls and trading is not permitted;
- The proposed stall or trading business may result in compromised traffic and pedestrian safety;
- The nature and/or conduct of a proposed stall or trader is not in keeping with the amenity or not conducive to proper and orderly planning;
- Any other ground(s) that the Shire of East Pilbara deems relevant.

ADVISORY NOTES

Applicants must consider access for the disabled

Applicants must not inhibit the usual flow of traffic or pedestrian movement.

Any applications involving animals will need approval from the Shires Rangers Department.

The use of flashing lights is discouraged

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2.1 CORPORATE SERVICES - STATUS OF COUNCIL DECISIONS - APRIL 2012

File No: 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

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.2 Improve Community Engagement

3.2.1 Encourage community participation in the decision making processes undertaken by the Shire

Continuing role

How funded – Municipal Funds

Responsible Directorate – Executive

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/285

MOVED: Cr Anita Grace

SECONDED: Cr Sue Owen

THAT the "Status of Council Decisions" – Corporate Services report for April 2012 be received.

CARRIED

RECORD OF VOTE: 9 - 0

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

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
11 March 2011	13.2	PIPUNYA PROPERTY Cr Stephen Kiernan asked if a letter can be sent to the Government regarding a property previously owned by Pipunya Community, the old post office on Francis Street, Marble Bar as people are breaking into and destroying the property which contains asbestos, this is a danger to the community, also the grass around the property requires cutting, as snakes like this type of environment. The property should be demolished as it is a danger to people's lives but who is responsible for this property? Deputy Chief Executive Officer to follow up.	DCEO	Letter written to the Department of Indigenous Affairs and Indigenous Coordination Centre Received letter saying DIA waiting for the winding up of Pipunya Corporation and will follow up once notified.	Department of Commerce had a meeting 13 th March 2012 in Marble Bar still waiting for outcome
27 April 2012	13.2	ANZAC – MARBLE BAR Cr Kevin Danks said the ANZAC Ceremony in Marble Bar was fantastic and would like a letter sent to the cadets and if an article can be put in the Marble Bar Mirage. Manager Community Wellbeing to complete.	MCW		Completed
27 April 2012	13.4	SAIL SHADES Cr Doug Stead asked if the sail shades that were pulled down from shopping centre can they be modified and replaced elsewhere. Manager Community Wellbeing to investigate.	MCW	Previous investigation has shown to be extremely expensive	
27 April 2012	13.9	WATERPARK NULLAGINE Cr Darren Bennetts said the Nullagine Community expressed their interest in getting a water park, which could be considered in the 2012/2013 draft budget.	DCEO		In Draft Budget

**9.2.2 AFFIX COMMON SEAL OF SHIRE OF EAST PILBARA TO HEALTH
PROMOTION SPONSORSHIP AGREEMENT NO#21462 FOR TRIATHLON
APRIL 2012**

File No: FIN 4-3
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Wendy Hagan
Coordinator Recreation Services
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To inform Council that the Chief Executive Officer applied the common seal of the Shire of East Pilbara to the Health Promotion Sponsorship Agreement File No: 21462 for the Triathlon April 2012.

BACKGROUND

An expression of interest was released into the community to gauge a response about hosting a Newman based triathlon. The response was overwhelming and a committee was soon established with Andrew Price (Shire Coordinator Aquatic Services) Wendy Hagan (Shire Coordinator Recreation Services) and Chris Hopkins (St. Johns Community Paramedic). To ensure that a professional and safe event was held, additional external funding was sourced through Healthway. Healthway, via the Mentally Healthy WA, Act – Belong – Commit campaign provided sponsorship and enabled an applicable health promotion message to be expressed through the event.

COMMENTS/OPTIONS/DISCUSSIONS

Post triathlon, the community expressed their gratitude that such an event was held locally. Also many residents expressed their desires to see such events being hosted annually and additional events to be held throughout the year. Such funding allows additional, non-budgeted activities to be launched and if successful, be accounted for in the following year's budget.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Delegation From: Council
Delegation To: Chief Executive Officer
Council File Reference: ADM 14-9
Legislative Authority for Delegation S 5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

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

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

Authority for exercise of Power/ Duty/ Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law.

Date of Delegation _____

Delegator (Shire President) _____

EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2003

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

Objective

To allow for the proper execution of documents.

Policy

Council's Policy Manual 27 June 2004 on page 78

Execution of Documents

Minute No: Item 9.1.3

Date: 27th June 2003

Objective

To allow for the proper execution of documents. Policy

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

PLAN FOR FUTURE OF THE DISTRICT

Goal 2 - Community Enrichment

To enrich our cultural, social and recreational lifestyles

2.4 Recreational

2.4.3 Develop and implement events and programs that promote a healthy lifestyle and wellbeing

Continuing role

How funded – Municipal Funds and funding opportunities

Responsible Directorate – Community Engagement

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/286

MOVED: Cr Anita Grace

SECONDED: Cr Shane Carter

THAT Council note the application of the common seal of the Shire of East Pilbara was affixed to the Health Promotion Sponsorship Agreement File Number 21462 and the Shire of East Pilbara for the Triathlon April 2012.

**CARRIED
RECORD OF VOTE: 9 - 0**

To be actioned by Ms Wendy Hagan, Coordinator Recreation Services.

9.2.3 REVIEW OF MEETING ATTENDANCE FEES AND MEMBER ALLOWANCES

File No: CLR-4-2
Responsible Officer: Ms Sian Appleton
 Director Corporate Services
Author: Ms Sian Appleton
 Director Corporate Services
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To determine the amount to be provided in the 2012/2013 budget for meeting attendance fees for Members and reimbursement of allowable expenses.

BACKGROUND

The Local Government Act provides for the payment to Members of fees for attending Council Meetings on either a per meeting or an annual basis. The Act also allows for the reimbursement of, or an allowance, to cover certain expenses incurred by members.

The value of these fees and allowances are stipulated in the Local Government (Administration) regulations and are as follows. They remain unchanged from the previous year:

Council Meeting Attendance Fees:

Meeting Attendance Fees (Per Individual Meeting)							
	President			Councillors			Reg
Each Council Meeting	\$120	To	\$280				30(4)
				\$60	To	\$140	30(1)
Each Committee Meeting	\$30	To	\$70				30(2)
				\$30	To	\$70	30(2)
Maximum Total Annual Payment			\$14,000				30(5)
						\$7,000	30(3)

Annual Attendance Fees - All Meetings (In Lieu Of Individual Meeting Fees)					
President	Min	\$6,000			34(2)(a)
	Max	\$14,000			34(2)(b)
Councillors			Min	\$2,400	34(1)(a)
			Max	\$7,000	34(1)(b)

Expenses Reimbursable

31. Expenses to be reimbursed (Acts.5.98(2)(a) and (3))

- (1) For the purposes of section 5.98(2)(a), the kinds of expenses that are to be reimbursed by all local governments are —
 - (a) rental charges incurred by a council member in relation to one telephone and one facsimile machine; and
 - (b) child care and travel costs incurred by a council member because of the member's attendance at a council meeting or a meeting of a committee of which he or she is also a member.
- (2) The extent to which an expense referred to in subregulation (1)(a) can be reimbursed is the actual amount.
- (3) The extent to which child care costs referred to in subregulation (1)(b) can be reimbursed is the actual cost per hour or \$20.00 per hour, whichever is the lesser amount.
- (4) The extent to which travel costs referred to in subregulation (1)(b) can be reimbursed —
 - (a) if the person lives or works in the local government district or an adjoining local government district, is the actual cost for the person to travel from the person's place of residence or work to the meeting and back; or
 - (b) if the person does not live or work in the local government district or an adjoining local government district, is the actual cost, in relation to a journey from the person's place of residence or work and back —
 - (i) for the person to travel from the person's place of residence or work to the meeting and back; or
 - (ii) if the distance travelled referred to in subparagraph (i) is more than 100 km, for the person to travel from the outer boundary of an adjoining local government district to the meeting and back to that boundary.
- (5) For the purposes of subregulations (2) to (4), actual amounts and actual costs are to be verified by sufficient information.

Local Government Allowance

A Presidential Allowance within the range of \$600 to \$12,000 per annum or an amount equivalent to 0.002 of the annual operating revenue (\$66,170 based on this Council's 2011/2012 budget) can be authorised by Council. An upper limit of \$60,000 is set if the 0.002 formula exceeds that amount. - Reg 33

Amounts of up to 25% of the above may be allocated as an allowance to the Deputy President. - Reg 33A.

COMMENTS/OPTIONS/DISCUSSIONS

When considering the fees payable and allowances which may be reimbursed to Councillors the unique circumstances applicable to the Shire of East Pilbara need to be considered. Given the sheer size of the Shire and the isolation of the location the commitment by Councillors in both time, predominantly for travel, and expenses incurred would exceed those of other smaller local governments and those closer to, or based in, the metropolitan area.

Council currently, 2011/2012, provides for the payment of Meeting Fees quarterly in arrears of \$7,000 each annually for Councillors (Account 41016) and \$14,000 annually for the President (Account 41031). These payments had an increase of \$500 and \$2,000 respectively in 2011/12 and \$1,000 and \$2,000 respectively in 2006/2007. These fees are currently at the maximum allowance in accordance with Administration Regulations. Also in 2006/07 a Presidential Allowance to recognise the out of pocket expenses which are incurred by the Shire President in representing the Council of \$6,000 was introduced for the first time and increased to \$9,000 in 2009/10. In the 2010/11 year the Shire President's allowance was increased to 12,000 and remained the same for the 2011/12 budget.

Council does not have an option to raise Meeting Fees this year.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act

Section	5.98	Fees etc for Council members
	5.98A	Allowance for Deputy President
	5.99	Annual Fee for Attending Meetings
	5.99A	Allowances in Lieu of Reimbursements

Administration Regulations

Regulation	30	Meeting Attendance Fees
	31	Expenses that are to be reimbursed
	32	Expenses that may be reimbursed
	33	Annual Allowance for President
	33A	Annual Allowance for Deputy President
	34	Annual Attendance Fees
	34A	Allowances in Lieu of Reimbursements of Telecommunications Expenses

POLICY IMPLICATIONS

Item 9.1.3 7th June 2003

Shire President & Councillors - Attendance Fees, Expenses & Allowances

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.1 Representation

FINANCIAL IMPLICATIONS

Provision will be included in the 2012/13 budget.

VOTING REQUIREMENTS

Absolute

OFFICER'S RECOMMENDATION

THAT Council:

- 1. The following annual allowances for meeting attendance fees be included in the 2012/2013 budget to be paid quarterly in arrears**
 - (a) Councillor's Meeting Fees \$70,000
(An Annual Fee of \$7,000 per Councillor)**
 - (b) President's Meeting Fees \$14,000**
- 2. A Telecommunications Allowance per annum to be paid quarterly in arrears of \$500 to all councillors and \$1,000 to the Shire President.**
- 3. A Presidential Allowance of \$12,000 per annum to be paid quarterly in arrears**

COUNCIL RESOLUTION: 201112/287

MOVED: Cr Doug Stead

SECONDED: Cr Darren Bennetts

THAT Council:

- 1. The following annual allowances for meeting attendance fees be included in the 2012/2013 budget to be paid quarterly in arrears**
 - (a) Councillor's Meeting Fees \$70,000
(An Annual Fee of \$7,000 per Councillor)**
 - (b) President's Meeting Fees \$14,000**
- 2. A Telecommunications Allowance per annum to be paid quarterly in arrears of \$500 to all councillors and \$1,000 to the Shire President.**
- 3. A Presidential Allowance of \$16,000 per annum to be paid quarterly in arrears**
- 4. A Deputy Presidential Allowance of \$4,000 per annum to be paid quarterly in arrears.**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 9 - 0**

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

Reason for Non Acceptance of Officer's Recommendation: Due to the increase of work required by the President and the Deputy President.

9.2.4 AMENDMENT TO PURCHASING AND TENDER PROCEDURES

File No: LEG-2-1
Responsible Officer: Sian Appleton
Deputy Chief Executive Officer
Author: Miss Candice Giblett
Expenditure Finance Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

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

BACKGROUND

The Purchasing and Tender Procedures policy must be updated regularly to reflect current changes and trends. This update gives authority for the Filed Officer – Martumili to write purchase orders to the maximum cost of \$2,000. This amendment recognises the remoteness the Field Officer may find themselves in with no ability to have a senior officer countersign their purchase orders.

COMMENTS/OPTIONS/DISCUSSIONS

The amended policy will reflect up to date information.

STATUTORY IMPLICATIONS/REQUIREMENTS

Regulation 17(2)(b) of the *Local Government (Functions and General) Regulations 1996*.

POLICY IMPLICATIONS

10.12 Purchasing and Tender Procedures

Minute No: Item 9.1.6
Date: 27th June 2003
5th May 2006
9.3.5 27th April 2007
9.4.1 24th July 2009
9.1.6 29th January 2010
11 March 2011

Responsible Officer: Chief Executive Officer and Directors

Objective

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

1.1 Purchase Procedures

The following procedures will be adhered to when purchasing items and other goods and services. All purchase orders are to be completed as set out below. Capital equipment is to be purchased with an order from a separate capital purchases order book:

\$0 - \$20	Under direction from the authorised supervisor, petty cash may be utilised for purchases in this range.
\$21 - \$2,000	Under direction from the authorised supervisor, a purchase order book will be utilised without quotes necessarily being obtained.
\$2,001 - \$19,999	Under direction from the authorised supervisor, the capital purchase or other order books will be utilised and three verbal or written quotes shall be obtained.
\$20,000 - \$39,999	Under direction from the authorised supervisor, the capital purchase or other order books will be utilised and three written quotes shall be obtained. In obtaining written quotations the Council Purchasing Service shall be utilised wherever practicable
\$40,000 - \$99,999	Under direction from the authorised supervisor, and in consultation with the Chief Executive Officer and/or the Deputy Chief Executive Officer the capital purchase or other order books 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, and in consultation with the Chief Executive Officer tenders will be invited and the applicable order book shall be utilised.

Capital Expenditure

For the purpose of controlling the cash flow of the Shire all capital purchase orders will be made from the one purchase order book which will be held by the

Deputy Chief Executive Officer and all capital purchase orders (with the exception of road construction) will be signed by the Deputy Chief Executive Officer or the Chief Executive Officer.

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

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

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

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

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

Orders for Goods & Services

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

Purchase orders for goods and services, other than for capital items, may only be signed by the following:

- Chief Executive Officer
- Deputy Chief Executive Officer
- Directors

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 order is in excess of \$30,000 the purchase order is to be countersigned by the authorised supervisor prior to the order being issued:

- Managers

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

- Co-ordinators
- Works Supervisor (Newman & Marble Bar)

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

The following staff may raise the total amount of \$2,000 on purchase orders per week – with no individual order to be greater than \$200 – in accordance with value procedures as previously set out in this clause:

- Duty Officers – Newman Aquatic Centre

- Team Leader – Works Crew (Newman)

If the total amount of purchase orders raised within a one week period is in excess of \$2,000 all additional purchase orders written out for the duration of that week are to be countersigned by the authorised supervisor prior to the order being issued.

Raising a Purchase Order

- All authorised officers will be issued with a purchase order book;
- It is the responsibility of the originator of the purchase order to complete all sections of the order:
 - Supplier's name and address
 - Delivery instructions
 - Description of goods and/or service required
 - Quantity
 - Price
 - General Ledger Account number
 - Line Item
 - Cost centre (where applicable – generally technical services jobs where labour and plant are involved, and building maintenance jobs)

Account numbers, cost centres and line items can be obtained from the most current monthly financial statements

It is the responsibility of the person who raises the purchase order to ensure that all purchase orders are raised in accordance with budget restraints i.e. any unbudgeted or over-budgeted expenditure is to be referred to Council for approval prior to any purchase. (Council has no retrospective right of approval of purchase of non-budgeted items).

Prior to the authorisation of invoices, goods should be checked against the purchase order or delivery docket. It is the responsibility of the authorised officer or their delegated officer to ensure this task is carried out and that the authority to pay certification is correctly signed off.

All officers must make sure the enquiry panel at the bottom of a purchase order is completed with the authorised officer's (or their delegated officer's) name and contact number. This information serves two purposes: a) it tells the supplier who to contact if necessary, and; b) it tells the Expenditure Finance Officer who to send the invoice to for authorisation when it arrives.

In the event of one of the authorised staff being away on leave or absent for an extended period of time, the Departmental Supervisor, with the authority of the Chief Executive Officer or Deputy Chief Executive Officer may make alternative temporary arrangements to authorise another member of Shire staff to sign purchase orders during their absence.

Light Vehicle Purchases

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

Consultants Services

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

Between \$20,001 and \$100,000 a Request For Quote procedure shall be utilised, with a minimum of three quotes being requested and a report with a recommendation to be prepared for a Council decision.

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 Services.

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

- *Valuation by the auction house.*
- *Valuation from a recognised source ie: red book, glasses.*
- *Internet research.*
- *Past sales by auction house.*

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

1.2 Regulatory Compliance

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

- An emergency situation as defined by the Local Government Act 1995;
- The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
- The purchase is under auction which has been authorised by Council;

- The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
- Any of the other exclusions under Regulation 11 of the *Local Government (Functions and General) Regulations 1996* apply.

1.3 Tender Criteria

This policy is to be read in conjunction with the *Local Government (Functions and General) Regulations 1996*.

In relation to the inviting of any tenders, the following policy procedures are to apply:

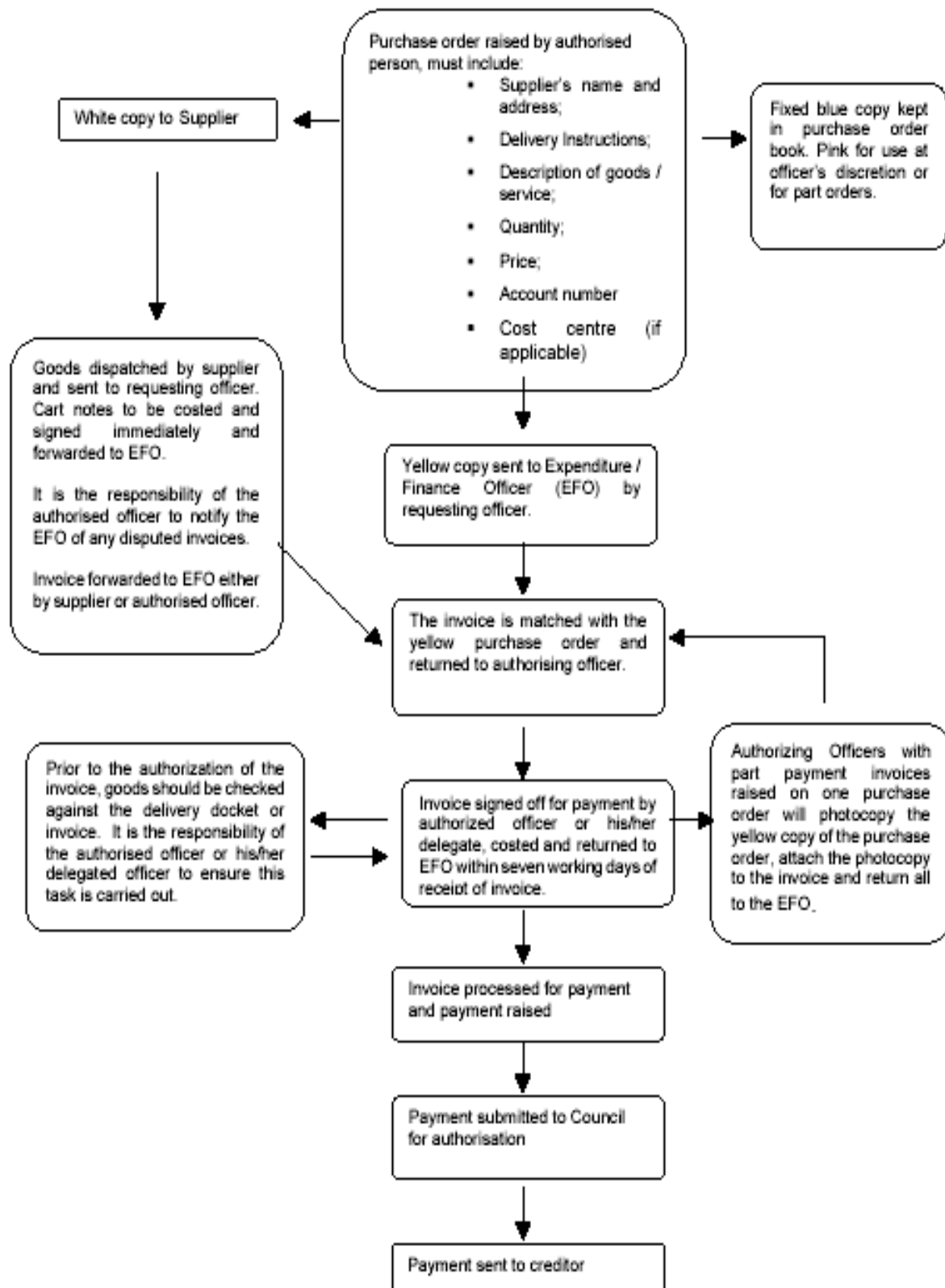
1. All Officers are required to seek written approval from the Chief Executive Officer *before* calling for a tender or seeking expressions of interest. Please refer to regulation 17(2)(b) of the *Local Government (Functions and General) Regulations 1996* and the Delegations Manual – Making of the Decision to Invite Tenders.
2. A lockable tender box is to be provided and kept at the Council's Office, management of which is to be the responsibility of the Chief Executive Officer.
3. Advertisements or specifications are to contain the words "no tender necessarily accepted" and "canvassing of Councillors will disqualify."
4. A tender document form is to be prepared and circulated to prospective tenderers for their compulsory use in tendering to Council. The use of such a form is optional in the case of procurements worth less than \$100,000 plus GST.
5. For each tender invited, a tender reference number shall be allocated by the Chief Executive Officer and such number shall be quoted in the heading of all tender advertisements and shall be quoted in all references to the particular tender, i.e. on all correspondence, files, in Minutes, etc.
6. Tender notices shall insist that all tenders be clearly marked, and in either a sealed envelope, facsimiled with a correctly titled cover sheet or emailed with a correctly titled 'subject line'.
7. Tenders submitted by the medium of a facsimile machine or email shall immediately on receipt be placed in a sealed envelope with the tender number clearly marked on the outside of the envelope and placed in the tender box. Tenderers must advise the nominated officer of the intended use of this method of delivery.

The facsimile telephone number shall be 08 9175 1522, and emails shall be addressed to tenders@eastpilbara.wa.gov.au.
8. Notices inviting tenders for any item/s, works, etc which are provided for in the Council's budget or works program may be placed prior to approval by Council.
9. Tenders shall be opened in the presence of at least two officers, including at least one senior employee. They should be opened as soon as possible after the closing date.

10. No member, employee or agent of Council shall barter or negotiate with tenderers, except where Council has so resolved to nominate a preferred tenderer for that purpose.
11. All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:
- a. Tender documentation
 - b. Internal documentation
 - c. Enquiry and response documentation
 - d. Notification and award documentation

Records retention shall be in accordance with the minimum requirements of the *State Records Act 2000*.

1.4 Order Procedure Flow Chart



PLAN FOR FUTURE OF THE DISTRICT

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: 201112/288

MOVED: Cr Anita Grace

SECONDED: Cr Sue Owen

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

**CARRIED
RECORD OF VOTE: 9 - 0**

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

PURCHASING AND TENDER PROCEDURES

Minute No:	Item 9.1.6
Date:	27 th June 2003
	5 th May 2006
9.3.5	27 th April 2007
9.4.1	24 th July 2009
9.1.6	29 th January 2010
9.2.6	11 March 2011
9.2.4	25 th May 2012

Responsible Officer: Chief Executive Officer and Directors

Objective

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

1.1 Purchase Procedures

The following procedures will be adhered to when purchasing items and other goods and services. All purchase orders are to be completed as set out below. Capital equipment is to be purchased with an order from a separate capital purchases order book:

\$0 - \$20	Under direction from the authorised supervisor, petty cash may be utilised for purchases in this range.
\$21 - \$2,000	Under direction from the authorised supervisor, a purchase order book will be utilised without quotes necessarily being obtained.
\$2,001 - \$19,999	Under direction from the authorised supervisor, the capital purchase or other order books will be utilised and three verbal or written quotes shall be obtained.
\$20,000 - \$39,999	Under direction from the authorised supervisor, the capital purchase or other order books will be utilised and three written quotes shall be obtained. In obtaining written quotations the Council Purchasing Service shall be utilised wherever practicable
\$40,000 - \$99,999	Under direction from the authorised supervisor, and in consultation with the Chief Executive Officer and/or the Deputy Chief Executive Officer the capital purchase or other order books 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, and in consultation with the Chief Executive Officer tenders will be invited and the applicable order book shall be utilised.

Capital Expenditure

For the purpose of controlling the cash flow of the Shire all capital purchase orders will be made from the one purchase order book which will be held by the Deputy Chief Executive Officer and all capital purchase orders (with the exception of road construction and plant purchases) will be signed by the Deputy Chief Executive Officer or the Chief Executive Officer.

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

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

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

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

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

Orders for Goods & Services

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

Purchase orders for goods and services, other than for capital items, may only be signed by the following:

- Chief Executive Officer
- Deputy Chief Executive Officer
- Directors

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 order is in excess of \$30,000 the purchase order is to be countersigned by the authorised supervisor prior to the order being issued:

- Managers

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

- Co-ordinators
- Works Supervisor (Newman & Marble Bar)

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

The following staff may raise the total amount of \$2,000 on purchase orders per week – with no individual order to be greater than \$200 – in accordance with value procedures as previously set out in this clause:

- Duty Officers – Newman Aquatic Centre
- Team Leader – Works Crew (Newman)
- Field Officer - Martumili

If the total amount of purchase orders raised within a one week period is in excess of \$2,000 all additional purchase orders written out for the duration of that week are to be countersigned by the authorised supervisor prior to the order being issued.

Raising a Purchase Order

- All authorised officers will be issued with a purchase order book;
- It is the responsibility of the originator of the purchase order to complete all sections of the order:
 - Supplier's name and address
 - Delivery instructions
 - Description of goods and/or service required
 - Quantity
 - Price
 - General Ledger Account number
 - Line Item
 - Cost centre (where applicable – generally technical services jobs where labour and plant are involved, and building maintenance jobs)

Account numbers, cost centres and line items can be obtained from the most current monthly financial statements

It is the responsibility of the person who raises the purchase order to ensure that all purchase orders are raised in accordance with budget restraints i.e. any unbudgeted or over-budgeted expenditure is to be referred to Council for approval prior to any purchase. (Council has no retrospective right of approval of purchase of non-budgeted items).

Prior to the authorisation of invoices, goods should be checked against the purchase order or delivery docket. It is the responsibility of the authorised officer or their delegated officer to ensure this task is carried out and that the authority to pay certification is correctly signed off.

All officers must make sure the enquiry panel at the bottom of a purchase order is completed with the authorised officer's (or their delegated officer's) name and contact number. This information serves two purposes: a) it tells the supplier who to contact if necessary, and; b) it tells the Expenditure Finance Officer who to send the invoice to for authorisation when it arrives.

In the event of one of the authorised staff being away on leave or absent for an extended period of time, the Departmental Supervisor, with the authority of the Chief Executive Officer or Deputy Chief Executive Officer may make alternative temporary arrangements to authorise another member of Shire staff to sign purchase orders during their absence.

Light Vehicle Purchases

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

Consultants Services

Services separately identified in the adopted budget to be at officer's discretion up to \$50,000.

Between \$50,001 and \$100,000 a Request For Quote procedure shall be utilised, with a minimum of three quotes being requested and a report with a recommendation to be prepared for a Council decision.

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 Services.

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

- *Valuation by the auction house.*
- *Valuation from a recognised source ie: red book, glasses.*
- *Internet research.*
- *Past sales by auction house.*

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

1.2 Regulatory Compliance

In the following instances public tenders or quotation procedures are not required (regardless of the value of expenditure):

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

1.3 Tender Criteria

This policy is to be read in conjunction with the *Local Government (Functions and General) Regulations 1996*.

In relation to the inviting of any tenders, the following policy procedures are to apply:

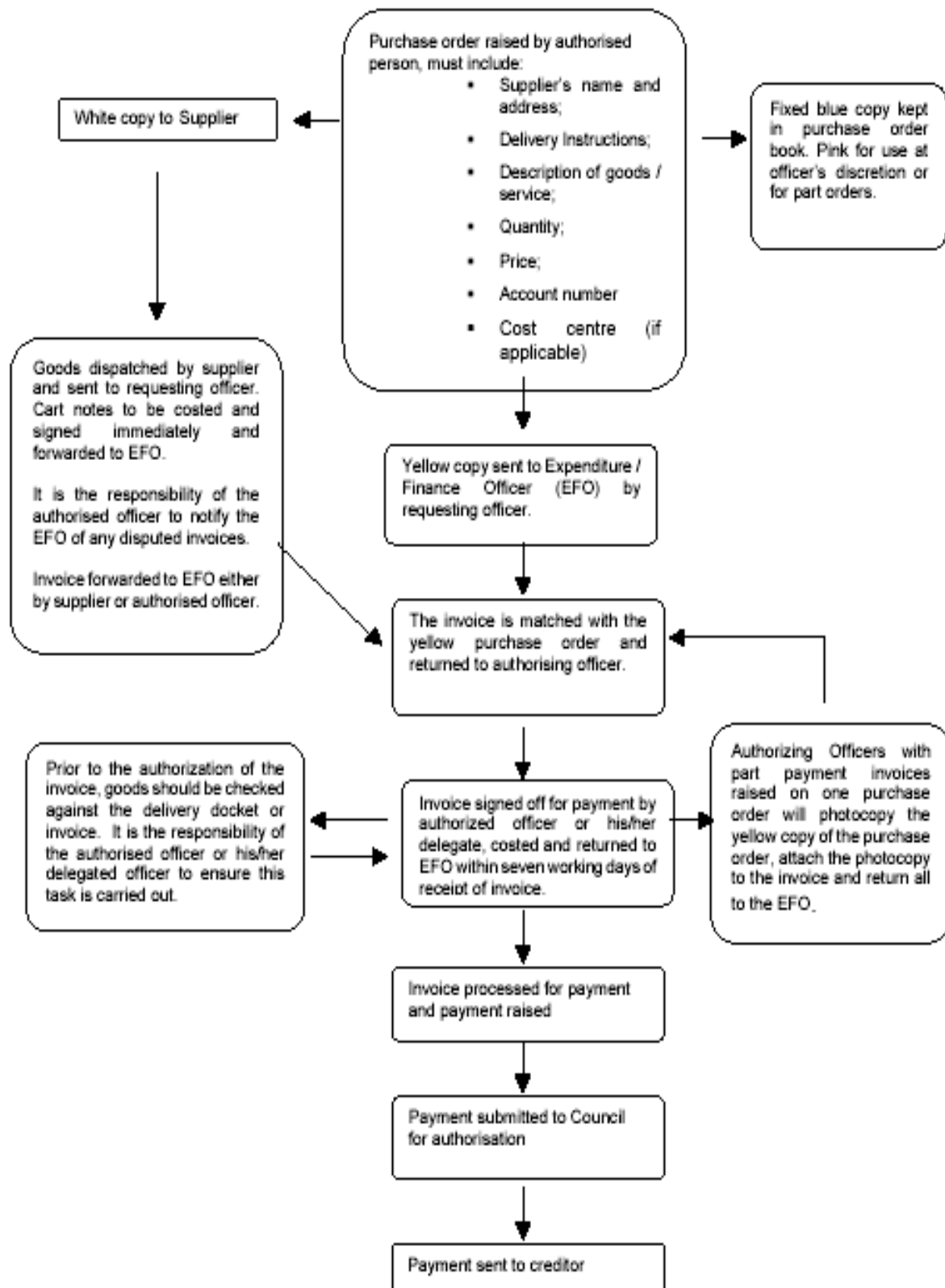
- 1 All Officers are required to seek written approval from the Chief Executive Officer *before* calling for a tender or seeking expressions of interest. Please refer to regulation 17(2)(b) of the *Local Government (Functions and General) Regulations 1996* and the Delegations Manual – Making of the Decision to Invite Tenders.
- 2 A lockable tender box is to be provided and kept at the Council's Office, management of which is to be the responsibility of the Chief Executive Officer.
- 3 Advertisements or specifications are to contain the words "no tender necessarily accepted" and "canvassing of Councillors will disqualify."
- 4 A tender document form is to be prepared and circulated to prospective tenderers for their compulsory use in tendering to Council. The use of such a form is optional in the case of procurements worth less than \$100,000 plus GST.
- 5 For each tender invited, a tender reference number shall be allocated by the Chief Executive Officer and such number shall be quoted in the heading of all tender advertisements and shall be quoted in all references to the particular tender, i.e. on all correspondence, files, in Minutes, etc.
- 6 Tender notices shall insist that all tenders be clearly marked, and in either a sealed envelope, facsimiled with a correctly titled cover sheet or emailed with a correctly titled 'subject line'.
- 7 Tenders submitted by the medium of a facsimile machine or email shall immediately on receipt be placed in a sealed envelope with the tender number clearly marked on the outside of the envelope and placed in the tender box. Tenderers must advise the nominated officer of the intended use of this method of delivery.

The facsimile telephone number shall be 08 9175 1522, and emails shall be addressed to tenders@eastpilbara.wa.gov.au .

- 8 Notices inviting tenders for any item/s, works, etc. which are provided for in the Council's budget or works program may be placed prior to approval by Council.
- 9 Tenders shall be opened in the presence of at least two officers, including at least one senior employee. They should be opened as soon as possible after the closing date.
- 10 No member, employee or agent of Council shall barter or negotiate with tenderers, except where Council has so resolved to nominate a preferred tenderer for that purpose.
- 11 All records associated with the tender process or a direct purchase process must be recorded and retained. For a tender process this includes:
 - e. Tender documentation
 - f. Internal documentation
 - g. Enquiry and response documentation
 - h. Notification and award documentation

Records retention shall be in accordance with the minimum requirements of the *State Records Act 2000*.

1.4 Order Procedure Flow Chart



9.2.5 ECONOMIC DEVELOPMENT AND TOURISM STRATEGY

Attachments:	Agricultural Strategy
Responsible Officer:	Sian Appleton Director Corporate Services
Author:	Sian Appleton Director Corporate Services
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to consider and approve the additional economic strategy for the Economic Development and Tourism Strategy as per discussion at the 27th April 2012 council meeting.

BACKGROUND

Council resolved to accept the Economic Development and Tourism Strategy 2012 at the 27th April 2012 council meeting.

Further discussion regarding the strategy was the omission of an agricultural strategy within the strategy. Council requested the additional of this strategy.

COMMENTS/OPTIONS/DISCUSSIONS

An agricultural strategy has been attached for council to consider and approve. The following are the strategic directions and key actions for the new strategy:

15. Continue to build agriculture and intensive food production to support food security

Key Actions:

- 15.1 Development of an agribusiness strategic plan
- 15.2 Facilitate an investment attraction and regional skill attraction initiative
- 15.3 Logistics

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

1.7.1 Supporting Opportunities that Encourage Growth and Diversity

Develop a plan/guideline/policy on Councils commitment to tourism within the East Pilbara

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council approve the additional agricultural strategy to be incorporated in the Economic Development and Tourism Strategy 2012.

COUNCIL RESOLUTION: 201112/289

MOVED: Cr Shane Carter

SECONDED: Cr Doug Stead

THAT Council approve the additional agricultural strategy to be incorporated in the Economic Development and Tourism Strategy 2012 with the minor changes.

CARRIED

RECORD OF VOTE: 9 - 0

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

9.2.6 OFFICIAL OPENING FOR ROYALTIES FOR REGIONS PROJECTS

Responsible Officer:	Sian Appleton Director Corporate Services
Author:	Sian Appleton Director Corporate Services
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to consider dates for the official opening of several Royalties for Regions project within Newman.

BACKGROUND

As part of the Newman Town Centre Revitalisation project money was allocated from the Royalties for Regions monies to the construction of the Junior Sports Pavilion at the Capricorn Sporting Complex.

Money was also received from Royalties for Regions – Country Local Government Fund for the work to the Newman Administration Office and Council Chambers as well as work completed to the new broadcasting shed in Nullagine and the upgrade of the kitchen at the Marble Bar Civic Centre.

COMMENTS/OPTIONS/DISCUSSIONS

Although the Junior Sports Pavilion has been open for several months there has not been an official opening. June would be a good opportunity to open this facility.

As Minister for Regional Development it would be appropriate to invite the Hon. Brendon Grylls to open this facility as well as attending the Newman Administration Office and Council Chambers to showcase the new façade.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.1 Financial Stability

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/290

MOVED: Cr Darren Bennetts

SECONDED: Cr Shane Carter

That Council endeavour to set the date for the opening of the Royalties for Regions projects on the afternoon of the 26th or 27th July 2012 and that the Hon. Brendon Grylls MLA to be invited to officially open relevant projects.

**CARRIED
RECORD OF VOTE: 9 - 0**

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

9.2.7 FINANCIAL REPORTING AND MATERIALITY

Responsible Officer: Sian Appleton
Director Corporate Services

Author: Sian Appleton
Director Corporate Services

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 between actual and the original adopted budget.

BACKGROUND

Under the 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 variances.

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.

COMMENTS/OPTIONS/DISCUSSIONS

Currently the material variance are plus or minus 10% of the original adopted budget and greater than \$10,000. There is no request to change this.

STATUTORY IMPLICATIONS/REQUIREMENTS

The Local Government (Financial Management) Regulations 1996, Reg 34(5).

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.1 Financial Stability

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Absolute

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/291

MOVED: Cr Shane Carter

SECONDED: Cr Sue Owen

THAT Council adopt a material variance plus or minus 10% of the original adopted budget and greater than \$10,000 for the financial year ended 2012/2013.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 9 - 0**

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

9.2.8 SUNDRY DEBTORS FOR WRITE OFF

File No: FIN 10-2
Responsible Officer: Ms Sian Appleton
 Deputy Chief Executive Officer
Author: Ms Candice Giblett
 Expenditure Finance Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek approval to write off uncollectible debt to the value of \$1,399.20.

BACKGROUND

As per the table below, outlines invoice/s that remain outstanding for over 3 months as of 10th May 2012.

COMMENTS/OPTIONS/DISCUSSIONS

Debtor	Invoice	Amount	Description	Comment
Remote Camps	53554 53051 53728 53400 53218	\$26.40 \$171.60 \$52.80 \$79.20 \$1069.20	Newman Tip Fees for the months of Oct, Nov & Dec 2010, Jan & Feb 2011	Letter reminders initially sent out without any reply. Received an email from their accounts department advising they believe other companies are using their account - copies of all disposal forms emailed direct. Some of the disposals were made on behalf of Marshals Power. I spoke with Marshals Power and they said that Remote Camps asked if they could dispose of their rubbish as they were working out on the same site. Remote Camps replied back stating that they did not authorise Marshal Power to dispose of tip waste. Various emails since were sent to Remote Camps. Tip account has been suspended and final notice sent out. No further action has been taken since June 2011. Remote Camps have not been back to Newman Tip since February 2011.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Financial management Part 6
General financial provisions Division 4
s. 6.12
Consolidation 3q page 199

- 6.12. Power to defer, grant discounts, waive or write off debts
- (1) Subject to subsection (2) and any other written law, a local government may —
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;
 - (b) waive or grant concessions in relation to any amount of money;
or
 - (c) write off any amount of money, which is owed to the local government.

** Absolute majority required.*

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Nil

FINANCIAL IMPLICATIONS

Reduction in Sundry Debtors totalling \$1,399.20 an amount of \$5,000 account 41177 has been allowed in the budget for Bad/Doubtful Debts.

VOTING REQUIREMENTS

Absolute

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/292

MOVED: Cr Anita Grace

SECONDED: Cr Craig Hoyer

THAT the Sundry Debtors listed below be written off:

Debtor	Invoice	Amount	Description	Comment
Remote Camps	53554 53051 53728 53400 53218	\$26.40 \$171.60 \$52.80 \$79.20 \$1069.20	Newman Tip Fees for the months of Oct, Nov & Dec 2010, Jan & Feb 2011	Letter reminders initially sent out without any reply. Received an email from their accounts department advising they believe other companies are using their account - copies of all disposal forms emailed direct. Some of the disposals were made on behalf of Marshals Power. I spoke with Marshals Power and they said that Remote Camps asked if they could dispose of their rubbish as they were working out on the same site. Remote Camps replied back stating that they did not authorise Marshal Power to dispose of tip waste. Various emails since were sent to Remote Camps. Tip account has been suspended and final notice sent out. No further action has been taken since June 2011. Remote Camps have not been back to Newman Tip since February 2011.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 9 - 0**

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

9.2.9 MONTHLY FINANCIAL STATEMENTS - MARCH 2012

Attachments:	March Financial Statements
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Lisa Moss Senior Finance Officer
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 10-page report details the financial activities of the Council for the period July 2011 to March 2012 of the 2011/2012 financial year –

There are 4 sections of the monthly report:

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

COMMENTS/OPTIONS/DISCUSSIONS

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

Reportable variations in accordance with accounting policies are as follows:

Please refer to Page 3 and 4 of the report – Operating Revenue and Expenditure

Please refer to Page 7 of the report – Acquisition & Construction of Assets

Variance Report – March	
Note	Comment
1	Interest in Muni Funds Higher then budgeted
2	Non budgeted money received from DLG for the development of the Year 10 Year financial plan and Sundry Income Refund higher then budgeted due to LGIA Workcare rebate as unable to budget on this money.
3	FESA Grant – SES Building – Budget for but income not yet received – matched by expenditure
4	Infringements and Dog Registrations higher then budgeted
5	Fees – Septic Tank Applications & Food Premises Licenses higher than budgeted
6	Creche Entry Fees higher than budgeted
7	Non Staff Rentals higher than budgeted for due to consultants renting out properties
8	Newman Tip Fees and Liquid Waste both up on budget
9	Planning Applications higher than budgeted
10	Martumili Income above budget – matched by expenditure
11	Flood Damage Reimbursement higher then budgeted will be matched by expenditure and Energy Grant Reimbursement higher than budgeted.
12	Non budgeted money received from Department of Transport – Toilet and Fish Cleaning
13	Building Licenses higher than budgeted.
14	RPT Bus Service higher than budgeted – allowed for in budget review
15	Private Works income higher than budgeted due to Roy Hill Road Grading – matched by expenditure
16	General Insurance Income higher than budgeted – matched by expenditure
17	Rates Operating Expenditure down on budget – allowed for in budget review

18	SES Operating Grant Expenditure down as income not yet received
19	Expenditure down on budget – allowed for in budget review
20	Expenditure down on budget – allowed for in budget review
21	Youth Centre Expenditure down on budget – allowed for in budget review
22	Depreciation Down on land and building due to new housing complex still being built
23	Depreciation for Rec Centre higher than budgeted
24	Expenditure down for Community Hall – Newman and Civic Centre – Marble Bar, timing only
25	Expenditure down on budget – allowed for in budget review
26	Expenditure down on budget – allowed for in budget review
27	Martumili Baskets and Corporate Expenditure higher than budgeted – matched by income and allowed for in budget review
28	Expenditure down on budget – allowed for in budget review
29	Expenditure down due to vacancies – allowed for in budget review
30	Private Works higher than budgeted due to Pilbara Iron – Maintenance Grading Roy Hill Rd, will be matched by income
31	Works and Services under allocated – overheads increased to compensate.
32	Workers Compensation higher than budgeted, will be matched by income
33	Storm Damage expenses up – Should be matched by insurance claim

Note	Comments
1	Chief Executive Officer
2	Deputy Chief Executive Officer
3	Director Technical Service

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Part 6 Financial Management
Division 4 General financial provisions
Section 6.4(2)

“The financial report is to –

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

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

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

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

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY

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

PLAN FOR FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/293

MOVED: Cr Shane Carter

SECONDED: Cr Doug Stead

That the monthly financial statements for the period 1 July 2011 to 31 March 2012 of the 2011/2012 financial year as presented be received.

**CARRIED
RECORD OF VOTE: 9 - 0**

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

9.2.10 CREDITORS FOR PAYMENT

File No: 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 Giblett
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 April 2012.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT14904-EFT15220	3,677,003.05
	Total	\$3,677,003.05
Cheque Payments	21241-21298	344,740.62
Written Cheque Payments	1-7	26,991.17
	Total	\$371,731.79
	GRAND TOTAL	<u><u>\$4,048,734.84</u></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

STATUTORY IMPLICATIONS/REQUIREMENTS

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

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

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

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

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY IMPLICATIONS

Nil.

PLAN FOR THE FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

Total expenses of \$4,048,734.84

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/294

MOVED: Cr Anita Grace

SECONDED: Cr Sue Owen

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT14904-EFT15220	3,677,003.05
	Total	\$3,677,003.05
Cheque Payments	21241-21298	344,740.62
Written Cheque Payments	1-7	26,991.17
	Total	\$371,731.79
	GRAND TOTAL	\$4,048,734.84

CARRIED
RECORD OF VOTE: 9 - 0

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

9.3 DIRECTOR TECHNICAL SERVICES

9.3.1 TECHNICAL SERVICES STATUS OF COUNCIL DECISIONS - APRIL 2012

File No: 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

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.2 Improve Community Engagement

- 3.2.1 Encourage community participation in the decision making processes undertaken by the Shire
Continuing role
How funded – Municipal Funds
Responsible Directorate – Executive

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/295

MOVED: Cr Anita Grace

SECONDED: Cr Darren Bennetts

THAT the "Status of Council Decisions" – Technical Services report for April 2012 be received.

**CARRIED
RECORD OF VOTE: 9 - 0**

Note* Cr Stephen Kiernan asked the Shire of East Pilbara to put in place a bag limit on octopus, crabs and shellfish at Cape Keraudren.

Note* Cr Shane Carter asked can rubbish bins be put in the airport carparks.

Note* Cr Doug Stead asked when the extension of the terminal departure lounge is it possible to put in more toilets.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
28 January 2011	9.3.3	TRAVEL AND BUSINESS ACCOMMODATION – NEWMAN AIRPORT	MAS	Awaiting response from State Land Office	TBA
16 December 2011	9.3.3	REFINE THE USE OF AIRPORT LAND	MAS	Forwarded to Legal Council for Action	
16 December 2011	13.2	WELSH DRIVE Cr Doug Stead has asked if Council can revisit the speed zone through Newman from 60kms to 50kms eg: Welsh Drive, due to increased heavy vehicle traffic. Very dangerous as it is a road that children use to cross going to school. Technical Services Administration Officer to follow up.	TSAO	MRWA as speed zones are a regulatory Item – awaiting on response OCR12-9590 email sent awaiting response	June 2012
16 December 2011	13.4	MAIN ROADS Cr Lang Coppin asked if a letter could be written to Main Roads to fill in the water hole, which has developed near the Coongan River and the river crossing on the road to Port Hedland as animals accessing the water are being slaughtered by vehicles and causing damage to vehicles. Technical Services to follow up.	TSAO	Letter sent to MRWA 11/05 OCR12-9591	June 2012
16 December 2011	13.5	SIGNS – RECONGITION 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 eg: rabbit proof fence. People always stop to read on their travels and Shire of East Pilbara needs recognition for these roads. Technical Services to	TSAO	MTS-R and CEO	On Going

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

25 MAY 2012

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		follow up.			
16 December 2011	13.3	CAPE KERAUDREN Cr Stephen Kiernan said the fencing needs repairing to stop cattle entering the cape, and if council can put a well down as at the moment it is situated on Pardoo station. Cr Stephen Kiernan also asked if it was possible to put a bag limit for fishing. Eg: baby octopus, fish, crabs and shell fish limit. Executive Services to follow up.	MBA	To be proposed in the 2012/2013 budget Note* Cr Stephen Kiernan asked the Shire of East Pilbara to put in place a bag limit on octopus, crabs and shellfish at Cape Keraudren.	
23 March 2012	9.3.2	DOMESTIC REFUSE COLLECTION NEWMAN, CHANGE OF SERVICE PROVIDER	TASO	Deed still to be signed	TPI To sign Mid May
23 March 2012	9.3.5	TENDER 1/2011-12 NEWMAN AIRPORT RPT TERMINAL DEPARTURES LOUNGE AND AMENITIES EXTENSION	MAS	Deferred to April Council Meeting	Completed
27 April 2012	9.3.3	GENERAL BUSINESS - NEW FLIGHT ROUTE INCENTIVE	MAS		
27 April 2012	11.1.1	TENDER 1/2011-12 NEWMAN AIRPORT RPT TERMINAL DEPARTURE LOUNGE AND AMENITIES EXTENTION	MAS		
27 April 2012	11.3.1	TENDER 09_2011/12 PROVISIONS OF ROAD SWEEPING SERVICES, NEWMAN	TSAO		
27 April 2012	11.4.1	RESPONSIBILITY AND MANAGEMENT OF PROPOSED NYIMINJARRA ROAD WITHIN KARLAMILYI NATIONAL PARK	MTS-R	Letter sent to the Department of Environment and Conservation advising of Council resolution	Completed
27 April 2012	13.1	RSL PARK – MARBLE BAR Cr Stephen Kiernan said there is broken glass after the weekend at the RSL Park, can	MTS-R	Completed as part of daily inspection and safety checks	Completed

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		this please be cleaned up. Technical Services to follow up.			
27 April 2012	13.5	PARKING WHELISH DRIVE Cr Doug Stead asked if it is possible to get proper car parking across from the Tyre Shop on Welsh Drive as the verge is becoming congested with people parking. Technical Services to review.	MTS-R	Vehicles parked on the verge are as a result of insufficient space being made available by businesses for their clients. Lots appear to be used as storage space for old vehicle/equipment and businesses are using the vacant verge as parking for vehicles to be serviced. Construction of a dedicated parking area can be considered within the 12/13 budget process	On Going
27 April 2012	13.10	TREE PLANTING FOR MAIN ENTRANCE - NULLAGINE Cr Darren Bennetts asked if trees can be planted at the main entrance into Nullagine. Technical Services to follow up.	MTS-R	This area is within the Main Roads Reserve and as such will require approval from Main Roads. Approval and or comment have been requested from Main Roads to plant trees within the road reserve	On Going

**9.3.2 AFFIX COMMON SEAL TO COMMERCIAL LEASE - NEWMAN AIRPORT
BLOCKS 3 & 4 – SHIRE OF EAST PILBARA AND SEANALISA HOLDINGS
PTY LTD - (MCLAREN HIRE)**

File No: A400012
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mrs Marisa Wolfenden
Coordinator Property Services
Location/Address: Newman Airport
Name of Applicant: Seanalisa Holdings Pty Ltd – (McLaren Hire)
Author Disclosure of Interest: Nil

REPORT PURPOSE

To inform Council that the Chief Executive Officer applied the common seal of the Shire of East Pilbara to the new lease agreement for Seanalisa Holdings Pty Ltd (McLaren Hire) located at Newman Airport –Lease Area 3 and 4.

BACKGROUND

At Council meeting held on the 11th March 2011 an agenda item to Council was submitted for the restructuring of license and lease agreements at Newman Airport, the resolution is as follows:

1. *THAT Council authorises the Manager Airport Services to restructure the license and lease agreements for the different categories of tenant occupation at Newman Airport.*

COMMENTS/OPTIONS/DISCUSSIONS

The agenda item and minutes from the 11th March 2011 meeting, did not include seeking approval to use the common seal of the Shire of East Pilbara to be applied to legal documents.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Delegation From: Council

Delegation To: Chief Executive Officer

Council File Reference: ADM 14-9

Legislative Authority for Delegation S 5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

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

The Council has authorised entering into a formal contract or a formal contract is

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

Authority for exercise of Power/ Duty/ Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law.

Date of Delegation _____

Delegator (Shire President) _____

EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2003

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

Objective

To allow for the proper execution of documents.

Policy

Council's Policy Manual 27 June 2004 on page 78

Execution of Documents

Minute No: Item 9.1.3

Date: 27th June 2003

Objective

To allow for the proper execution of documents. Policy

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

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.5 Airport Development

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/296

MOVED: Cr Doug Stead

SECONDED: Cr Shane Carter

THAT Council note the application of the common seal of the Shire of East Pilbara was affixed by the lease agreement between the Shire of East Pilbara and Seanalisa Holdings Pty Ltd (McLaren Hire) located at Newman Airport – Lease Area 3 & 4.

CARRIED
RECORD OF VOTE: 9 - 0

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

**9.3.3 AFFIX COMMON SEAL TO COMMERCIAL LEASE - NEWMAN AIRPORT
LEASE AREA 1 – SHIRE OF EAST PILBARA AND LINKFORCE
ENGINEERING.**

File No: A701063
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mrs Marisa Wolfenden
Coordinator Property Services
Location/Address: Newman Airport
Name of Applicant: LINKFORCE
Author Disclosure of Interest: Nil

REPORT PURPOSE

To inform Council that the Chief Executive Officer applied the common seal of the Shire of East Pilbara to the new lease agreement for Linkforce Engineering located at Newman Airport –Lease Area 1.

BACKGROUND

At Council meeting held on the 11th March 2011 an agenda item to Council was submitted for the restructuring of license and lease agreements at Newman Airport, the resolution is as follows:

1. *THAT Council authorises the Manager Airport Services to restructure the license and lease agreements for the different categories of tenant occupation at Newman Airport.*

COMMENTS/OPTIONS/DISCUSSIONS

The agenda item and minutes from the 11th March 2011 meeting, did not include seeking approval to use the common seal of the Shire of East Pilbara to be applied to legal documents.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Delegation From: Council

Delegation To: Chief Executive Officer

Council File Reference: ADM 14-9

Legislative Authority for Delegation S 5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

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

The Council has authorised entering into a formal contract or a formal contract is

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

Authority for exercise of Power/ Duty/ Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law.

Date of Delegation _____

Delegator (Shire President) _____

EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2003

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

Objective

To allow for the proper execution of documents.

Policy

Council's Policy Manual 27 June 2004 on page 78

Execution of Documents

Minute No: Item 9.1.3

Date: 27th June 2003

Objective

To allow for the proper execution of documents. Policy

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

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.5 Airport Development

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/297

MOVED: Cr Shane Carter

SECONDED: Cr Craig Hoyer

THAT Council note the application of the common seal of the Shire of East Pilbara was affixed for the commercial lease agreement between the Shire of East Pilbara and Linkforce Engineering- Newman Airport, Lease Area 1.

CARRIED

RECORD OF VOTE: 9 - 0

To be actioned by Mrs Marisa Wolfenden, Coordinator Property Services

**9.3.4 TENDER 09_2011/12 PROVISIONS OF ROAD SWEEPING SERVICES,
NEWMAN**

File No: LEG – 13-2
Responsible Officer: Mr Rick Miler
Director Technical and Development Services
Author: Ms Racquel Langoulant
Technical Services Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

11:30AM Cr Sue Owen left Chambers.

11:32 AM Cr Sue Owen returned to the Chambers

REPORT PURPOSE

To consider the submission of Tenders for the supply of road sweeping services within the Newman town site for a contract period of four years.

BACKGROUND

Council currently contract out the road sweeping service to Transpacific Cleanaway. Transpacific Cleanaway have been the sole provider for the past 4 years. The current contract expires on 30 June 2012.

The tendering process was managed through the WALGA procurement services department. WALGA produced the tender documents, organised the advertising and assessed the tender evaluations.

The Tender was advertised as follows;

- a) The West Australian on, Wednesday, 28 March 2012
- b) The North West Telegraph on, Wednesday 28 March 2012 and
- c) WALGA Tenderlink e-Tendering Portal on, Wednesday 28 March 2012

The closing date for the Tender was 3pm April 17th 2012.

One tender submission was received from Transpacific Cleanaway.

COMMENTS/OPTIONS/DISCUSSIONS

Transpacific Cleanaway submitted a costing of \$268,507.33 per annum for road sweeping services for Newman town site. This is an increase to the previous contract which is approximately \$178,000 annually, an increase of approximately \$100,000.

This is due to an increase in sweeping requirements to the town site and the increase in hours to the weekly schedule. Transpacific Cleanaway have a depot in Newman and the personnel to adequately manage this contract.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

TENDER PROCEDURES

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.2 Improve Community Engagement

3.2.2 Improve community awareness of Council's directions, facilities and services
Continuing role
How funded – Municipal Funds
Responsible Directorate – Community Engagement

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council awards Tender 09-2011/12 Provision of Road Sweeping Services, Newman to Transpacific Cleanaway for the annual cost of \$268,507.33.

COUNCIL RESOLUTION: 201112/298

MOVED: Cr Shane Carter

SECONDED: Cr Darren Bennetts

THAT

- 1.) Council NOT ACCEPT any tender; and
- 2.) The tender be recalled after a review of the scope of works

**CARRIED
RECORD OF VOTE: 9 - 0**

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

Reason for Non Acceptance of Officer's Recommendation: Council considered that a 12 month contract with 2 x 1 year option would give Council better control over the outcome of the tender.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

11:39AM *Meeting adjourned for a break.*

11:45AM *Meeting resumed, All Councillors and staff returned to Chambers
except Mr Rick Miller*

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

**11.1 EROSION GULLY REHABILITATION – DEGREY RIVER, BE ACCEPTED AS
AGENDA ITEM 11.1.1**

OFFICER 'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/299

MOVED: Cr Doug Stead

SECONDED: Cr Sue Owen

**THAT Erosion Gully Rehabilitation – Degrey River be accepted as agenda
item 11.1.1**

**CARRIED
RECORD OF VOTE: 9 - 0**

11.1.1 EROSION GULLY REHABILITATION – DEGREY RIVER

File No: ADM-14-1
**Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer**
**Author: Ms Sian Appleton
Deputy Chief Executive Officer**
Location/Address: Northern Rangelands
Name of Applicant: N/A
Author Disclosure of Interest: Nil

An Interest was declared by Cr Lang Coppin for Item No. 11.1.1

Nature of Interest: Direct

Extent of Interest: Pastoral Lessee at Yarrie Station

11:46AM Cr Lang Coppin vacated the Chair

11:46AM Cr Lang Coppin left Chambers.

11:46AM Cr Doug Stead assumed the Chair

REPORT PURPOSE

For Council to consider and approve the use of Landcare funding in the budget for an Erosion Gully Rehabilitation project to protect the DeGrey River.

BACKGROUND

Council has been approached by Rangelands NRM WA to contribute to the above project. Rangelands NRM WA is a not for profit, non-aligned community based group which aims to facilitate collaboration and best practice in environmental management for land managers who want to achieve good natural resources outcomes.

COMMENTS/OPTIONS/DISCUSSIONS

The following project is being suggested:

Erosion Gully Rehabilitation to Protect the DeGrey River

The De Grey River is listed on the Directory of Important Wetlands and is recognised by Rangelands NRM as of high regional priority. Deep eroding gullies can contribute large amounts of silt into the De Grey which risks altering hydrology and smothering habitats. To date the members of the De Grey LCDC have been concerned about the gullies but unsure as to whether anything could be done. Recently a consultant from Soil Save visited one such gully and detailed a rehabilitation plan.

This project will rehabilitate the erosion gully to protect the floodplain from further erosion and the De Grey River from increased sedimentation. The project will install diversion banks on a nearby road to stop water from entering the gully from the road. Water which cannot be diverted away will be slowed by battering the active head of the gully and installing rock gabions. From previous experience in the Northern Territory Darryl Hill, from Soil Save, believes that this will prevent further erosion of the head and allow the sides of the gully to rehabilitate naturally over time.

Predicted budget:

Activity	Costs incurred	Estimated (ex GST)
Diversion banks	Grader(8 hrs @ \$160/hr)	\$1,280
Batter gully head	Grader (8 hrs @ \$160/hr)	\$1,280
Rock gabions	Equipment (netting & wire)	\$ 300
	Loader (8 hrs @ \$110/hr)	\$ 880
	Labour (4 people x 2 days @\$200/day ea)	\$1,600
	Total	\$5,340

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

FINANCIAL IMPLICATIONS

Account 101200 balance \$4,000

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council consider and approve the use of the landcare budget allocation of \$4,000, for Erosion Gully Rehabilitation on the DeGrey River at Yarrie Pastoral Station.

COUNCIL RESOLUTION: 201112/300

MOVED: Cr Doug Stead

SECONDED: Cr Sue Owen

THAT Council approve the use of the landcare budget allocation of \$5,340 for Erosion Gully Rehabilitation on the DeGrey River at Yarrie Pastoral Station.

Activity	Costs incurred	Estimated (ex GST)
Diversion banks	Grader(8 hrs @ \$160/hr)	\$1,280
Batter gully head	Grader (8 hrs@ \$160/hr)	\$1,280
Rock gabions	Equipment (netting & wire)	\$ 300
	Loader (8 hrs @ \$110/hr)	\$ 880
	Labour (4 people x 2 days @\$200/day ea)	\$1,600
	Total	\$5,340

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

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

Reason for Non Acceptance of Officer's Recommendation: Council to give the full amount as estimate above for the Erosion Gully Rehabilitation on the DeGrey River at Yarrie Pastoral Station.

**11.2 LINFOX REQUEST TO ACQUIRE/LEASE PORTION OF LOT 36 KOONDRA
LOCATION (OPPOSITE AIRPORT), BE ACCEPTED AS AGENDA ITEM
11.2.1**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/301

MOVED: Cr Sue Owen

SECONDED: Cr Kevin Danks

**THAT the Linfox Request to Acquire/Lease Portion of Lot 36 Koondra
Location (Opposite Airport) be accepted as agenda item 11.2.1**

**CARRIED
RECORD OF VOTE: 9 - 0**

**11.2.1 LINFOX REQUEST TO ACQUIRE/LEASE PORTION OF LOT 36 KOONDRA
LOCATION (OPPOSITE AIRPORT)**

File No: A400013
**Responsible Officer: Mr Rick Miller
Director Technical and Development Services**
**Author: Mr Adam Majid
Manager Development Services - Planning**
Proposed Meeting Date: 25-May-2012
Location/Address: Lot 36 Koondra Location
Name of Applicant: N/A
Author Disclosure of Interest: Nil

11:55AM Cr Lang Coppin returned to the Chambers
11:55AM Cr Doug Stead vacated the Chair
11:55 AM Cr Lang Coppin assumed the Chair
11:56AM Mr Rick Miller returned to the Chambers

REPORT PURPOSE

For Council to receive the request from Linfox and to further instruct Shire staff to investigate the options to cater for such a request.

BACKGROUND

Correspondence from Linfox was received on 8 May 2012 regarding the possible acquisition of land within the Shire in order to set up a Transport Depot incorporating a warehouse and storage facility as part of the Linfox logistics service. Through initial discussions with the CEO and Manager Airport Services, Linfox has identified that ideal location to be situated would be on land near the airport, in particular, Lot 36 Koondra location which is a piece of land opposite the Airport which is approximately 157 hectares in size. It is envisaged by Linfox that only approximately five (5) hectares is required to cater for the proposed Depot. The proposed location is viable to Linfox based on the fact that it is adjacent to the Great Northern Highway and near

to the Marble Bar Road turnoff. Lot 36 is Crown Land which is vested as a Reserve to the Shire for the purposes of Parklands.

As Council is aware, there is ongoing negotiations between the Shire and the Department of Regional Development and Lands regarding the freehold purchase of the Airport land, including Lot 36, which would transfer the entire ownership of the land to the Shire. This would result in the ability to be able to subdivide and sell off portions of land should Council choose to. However, it is the intention of the Shire to prepare a Master Plan for the subject land in order to develop the area as an Industrial and Commercial precinct.

However, Linfox has advised that the timing is critical and that land is required to be developed and functioning by midyear 2013. Hence the request is to lease a portion of land until such time that the Shire has received full ownership of the subject land and is in a position to develop the subject land. One particular option which has been discussed thus far is to investigate the option of a Section 91 Licence under the Land Administration Act 1997. Section 91 allows the Minister to grant a licence for certain purposes in respect of Crown Land. The issue with section 91 is that they are commonly restricted to a certain time frame, 12 months or similar, and can be withdrawn by the Minister should there be any breaches or the like. Additionally, with respect to Reserved land with noted purposes, the Minister will give due regard to such purposes which may ultimately result in a section 91 being refused based on the proposed use.

COMMENTS/OPTIONS/DISCUSSIONS

While a Section 91 is possible, and will be subject to negotiations with the Department of Regional Development and Lands, it is appropriate to investigate alternate options also. In doing so, the CEO has requested assistance from its legal representatives involved with the land transaction of the subject land being Corrs Chambers Westgarth.

One possible option to be considered while the land transaction is being facilitated is to request the purpose of Lot 36 to be changed to an alternate which may allow the leasing of a portion of such lot. This will need to be investigated further.

As consideration of the Linfox proposal is in its early days, there is expected to be much communication between the Shire officers, Council's legal representative, and the Department of Regional Development and Lands. It is however considered a high priority to obtain a plausible method in securing a portion of the subject lot as this could then facilitate further potential with other similar businesses.

STATUTORY IMPLICATIONS/REQUIREMENTS

All land transactions, leases and reserves are subject to compliance with the Land Administration Act 1997.

POLICY IMPLICATIONS

Nil.

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.5 Airport Development

1.6 Planning for Land

1.6.2 *Work with State Government Agencies and potential developers to ensure availability, diversity and affordability of land*

Ongoing – Lobbying/Advocacy role

How funded – Municipal Funds

Responsible Directorate – Executive and Development and Regulatory Services

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/302

MOVED: Cr Anita Grace

SECONDED: Cr Shane Carter

THAT Council acknowledge receipt of the correspondence from Linfox and instruct Shire staff to investigate Council's options with regards to leasing a portion of land in addition to investigating a change of purpose of the Reserved Lot 36 to an alternate purpose in order to taking action to facilitate development.

CARRIED

RECORD OF VOTE: 9 - 0

To be actioned by Mr Adam Majid, Manager Development Services - Planning

11.3 EXCISION OF PORTION OF RESERVE 4154 BEING LOT 511 KURRA STREET, NEWMAN BE ACCEPTED AS AGENDA ITEM 11.3.1

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/303

MOVED: Cr Shane Carter

SECONDED: Cr Craig Hoyer

THAT the Excision of Portion of Reserve 41654 being Lot 511 Kurra Street, Newman be accepted as agenda item 11.3.1

**CARRIED
RECORD OF VOTE: 9 - 0**

11.3.1 EXCISION OF PORTION OF RESERVE 41654 BEING LOT 511 KURRA STREET, NEWMAN

File No: A441654
Attachments: [Binder1.pdf](#)
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Adam Majid
Manager Development Services - Planning
Proposed Meeting Date: 25-May-2012
Location/Address: North Newman Reserve - Reserve 41654
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

A formal Council resolution is required to request the excision of a portion of Reserve 41654 to be set aside for the purposes of a "Town Building Construction Fly Camp".

BACKGROUND

The CEO has received a request from Megara Developments regarding the potential and availability of suitable land for the purposes of developing a temporary construction workforce camp for staff anticipated to be in Newman for the construction of new residential premises. In the request from Megara, it was indicated that the BMX track at North Newman Reserve may be appropriate. Following such request, the CEO has undertaken consultation with the Department of Regional Development and Lands, in particular, State Land Services and the Pilbara Cities Office.

In consulting internally with Shire staff regarding the proposal, it should be noted that the proposed location mentioned by Megara is not considered entirely appropriate given that there may be some visibility of such camp from the public realm and that the ultimate purpose of the Reserve as noted in the Management Orders is for the express purpose of recreation, community and club premises. However, it is

considered more appropriate to consider such a proposal on the same Reserve except in an alternate location. Such location being the portion of the Reserve at the rear of the BHP Billiton Kurra Village. This suggested location is generally considered to be out of sight from the public until such time that the dwellings at the new Kurra at Newman development are constructed and occupied. Additionally, it would appear to be more in keeping with surrounding land uses given the existing presence of the BHPB village. The proposed area to be excised is indicated in the attached plan.

It is also proposed that the subject area could allow the presence of more than one camp to be installed by other interested entities.

COMMENTS/OPTIONS/DISCUSSIONS

Feedback from State Land Services and the Pilbara Cities Office indicates that they are generally supportive of the proposal in the location indicated to them by the CEO. State Land Services have indicated that approval would be subject to a lease (including the power to sub lease) being granted to the Shire for the purposes of a "Town Building Construction Fly Camp" and the term of such lease being up to five (5) years. Additionally, the rental is proposed to be charged at a rate of 25% of the current unimproved market rental for the first three (3) and then reappraised for the remainder of the lease.

With regards to the lease value, any costs incurred by Council as a result of leasing such land will be recoverable in full from sub leases entered into with persons wishing to use the portion of land for camp purposes.

Should Council choose to accept the conditions as described above, State Land Services would then seek approval from the Minister for the reduced rental rate and to prepare a Deposited Plan to formally excise such portion subject to the approval of the Department of Planning.

The number of requests being received for the purposes of Temporary Accommodation is expected to increase due to the high demand and the number of dwellings expected to be constructed within the next two (2) to four (4) years. If the excision is approved, any person wishing to use such site would be subject to the standard Development Application process.

STATUTORY IMPLICATIONS/REQUIREMENTS

Any land transactions entered into by Council or offered by Council are subject to the provisions of section(s) 3.58 and 3.59 of the Local Government Act 1995.

POLICY IMPLICATIONS

Nil.

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.6 Planning for Land

1.6.2 *Work with State Government Agencies and potential developers to ensure availability, diversity and affordability of land*

Ongoing – Lobbying/Advocacy role

How funded – Municipal Funds

Responsible Directorate – Executive and Development and Regulatory Services

FINANCIAL IMPLICATIONS

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

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/304

MOVED: Cr Shane Carter

SECONDED: Cr Darren Bennetts

THAT Council:

- 1. Proceed with the excision of a portion of Reserve 41654 being Lot 511 Newman Drive, Newman and enter into a lease for such portion for the purposes of a "Town Building Construction Fly Camp" and advises State Land Services accordingly of such request and the specific portion to be excised;**
- 2. Accepts the proposed rental as being 25% of the current 'unimproved' market rental rate as determined by the Valuer General's Office;**
- 3. Upon acceptance of Council's resolution by State Land Services and the preparation of the necessary lease documents, Council undertakes any necessary requirements of it with regards to the Local Government Act 1995 or other legislation.**

CARRIED
RECORD OF VOTE: 9 - 0

To be actioned by Mr Adam Majid, Manager Development Services - Planning

**11.4 TENDER RFT 10-2011/2012 PROVISION OF WET HIRE OF PLANT
EQUIPMENT AND PERSONNEL, BE ACCEPTED AS AGENDA ITEM 11.4.1**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/305

MOVED: Cr Shane Carter

SECONDED: Cr Sue Owen

**THAT the Tender RFT 10-2011/2012 Provision of Wet Hire of Plant
equipment and Personnel, be accepted as agenda item 11.4.1**

**CARRIED
RECORD OF VOTE: 9 - 0**

**11.4.1 RFT 10-2011/2012 PROVISION OF WET HIRE OF PLANT, EQUIPMENT
AND PERSONNEL**

File No: TCH -1.7
**Responsible Officer: Mr Rick Miller
Director Technical & Development Services**
**Author: Mr Oliver Schaer
Manager Technical Services - Rural**
Proposed Meeting Date: 25-May-2012
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

The purpose of this report is to consider the submission of tenders for the provision of Wet Hire of Plant, Equipment and Personnel in order to appoint a panel of suitably qualified and experienced Contractors for a fixed term.

BACKGROUND

Council as part of its annual works program engages contractors in order to assist with and/or deliver the required outcomes with regard to major as well as minor earthworks. Contractors are engaged at times to assist Council's own workforce or to carry out funded civil construction projects in local and remote locations within the Shire.

The current contract term expires on the 30th of June 2012 (Tender RFT 13-2009/2010 Plant Hire). As such a new tender was called for a further two (2) year term from 1st July 2012 to the 30th of June 2014.

Council engaged the Procurement Consultancy Service of WALGA to undertake the Procurement Service for the Provision of Wet Hire of Plant, Equipment and Personnel in order to appoint a panel of suitably qualified and experienced Contractors.

The request for tenders was advertised in the West Australian, the North West Telegraph and the WALGA TenderLink e-Tendering Portal on Wednesday the 11th of April 2012.

The request for tender closing date was Thursday the 3rd of May 2012. Fourteen (14) suppliers registered to receive copies of the Request for Tender and six (6) Tender submissions were received.

Tender submissions were received from the following organisations:

- a) Australian Civil Haulage
- b) Carrawine Contracting Pty Ltd
- c) Degrey Civil Pty Ltd
- d) Mineworks Group
- e) Tribute Earthmoving
- f) Youngs Earthmoving

The Tenders were assessed by a WALGA Evaluation Panel in Perth and a detailed report including the evaluation process, assessment and recommendation was provided to Council and will be available for review at the meeting.

COMMENTS/OPTIONS/DISCUSSIONS

The tender document contained a generic price schedule giving the tenderer the option to list equipment that they have available as well as a section of required equipment covering Councils more remote works needs.

Tenderers were able to provide prices based on town works only consisting of the Towns of Newman, Nullagine and Marble Bar as well as remote works requiring a high level of self sufficiency including fully functional remote camps for personnel.

The following table shows the options that have been tendered for:

Tenderer	Town Based Works	Remote Works
Australian Civil Haulage	Yes	Yes
Carrawine Contracting	Yes	Yes
Degrey Civil	Yes	No
Mineworks Group	Yes	No
Tribute Earthmoving	Yes	No
Youngs Earthmoving	No	Yes

The pricing schedule consisted of a list of pre determined equipment required and essential for remote works. The equipment listing for town based works was left blank in order for tenderers to provide a list of equipment that they have available.

The submission from Mineworks Group was for town based works only and most of the equipment listed is not considered relevant for Council's requirements for town based works. Additionally, the mobilisation and demobilisation rates are the highest of all the tender price submissions and as such it is recommended not to accept the submission from Mineworks Group.

The remaining tender submissions appear relevant to Councils needs and as such are recommended tenderers.

The price schedules as submitted are shown below:

Australian Civil Haulage

PRICE SCHEDULE - RFT 10_2011_2012 Provision of Wet Hire of Plant, Equipment and Personnel

TENDERER NAME: Australian Civil				
Plant Type	Hourly Rate (\$) Excl. GST	Daily Rate (\$) Excl. GST	Rate (\$) Exclusive GST	
			Minimum Hire (if applicable) (Hours)	Mobilisation and Demobilisation Rate
PART A : TOWNSITE WORKS - Newman , Marble Bar & Nullagine				
Contractors to specify plant available: (Including make, model, cartage capacity etc)				
Grader (min 140H or equivalent)	205	2460	12 hours	\$3.10 per km
Excavator (30-35 tonne)	275	3300	12 hours	\$6.20 per km
Double road train side tipper	275	3300	12 hours	\$3.10 per km
Roller (min 18t smooth drum)	135	1620	12 hours	\$4.20 per km
Low Loader	160	1920	12 hours	N/A
Light Vehicle	N/A	180	N/A	\$1.45 per km
Accommodation Camp (Including Caravan, Fuel Trailer, Generator, Water etc)	N/A	925	N/A	\$2.57 per km
Plant Type	Hourly Rate (\$) Excl. GST	Daily Rate (\$) Excl. GST	Minimum Hire (if applicable) (Hours)	Mobilisation and Demobilisation Rate
PART B: REMOTE LOCATION WORKS - Desert/Remote Road Works				
Minimum plant requirements:				
Double road train side tipper	275	3300	12 hours	\$3.10 per km
Excavator (30-35 tonne)	275	3300	12 hours	\$6.20 per km
Grader (min 140H or equivalent)	205	2460	12 hours	\$4.80 per km
Roller (min 18t smooth drum)	135	1620	12 hours	\$4.20 per km
Low Loader	160	1920	12 hours	N/A
Light Vehicle	N/A	180	N/A	\$1.45 per km
Accommodation Camp (Including Caravan, Fuel Trailer, Generator, Water etc)	N/A	925	N/A	\$2.57 per km
Note: The supply of remote camp facilities should include, but not be limited to accommodation, kitchen and ablution facilities for a minimum of five personnel.				
Contractors to specify further plant available: (Including make, model, cartage capacity etc)				
Skid Steer 242B (CAT)	116	1392	12 hours	TBA
Semi Water Cart 32,000 L (Tristar)	203	2436	12 hours	\$2.80 per km
Road Train Water Cart 64,000 L (Tristar)	277	3324	12 hours	\$3.10 per km
6 Wheel Water Cart (Hino)	167	2004	12 hours	\$1.86 per km
Pad Foot Roller (CAT)	144	1728	12 hours	\$4.20 per km
20 t Multi tyred Roller	128	1536	12 hours	\$4.20 per km
Telehandler (3.5 tonne) 12.5mtr	152	1824	12 hours	\$3.90 per Km
Cat 950 Loader or equil.	220	2640	12 hours	\$4.40 per km
Semi End Tipper 20cm	185	2220	12 hours	\$2.80 per km
6 Wheel Tipper 10cm	136	1632	12 hours	\$1.86 per km
Plant Type	Hourly Rate (\$) Excl. GST	Daily Rate (\$) Excl. GST	Minimum Hire (if applicable) (Hours)	Mobilisation and Demobilisation Rate
PART C: REMOTE LOCATION WORKS - Maintenance Grading				
Minimum plant requirements:				
Grader (min 140H or equivalent)	205	2460	12 hours	\$4.80 per km
Accommodation Camp (Including Caravan, Fuel Trailer, Generator, Water etc) - single operator accommodation	N/A	180	N/A	\$1.80 per km
Light Vehicle	N/A	150	N/A	\$1.45 per km

Carrawine Contracting Pty Ltd

PRICE SCHEDULE - RFT 10_2011_2012 Provision of Wet Hire of Plant, Equipment and Personnel

TENDERER NAME:				
Plant Type	Hourly Rate (\$) Excl. GST	Daily Rate (\$) Excl. GST	Rate (\$) Exclusive GST	
			Minimum Hire (if applicable) (Hours)	Mobilisation and Demobilisation Rate
PART A : TOWNSITE WORKS - Newman , Marble Bar & Nullagine				
Contractors to specify plant available: (Including make, model, cartage capacity etc)				
Grader 140 Caterpillar	165	1650	570	1500
Loader Komatsu 350	189	1890	600	1500
Watercart semi 30,000ltr	180	1800	600	1500
Side tipper single	165	1650	800	1500
side tipper double	195	1950	800	1750
side tipper tripple	265	2650	850	2000
Multi wheeled roller	115	1150	600	1850
Float with semi prime mover	380	2500	2500	1450
Flat drum roller	110	1100	360	1450
Stand pipe, submersable and all fittings	30	300	300	190
Road Inspection vehicle	100	1000	900	500
Labour to drive inspection vehicle	38.9	389	350	250

Plant Type	Hourly Rate (\$) Excl. GST	Daily Rate (\$) Excl. GST	Rate (\$) Exclusive GST	
			Minimum Hire (if applicable) (Hours)	Mobilisation and Demobilisation Rate
PART B: REMOTE LOCATION WORKS - Desert/Remote Road Works				
Minimum plant requirements:				
Double road train side tipper	210		2100	1500
Excavator (30-35 tonne)	350		3500	2500
Grader (min 140H or equivalent)	185		1850	1800
Roller (min 18t smooth drum)	130		1300	1600
Low Loader	450	4500	4000	2300
Light Vehicle		300	800	780
Accommodation Camp (Including Caravan, Fuel Trailer, Generator, Water etc)		3800	3800	3500
Note: The supply of remote camp facilities should include, but not be limited to accommodation, kitchen and ablution facilities for a minimum of five personnel.				
Contractors to specify further plant available: (Including make, model, cartage capacity etc)				

Plant Type	Hourly Rate (\$) Excl. GST	Daily Rate (\$) Excl. GST	Rate (\$) Exclusive GST	
			Minimum Hire (if applicable) (Hours)	Mobilisation and Demobilisation Rate
PART C: REMOTE LOCATION WORKS - Maintenance Grading				
Minimum plant requirements:				
Grader (min 140H or equivalent)	180		1360	1500
Accommodation Camp (Including Caravan, Fuel Trailer, Generator, Water etc)		2500	2500	1200
Light Vehicle		600	500	800

Degrey Civil Pty Ltd

PRICE SCHEDULE - RFT 10_2011_2012 Provision of Wet Hire of Plant, Equipment and Personnel				
TENDERER NAME: Degrey				
Plant Type	Hourly Rate (\$) Excl. GST	Daily Rate (\$) Excl. GST	Rate (\$) Exclusive GST	
			Minimum Hire (if applicable) (Hours)	Mobilisation and Demobilisation Rate
PART A : TOWNSITE WORKS - Newman , Marble Bar & Nullagine				
Contractors to specify plant available: (Including make, model, cartage capacity etc)				
Caterpillar 140H Grader	214	2140	10	2500 each way
Caterpillar 966H Loader	257	2570	10	2500 each way
Caterpillar 950H Loader	223	2230	10	2500 each way
Komatsu PC300 Excavator	257	2570	10	2500 each way
Pad Foot Roller	157	1570	10	2500 each way
Smooth Drum Roller	153	1530	10	2500 each way
Case 430 Skidsteer Bobcat	115	1150	10	1500 each way
Mack 6 wheel end Tipper	110	1100	10	1000 each way
Single Side Tipper	238	2380	10	1400 each way
Double Side Tipper	275	2750	10	1600 each way
Service Trailer (per Day)	0	130	1	200 each way
Supervisor	163	1630	10	500 each way
Labourer Operator only	100	1000	10	500 each way
Accommodation Each Person	0	275	0	

Mineworks Group

PRICE SCHEDULE - RFT 10_2011_2012 Provision of Wet Hire of Plant, Equipment and Personnel				
TENDERER NAME: Mineworks				
Plant Type	Hourly Rate (\$) Excl. GST	Daily Rate (\$) Excl. GST	Rate (\$) Exclusive GST	
			Minimum Hire (if applicable) (Hours)	Mobilisation and Demobilisation Rate
PART A : TOWNSITE WORKS - Newman , Marble Bar & Nullagine				
Contractors to specify plant available: (Including make, model, cartage capacity etc)				
Caterpillar 740 Articulated dump truck. 40 Tonne	225	2,700	200	7,562
Caterpillar 740 Articulated ejector truck. 40 Tonne	225	2,700	200	11,023
Caterpillar 740 Articulated water truck. 30,000 Litres	230	2,760	200	7,562
Caterpillar D8T Dozer	255	3,060	200	11,023
Caterpillar 140H Grader	195	2,340	200	6,225
Komatsu WA500-6 Loader	225	2,700	200	7,962
Komatsu WA600-6 Loader	270	3,240	200	14,750
Caterpillar 938H Loader	175	2,100	200	7,962
Dynapac 19 Tonne pad foot roller	165	1,980	200	6,225
Dieci 33.11 Tele handler	160	1,920	200	6,550
Dieci 120.10 Tele handler	210	2,520	200	7,962
Izusu 6x6 Water cart 14,000 Liters	165	1,980	200	7,962
Izusu Service Truck	165	1,980	200	7,962

Tribute Earthmoving

PRICE SCHEDULE - RFT 10_2011_2012 Provision of Wet Hire of Plant, Equipment and Perso

Tribute Earthmoving			
Plant Type	Hourly Rate (\$) Excl. GST	Daily Rate (\$) Excl. GST	Minimum Hire (if applicable)
			(Hours)
PART A : TOWNSITE WORKS - Newman , Marble Bar & Nullagine			
Contractors to specify plant available: (Including make, model, cartage capacity etc)			
Double road train side tipper (50t)	\$145 hr	\$1450 per day	10 hrs
140 Grader	\$85 hr	\$850 per day	10 hrs
Roller (min 13t smooth drum)	\$45 hr	\$450 per day	10 hrs
8 Wheel Tipper (side and rear tip, 13t)	\$65 hr	\$650 per day	10 hrs
25t Excavator	\$90 hr	\$900 per day	10 hrs
Semi Water Cart (30 000lt)	\$110 hr	\$1100 per day	10 hrs
930 lt Front End Loader	\$60 hr	\$600 per day	10 hrs
Bobcat	\$45 hr	\$450 per day	10 hrs
Supervisor	\$110 per hr	\$1100 per day	10 hrs
Operators	\$90 per hr	\$900 per day	10 hrs
Labour	\$65 per hr	\$650 per day	10 hrs
Low Loader (27t)	\$220 per hr	\$2200 per day	10 hrs
13t excavator	\$65 per hr	\$650 per day	10 hrs
light vehicles		\$200 per day	

Youngs Earthmoving Pty Ltd

PRICE SCHEDULE - RFT 10_2011_2012 Provision of Wet Hire of Plant, Equipment and Personnel

TENDERER NAME: Youngs				
Plant Type	Hourly Rate (\$) Excl. GST	Daily Rate (\$) Excl. GST	Rate (\$) Exclusive GST	
			Minimum Hire (if applicable) (Hours)	Mobilisation and Demobilisation Rate
PART B: REMOTE LOCATION WORKS - Desert/Remote Road Works				
Minimum plant requirements:				
Double road train side tipper	215			\$ hourly rate
Excavator (30-35 tonne)	205			\$175.00 / hr
Grader (min 140H or equivalent)	195			\$ hourly rate
Roller (min 18t smooth drum)	135			\$175.00 / hr
Low Loader	175	300		\$ hourly rate
Light Vehicle		150		\$1.00 per km
Accommodation Camp (Including Caravan, Fuel Trailer, Generator, Water etc)		1450		\$215.00 / hr
Note: The supply of remote camp facilities should include, but not be limited to accommodation, kitchen and ablution facilities for a minimum of five personnel.				
Contractors to specify further plant available: (Including make, model, cartage capacity etc)				
Cat D8T Dozer	295			\$5.50 per km

Plant Type	Hourly Rate (\$) Excl. GST	Daily Rate (\$) Excl. GST	Rate (\$) Exclusive GST	
			Minimum Hire (if applicable) (Hours)	Mobilisation and Demobilisation Rate
PART C: REMOTE LOCATION WORKS - Maintenance Grading				
Minimum plant requirements:				
Grader (min 140H or equivalent)	195			\$ hourly rate
Accommodation Camp (Including Caravan, Fuel Trailer, Generator, Water etc)		250		\$3.50 per km
Light Vehicle		150		\$1.00 per km

STATUTORY IMPLICATIONS/REQUIREMENTS

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

POLICY IMPLICATIONS

TENDER PROCEDURES

PLAN FOR FUTURE OF THE DISTRICT

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201112/306

MOVED: Cr Shane Carter

SECONDED: Cr Sue Owen

THAT Council awards Tender RFT 10-2011/2012 Provision of Wet Hire of Plant, Equipment and Personnel to Australian Civil Haulage, Carrawine Contracting Pty Ltd, Degrey Civil Pty Ltd, Tribute Earthmoving and Young's Earthmoving, as per tendered schedule of rates, for the period 1st July 2012 to 30th June 2014.

CARRIED

RECORD OF VOTE: 9 - 0

To be actioned by Mr Oliver Schaer, Manager Technical Services - Rural

12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

Nil

13 GENERAL BUSINESS

13.1 CHINAMAN POOL MARBLE BAR

Cr Sue Owen would like to thank the Shire Staff for installing the No Consumption of Alcohol signs at Chinaman Pool.

13.2 MARBLE BAR ROAD

Cr Darren Bennetts asked what we can do to get the state to seal Marble Bar road. Mr Allen Cooper said all we can do is to keep on lobbying to the State and also to Pilbara Regional Road Group.

Director Technical and Development Services to bring this up again at the next PRRG meeting.

13.3 WELSH DRIVE

Cr Shane Carter said from Mia Mia to Klondyke Place the road has double white lines, as BHP have the bus stop and when the bus stops people go over the white line and going into the path of oncoming traffic. Is it possible for the Shire to clarify the legality of crossing the double white lines.

Director Technical and Development Services to follow up.

12:14PM *Cr Sue Owen left Chambers.*

13.4 NEWMAN SHOPPING CENTRE

Cr Doug Stead said the barriers next to Bank West along the new path have been removed and someone could have an accident.

Mr Allen Cooper replied that they were moved by mistake but at this moment are being put up again until the permanent barriers can be installed.

13.5 BHP BILLITON – MATCH GIVING PROGRAM

Cr Doug Stead would like to acknowledge BHP Billiton for their Match Giving Program as BHP Billiton donate a lot to the Newman Community from their employees this shows how many people working for BHP Billiton volunteer their time to help others and BHP should be recognised with a letter.

Executive Services to follow up.

13.6 RUBBISH BINS – NEXT TO CHICKEN TREAT

Cr Anita Grace asked when the big bin will be put back behind the fence next to Chicken Treat as it is a fire hazard. Mr Allen Cooper replied the Shire has spoken with the caretaker of the Boulevard Shopping Centre and the bins should be replaced in the near future.

13.7 KANGAROO STATUES

Cr Anita Grace asked what was happening with the Kangaroo statues as they have a barrier around them. Mr Allen Cooper replied repairs are to be undertaken.

13.8 OLD CARAVANS – MARBLE BAR

Cr Stephen Kiernan asked if the old caravans at the depot will be going up for tender again.

Manager Technical Services – Rural to follow up.

13.9 MARBLE BAR TOWN CENTRE

Cr Stephen Kiernan had a request if it was possible for the Shire to put a raised garden in the town centre median strip of the main access road.

Director Technical and Development Services to follow up.

13.10 VACANT LAND AT SHOPPING CENTRE

Cr Anita Grace asked for an update to when the old Town Mess and Railway Quarters vacant land from BHP Billiton will be commencing.

Mr Allen Cooper gave a verbal report.

14 DATE OF NEXT MEETING

22nd June 2012, Marble Bar

15 CLOSURE

12:20PM