



EAST PILBARA SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council will be held,
in Council Chambers, Marble Bar,
10.00 AM, FRIDAY, 25 SEPTEMBER, 2015.

Allen Cooper
CHIEF EXECUTIVE OFFICER



DISCLAIMER

No responsibility whatsoever is implied or accepted by the Shire of East Pilbara for any act, omission or statement or intimation occurring during Council or Committee Meetings. The Shire of East Pilbara disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

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

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

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

WRITTEN CONFIRMATION

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

Signed: _____
Allen Cooper
Chief Executive Officer

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	3
2	RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE	3
2.1	ATTENDANCES	3
2.2	APOLOGIES	3
2.3	LEAVE OF ABSENCE	3
3	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	3
4	PUBLIC QUESTION TIME	3
4.1	MARBLE BAR PROGRESS ASSOCIATION CORRESPONDENCE.....	3
5	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	5
6	APPLICATIONS FOR LEAVE OF ABSENCE	5
6.1	COUNCILLOR ANITA GRACE.....	5
7	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING.....	5
7.1	CONFIRMATION OF MINUTES.....	5
7.2	PILBARA REGIONAL COUNCIL MINUTES 27 AUGUST 2015	5
8	MEMBERS REPORT	5
8.1	ITEMS FOR RECOMMENDATION	5
8.2	ITEMS FOR INFORMATION.....	5
9	OFFICER'S REPORTS	6
9.1	CHIEF EXECUTIVE OFFICER.....	6
9.1.1	CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - AUGUST 2015.....	6
9.2	DEPUTY CHIEF EXECUTIVE OFFICER	8
9.2.1	DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - AUGUST 2015.....	8

- 9.2.2 REMOVAL OF THE WATER PLAYGROUND AT THE
NEWMAN AQUATIC CENTRE..... 11
- 9.2.3 RECREATION CENTRE FEES AND CHARGES..... 13
- 9.2.4 PURCHASING AND TENDER PROCEDURES POLICY
UPDATE 17
- 9.2.5 NEWMAN LIONS CLUB – RESERVE 46115, LOT 1656
COWRA DRIVE, RENEWING LEASE AGREEMENT. 26
- 9.2.6 NEWMAN STATE EMERGENCY SERVICE - LOT 702
PREVIOUSLY LOT 300, OPTION TERM FOR LEASE
AGREEMENT AT NORTH NEWMAN RESERVE 29
- 9.2.7 SUNDRY DEBTORS WRITE OFF - BHP BILLITON IRON
ORE PTY LTD 31
- 9.2.8 MONTHLY FINANCIAL STATEMENTS - JULY 2015 38
- 9.2.9 CREDITORS FOR PAYMENT..... 40
- 9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES ... 43**
- 9.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES
STATUS OF COUNCIL DECISIONS - AUGUST 2015..... 43
- 9.3.2 APPLICATION TO KEEP MORE THAN TWO DOGS AT 5
ARIKA PLACE, NEWMAN..... 46
- 10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 49**
- 11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A
DECISION OF COUNCIL 49**
- 12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS 49**
- 13 GENERAL BUSINESS..... 49**
- 14 DATE OF NEXT MEETING 49**
- 15 CLOSURE 49**

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Cr Lynne Craigie
Cr Lang Coppin OAM
Cr Gerry Parsons
Cr Craig Hoyer
Cr Dean Hatwell
Cr Stephen Kiernan
Cr Bidy Schill

Shire President
Deputy Shire President

Officers

Mr Allen Cooper
Ms Sian Appleton
Mrs Sheryl Pobrica

Chief Executive Officer
Deputy Chief Executive Officer
Executive Services Administration Officer

Public Gallery

Ms Jessie Hull

Representing Marble Bar Progress
Association

2.2 APOLOGIES

Councillor Apologies

Cr Anita Grace
Cr Shane Carter

Officer Apologies

Mr Rick Miller

Director Technical and Development
Services.

2.3 LEAVE OF ABSENCE

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

4.1 MARBLE BAR PROGRESS ASSOCIATION CORRESPONDENCE

A letter dated 31st August 2015 was received by Council from the Marble Bar Progress Association requesting Council for an update at the next Council Meeting 25th September 2015 in Marble Bar.

Below is the letter written by Susan Potter, Secretary, Marble Bar Progress Association.



MARBLE BAR PROGRESS ASSOCIATION
PO BOX 30
MARBLE BAR 6760



31/8/15

Ms Kate Fowler

Marble Bar Office

Shire of East Pilbara

Hi Kate

At our last meeting 24th August there were a number of issues that our members raised that we would like included in the agenda for the next Council meeting 25th September.

- Is there going to be shade and seating over the skate park.
- Are the lights at the basketball courts going to be re-instated.
- ADSL/NBN – are we going to be getting either of these and if so when.
- What has happened to our water truck as the plants are dying.
- Can we get the park gates closest to the Ironclad fully enclosed so as to stop young children from running out into the intersection.
- We need a children's crossing or Zebra crossing from the park to the roadhouse as when the children come down the road from school they run across the intersection, highly dangerous.
- RSL Memorial path extension, when was this approved as no one in the community remembers any consultation.
- What is happening with the exercise track that we requested.

Thanks

Susan Potter

Secretary

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

6 APPLICATIONS FOR LEAVE OF ABSENCE

6.1 COUNCILLOR ANITA GRACE

Councillor Anita Grace wishes to apply for leave of absence for the September and October 2015 Council meetings.

Email received 14.09.2015 as below.

Hi sheryl Could you please request for me a leave of absence for the next two council meetings as I will be having an eye operation and John will be going have to go to hospital as well thank you Anita Grace

OFFICER'S RECOMMENDATION

THAT Councillor Anita Grace be granted leave of absence for the 25th September and 23rd October 2015 Council meetings.

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

[Minutes August 28 2015 Council.DOCX](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of Council held on 28 August 2015, be confirmed as a true and correct record of proceedings.

7.2 PILBARA REGIONAL COUNCIL MINUTES 27 AUGUST 2015

[PRC Council Minutes 27 August 2015](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of Council held on 27 August 2015, be received.

8 MEMBERS REPORT

8.1 ITEMS FOR RECOMMENDATION

8.2 ITEMS FOR INFORMATION

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - AUGUST 2015

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

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

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
6 March 2015	13.1	ADSL MARBLE BAR Cr Stephen Kiernan asked the Shire to continue to follow up with Telstra regarding ADSL in Marble Bar. Mr Allen Cooper, Chief Executive Officer to follow up.	CEO	To discuss options with PDC. Request for Information sent to PDC Sent again 08/09/2015	On Going
28 August 2015	13.7	ADSL MARBLE BAR Cr Stephen Kiernan asked again for the Shire to follow up on the possibility of having ADSL installed in Marble Bar. Mr Allen Cooper, Chief Executive Officer explained the situation on ADSL and requests to the Pilbara Development Commission to investigate			
28 August 2015	9.1.5	AUSTRALIAN AIRPORTS ASSOCIATION (AAA) NATIONAL CONFERENCE, TECHNICAL WORKSHOPS AND RELATED EVENTS 12-16 OCTOBER 2015	CEO		September 2015
28 August 2015	13.8	CARAWINE GORGE Cr Lang Coppin asked if the Shire of East Pilbara could investigate the possibility of Carawine Gorge becoming an A Class Reserve. Mr Allen Cooper, Chief Executive Officer to follow up.	CEO	Meeting with Department of Lands seeking information	

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

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

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

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

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
24 October 2014	13.1	SPORTING COMPLEX MARBLE BAR FIVE YEAR PLAN Cr Dean Hatwell asked if the electrical works can be included in the five year plan for the sporting complex. Ms Sian Appleton, Deputy Chief Executive Officer answered yes this will be included in the five year plan as appropriate.	CDS-Rural	CDS-Rural undertaking	December 2015
30 January 2015	13.7	MARBLE BAR AQUATIC CENTRE CONTRACT BETWEEN DEPARTMENT OF EDUCATION AND SHIRE OF EAST PILBARA Cr Dean Hatwell commented the contract between the Department of Education and the Shire of East Pilbara for the Marble Bar Aquatic Centre is due to expire this year and what is happening. Ms Sian Appleton replied yes the contract is due to expire 31 December 2015 and staff will be discussing the agreement with the Department of Education.	DCEO	Still in consultation with Education Department	November 2015
6 March 2015	13.9	NULLAGINE GYM Cr Bidy Schill asked if there was an alternative to the pub holding the key to the gym as people cannot use the gym while pub is closed and also people are using the gym without paying. Ms Sian Appleton said they are looking into this with different options eg: CRC	DCEO	Still being investigated	November 2015

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

25 SEPTEMBER, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		Nullagine holding the key and taking payments for the use of the gym.			
28 August 2015	13.1	<p>NEWMAN NETBALL COURTS Cr Gerry Parsons asked where the Shire of East Pilbara is with the repairs to the Newman Netball Courts, as the Northwest Championships are going to be held in Newman for 2016 and require the Courts to be fixed. Deputy Chief Executive Officer, Ms Sian Appleton replied that we are waiting on the supplier to undertake repairs and we will be contacting the Newman Netball Association to advise of progress.</p>	DCEO	Quotes sought then Newman Netball Association will be invited to discuss options.	

9.2.2 REMOVAL OF THE WATER PLAYGROUND AT THE NEWMAN AQUATIC CENTRE

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Mr Ben Lewis
Manager Assets and Procurement

Location/Address: Newman Aquatic Centre

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

For council to consider removing the existing water playground while the feasibility study is being undertaken to redevelop the aquatic centre.

BACKGROUND

On Friday 28 August 2015, Council resolved the following:

“THAT Council authorises the use of monies from account 119082 Newman Aquatic Centre Redevelopment to undertake a feasibility study, prepare a business case and prepare initial design plans to redevelop the Newman Aquatic Centre Water Playground.”

From the report provided by the Health Department, combined with commentary from the officer, it is acknowledged that the water playground is not in a satisfactory state for patrons to use.

This being the case, general discussion took place around the removal of the water playground equipment while the feasibility study is being undertaken. This would allow for the area to be used for other activities.

COMMENTS/OPTIONS/DISCUSSIONS

Council has the following options available:

1. Leave the play equipment as it currently stands and wait for the feasibility study to be completed, or
2. Remove the play equipment, soft fall and fencing and use the space for other activities.

Leaving the play equipment in place is not only an eyesore to patrons but an embarrassment to Council. However, removing the equipment would allow for greater utilisation of the space as we head into the peak summer period.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

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

FINANCIAL IMPLICATIONS

Quotes are currently being sought for the removal and disposal of the play equipment. As this will form part of the redevelopment process, existing funds are available in the Newman Aquatic Centre Redevelopment account 119082.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council authorises the removal and disposal of the water playground equipment and associated infrastructure.

9.2.3 RECREATION CENTRE FEES AND CHARGES

File Ref: FIN-24-1
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sian Appleton
Deputy Chief Executive Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council's approval for an amendment to the Recreation Centre Fees and Charges to include additional options with regard to the fitness centre and group fitness.

BACKGROUND

Fees and Charges were approved with the annual budget acceptance for the financial year (FY) 2015/2016 (**Resolution 201516/07**) for the Recreation Centre and associated services.

Fees and Charges for the options of a membership to just the Fitness Centre or just Group Fitness were deleted and incorporated them into one fee, Recreation Centre Membership.

COMMENTS/OPTIONS/DISCUSSIONS

Although limited resistance was received by the community formally, it was decided that individual memberships for both the Fitness Centre and Group Fitness should be reintroduced. Below is a table of the reinstated fees. The Fitness Centre fees have been increased by approximately 10% on last year's figures noting that over the past seven years the fees have increased by a little over 5%. The Fitness Centre has received a major upgrade and new equipment has been leased. The Group Fitness memberships have been reduced in an attempt to increase participation knowing that costs for Group Fitness are considerably less than running the Fitness Centre.

Fitness Centre membership/3 month	261.00	Photo ID must be shown (<i>includes 1 assessment & individual program plus induction & access card</i>). <i>Unlimited access to Fitness Centre</i>
Group Fitness membership/ 3 month	174.00	Unlimited access to Group Fitness classes
Fitness Centre membership/6 month	380.00	Photo ID must be shown (<i>includes 1 assessment & individual program plus induction & access card</i>). <i>Unlimited access to Fitness Centre</i>
Group Fitness membership/ 6 month	253.00	Unlimited access to Group Fitness classes
Fitness Centre membership/12 month	624.00	Photo ID must be shown (<i>includes 1 assessment & individual program plus induction & access card</i>). <i>Unlimited access to Fitness Centre</i>
Group Fitness membership/ 12 month	416.00	Unlimited access to Group Fitness classes

STATUTORY IMPLICATIONS/REQUIREMENTS

1 Subdivision 2 — Fees and charges

2 6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
- (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

** Absolute majority required.*

3 6.17. Setting level of fees and charges

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
- (a) the cost to the local government of providing the service or goods; and

- (b) the importance of the service or goods to the community; and
 - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
 - (a) under section 5.96; or
 - (b) under section 6.16(2)(d); or
 - (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
 - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

4 6.18. Effect of other written laws

- (1) If the amount of a fee or charge for a service or for goods is determined under another written law a local government may not —
 - (a) determine an amount that is inconsistent with the amount determined under the other written law; or
 - (b) charge a fee or charge in addition to the amount determined by or under the other written law.
- (2) A local government is not to impose a fee or charge for a service or goods under this Act if the imposition of a fee or charge for the service or goods is prohibited under another written law.

5 6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

- 2.1 Health and recreation
 - 2.1.1 Promote safe and healthy communities
Responsible officer: MCW
Timing: 1-3 years
 - 2.1.2 Encourage active lifestyles
Responsible officer: MCW
Timing: 1-3 years
 - 2.1.3 Encourage high rates of participation in community activities and events
Responsible officer: MCW
Timing: 1 year
 - 2.1.4 Support individual and community health
Responsible officer: MCW
Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council

- 1. Approve amendments to the Recreation Centre fees and include the following additional fees:**

Fitness Centre membership/3 month	261.00	Photo ID must be shown <i>(includes 1 assessment & individual program plus induction & access card)</i> . Unlimited access to Fitness Centre
Group Fitness membership/ 3 month	174.00	Unlimited access to Group Fitness classes
Fitness Centre membership/6 month	380.00	Photo ID must be shown <i>(includes 1 assessment & individual program plus induction & access card)</i> . Unlimited access to Fitness Centre
Group Fitness membership/ 6 month	253.00	Unlimited access to Group Fitness classes
Fitness Centre membership/12 month	624.00	Photo ID must be shown <i>(includes 1 assessment & individual program plus induction & access card)</i> . Unlimited access to Fitness Centre
Group Fitness membership/ 12 month	416.00	Unlimited access to Group Fitness classes

- 2. Impose the new fees effective from the 1st October 2015.**
- 3. Provide notice of the adopted fees as advertised, pursuant to Section 6.19 of the *Local Government Act 1985*.**

9.2.4 PURCHASING AND TENDER PROCEDURES POLICY UPDATE

File Ref: FIN 10-12
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Candice Porro
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 within the organisational structure and technology updates which has been reflected in this document.

COMMENTS/OPTIONS/DISCUSSIONS

The amended policy will reflect changes regarding \$2,000 authorisation policy.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

10.12 PURCHASING AND TENDER PROCEDURES

Minute No: Item 9.1.6
Date: 27th June 2003
5th May 2006
9.3.5 27th April 2007
9.4.1 24th July 2009
9.1.6 29th January 2010
9.2.5 11 March 2011
9.1.8 3 February 2012
9.2.4 25 May 2012
9.2.7 28 July 2012
9.2.6 28 June 2013
9.2.7 27 September 2013
9.2.9 6 December 2013
9.2.6 30 January 2015
9.2.11 6 March 2015
9.2.7 26 June 2015

Responsible Officer: Chief Executive Officer and Directors

Objective

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

1.1 Purchase Procedures

NOTE: All Figures in this policy are exclusive of GST

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

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

Capital Expenditure

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

Definition of a Capital Item for the purpose of the Shire of East Pilbara:
Any item budgeted as a capital item in the adopted budget;
Any item to be purchased, which involves the replacement of an existing asset through the sale, trade-in, write-off or disposal of an item on the fixed asset register.

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

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

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

Orders for Goods & Services

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

Orders should never be raised retrospectively.

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

- Deputy Chief Executive Officer

- Director Technical & Development Services

- Manager Technical Services – Rural (road construction and plant only)

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

- Managers

- Coordinator Property Services

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

- Coordinators

- Works Supervisor (Newman and Marble Bar)

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

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

- ~~▪ Duty Officers – Newman Aquatic Centre~~

- ~~• Team Leader – Works Crew (Newman)~~
- ~~• Field Officer and client Services – Martumili~~
- ~~• Technical Services Administration Officer~~
- ~~• RPT Bus Driver~~
- ~~• Executive Services Administration Officer~~
- ~~• Asset and Procurement Administration Officer~~
- ~~• Marble Bar Mechanic~~
- ~~• Community Wellbeing Administration Officer~~
- ~~• Senior Supervisor – Newman Recreation Centre Facilities~~

Other officer's in line with relevant procedures will have authority to authorise purchases to the value of \$2,000.

Light Vehicle Purchases

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

Consultants Services

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

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

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

Light Vehicle Disposals

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

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

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

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

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

1.2 Regulatory Compliance

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

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

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.2 Continued strong financial management

1.1.3 Effective business management

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

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

10.12 Purchasing and Tender Procedures

Minute No:	Item 9.1.6
Date:	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
9.2.5	11 March 2011
9.1.8	3 February 2012
9.2.4	25 May 2012
9.2.7	28 July 2012
9.2.6	28 June 2013
9.2.7	27 September 2013
9.2.9	6 December 2013
9.2.6	30 January 2015
9.2.11	6 March 2015
9.2.7	26 June 2015
9.2.4	25 September 2015

Responsible Officer: Chief Executive Officer and Directors

Objective

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

1.1 Purchase Procedures

NOTE: All Figures in this policy are exclusive of GST

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

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

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

Capital Expenditure

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

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

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

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

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

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

Orders for Goods & Services

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

Orders should never be raised retrospectively.

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

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

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

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

- Managers
- Coordinator Property Services

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

- Coordinators
- Works Supervisor (Newman and Marble Bar)

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

Other Officer's in line with procedures will have authority to authorise purchases to the value of \$2,000.

Light Vehicle Purchases

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

Consultants Services

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

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

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

Light Vehicle Disposals

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

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

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

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

- *Past sales by auction house.*

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

1.2 Regulatory Compliance

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

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

**9.2.5 NEWMAN LIONS CLUB – RESERVE 46115, LOT 1656 COWRA DRIVE,
RENEWING LEASE AGREEMENT.**

File Ref: A435501
Responsible Officer: Mr Ben Lewis
Manager Assets and Procurement
Author: Mrs Marisa Wolfenden
Coordinator Property Services
Location/Address: Lot 300 Cowra Street, Newman
Name of Applicant: Newman Lions Club
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval to enter into a new lease agreement between the Shire of East Pilbara and the Newman Lions Club, located at Reserve 46115, Lot 1656 Cowra Drive, Newman.

BACKGROUND

The Shire of East Pilbara lease agreement with the Newman Lions Club is due to expire in 30th December 2015.

The Lease agreement the Shire of East Pilbara and the Newman Lions Club was for 2 terms of 5 years each being;
1st January 2006 to 30th December 2010; and
1st January 2011 to 30th December 2015.

The site provides an animal sanctuary and base for the Newman Lions Club organisations.

COMMENTS/OPTIONS/DISCUSSIONS

The Shire of East Pilbara has received a letter requesting approval to apply for the a new lease agreement between the Shire of East Pilbara and Newman Lions Club Inc

The lease conditions for Lot 1615 Cowra Street, Newman on Reserve 46115 will be as follows;

- Term of Lease 5 years, commencing 1st January 2016 until the 30th December 2021.
- Option Term, 5 years, 1st January 2021 until the 30th December 2025.
- Peppercorn Lease
- Maintenance is the responsibility of the Lessee for the property and buildings, except the old toilet block which is owned by the Shire of East Pilbara.
- Utilities – Lessee is responsible for all outgoing fees and charges.
- Insurance – Lessee is responsible for all insurance, except for the Shire of East Pilbara owned toilet block.
- Annual Service Fee applies as per Council Fees and Charges;

- Lease – No cost to Council for the preparation , documentation and registration of the Lease;
- The Club is to provide to Council annually their committee details, Certificate of Currency for the Public Liability Insurance and building insurance, during the term of the lease.
- Minister approval required

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Delegation From: Council

Delegation To: Chief Executive Officer

Council File Reference: ADM 14-9

Legislative Authority for Delegation S 5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

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

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

Authority for exercise of Power/ Duty/ Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law.

Date of Delegation _____

Delegator (Shire President) _____

EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2003

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

Objective

To allow for the proper execution of documents.

Policy

Council's Policy Manual 27 June 2004 on page 78

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council approve the a new lease between the Shire of East Pilbara and Newman Lions Club for the land at Reserve 46115, Lot 1656 Cowra Drive, Newman with the following conditions;

- **Term of Lease 5 years, commencing 1st January 2016 until the 30th December 2021.**
- **Option Term, 5 years, 1st January 2021 until the 30th December 2025.**
- **The Lessee will be responsible for all outgoing charges, including utilities, maintenance and insurances;**
- **There is no cost to Council for the preparation, documentation and registration of the lease.**
- **Peppercorn Rent**
- **Annual Service Fee applies as per Council Fees and Charges;**
- **Approval to affix the common seal to the lease agreement between the Shire of East Pilbara and Newman Lions Club upon approval from the Minster for Lands.**

9.2.6 NEWMAN STATE EMERGENCY SERVICE - LOT 702 PREVIOUSLY LOT 300, OPTION TERM FOR LEASE AGREEMENT AT NORTH NEWMAN RESERVE

File Ref: A700750
Responsible Officer: Mr Ben Lewis
Manager Assets and Procurement
Author: Mrs Marisa Wolfenden
Coordinator Property Services
Location/Address: N/A
Name of Applicant: Newman State Emergency Services
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval to enter into the Option Term for the lease agreement between the Shire of East Pilbara and the Newman State Emergency Service, located at North Newman Reserve, Reserve 41654, Lot 702 (previously known as Lot 300).

BACKGROUND

The Shire of East Pilbara entered into a lease agreement with Newman State Emergency Services located at North Newman Reserve, for portion of Reserve 41654;

Lease Schedule

Item 2 - Term

Ten (10) years commencing 27th May 2005 and expiring on 26th May 2015.

Item 3

Ten (10) years commencing on 27th May 2015 and expiring on 26th May 2025

COMMENTS/OPTIONS/DISCUSSIONS

The Shire of East Pilbara has received a letter requesting approval to apply for the Option Term of the lease agreement between the Shire of East Pilbara and Newman State Emergency Services.

This was being presented to the Newman State Emergency Services Inc board in September 2015, whom voted to seek the Option Term of the current lease agreement.

Newman State Emergency Services has sort planning and building approvals for all infrastructure on the site, currently the site is being used for a Emergency Services Control Centre and base.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.4 Diverse and inclusive communities

2.4.1 Promote diverse, harmonious and caring communities

Responsible officer: MCW

Timing: 1-3 years

2.4.2 Build strong community groups, networks and governance

Responsible officer: MCW

Timing: 1-5 years

2.4.3 Provide relevant and affordable community services

Responsible officer: MCW

Timing: 1-5 years

2.4.4 Equity and opportunities for all

Responsible officer: MCW

Timing: 1-3 years

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council approves the Shire of East Pilbara to enter into the Option Term of the lease agreement between Newman State Emergency Services for ten (10) years commencing on the 27th May 2015 to 26 May 2025 for portion of land located at North Newman Reserve, Reserve 41654, Lot 702, previously Lot 300, under the current lease agreement.

9.2.7 SUNDRY DEBTORS WRITE OFF - BHP BILLITON IRON ORE PTY LTD

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Mrs Isabella Kloppers
Revenue Finance Officer

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval to write off uncollectible debt to the value of \$7,696.10.

BACKGROUND

BHP Billiton utilise the Newman Recreation Centre on a regular basis. During the 13/14 financial year, invoices have been raised for events such as long service awards, etc. The Shire also invoiced multiple departments within BHP for the disposal of waste at the Newman tip, as well as parking permits at Newman Airport.

In the past, invoices were paid more easily but currently BHP Billiton does not accept any paper invoices. All of their invoices have to be uploaded on their Suppliers Website for payment. Any small difference in figures, description of services rendered, or even dates will cause an invoice to be rejected on their system.

One of the major reasons for invoices being rejected in the 13/14 financial year was the exclusion of Purchase Orders. Even with a huge staff turnover at the Recreation Centre, we could find a few items to re-submit invoices with valid Purchase Order numbers and those were eventually paid.

This year, we have exhausted our avenues trying to clear these old outstanding invoices. Our more recent payments (April, May and June) for the 13/14 invoices came to a total of \$16,471.14. This included a \$2,000.00 bond that we applied, with permission, to old invoices. We have contacted numerous people and as for all big companies, some of the people that made the bookings are no longer employed by BHP Billiton.

We are therefore confident that we will not receive payment for the amount of \$7,696.10.

COMMENTS/OPTIONS/DISCUSSIONS

The finance department has put into place a procedure for raising BHP invoices:

1. No booking will be raised without a copy of the valid Purchase Order.
 2. The invoices have to be uploaded on the BHP Suppliers website immediately to be able to address errors with the parties involved as soon as possible.
-

The current outstanding list can be seen below:

61999	20/02/2014	50.00	NEWMAN TIP FEES FOR DECEMBER 2013 NEWMAN TIP FEES FOR DECEMBER 2013 GST	13/14
62011	20/02/2014	1980.00	NEWMAN TIP FEES FOR JANUARY 2014 NEWMAN TIP FEES FOR JANUARY 2014 GST	13/14
61678	07/02/2014	44.00	NEWMAN TIP FEES - FOR JULY 2013 NEWMAN TIP FEES - FOR JULY 2013 GENERAL WASTE GST	13/14
61724	07/02/2014	450.00	NEWMAN TIP FEES FOR NOVEMBER 2013 NEWMAN TIP FEES FOR NOVEMBER 2013 GST	13/14
61580	29/01/2014	272.00	NEWMAN TIP FEES - SHORTFALL FOR AUGUST 2013 NEWMAN TIP FEES - SHORTFALL FOR AUGUST 2013 BUILDING WASTE GST	13/14
61508	28/01/2014	5.10	NEWMAN TIP FEES FOR OCTOBER 2013 NEWMAN TIP FEES FOR OCTOBER 2013 GST	13/14
60748	04/12/2013	420.00	Booking number 356 - Boomerang Oval Sports Facility - Function Area On 28/11/2013 Between 15:00 and 21:30 GST	13/14
60754	04/12/2013	300.00	Booking number 325 - Capricorn Oval On 01/11/2013 Between 06:00 and 06:30 GST	13/14
60770	04/12/2013	30.00	Hire of Equipment - Newman Recreation Centre Booking number - 356 - Equipment Trestle Tables On 28/11/2013 Between 15:00 to 21:30 Hire of Equipment - Newman Recreation Centre Booking number - 356 - Equipment Trestle Tables On 28/11/2013 Between 15:00 to 21:30 GST	13/14
60554	11/11/2013	100.00	FOR THE MONTH OF OCTOBER 2013 - BOOKING CANCELLATION CANCELLATION OF LESS THAN 2 WEEKS PRIOR FOR THE MONTH OF OCTOBER 2013 - BOOKING CANCELLATION CANCELLATION OF LESS THAN 2 WEEKS PRIOR GST	13/14
60559	11/11/2013	420.00	FOR THE MONTH OF OCTOBER 2013 - BOOMERANG FUNCTION AREA FULL DAY HIRE @ \$420 PER DAY FOR THE MONTH OF OCTOBER 2013 - BOOMERANG FUNCTION AREA FULL DAY HIRE @ \$420 PER DAY GST	13/14
60563	11/11/2013	280.00	FOR THE MONTH OF OCTOBER 2013 - FACILITY HIRE - BOOMERANG OVAL 1/2 A DAY @ \$210 + 1HR @ \$70 FOR THE MONTH OF OCTOBER 2013 - FACILITY HIRE - BOOMERANG OVAL 1/2 A DAY @ \$210 + 1HR @ \$70 GST	13/14
60564	11/11/2013	10.00	FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE PROJECTOR SCREEN FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE PROJECTOR SCREEN GST	13/14
60565	11/11/2013	60.00	FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE X30 FABRIC CHAIRS @ \$2 EACH FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE X30 FABRIC CHAIRS @ \$2 EACH GST	13/14

60566	11/11/2013	22.50	FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE X 3 LARGE TABLES @ \$7.50 EACH FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE X 3 LARGE TABLES @ \$7.50 EACH GST	13/14
60517	08/11/2013	120.00	FOR THE MONTH OF SEPTEMBER 2013 - JUNIOR SPORST PAVILLION HIRE 6 HOURS @ \$20 PER HOUR FOR THE MONTH OF SEPTEMBER 2013 - JUNIOR SPORST PAVILLION HIRE 6 HOURS @ \$20 PER HOUR GST	13/14
60519	08/11/2013	400.00	FOR THE MONTH OF SEPTEMBER 2013 - BOOMERANG FUNCTION AREA 20 HOURS @ \$20 PER HOUR FOR THE MONTH OF SEPTEMBER 2013 - BOOMERANG FUNCTION AREA 20 HOURS @ \$20 PER HOUR GST	13/14
60523	08/11/2013	100.00	FOR THE MONTH OF SEPTEMBER 2013 - BOOMERANG FUNCTION AREA 5 HOURS @ \$20 PER HOUR FOR THE MONTH OF SEPTEMBER 2013 - BOOMERANG FUNCTION AREA 5 HOURS @ \$20 PER HOUR GST	13/14
60524	08/11/2013	30.00	FOR THE MONTH OF SEPTEMBER 2013 - EQUIPMENT HIRE X 15 FABRIC CHAIRS @ \$2 EACH FOR THE MONTH OF SEPTEMBER 2013 - EQUIPMENT HIRE X 15 FABRIC CHAIRS @ \$2 EACH GST	13/14
60525	08/11/2013	22.50	FOR THE MONTH OF SEPTEMBER 2013 - EQUIPMENT HIRE X 3 ROUND TABLES @ \$7.50 FOR THE MONTH OF SEPTEMBER 2013 - EQUIPMENT HIRE X 3 ROUND TABLES @ \$7.50 GST	13/14
60529	08/11/2013	180.00	FOR THE MONTH OF SEPTEMBER 2013 - JUNIOR SPORTS PAVILION 9 HOURS @ \$20 PER HOUR FOR THE MONTH OF SEPTEMBER 2013 - JUNIOR SPORTS PAVILION 9 HOURS @ \$20 PER HOUR GST	13/14
60315	29/10/2013	180.00	FOR THE MONTH OF JULY 2013 - JUNIOR SPORTS PAVILLION 9HRS @ \$20 P/H FOR THE MONTH OF JULY 2013 - JUNIOR SPORTS PAVILLION 9HRS @ \$20 P/H GST	13/14
60338	29/10/2013	220.00	FOR THE MONTH OF AUGUST 2013 - BOOMERANG FACILITY HIRE 11 HOURS @ \$20 PER HOUR FOR THE MONTH OF AUGUST 2013 - BOOMERANG FACILITY HIRE 11 HOURS @ \$20 PER HOUR GST	13/14
60352	29/10/2013	1680.00	FOR THE MONTH OF AUGUST 2013 - CAPRICORN OVAL LIGHTS 60 HOURS @ \$28 P/H FOR THE MONTH OF AUGUST 2013 - CAPRICORN OVAL LIGHTS 60 HOURS @ \$28 P/H GST	13/14
60099	25/09/2013	110.00	NEWMAN RECREATION CENTRE - EQUIPMENT HIRE NEWMAN RECREATION CENTRE - EQUIPMENT HIRE PROJECTOR HIRE - 18/07/2013 NEWMAN RECREATION CENTRE - EQUIPMENT HIRE PROJECTOR HIRE - 27/07/2013 NEWMAN RECREATION CENTRE - EQUIPMENT HIRE PROJECTOR HIRE - 27/08/2013 GST	13/14

59606	19/07/2013	210.00	June 2013- Boomerang Oval Sports Facility - Function Area Equipment + Facility Hire June 2013- Boomerang Oval Sports Facility - Function Area Equipment + Facility Hire GST	12/13
-------	------------	--------	---	-------

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 6 Financial management
Division 4 General financial provisions

- 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/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY

Nil.

PLAN FOR FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

Nil affect on the 2015/2016 budget. Debt has already been allowed for in provisions for doubtful debts.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT the Sundry Debtors listed below be written off:

61999	20/02/2014	50.00	NEWMAN TIP FEES FOR DECEMBER 2013 NEWMAN TIP FEES FOR DECEMBER 2013 GST	13/14
62011	20/02/2014	1980.00	NEWMAN TIP FEES FOR JANUARY 2014 NEWMAN TIP FEES FOR JANUARY 2014 GST	13/14
61678	07/02/2014	44.00	NEWMAN TIP FEES - FOR JULY 2013 NEWMAN TIP FEES - FOR JULY 2013 GENERAL WASTE GST	13/14
61724	07/02/2014	450.00	NEWMAN TIP FEES FOR NOVEMBER 2013 NEWMAN TIP FEES FOR NOVEMBER 2013 GST	13/14
61580	29/01/2014	272.00	NEWMAN TIP FEES - SHORTFALL FOR AUGUST 2013 NEWMAN TIP FEES - SHORTFALL FOR AUGUST 2013 BUILDING WASTE GST	13/14
61508	28/01/2014	5.10	NEWMAN TIP FEES FOR OCTOBER 2013 NEWMAN TIP FEES FOR OCTOBER 2013 GST	13/14
60748	04/12/2013	420.00	Booking number 356 - Boomerang Oval Sports Facility - Function Area On 28/11/2013 Between 15:00 and 21:30 GST	13/14
60754	04/12/2013	300.00	Booking number 325 - Capricorn Oval On 01/11/2013 Between 06:00 and 06:30 GST	13/14
60770	04/12/2013	30.00	Hire of Equipment - Newman Recreation Centre Booking number - 356 - Equipment Trestle Tables On 28/11/2013 Between 15:00 to 21:30 Hire of Equipment - Newman Recreation Centre Booking number - 356 - Equipment Trestle Tables On 28/11/2013 Between 15:00 to 21:30 GST	13/14
60554	11/11/2013	100.00	FOR THE MONTH OF OCTOBER 2013 - BOOKING CANCELLATION CANCELLATION OF LESS THAN 2 WEEKS PRIOR FOR THE MONTH OF OCTOBER 2013 - BOOKING CANCELLATION CANCELLATION OF LESS THAN 2 WEEKS PRIOR GST	13/14
60559	11/11/2013	420.00	FOR THE MONTH OF OCTOBER 2013 - BOOMERANG FUNCTION AREA FULL DAY HIRE @ \$420 PER DAY FOR THE MONTH OF OCTOBER 2013 - BOOMERANG FUNCTION AREA FULL DAY HIRE @ \$420 PER DAY GST	13/14
60563	11/11/2013	280.00	FOR THE MONTH OF OCTOBER 2013 - FACILITY HIRE - BOOMERANG OVAL 1/2 A DAY @ \$210 + 1HR @ \$70 FOR THE MONTH OF OCTOBER 2013 - FACILITY HIRE - BOOMERANG OVAL 1/2 A DAY @ \$210 + 1HR @ \$70 GST	13/14
60564	11/11/2013	10.00	FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE PROJECTOR SCREEN FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE PROJECTOR SCREEN GST	13/14

60565	11/11/2013	60.00	FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE X30 FABRIC CHAIRS @ \$2 EACH FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE X30 FABRIC CHAIRS @ \$2 EACH GST	13/14
60566	11/11/2013	22.50	FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE X 3 LARGE TABLES @ \$7.50 EACH FOR THE MONTH OF OCTOBER 2013 - EQUIPMENT HIRE X 3 LARGE TABLES @ \$7.50 EACH GST	13/14
60517	08/11/2013	120.00	FOR THE MONTH OF SEPTEMBER 2013 - JUNIOR SPORST PAVILLION HIRE 6 HOURS @ \$20 PER HOUR FOR THE MONTH OF SEPTEMBER 2013 - JUNIOR SPORST PAVILLION HIRE 6 HOURS @ \$20 PER HOUR GST	13/14
60519	08/11/2013	400.00	FOR THE MONTH OF SEPTEMBER 2013 - BOOMERANG FUNCTION AREA 20 HOURS @ \$20 PER HOUR FOR THE MONTH OF SEPTEMBER 2013 - BOOMERANG FUNCTION AREA 20 HOURS @ \$20 PER HOUR GST	13/14
60523	08/11/2013	100.00	FOR THE MONTH OF SEPTEMBER 2013 - BOOMERANG FUNCTION AREA 5 HOURS @ \$20 PER HOUR FOR THE MONTH OF SEPTEMBER 2013 - BOOMERANG FUNCTION AREA 5 HOURS @ \$20 PER HOUR GST	13/14
60524	08/11/2013	30.00	FOR THE MONTH OF SEPTEMBER 2013 - EQUIPMENT HIRE X 15 FABRIC CHAIRS @ \$2 EACH FOR THE MONTH OF SEPTEMBER 2013 - EQUIPMENT HIRE X 15 FABRIC CHAIRS @ \$2 EACH GST	13/14
60525	08/11/2013	22.50	FOR THE MONTH OF SEPTEMBER 2013 - EQUIPMENT HIRE X 3 ROUND TABLES @ \$7.50 FOR THE MONTH OF SEPTEMBER 2013 - EQUIPMENT HIRE X 3 ROUND TABLES @ \$7.50 GST	13/14
60529	08/11/2013	180.00	FOR THE MONTH OF SEPTEMBER 2013 - JUNIOR SPORTS PAVILION 9 HOURS @ \$20 PER HOUR FOR THE MONTH OF SEPTEMBER 2013 - JUNIOR SPORTS PAVILION 9 HOURS @ \$20 PER HOUR GST	13/14
60315	29/10/2013	180.00	FOR THE MONTH OF JULY 2013 - JUNIOR SPORTS PAVILLION 9HRS @ \$20 P/H FOR THE MONTH OF JULY 2013 - JUNIOR SPORTS PAVILLION 9HRS @ \$20 P/H GST	13/14
60338	29/10/2013	220.00	FOR THE MONTH OF AUGUST 2013 - BOOMERANG FACILITY HIRE 11 HOURS @ \$20 PER HOUR FOR THE MONTH OF AUGUST 2013 - BOOMERANG FACILITY HIRE 11 HOURS @ \$20 PER HOUR GST	13/14
60352	29/10/2013	1680.00	FOR THE MONTH OF AUGUST 2013 - CAPRICORN OVAL LIGHTS 60 HOURS @ \$28 P/H FOR THE MONTH OF AUGUST 2013 - CAPRICORN OVAL LIGHTS 60 HOURS @ \$28 P/H GST	13/14

60099	25/09/2013	110.00	NEWMAN RECREATION CENTRE - EQUIPMENT HIRE NEWMAN RECREATION CENTRE - EQUIPMENT HIRE PROJECTOR HIRE - 18/07/2013 NEWMAN RECREATION CENTRE - EQUIPMENT HIRE PROJECTOR HIRE - 27/07/2013 NEWMAN RECREATION CENTRE - EQUIPMENT HIRE PROJECTOR HIRE - 27/08/2013 GST	13/14
59606	19/07/2013	210.00	June 2013- Boomerang Oval Sports Facility - Function Area Equipment + Facility Hire June 2013- Boomerang Oval Sports Facility - Function Area Equipment + Facility Hire GST	12/13

9.2.8 MONTHLY FINANCIAL STATEMENTS - JULY 2015

File Ref:	FIN-23-10
Attachments:	Monthly Financial Statements - July 2015 2.pdf July 2015 Variance Report.doc
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mrs Candice Porro Senior Finance Officer
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

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

BACKGROUND

The attached 13-page report details the financial activities of the Council for the period July 2015 of the 2015/2016 financial year –

There are 4 sections of the monthly report:

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

COMMENTS/OPTIONS/DISCUSSIONS

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

Reportable variations in accordance with accounting policies are as follows:

STATUTORY IMPLICATIONS/REQUIREMENTS

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

“The financial report is to –

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

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

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

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

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY

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

PLAN FOR FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

That the monthly financial statements for the period July 2015 of the 2015/2016 financial year as presented be received.

9.2.9 CREDITORS FOR PAYMENT

File Ref: FIN10-2

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

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Mrs Jeanette Bessell
Finance Officer

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

Council endorsement of payment to creditors.

BACKGROUND

As per the attachment list, outlines payments made to creditors since the Council meeting on the 28th August 2015.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT29964-EFT30211	\$2,383,873.83
	Total	\$2,383,873.83
Cheque Payments	CHQ23691- CHQ23749	\$135,276.16
Manual Cheques	CHQ 244 – CHQ 247	\$40,077.54
	Total	\$175,353.70
	GRAND TOTAL	<u>\$2,559,227.53</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

CHQ23701, CHQ 23702, CHQ23703, CHQ23704, CHQ23705, CHQ23706, CHQ23707, CHQ23708, CHQ23709, CHQ23710, CHQ23711, CHQ23712, CHQ23713, CHQ23714, CHQ23715, CHQ23716 and CHQ23717

CANCELLED CHEQUES & EFTS

EFT29965 and EFT29966

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 \$2,559,227.53

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT29964-EFT30211	\$2,383,873.83
	Total	\$2,383,873.83
Cheque Payments	CHQ23691- CHQ23749	\$135,276.16
Manual Cheques	CHQ 244 – CHQ 247	\$40,077.54
	Total	\$175,353.70
	GRAND TOTAL	<u>\$2,559,227.53</u>

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

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

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

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

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
16 December 2011	13.5	SIGNS – RECOGNITION ON THE DESERT ROADS Cr Lang Coppin asked if it was possible to get plaques/signs about the history and stories of the desert roads e.g.: rabbit proof fence. People always stop to read on their travels and Shire of East Pilbara needs recognition for these roads.	DTDS CEO DCEO MDSP	Nov 2013 - Cr Lang Coppin & DTDS travelled desert roads and marked points of interest for future tourist mapping. Executive to allocate resources to develop themes and seek funding	Pending
24th July 2015	13.3	NULLAGINE – BLUE HOUSE Cr Bidy Schill asked who does the Blue House belong too as it is empty and could be used by community groups/members of the public. Can a letter be written to ask what they Inten d doing to the Blue House. Ms Sian Appleton, Deputy CEO replied it is owned by the Department of Housing and letter will be written.	MDS-Building	MDS-Building to follow up Letter to Department of Housing has been written.	October 2015
28 August 2015	13.4	RSL PARK MARBLE BAR Cr Dean Hatwell asked if it was possible to review the concept of the RSL Park layout and if possible to extend the playing area of the park.	MTS-R MAP	To be investigated and options reported back to Council	October 2015

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

25 SEPTEMBER, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
28 August 2015	13.5	WORKS MARBLE BAR Cr Dean Hatwell asked if the Councillors could get an update or information on works scheduled for this financial year in Marble Bar.	MTS-R MAP	List of projects to be detailed and approximat time to be advised	September 2015
28 August 2015	13.6	OLD CATHOLIC CHURCH MARBLE BAR Cr Stephen Kiernan asked if the Shire of East Pilbara could take responsibility of the old Catholic Church as it is deteriorating, and vandals are breaking in destroying the church. Furthermore can discussions be made with the Catholic Church and Shire of East Pilbara on the future of the church? Ms Sian Appleton, Deputy Chief Executive Officer to follow up.	MDS-Building	Manager Building to follow up	October 2015

**9.3.2 APPLICATION TO KEEP MORE THAN TWO DOGS AT 5 ARIKA PLACE,
NEWMAN**

File Ref: RNG-3-1 ICR15-25773
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Arron Livingstone
Shire Ranger
Location/Address: 5 Arika Place, Newman
Name of Applicant: Katrina LINNING
Author Disclosure of Interest: Nil

REPORT PURPOSE

The applicant Ms Katrina Linning seeks approval to keep three dogs at 5 Arika Place, Newman WA 6753.

BACKGROUND

Ms Katrina Linning has made an application to Council under Section 26 of the Dog Act 1976 to keep three dogs at 5 Arika Place, Newman

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

The details of the dogs are as follows:

DOG (breed)	SEX	COLOUR	REGISTRATION NUMBER	STERILISED Y/N
1 Kelpie X	Male	Black, White & Tan	G7114	Yes
2 Jack Russell X	Female	Black, Tan & White	0800074	Yes
3 Maltese Terrier X	Female	Caramel	G7120	Yes

COMMENTS/OPTIONS/DISCUSSIONS

Reasons for keeping more than two Dogs:

Ms Linning states that the dogs are part of the family and that she is a foster carer and grew fond of the dog she was caring for.

As part of the application process seven surrounding residents were issued with Residential Survey forms under the Dog Act (1976), none were returned.

Public Notices were placed under the Dog Act (1976) with no response.

Dog History:

There is no unsatisfactory history regarding these dogs or the owner.

Property Inspection:

A full inspection was carried out by Council Rangers of the premises on the 12th

August 2015. The fencing and gating of the premises was found to be satisfactory. The dogs were inspected and found to be in good health and compliant with the Dog Act 1976.

STATUTORY IMPLICATIONS/REQUIREMENTS

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

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

- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified therein;
- (b) shall not operate to authorise the keeping of more than 6 dogs on those premises; and
- (c) may be revoked or varied at any time.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council approve the application to keep three (3) dogs at 5 Arika Place, Newman, WA. 6753, subject to the following standard conditions:

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

- 10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL**
- 12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS**
- 13 GENERAL BUSINESS**
- 14 DATE OF NEXT MEETING**
23rd October 2015, Newman
- 15 CLOSURE**