

Unconfirmed copy of Minutes of
Meeting held on 25 September 2015
subject to confirmation at meeting to be
held on 23 October 2015



SHIRE OF EAST PILBARA
These minutes were confirmed by the council
as a true and accurate record at the ordinary
council meeting held on 23 / 10 / 2015

Roraigie

EAST PILBARA SHIRE COUNCIL

MINUTES

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council was 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

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairman declared the meeting open at 10:00am and welcomed the Visitors in the public gallery.

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

Chief Executive Officer
Deputy Chief Executive Officer

Public Gallery

Ms Jessie Richards
Mr Jack Bennett

Representing Marble Bar Progress
Association Committee
Marble Bar Resident

2.2 APOLOGIES

Councillor Apologies

Cr Anita Grace
Cr Shane Carter

Officer Apologies

Mr Rick Miller
Mrs Sheryl Pobrica

Director Technical and Development
Services.
Executive Services Administration Officer

2.3 LEAVE OF ABSENCE

Nil

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

4.1 MARBLE BAR PROGRESS ASSOCIATION CORRESPONDENCE

Ms Jessie Hull raised questions from the recent correspondence sent to the Shire by the Marble Bar Progress Association.

1. Is there going to be shade and seating over the skate park? Are the lights at the basketball courts going to be re-instated?

Ceo replied that there is \$200,000 in the budget to undertake works in the recreation precinct prior to undertaking the works a survey will be conducted to seek resident's priorities.

2. ADSL/NBN – are we going to be getting either of these and if so when?

CEO replied that the Shire is not responsible for these services, but the Shire has been in discussion with Telstra about the possibility of ADSL and the cost was approximately \$250,000. We are now in discussions with the Pilbara Development Commission if there is funding available for such a project.

3. What has happened to our water truck as the plants are dying?

CEO state that there is no problem with the water truck and as far as he was aware it was operational and being utilised.

4. Can we get the park gates closest to the Ironclad fully enclosed so as to stop young children from running out into the intersection?

CEO stated that options would be investigated.

5. 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.

Ceo replied that Marble Bar would not have the traffic to meet the requirements for a crosswalk but will consider some additional signage. Parents may have to assist during peak times.

6. RSL memorial path extension, when was this approved as no one in the community remembers any consultation.

CEO replied that the project was first conceived back in 2009 and has been ongoing subject to funding. Drawings were displayed back at that time.

7. What is happening with the exercise track that we requested?

Staff were not aware of the request and it will be considered in the survey.

8. We would like to have footpaths on Lynas Road, Bohemia Street and Station Street.

CEO replied that no footpath works were planned for in this year's budget but the request will be forwarded to the Director Technical and Development Services for consideration.

9. There also needs to be curbing down the end of General Street towards the rubbish tip as the sand keeps washing onto the road when it rains.

CEO said that he had been told that the sand is excess from shoulder works and hopefully will decrease over time.

10. We have had discussions at our last meeting about extending the park (RSL Park), as with all the facilities there is not much room

CEO advised that options are currently being investigated with changing/removing some of the excess equipment.

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

5.1 WATER SOURCES – JACK BENNETT

Mr Jack Bennett, spoke to Council regarding water sources within the Shire.

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/COUNCIL RESOLUTION: 201516/41

MOVED: Cr Lang Coppin

SECONDED: Cr Gerry Parsons

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

**CARRIED
RECORD OF VOTE: 7 - 0**

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

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

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/42

MOVED: Cr Dean Hatwell

SECONDED: Cr Gerry Parsons

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

**CARRIED
RECORD OF VOTE: 7 - 0**

To be actioned by Mr Allen Cooper, Chief Executive Officer

7.2 PILBARA REGIONAL COUNCIL MINUTES 27 AUGUST 2015

[PRC Council Minutes 27 August 2015](#)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/43

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

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

**CARRIED
RECORD OF VOTE: 7 - 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 Gerry Parsons attended:

- Newman Visitors Centre – Opening of Nyiyparli Visitors Signage
- Closing of the Art @ the Heart
- NCCI Committee Meeting
- Shopping Centre Visit - 12/09/15
- Business After Hours with the NCCI
- Closing of the Pilbara Photography Club Exhibition.

Cr Craig Hoyer attended:

- Presided for Australian Citizenship Ceremony 17/09/2015
- Shopping Centre Visit - 12/09/15
- LEMC Meeting - 17/09/15

Cr Dean Hatwell attended:

- LEMC Marble Bar

Cr Dean Hatwell attended:

- LEMC Nullagine

Cr Lynne Craigie attended:

- Pilbara Photography Exhibition and Judging at Newman Visitors Centre
- LGIS – Strategic Planning Day & Meeting
- Horizon Power Board Meeting
- Ratepayer/Resident Meeting re. WACHS & Disability Services Resource Provision
- Meeting with Larry Miller – Newman Police
- CSAP Meeting – Shire of East Pilbara & Newman Women’s Shelter
- ALGA Board Meeting
- Bluesky Workshop – WALGA
- Dinner with CEO (WA) and Australian Manager of LGIS
- Graffiti Clean Up announcement with Minister Liza Harvey.
- Meeting with Chris Cottier (BHP)
- Meeting with WALGA/QUBE
- Meeting with John Gelavis – AHA
- Media interview re. Macro Housing Development
- Meeting with Minister Helen Morton re. Indigenous Communities
- Shopping Centre visit 12/9/15
- Opened Waste and Recycle Conference
- Meeting with SOEP/BHP Billiton – Julius Mathieus & Rob Carruthers
- Meeting with Main Roads
- Meeting with Mark McGowan
- Meeting with Minister Tony Simpson
- F.A.G.S teleconference
- Strategic Forum & State Council meeting in Narrogin
- EPIS Meeting
- Walk for a Cure – Kidney Disease
- Tree Planting with Greening Australia
- Media Interview re. Elections & Local Government x 3

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/COUNCIL RESOLUTION: 201516/44

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

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	

**CARRIED
RECORD OF VOTE: 7 - 0**

To be actioned by Mr Allen Cooper, Chief Executive Officer

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - 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/COUNCIL RESOLUTION: 201516/45

MOVED: Cr Gerry Parsons

SECONDED: Cr Bidy Schill

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	DCEO	Still being investigated	November 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		are looking into this with different options eg: CRC 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.	

**CARRIED
RECORD OF VOTE: 7 - 0**

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

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/COUNCIL RESOLUTION: 201516/46

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

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

**CARRIED
RECORD OF VOTE: 7 - 0**

To be actioned by Mr Ben Lewis, Manager Assets and Procurement

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>). 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

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/COUNCIL RESOLUTION: 201516/47

MOVED: Cr Dean Hatwell

SECONDED: Cr Stephen Kiernan

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*.**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 7 - 0**

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

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
Senior Finance Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

The amended policy will reflect 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/COUNCIL RESOLUTION: 201516/48

MOVED: Cr Craig Hoyer

SECONDED: Cr Dean Hatwell

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

10.12 Purchasing and Tender Procedures

Minute No: Item 9.1.6

Date: 27th June 2003

5th May 2006

9.3.5 27th April 2007

9.4.1 24th July 2009

9.1.6 29th January 2010

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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).
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- Works Supervisor (Newman and Marble Bar)

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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.

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

1.2 Regulatory Compliance

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

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

CARRIED
RECORD OF VOTE: 7 - 0

To be actioned by Mrs Candice Porro, Senior Finance Officer

**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/COUNCIL RESOLUTION: 201516/49

MOVED: Cr Stephen Kiernan

SECONDED: Cr Gerry Parsons

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 2021until 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.**

**CARRIED
RECORD OF VOTE: 7 - 0**

To be actioned by Mrs Marisa Wolfenden, Coordinator Property Services

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/COUNCIL RESOLUTION: 201516/50

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

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.

**CARRIED
RECORD OF VOTE: 7 - 0**

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

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
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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/COUNCIL RESOLUTION: 201516/51

MOVED: Cr Dean Hatwell

SECONDED: Cr Craig Hoyer

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

**CARRIED BY ABSOLUTE MAJOIRTY
RECORD OF VOTE: 7 - 0**

To be actioned by Mrs Isabella Klopper, Revenue Finance Officer

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/COUNCIL RESOLUTION: 201516/52

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

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

**CARRIED
RECORD OF VOTE: 7 - 0**

To be actioned by Mrs Candice Porro, Senior Finance Officer

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/COUNCIL RESOLUTION: 201516/53

MOVED: Cr Lang Coppin

SECONDED: Cr Gerry Parsons

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>

CARRIED
RECORD OF VOTE: 7 - 0

To be actioned by Mrs Jeanette Bessell, Finance Officer

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

9.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS - 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/COUNCIL RESOLUTION: 201516/54

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

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 Biddy 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	MTS-R MAP	To be investigated and options reported back to Council	October 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		the park.			
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

**CARRIED
RECORD OF VOTE: 7 - 0**

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

**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/COUNCIL RESOLUTION: 201516/55

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

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.**

**CARRIED
RECORD OF VOTE: 7 - 0**

To be actioned by Mr Arron Livingstone, Shire Ranger

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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

**11.1 AUSTRALIAN AIRPORTS ASSOCIATION (AAA) NATIONAL CONFERENCE
AND TECHNICAL WORKSHOPS BE ACCEPTED AS ITEM 11.1.1**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/56

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

**THAT the Australian Airports Association (AAA) National Conference and
Technical Workshops be accepted as item 11.1.1**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 7 - 0**

**11.1.1 AUSTRALIAN AIRPORTS ASSOCIATION (AAA) NATIONAL
CONFERENCE AND TECHNICAL WORKSHOPS EVENTS 12-16 OCTOBER
2015**

File Ref: FAC 1-5
**Responsible Officer: Mr Allen Cooper
Chief Executive Officer**
**Author: Mr Allen Cooper
Chief Executive Officer**
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To finalise selection to the Australian Airports Association National Conference 2015.

BACKGROUND

Item 9.1.5 of the 28th August 2015 is attached.

As nominations for the 2015 Local Government elections have now closed a decision on who will attend the conference can now be finalised.

As there is a contested election in the South Ward it is not considered beneficial to Council to send sitting Councillors participating in the election to the conference.

COMMENTS/OPTIONS/DISCUSSIONS

Nil

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

FINANCIAL IMPLICATIONS

Attendance expenses are contained in the 2015/16 budget allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/57

MOVED: Cr Gerry Parsons

SECONDED: Cr Biddy Schill

THAT Councillors Lang Coppin and Dean Hatwell attend the 2015 Australian Airports Association National Conference between the 12th and 16th October 2015

**CARRIED
RECORD OF VOTE: 7 - 0**

To be actioned by Mr Allen Cooper, Chief Executive Officer

11.2 MOTOR GRADER REPLACEMENT BE ACCEPTED AS ITEM 11.2.1

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/58

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

THAT the Motor Grader Replacement be accepted as item 11.2.1

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 7 - 0**

11.2.1 MOTOR GRADER REPLACEMENT

File Ref: P2828
Attachments: [Motor Grader Replacement.pdf](#)
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr Oliver Schaer
Manager Technical Services - Rural
Proposed Meeting Date: 25 September 2015
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To consider quote submissions for the replacement of Council's Motor Grader Plant 2828, 2008 Caterpillar 140M.

BACKGROUND

Council currently operates two maintenance grader teams (North & South). Each team consists of two operators, two graders, two caravans, two fuel/water/generator trailers and one light vehicle. The teams maintain Council's rural road network including access roads to Cattle Stations and Aboriginal Communities.

Council's current grader fleet consist of the following graders:

Plant No	Year	Make/Model
2828	2008	Caterpillar 140M Series 1
2829	2008	Caterpillar 140M Series 1
2743	2012	Caterpillar 140M Series 2
2742	2014	Komatsu GD 655-5

Plant 2828 is the grader considered for replacement in this report.

Quotes have been obtained utilising the WALGA Preferred Supply Panel for Plant and Equipment Contract No C023-11.

Prices have been obtained from Westrac (Caterpillar) and Komatsu for the supply and delivery of the following:

Westrac 1 x Caterpillar 140M Series 2 Motor Grader
Komatsu 1 x Komatsu GD 655-5 Motor Grader

Trading Council's 2008 Caterpillar 140M Series 1 Motor Grader Plant 2828.

Due to the current downturn in the construction industry it would not be considered advantageous for Council to attempt to dispose of the trade machine at auction owing to the excessive stock currently for sale on the market and already at auction. As such, the trade machine has been offered as a trade in order to maximise Council's return.

Due to the remote, isolated and extreme operating conditions it is essential that the graders are not only reliable but are also backed up by superior servicing and parts support hence the request for quotes have been limited to the suppliers that have a proven record in this area and have previously demonstrated that they are able and capable to provide the required back up and support to Council's graders. Both Caterpillar and Komatsu have service centres and field service staff at numerous locations throughout the Pilbara and as such are considered to be the most suitable for Council's operational support and backup.

COMMENTS/OPTIONS/DISCUSSIONS

The following quotes have been received for Council's consideration.

	Caterpillar 140M	Komatsu GD 655-5
New Machine Price	\$383,818.00	\$368,096.00
GST	\$38,381.80	\$36,809.60
Total	\$422,199.80	\$404,905.60
Trade Caterpillar 140M	\$133,500.00	\$140,000.00
GST	\$13,350.00	\$14,000.00
Total Trade Value	\$146,850.00	\$154,000.00
Total Price Ex GST	\$236,968.00	\$214,096.00
Total Changeover Price	\$275,349.80	\$250,905.60
Warranty	5 years/8,000hrs Premier full machine	5 years/6,000hrs Premium full machine
Free Servicing	2,000hrs	2,000hrs
Availability	2014 Plated In Stock	2015 Plated In Stock

Based on the submitted prices the offer from Komatsu has the lowest changeover cost with the difference being \$22,872. The adopted budget has allowed for the following changeover price:

	GL	Budget	Caterpillar	Komatsu
Budget Amount	129062	\$370,000	\$383,818	\$368,096

Estimated Disposal Plant 2828		\$120,000	\$146,850	\$154,000
Total Changeover Funds Available		\$250,000	\$236,968	\$214,096
Difference (EX GST)			+13,032	+\$35,904
Actual – based on Trade value GST liability			- \$318	+\$21,904

As indicated in the above table the purchase of the Caterpillar Grader would be \$318 over budget and the Komatsu Grader would be \$21,904 under budget.

Solely based on changeover price the Komatsu Grader presents the best value to Council. However, numerous other factors need to be considered such as reliability, parts availability, servicing, back up and support, future trade value, operator preference etc.

Council currently operates identical models to those on offer from Komatsu and Caterpillar. Both machines have been reliable and have not experienced any major issues. Grader reliability and operating cost have always heavily depended on the operator; this always has been and always will be the case. Council has had operators that have meticulously maintained and looked after the machine at the cost of productivity. Other operators have done little in maintenance and care of the machine but have been highly productive. Providing a balance between the two will forever be the challenge.

The following report provides a summary of the advantages and disadvantages of each machine.

Caterpillar

Westrac have reduced their price by \$40,432 from last year's quote. They have also included 2,000 hours of free servicing.

The current model on offer is a 2014 plated machine. Westrac currently have 3 x 2014 plated machines in stock (two have sold since the formulation of this report leaving only one). It is assumed that this is due to the downturn of the construction market and these machines are cancelled orders or machines ordered in advance into stock. There is no disadvantage in purchasing a 2014 plated machine in 2015 as long as the model remains the same. Trade/resell values are based on model range and hours. If Council were to order a new machine today it would take 7 months to be delivered. This would mean the machine would be plated 2015 but delivered in 2016. Generally earthmoving machines are plated the previous year due to the time taken to build, be shipped to Australia, passed through Customs and delivered to dealer and finally sold to the customer.

Caterpillar is the premium most widely recognised brand in the world. As such it attracts the highest trade/resell values. Equally it has the highest purchase costs.

Council has had electrical issues with the 2008 Series 1 graders however, our current series 2 purchased in 2012 has been trouble free. The 2008 140M graders

were a new model which changed from steering wheel controls and levers to joy stick controls. As such, issues with electronics were expected particularly with a new model range.

Westrac have had service delivery issues particularly during the mining boom. These issues related to high service costs, lack of organisational procedures for field service staff, poor service delivery and reliability issues of the Caterpillar 140M Series 1 machines.

These issues have now been resolved and Council staff have negotiated cheaper hourly service rates as well as Caterpillar set service costs. This means that the service cost are set and these are charged for every service regardless of how much additional time is spent on the machine.

The operator prefers the Caterpillar 140M as it is a more comfortable machine to operate, the cabin is larger and has more operator comfort and the machine is not as ridged as the Komatsu GD 655-5. The current operator has only operated the Caterpillar 140M with the joystick controls and would find the transition back to a steering wheel and levers difficult. It would take some time for him to adjust to using the lever controls and would most likely result in the loss of productivity for some time.

Komatsu

Komatsu have increased their price by \$31,096 from last year's price. Council purchased the Komatsu GD655-5 grader last year as the difference was \$80,250. Komatsu have now increased their prices and the difference is now only \$22,872.

Komatsu have a 2015 plated machine in stock.

Council's current 2014 Komatsu GD655-5 grader has been relatively trouble free. It is still being covered under the 2,000 hour free servicing and as such Council has not received any invoices and or service costs from Komatsu. At present, the machine has covered around 1,200 hours without any major issues. The operator has reported that the machine is performing well but has conveyed that the operator ergonomics are not as favourable as the Caterpillar.

Both graders on offer are good machines. Council currently operates identical graders and to date no major issues have been reported. Service and support has greatly improved by Westrac following previous issues and concerns. Komatsu has provided a great service to date however the grader was only purchased last year so long term service and reliability is not able to be determined at this point. It should be noted that Council has had previous issues with Komatsu including lack of service and parts support. As with any manufacturer/supplier, the business heavily relies on staff to ensure customer support is delivered as a high priority. Both Westrac and Komatsu have fallen short on the delivery of customer service at one point or another which has had a direct impact on Council's ability to operate its grader fleet and ultimately the service delivery to the Community.

Previously Komatsu graders have been considered too light by staff in terms of build quality and have had a lack of service and parts support in the Pilbara. The current model grader has had some major improvements and Komatsu have greatly increased their market presence as a result. Another major factor would be the downturn in the mining/construction industry and as a result customers have not had the funds or guaranteed income to support purchasing the substantially more expensive Caterpillar machine. This combined with Komatsu's strong marketing campaign and initial low purchase cost has seen some 400 Komatsu graders delivered nationally (approx.) compared to Caterpillar's 2,000 M series graders. Additionally, the Komatsu, as it is relatively new on the market (current model), has not been proven in terms of reliability and resell value down the track. Komatsu is not able to match Caterpillars 5 year 8,000 hour warranty. Komatsu's standard warranty was 3 years and 6,000 hours. Komatsu increased their warranty when requested to do so by Council staff however only by the years not engine hours giving the impression that issues may be experienced when the machine reaches higher engine hours.

Current comparable graders on the used market indicate that most Komatsu graders are sold either around the 6,000hours or before whereas the Caterpillar graders are sold well over 10,000 hours. The Caterpillar graders also demand a much higher resell value compared to the Komatsu brand.

When Council purchase the Komatsu grader last year there was an \$80,000 difference between the two machines. This has now been reduced to \$22,000. The Komatsu grader was purchased last year as a result of the price difference, the poor Westrac service support at the time and issues experienced with the early 2008 Caterpillar graders. The purchase has seen the desired effect in that Westrac have had the correction in attitude and service delivery that was needed.

Conclusion

Which machine to choose? As previously stated in this report, Caterpillar is the premium most widely recognised brand in the world. It attracts the highest resell value and given the reduced purchase price with the difference only being \$22,000 it can easily be recovered in the future trade value of this machine.

Caterpillar is a heavier steel constructed machine, has superior operator comfort, is not as ridged to operate, has superior cabin ergonomics and is the operator preferred machine.

Changing back to a steering wheel and lever operated machine (Komatsu) will have an impact on productivity in the first instance as the operator would have to learn the new controls. The Caterpillar machine is operated and controlled by two joy sticks which operate the steering, speed and grader blade/articulation operations. The Komatsu machine uses the traditional steering wheel and 10 levers to operate the hydraulics for the blade control operation etc.

Westrac has the highest number of service and parts stores within the Pilbara and the most field service staff including staff based at Telfer. Caterpillar is the dominant brand in the Pilbara particularly in the remote regions.

As such, it would be advantageous for Council to purchase the Caterpillar 140M grader based on the reduction in price, higher resell value, operator preference, known reliability, superior warranty and field service staff/parts support within the Pilbara.

STATUTORY IMPLICATIONS/REQUIREMENTS

Quotes have been obtained utilising WALGA's Preferred Supply Panel for Plant and Equipment Contract No C023-11.

POLICY IMPLICATIONS

Council's Purchasing Policy and Plant Replacement Policy apply.

STRATEGIC COMMUNITY PLAN

Nil

FINANCIAL IMPLICATIONS

The replacement of plant 2828 has been included in the 2015/2016 adopted budget. A budget estimate for the purchase of the replacement machine has been included under GL 129062 of \$370,000. Based on the budgeted amount sufficient funds are available for the purchase of the Komatsu GD 655-5 however a budget shortfall of \$13,818 applies should the Caterpillar 140M be purchased. The budget shortfall can be covered by savings already made in our plant replacement program this year.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council accepts the quote submission from Westrac for the supply and delivery of One (1) New 2014 plated Caterpillar 140M2 Motor Grader trading Council's 2008 Caterpillar 140M1 Motor Grader plant 2828 at a net changeover price of \$275,349.80 (inc GST).

COUNCIL RESOLUTION: 201516/59

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

THAT Council accepts the quote submission from Komatsu Australia for the supply and delivery of one (1) new 2015 plated Komatsu GD655-5 Motor Grader trading Council's 2008 Caterpillar 140M1 Grader plant number 2828 at a net changeover price of \$250,905.60 (inc. GST).

**CARRIED
RECORD OF VOTE: 7 - 0**

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

Reason for Non Acceptance of Officer's Recommendation:

Council felt that the Komatsu motor grader was good value for money. Komatsu have good service options with a new workshop opening in Port Hedland and it was a current year plated model.

12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

Nil

13 GENERAL BUSINESS

13.1 GRADERS

Cr Lang Coppin asked if officers could research changing over graders at 5,000 hours?

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

13.2 NEWMAN AIRPORT RESIDENCE CARDS

Cr Bidy Schill asked what was happening with the Newman Airport residence cards for persons outside of Newman particularly Nullagine.

Ms Sian Appleton responded that the CRC have informed Council that at this stage they are unable to distribute the cards. An application for resident card will be sent to each residence for completion instead.

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

13.3 GALLOP HALL TOILETS

Cr Bidy Schill asked what is happening to the new Gallop Hall toilets?

Ms Sian Appleton, Deputy Chief Executive Officer, responded that there is money in the budget however, currently a report is being compiled for the activation of that area and the final location of the toilets will be determined when the report is finalised.

13.4 'FIRE DANGER' SIGNS ON SKULL SPRINGS ROAD

Cr Bidy Schill advised that at the latest LEMAC meeting, the question was asked as to why the 'Fire Danger' signs for Skull Springs Road have not been utilised?

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

13.5 NEWMAN AMATEUR SWIMMING CLUB

Cr Gerry Parsons tabled a letter from the Newman Amateur Swimming Club regarding free use of the facilities.

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

13.6 ANTI-SOCIAL BEHAVIOUR NEWMAN

Cr Lynne Craigie reported on a meeting she had with Sargent Larry Miller from the Newman Police Station.

14 DATE OF NEXT MEETING

23rd October 2015, Newman

15 CLOSURE

12:15PM.