

Unconfirmed copy of Minutes of  
Meeting held on 26 August 2016 subject  
to confirmation at meeting to be held  
on 23 September 2016



# **EAST PILBARA SHIRE COUNCIL**

# **MINUTES**

## **ORDINARY COUNCIL MEETING**

**NOTICE IS HEREBY GIVEN** that an  
ORDINARY Meeting of the Council was held,  
in Council Chambers, Newman,  
10.00 AM, FRIDAY, 26 AUGUST, 2016.

**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 Chairperson, Cr Gerry Parsons declared the meeting open at 10:03AM and welcomed the Visitors in the public gallery.

## 2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

### 2.1 ATTENDANCES

#### Councillors

Cr Gerry Parsons  
Cr Anita Grace  
Cr John Jakobson  
Cr Craig Hoyer  
Cr Shane Carter  
Cr Jeton (Jay) Ahmedi  
Cr Dean Hatwell  
Cr Michael Kitchin

#### Officers

Mr Allen Cooper	Chief Executive Officer
Mr Rick Miller	Director Technical and Development Services
Mrs Sheryl Pobrica	Executive Services Administration Officer

#### Public Gallery

Ms Mirella Goetzmann	Department of Health
Mr Michael Christensen	Department of Environment Regulation
Mr Shaun Hodges	Department of Environment Regulation
Mr Jason Banks	Department of Environment Regulation

Mr Heath Nelson	Fortescue Metal Group
Mr Dean Powell	Fortescue Metal Group
Mr Mark Shirley	Fortescue Metal Group

Ms Megan Alchin	BHP Billiton Iron Ore
Mr Isaac Raso	BHP Billiton Iron Ore
Mr Clarrie Hall	BHP Billiton Iron Ore

Mr Devon Cuimara	Aboriginal Male's Healing Centre (AMHC)
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### 2.2 APOLOGIES

#### Councillor Apologies

Lynne Craigie	Shire President
Lang Coppin OAM	Deputy Shire President
Biddy Schill	

Officer Apologies

Ms Sian Appleton

Deputy Chief Executive Officer

**2.3 LEAVE OF ABSENCE**

Nil

**3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE**

Nil

**4 PUBLIC QUESTION TIME**

Nil

**5 PETITIONS/DEPUTATIONS/PRESENTATIONS**

**5.1 DEPARTMENT OF ENVIRONMENT REGULATION - NEWMAN TOWNSITE DUST MANAGEMENT**

The Department of Environment and Regulation, Mr Jason Banks, Director General, Mr Shaun Hodges, Acting Executive Director, Compliance and Enforcement, Mr Michael Christensen, Acting Executive Advisor, Strategy and Reform, and Ms Mirella Goetzmann from the Department of Health provided Council with a presentation on the Newman Townsite Dust Management.

The Presiding President thanked Mr Banks, Mr Hodges, Mr Christensen and Ms Goetzmann for providing Council with the presentation.

*10:50 AM Mr Jason Banks, Mr Shaun Hodges, Mr Michael Christensen and Ms Mirella Goetzmann left Chambers.*

**5.2 FMG – FORTESCUE’S OPERATIONS**

Mr Heath Nelson, Manager, Community Development, Mr Mark Shirley, Engineering and Reliability Superintendent and Mr Dean Powell, Category Manager, Procurement provided Council with an update on the operations of Fortescue Metal Group.

The Presiding President thanked Mr Nelson, Mr Shirley and Mr Powell for providing Council with the presentation.

*11:35AM Mr Heath Nelson, Mr Mark Shirley and Mr Dean Powell left Chambers.*

**5.3 BHP BILLITON IRON ORE – OPHTHALMIA DAM MANAGEMENT**

Mr Issac Raso, Programme Manager, and Mr Clarrie Hall, Water Quality Compliance Supervisor, BHP Billiton Iron Ore provided Council with a presentation on the changes to the Ophthalmia Dam Management Plan.

The Presiding President thanked Mr Raso and Mr Hall for providing Council with the presentation.

12:01PM     *Mr Issac Raso and Mr Clarrie Hall left Chambers.*

**5.4 ABORIGINAL MALE'S HEALING CENTRE (AMHC)**

Mr Devon Cuimara, provided Council with a presentation for support from the Shire of East Pilbara for the establishing of the Residential Healing Centre for Aboriginal Male Perpetrators of Family and Domestic Violence.

The Presiding President thanked Mr Cuimara, with the presentation.

12:35PM     *Mr Devon Cuimara left Chambers.*

12:35PM     *Meeting adjourned for lunch.*

1:22PM     *Meeting resumed, All Councillors and staff returned to Chambers.*

**6 APPLICATIONS FOR LEAVE OF ABSENCE**

Nil

**7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING**

**7.1 CONFIRMATION OF MINUTES**

[Minutes July 22 2016 Council.DOCX](#)

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201617/17**

**MOVED: Cr Dean Hatwell**

**SECONDED: Cr Anita Grace**

**THAT the minutes of the Ordinary Meeting of Council held on 22 July 2016, be confirmed as a true and correct record of proceedings.**

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

***To be actioned by Mr Allen Cooper, Chief Executive Officer***



## **8 MEMBERS REPORT**

### **8.1 ITEMS FOR RECOMMENDATION**

Nil

### **8.2 ITEMS FOR INFORMATION**

#### **Cr Gerry Parsons attended:**

- WALGA Convention 4-5/08/2016
- Councillors Meet & Greet 13/08/2016
- NCCI Newman Chamber of Commerce & Industry 27/07/2016
- NCCI Business After Hours 28/07/2016
- Presentations at Marathon 31/07/2016
- PDC – Pilbara Development Commission 10-11/08/2016
- Newman Recreation Centre – Management Committee Meeting 09/08/2016
- Morning Tea to Welcome 2016 Art at the Heart Residency, Artist Akirash 16/08/2016
- NCCI Newman Chamber of Commerce & Industry 24/08/2016
- NCCI Business After Hours 25/08/2016

#### **Cr Anita Grace attended:**

- WALGA Convention 4-5/08/2016
- WALGA AGM 03/08/2016
- PRC Council meeting 02/08/2016
- Councillors Meet & Greet 13/08/2016
- NCCI Business After Hours 25/08/2016
- School Forum Workshop
- Newman Women's Shelter Meeting
- PRC Video Link up

#### **Cr John Jakobson attended:**

- WALGA Convention 4-5/08/2016
- PRC Council Meeting 02/08/2016
- WA Tourism Conference 9-10/08/2016
- Fluoridation Meeting 25/08/2016
- NCCI Business After Hours 25/08/2016

**Cr Craig Hoyer attended:**

- WALGA Convention 4-5/08/2016

**Cr Michael Kitchin attended:**

- WALGA Convention 4-5/08/2016
- NAIDOC Celebration Marble Bar
- Pilbara Prospectors Association 26/06/2016
- Visited East Riding of Yorkshire Council meetings in the UK
  - Safer and Stronger Communities Overview and Scrutiny 14/07/2016
  - Western Area Planning Sub Committee 19/07/2016
  - Main Planning Committee Approval 28/07/2016
- Fluoridation Meeting 25/08/2016

**Cr Dean Hatwell attended:**

- WALGA Convention 4-5/08/2016
- WA Tourism Conference 9-10/08/2016
- Fluoridation Meeting 25/08/2016

**Cr Shane Carter attended:**

- WALGA Convention 4-5/08/2016
- WA Tourism Conference 9-10/08/2016
- Fluoridation Meeting 25/08/2016

## **9 OFFICER'S REPORTS**

### **9.1 CHIEF EXECUTIVE OFFICER**

#### **9.1.1 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISION - JULY 2016**

**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

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### **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**

The status list of Council decisions is included.

### **STATUTORY IMPLICATIONS/REQUIREMENTS**

*Local Government Act 1995*

*Section 2.7*

*The role of 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.*

**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: 201617/18**

**MOVED: Cr Michael Kitchen**

**SECONDED: Cr Jay Ahmed**

**THAT the "Status of Council Decisions" – Chief Executive Officer for July 2016 be received.**

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
27 <sup>th</sup> May 2016		NEWMAN HOSPITAL: Invite WACS to come and do a presentation. Can we have a Council rep on the Advisory Board? Need community engagement.	CEO	Letter Sent 13.06.2016 Awaiting response. Offer to discuss with Council in September 2016	In Progress
27 <sup>th</sup> May 2016	13.1	ORTHODONTIST SERVICE IN NEWMAN Cr Gerry Parsons asked if there is anything we can do about orthodontist service in Newman as current dentist is leaving? Mr Allen Cooper to follow up.	CEO	Letter sent 13.06.2016 On Going	In Progress

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

***To be actioned by Mr Allen Cooper, Chief Executive Officer***

**9.2 DEPUTY CHIEF EXECUTIVE OFFICER**

**9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS  
- JULY 2016**

**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

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**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: 201617/19**

**MOVED: Cr Dean Hatwell**

**SECONDED: Cr Michael Kitchen**

**THAT the "Status of Council Decisions" – Deputy Chief Executive Officer for July 2016 be received.**

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
11 December 2015	12.12	MARBLE BAR AQUATIC CENTRE CCTV Cr Michael Kitchen asked if the Marble Bar Aquatic Centre could get CCTV especially for the toddler's pool, so when the staff member is serving at the kiosk they can still easily monitor the area. Deputy Chief Executive Officer to follow up	DCEO	Scope re-written and will go out for pricing as an RFT	In Progress
22 July 2016	9.2.2	Affixing Common Seal to MOU between the Newman Visitors Centre Incorporated and the Shire of East Pilbara.	MCW		Completed

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

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

**9.2.2 AFFIXING COMMON SEAL UNDER DELEGATED AUTHORITY -  
CLEANING CONTRACT EXTENSION**

**File Ref:** LEG-13-1  
**Responsible Officer:** Ms Sian Appleton  
Deputy Chief Executive Officer  
**Author:** Ms Dawn Brown  
Asset & Procurement Administration Officer  
**Location/Address:** N/A  
**Name of Applicant:** N/A  
**Author Disclosure of Interest:** Nil

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**REPORT PURPOSE**

To advise Council that the Common Seal has been affixed under delegated authority to the Extension to Contract with Newman Cleaning Resources in relation to Cleaning Services (extended for a period of two months).

**BACKGROUND**

The extension to the Cleaning Contract with Newman Cleaning Resources, is due to the fact that Tender documentation is being prepared and the Tender process still needs to be completed, it has been necessary to extend the current Contract for a period of two months to ensure cleaning services continue in the interim. The existing Contract expired on the 30<sup>th</sup> June, 2016. The extension of two months has extended this Contract to the 31<sup>st</sup> August, 2016 with the same terms and conditions.

**COMMENTS/OPTIONS/DISCUSSIONS**

Nil.

**STATUTORY IMPLICATIONS/REQUIREMENTS**

Nil

**POLICY IMPLICATIONS**

**4.5 EXECUTION OF DOCUMENTS**

**Minute No:** Item 9.1.3

**Date:** 27<sup>th</sup> June 2013

**Objective**

To allow for the proper execution of documents.

**Policy**

All documents validly executed will have the common seal affixed and the Shire President and the Chief Executive Officer's attestations affixing the seal. Use of the

common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

**Delegation From:** Council  
**Delegation To:** Chief Executive Officer  
**Council File Reference:** ADM-14-9  
**Legislative Authority for Delegation:** S5.42 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)** \_\_\_\_\_

**10.12 PURCHASING AND TENDER PROCEDURES**





#### 10.12 Purchasing and Tender Procedures

<b>Responsible Directorate</b>	Technical and Development Services
<b>Responsible Officer</b>	Chief Executive Officer Deputy Chief Executive Officer Director Technical and Development Services
<b>File Number</b>	TCH 1-7

##### Objective

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

##### Purchase Procedures

##### NOTE: All Figures in this policy are exclusive of GST

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

\$0 - \$50	Under direction from the authorised supervisor, petty cash may be utilised for purchases in this range.
\$51 - \$5,000	Under direction from the authorised supervisor, a purchase order book will be utilised without quotes necessarily being obtained.
\$5,001 - \$39,999	Under direction from the authorised supervisor, a purchase or other order will be utilised and three verbal or written quotes shall be obtained.
\$40,000 - \$149,999	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.



\$150,000 & 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.
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### Capital Expenditure

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

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

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

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

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

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

### Orders for Goods & Services

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

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$150,000. If the purchase is in excess of \$150,000 a requisition is to be authorised by the Chief Executive Officer prior to the order being issued:

1. Deputy Chief Executive Officer
2. Director Technical & Development Services
3. Manager Technical Services – Rural (road construction and plant only)



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

1. Managers
2. Coordinator Property Services

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

1. Coordinators
2. Works Supervisor (Newman and Marble Bar)

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

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 \$150,000 utilising the WA State Purchasing Agreement and adhering to Council's budget decisions and Council's Light Vehicle Policy. Any vehicle incurring the luxury car tax will have to be approved by the Chief Executive Officer or the Deputy Chief Executive Officer.

#### **Consultants Services**

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

Between \$20,001 and \$150,000 a Request For Quote procedure shall be utilised, in compliance with purchase thresholds.

A request for services, which it is envisaged, will exceed \$150,000 shall undergo the full tender process.

#### **Light Vehicle Disposals**

The preference for the disposal of light vehicles (less than \$150,000) is by public auction.

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

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

1. Valuation by the auction house.
2. Valuation from a recognised source ie: red book.
3. Internet research.
4. Past sales by auction house.



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

**Regulatory Compliance**

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

7. An emergency situation as defined by the Local Government Act 1995;
8. The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
9. The purchase is under auction which has been authorised by Council;
10. The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
11. Any of the other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 apply;
12. The purchase is under the Shire of East Pilbara Supplier Panel and is under \$30,000 exc GST.
13. The goods or services are obtained through a person registered on the Aboriginal Business Directory WA for contracts worth \$250,000 or less.
14. The goods or services are obtained through an Australian Disability Enterprise.



References	<ul style="list-style-type: none"> <li>• <i>Local Government Act 1995</i></li> <li>• <i>Local Government (Functions and General) Regulations 1996 (as amended)</i></li> </ul>		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	5 May 2006	Item No	
Review/Amendment Date	27 April 2007	Item No	9.3.5
Review/Amendment Date	24 July 2009	Item No	9.4.1
Review/Amendment Date	29 January 2010	Item No	9.1.6
Review/Amendment Date	11 March 2011	Item No	9.2.5
Review/Amendment Date	3 February 2012	Item No	9.1.8
Review/Amendment Date	25 May 2012	Item No	9.2.4
Review/Amendment Date	28 July 2012	Item No	9.2.7
Review/Amendment Date	28 June 2013	Item No	9.2.6
Review/Amendment Date	27 September 2013	Item No	9.2.7
Review/Amendment Date	6 December 2013	Item No	9.2.9
Review/Amendment Date	24 April 2014	Item No	9.2.17
Review/Amendment Date	12 December 2014		9.2.2
Review/Amendment Date	30 January 2015	Item No	9.2.6
Review/Amendment Date	6 March 2015	Item No	9.2.11
Review/Amendment Date	26 June 2015	Item No	9.2.7
Review/Amendment Date	25 September 2015	Item No	9.2.4
Review/Amendment Date	23 October 2015	Item No	10.2.6
Next Review			

**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: 201617/20**

**MOVED: Cr Anita Grace**

**SECONDED: Cr Michael Kitchen**

**THAT Council note that the Common Seal has been affixed under delegated authority to the Extension to Contract with Newman Cleaning Resources in relation to Cleaning Services (for a period of two months). The Contract now expires 31<sup>st</sup> August, 2016.**

**CARRIED**

**RECORD OF VOTE: 8 - 0**

***To be actioned by Ms Dawn Brown, Asset & Procurement Administration Officer***

**9.2.3 NEWMAN HOUSE - AFFIXING THE SHIRE OF EAST PILBARA COMMON SEAL TO THE LEASE AGREEMENT WITH PUNTUKURNU ABORIGINAL MEDICAL SERVICES (PAMS)**

**File Ref:** A417550  
**Responsible Officer:** Ms Sian Appleton  
Deputy Chief Executive Officer  
**Author:** Mrs Marisa Wolfenden  
Coordinator Property Services  
**Location/Address:** N/A  
**Name of Applicant:** N/A  
**Author Disclosure of Interest:** Nil

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**REPORT PURPOSE**

To advise Council the Chief Executive Officer applied the common seal of the Shire of East Pilbara to the agreement between the Shire of East Pilbara and Puntukurnu Aboriginal Medical Services for office accommodation at Newman House.

**BACKGROUND**

On the 27<sup>th</sup> May 2016 and Agenda Item was presented to Council with the requesting approval to enter into new lease agreements with new and existing tenant at Newman House and to apply the common seal to these agreements.

**COMMENTS/OPTIONS/DISCUSSIONS**

At this time the Shire of East Pilbara had not received any confirmation from Puntukurnu Aboriginal Medical Services (PAMS) of their intentions to enter into a new agreement with the Shire of East Pilbara for office accommodation at Newman House.

**STATUTORY IMPLICATIONS/REQUIREMENTS**

**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

Policy Implications

**STRATEGIC COMMUNITY PLAN**

**Goal 3 – Economic – Planned Actions**

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

3.3 Provide adequate community infrastructure

3.3.1 Ensure well managed and equitable provision of community infrastructure

Responsible officer: MBA

Timing: 1-5 years

**RISK MANAGEMENT CONSIDERATIONS**

It is important for all tenants at Newman House to enter into formal tenancy agreements to assist with the sustainability of the facility.

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**VOTING REQUIREMENTS**

Absolute



OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201617/21

MOVED: Cr Michael Kitchen

SECONDED: Cr Jay Ahmedi

THAT Council

1. Be advised the Chief Executive Office and Shire President have signed the lease agreement between the Shire of East Pilbara and Puntukurnu Aboriginal Medical Services for office accommodation at Newman House.
2. The common seal of the Shire of East Pilbara has been affixing the agreement between the Shire of East Pilbara and Puntukurnu Aboriginal Medical Services.

CARRIED BY ABSOLUTE MAJORITY

RECORD OF VOTE: 8 - 0

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

**9.2.4 AWARD OF TENDER - RFT 11-2015/16 - SUPPLY & INSTALL ONE NEW 630KVA KIOSK SUB STATION**

<b>Attachments:</b>	<b><u>Confidential</u></b>
<b>File Ref:</b>	<b>LEG-13-5-11</b>
<b>Responsible Officer:</b>	<b>Ms Sian Appleton Deputy Chief Executive Officer</b>
<b>Author:</b>	<b>Ms Dawn Brown Asset &amp; Procurement Administration Officer</b>
<b>Location/Address:</b>	<b>N/A</b>
<b>Name of Applicant:</b>	<b>N/A</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>

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**REPORT PURPOSE**

For Council to consider tenders for the supply and installation of one new 630Kva Kiosk Substation and to seek approval for the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contact for the successful tenderer.

**BACKGROUND**

In preparation for the construction of the East Pilbara Arts Centre, load calculations were undertaken on the existing infrastructure and it was identified that the new facility would increase the power demand beyond the capacity of the existing transformer. As such negotiations commenced with the supply authority and an agreement was reached that the Arts Centre could be connected to the existing transformer on a temporary basis on the condition that the transformer be upgraded.

As part of that agreement the Shire undertook a Tender procurement process for the Supply and Installation of one new 630Kva Kiosk Substation. The Tender was publically advertised on the 28<sup>th</sup> May, 2016. The Tender closed for submissions at 2.00pm, 22<sup>nd</sup> June, 2016.

The purpose of the Request for Tender (RFT) was to seek the services of a suitably qualified company to establish lump sum pricing to provide the Shire of East Pilbara with the supply and installation of One New 630Kva Kiosk Substation with associated infrastructure to service the East Pilbara Arts Centre located at Lot 1913 Newman Drive, Newman, WA, 6753

Therefore, the Shire of East Pilbara requires the services of a registered company to carry out electrical services work as detailed in the specification and appendices.

In general, the work consists of installing a new Kiosk Substation (PS128), on a new substation site located in the western corner of Lot 1913, Newman Drive and connecting it to the existing HV and LV infrastructure network as set out in the Appendices.

The work includes but is not limited to the following main elements:

- Preparation of the new substation site.
- A Kiosk Substation, containing HV Switchgear, Transformer, LV Switchboard and Remote Control/Monitoring Unit.
- Earthing of the substation.
- Modifications to the LV Board in existing Kiosk Substation PS82.
- HV Cables.
- LV Cables.
- Testing and commissioning
- Making good
- As Constructed drawings

The rft documentation outlined the selection criteria with the associated weights for the evaluation of the tenders as follows:

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

#### **COMMENTS/OPTIONS/DISCUSSIONS**

Seven conforming submissions were received from the following organisations:

<b>Tenderer</b>	<b>ABN:</b>	<b>Address:</b>
BGC Contracting	88 008 766 407	Level 11, 20 Walters Drive Osborne Park. WA. 6017
Granite Earthworks/Argonaut	51 610 716 062	4/990 Croydon Road, Karratha Industrial Estate. Karratha. WA. 6714
ICRG Electrical & Drilling Pty Ltd	54 610 415 560	73 -75 Dowd Street, Welshpool. WA. 6106
Oracle Energy	47 099 355 478	351 Eighth Street, Woorree. WA. 6530
Powerlines Plus Pty Ltd	20 135 293 793	9 Gillam Drive, Kelmscott. WA. 6111

Tenderer	ABN:	Address:
RCR O'Donnell Griffin Pty Ltd	78 003 905 093	Level 6, 251 St Georges Tce, Perth. WA. 6000
Southern Cross Electrical Engineering Ltd	92 009 307 046	41 Macedonia Street. Naval Base. WA 6165

ICRG Electrical & Drilling Pty Ltd are a locally based Tenderer, and as such, the Regional Price Preference Policy was applied to their Tendered price.

The Evaluation Panel comprises of the following members.

Name	Organisation	Title	Basis of Participation
Mr Ian Hamilton	Shire of East Pilbara	Manager Special Projects/Contracts.	Chairperson
Mr Robert Homes a Court	Wood & Grieves Electrical Engineers	Senior Electrical Engineer	Panel Member
Mr Warren Barker	Shire of East Pilbara	Coordinator Building Services	Panel Member

A full assessment of the tender submissions is attached under separate confidential cover.

The Contract is anticipated to be for the period August 2016 to February 2017.

### STATUTORY IMPLICATIONS/REQUIREMENTS

The requirements of the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*.

### POLICY IMPLICATIONS

10.12 Purchasing and Tender Procedures:



## 10.12 Purchasing and Tender Procedures

Responsible Directorate	Technical and Development Services
Responsible Officer	Chief Executive Officer Deputy Chief Executive Officer Director Technical and Development Services
File Number	TCH 1-7

### Objective

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

### Purchase Procedures

**NOTE: All Figures in this policy are exclusive of GST**

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

\$0 - \$50	Under direction from the authorised supervisor, petty cash may be utilised for purchases in this range.
\$51 - \$5,000	Under direction from the authorised supervisor, a purchase order book will be utilised without quotes necessarily being obtained.
\$5,001 - \$39,999	Under direction from the authorised supervisor, a purchase or other order will be utilised and three verbal or written quotes shall be obtained.
\$40,000 - \$149,999	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.



\$150,000 & 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.
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#### Capital Expenditure

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

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

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

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

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

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

#### Orders for Goods & Services

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

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$150,000. If the purchase is in excess of \$150,000 a requisition is to be authorised by the Chief Executive Officer prior to the order being issued:

1. Deputy Chief Executive Officer
2. Director Technical & Development Services
3. Manager Technical Services – Rural (road construction and plant only)





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

1. Managers
2. Coordinator Property Services

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

1. Coordinators
2. Works Supervisor (Newman and Marble Bar)

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

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 \$150,000 utilising the WA State Purchasing Agreement and adhering to Council's budget decisions and Council's Light Vehicle Policy. Any vehicle incurring the luxury car tax will have to be approved by the Chief Executive Officer or the Deputy Chief Executive Officer.

#### Consultants Services

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

Between \$20,001 and \$150,000 a Request For Quote procedure shall be utilised, in compliance with purchase thresholds.

A request for services, which it is envisaged, will exceed \$150,000 shall undergo the full tender process.

#### Light Vehicle Disposals

The preference for the disposal of light vehicles (less than \$150,000) is by public auction.

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

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

1. Valuation by the auction house.
2. Valuation from a recognised source ie: red book.
3. Internet research.
4. Past sales by auction house.



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

**Regulatory Compliance**

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

7. An emergency situation as defined by the Local Government Act 1995;
8. The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
9. The purchase is under auction which has been authorised by Council;
10. The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
11. Any of the other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 apply;
12. The purchase is under the Shire of East Pilbara Supplier Panel and is under \$30,000 exc GST.
13. The goods or services are obtained through a person registered on the Aboriginal Business Directory WA for contracts worth \$250,000 or less.
14. The goods or services are obtained through an Australian Disability Enterprise.





References	<ul style="list-style-type: none"> <li>Local Government Act 1995</li> <li>Local Government (Functions and General) Regulations 1996 (as amended)</li> </ul>		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	5 May 2006	Item No	
Review/Amendment Date	27 April 2007	Item No	9.3.5
Review/Amendment Date	24 July 2009	Item No	9.4.1
Review/Amendment Date	29 January 2010	Item No	9.1.6
Review/Amendment Date	11 March 2011	Item No	9.2.5
Review/Amendment Date	3 February 2012	Item No	9.1.8
Review/Amendment Date	25 May 2012	Item No	9.2.4
Review/Amendment Date	28 July 2012	Item No	9.2.7
Review/Amendment Date	28 June 2013	Item No	9.2.6
Review/Amendment Date	27 September 2013	Item No	9.2.7
Review/Amendment Date	6 December 2013	Item No	9.2.9
Review/Amendment Date	24 April 2014	Item No	9.2.17
Review/Amendment Date	12 December 2014		9.2.2
Review/Amendment Date	30 January 2015	Item No	9.2.6
Review/Amendment Date	6 March 2015	Item No	9.2.11
Review/Amendment Date	26 June 2015	Item No	9.2.7
Review/Amendment Date	25 September 2015	Item No	9.2.4
Review/Amendment Date	23 October 2015	Item No	10.2.6
Next Review			

#### **4.5 EXECUTION OF DOCUMENTS**

**Minute No:** Item 9.1.3

**Date:** 27<sup>th</sup> June 2013

##### **Objective**

To allow for the proper execution of documents.

##### **Policy**

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

#### **STRATEGIC COMMUNITY PLAN**

##### **Goal 1 – Civic Leadership – Planned Actions**

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

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

Responsible officer: DCEO

Timing: As appropriate

##### **Goal 3 – Economic – Planned Actions**

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

3.3 Provide adequate community infrastructure

3.3.1 Ensure well managed and equitable provision of community infrastructure

Responsible officer: MBA

Timing: 1-5 years

#### **RISK MANAGEMENT CONSIDERATIONS**

The connection of the Arts Centre to the main power supply has pushed to total demand load of the existing transformer to its limit.

The inherent risk is the existing transformer could continuously trip causing power outages to all buildings connected to it, being the Arts Centre and the Shire's administration building. In order to mitigate the risk, the new transformer needs to be installed and a planned shutdown needs to be undertaken to change over the entire built infrastructure to the new transformer.

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**VOTING REQUIREMENTS**

Absolute.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201617/22**

**MOVED: Cr Dean Hatwell**

**SECONDED: Cr Michael Kitchen**

**THAT Council**

- 1. Award Tender RFT11-2015/16 for the Supply and Installation of One New 630Kva Kiosk Substation with associated infrastructure to service the East Pilbara Arts Centre located at Lot 1913 Newman Drive, Newman, WA, 6753 to ICRG Electrical & Drilling Pty Ltd, ABN 54 610 415 560 at the tendered price of \$425,042.34 (ex gst)**
- 2. Approve the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contract between the Shire and ICRG Electrical & Drilling Pty Ltd, ABN 54 610 415 560 with respect to this Tender.**

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

***To be actioned by Ms Dawn Brown, Asset & Procurement Administration Officer***

**9.2.5 FUNDING OF THE MARBLE BAR TOURIST ASSOCIATION AND  
OPERATIONS OF THE MARBLE BAR VISITOR CENTRE**

**Attachments:** [ICR15\\_27368\\_MOU Letter to the Shire Nov 2015.docx](#)  
[ICR16\\_28793\\_MBTA Letter to SoEP Allen Cooper Re Tourist Visitor Centre-1.docx](#)  
[MBTA MOU 2016-17 - DRAFT.pdf](#)

**Responsible Officer:** **Ms Sian Appleton**  
**Deputy Chief Executive Officer**

**Author:** **Mr Pip Parsonson**  
**Manager Community Wellbeing**

**Location/Address:** **N/A**

**Name of Applicant:** **N/A**

**Author Disclosure of Interest:** **Nil**

*An Interest was declared by Cr Dean Hatwell for Item No. 9.2.5*

*Nature of Interest: Direct*

*Extent of Interest: Committee Member and President of the Marble Bar Tourist Association.  
1:31PM Cr Dean Hatwell left Chambers.*

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**REPORT PURPOSE**

For Council to consider increasing the annual funding to the Marble Bar Tourist Association Inc. (MBTA) and issues relating to the location of the Marble Bar Visitor Centre.

**BACKGROUND**

Since March 2011 the Shire has supported the MBTA by providing an annual donation of \$8,000. The purpose of the funding is to broadly support MBTA activities. The MBTA is an incorporated, not-for-profit association with a commitment to attracting tourists to Marble Bar and the East Pilbara Region.

The Marble Bar Visitor Centre operates from the Shire administration Building in Francis Street, Marble Bar.

There has been a lack of clarity regarding the formal operations and human resource requirements of the Visitor Centre. The existing MOU and an agenda item to Council where the MOU was endorsed is considered outdated and lacking in operational detail.

The MBTA wrote to the Shire in November 2015 seeking a “full review of operations” of the Visitor Centre. In March 2016, the MBTA wrote to the Shire again putting forward options for the operations of the Visitor Centre. A specific option that was raised in this correspondence was that the MBTA employ an “information officer” who would work alongside Shire staff to provide services to tourists during the peak tourist months. It was estimated that the MBTA would require \$30,000 to employ someone in the role.

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The Manager Community Wellbeing undertook a review of the operations and location of the Marble Bar Visitor centre between March and June 2016. The scope of the review was narrow and only sought to look into investigate:

- The current impact of the Visitor Centre operations on general Shire functions and staffing due to its co-location in the Shire administration offices
- Any immediately viable options for moving the Visitor Centre to another location
- The functions of the proposed MBTA information officer and how this role might impact, positively or negatively on the operations of the Shire.

Four people were interviewed as part of the review:

- Ian Wray: Coordinator Community Development – Rural, Shire of East Pilbara
- Kate Fowler: Customer Services Officer, Shire of East Pilbara
- Dean Hatwell: President, MBTA
- Ann-Marie Kiernan: President, Marble Bar Community Resource Centre

The primary findings of the review were:

- Peak season for tourists visiting Marble Bar is approximately six months of the year from April to September
- Tourists regularly use the services available at the Visitor Centre
- 25 to 30 tourists a day during the peak months is not unusual. More than 60 in a day have been experienced.
- The impact on the functions of the Shire and on the Shire staff can be very significant and is certainly in conflict with Shire core duties often
- Extra staff to handle the tourists to allow Shire staff to concentrate on core duties would be welcomed by Shire staff and that through good planning, operational procedures and supervision a MBTA staff member could be accommodated comfortably
- The MBTA recognises the stressors that the Visitor Centre operations create for Shire staff
- That there is no immediately available space other than the Marble Bar Community Resource Centre that could accommodate the Visitor Centre
- That the Marble Bar Community Resource Centre was not considered a viable option due to costs incurred through rental of space and a lack of interest shown by the MBTA to move there.

## **COMMENTS/OPTIONS/DISCUSSIONS**

In light of the review findings a draft MOU was drawn up that has as its centrepiece an increase in Shire funding to the MBTA to \$30,000 to be primarily used to employ an information officer for 5 hours a day, Monday to Friday between March and September. The MOU also specifies duties that the information officer would be responsible for while on duty that would significantly reduce the impact that tourists currently have on Shire staff.

The MOU also specifies responsibilities of the MBTA in the months that the information officer is not employed that will furthermore reduce the impact of the Visitor Centre operations on Shire staff.

Broadly the MOU reverses the onus of the Shire running the Visitor Centre and hands that responsibility back to the MBTA. The draft MOU is a wholesale change from the existing one and it is accordingly copied below.

The draft MOU was considered at a special meeting of the MBTA on the 1 August 2016 and was unanimously endorsed by their Committee.

The MOU is only for a term of one year. Due to the significant changes the extra funding will bring if the recommendation is endorsed, it is important that the first year is seen as a trial period to determine the sustainability of the co-located activities and staffing into the future.

## **STATUTORY IMPLICATIONS/REQUIREMENTS**

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

### **Goal 2 – Social – Planned Actions**

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

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

## **POLICY IMPLICATIONS**

### 4.5 EXECUTION OF DOCUMENTS

### 4.9 TOURISM – OBJECTIVES AND GUIDELINES

## **RISK MANAGEMENT CONSIDERATIONS**

Should Council choose not to endorse the draft MOU with the MBTA, there is the risk that the aspirations and vision outlined in Council's Community Strategic Plan (Strategy 3.1.3 & 3.2.1) and Economic Development and Tourism Strategy (Strategy 6.1) will not be achieved to a satisfactory level.

## **FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

## **VOTING REQUIREMENTS**

Absolute

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201617/23**

**MOVED: Cr Michael Kitchen**

**SECONDED: Cr Anita Grace**

**THAT Council**

- 1. Endorse an increase of funding from the Shire of East Pilbara to the Marble Bar Tourist Association Inc. from \$8,000 to \$30,000 for a period of 12 months**
- 2. Endorse the attached Memorandum of Understanding between the Shire of East Pilbara and the Marble Bar Tourist Association Inc.**
- 3. Affix the common seal to the attached Memorandum of Understanding**

**CARRIED BY ABSOLUTE MAJORITY**

**RECORD OF VOTE: 7 - 0**

***To be actioned by Mr Pip Parsonson, Manager Community Wellbeing***

## 9.2.6 REPORT ON THE 2016 COMMUNITY SATISFACTION SURVEY

**Attachments:** [2016 Community Survey](#)  
**Responsible Officer:** Ms Sian Appleton  
Deputy Chief Executive Officer  
**Author:** Mr Pip Parsonson  
Manager Community Wellbeing  
**Location/Address:** N/A  
**Name of Applicant:** N/A  
**Author Disclosure of Interest:** Nil

1:35PM Cr Dean Hatwell returned to the Chambers

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### REPORT PURPOSE

To provide to Council a summary of the findings of the 2016 Shire of East Pilbara Community Satisfaction Survey.

### BACKGROUND

Research Solutions (WA) PTY LTD was contracted in April 2016 to undertake the Shire's annual community satisfaction survey.

### COMMENTS/OPTIONS/DISCUSSIONS

The following commentary is quoted from the Executive Summary of the Research Solutions Community Satisfaction Survey Report with some notes added that identify statistical comparisons with last year's survey results.

It should be noted that some changes were made to this year's survey with variances in the number and nature of questions asked. This means that in some instances comparisons with last year's results cannot be made.

#### Study Objectives

The specific objective of the study has been to develop, implement and report on a community survey that:

- Measures resident satisfaction with the Shire overall;
- Identifies the relative importance and satisfaction with services and facilities provided by the Shire;
- Identifies additional services and facilities required; and
- Identifies problems or areas of concern.

#### Study Method and Approach

Using a questionnaire designed in consultation and approved by Shire representatives, the survey was conducted via a hybrid approach that incorporated:

- Interviews by telephone;
- Face to face interviews, conducted at the airport and in the town sites of Newman, Nullagine and Marble Bar; and



- The availability of the questionnaire online, via the Shire's Facebook page and website.

A total of **291 respondents** completed the survey (similar to 2015 where there were 298 respondents), comprised of a mix of permanent residents from across the Shire and town site based (residential or camp) fly in/fly out residents.

### **Key Findings**

#### **Overall Performance Indicators**

The Shire's Key Performance Indicators include satisfaction with the Shire overall and satisfaction with the services provided by the Shire.

This year, around 2 in 3 residents (65%) indicated that they were generally satisfied (rating score of 6 or more out of 10) with the Shire overall and the services it provides. This is up from 59% last year.

Around 1 in 2 residents (47%) agree or strongly agree that the Shire is efficient and well managed, a further 27% are undecided and 26% disagree.

#### **Shire Services and Facilities**

A total of 12 individual services and facilities provided by the Shire were assessed by residents in terms of both importance and satisfaction.

The combination of importance and satisfaction scores has enabled the development of a matrix, listing:

#### **Star Performers:**

Services and facilities that are important (score of 8-10 out of 10) to 80% or more of residents and where 50% or more are satisfied with provision (score of 8-10/10):

- Aquatic Centres
- Tips and Refuse Sites
- Parks and Ovals
- Footpaths

#### **Priority Areas:**

Services and facilities that are important (score of 8-10/10) to 80% or more of residents and where less than 50% are satisfied with provision (score of 8-10/10):

- Roads
- Children's Services
- Oval lighting in Newman
- Services for Young People

**Areas to Monitor:**

All other services and facilities measured that do not fall into the categories above  
The matrix is as follows for results recorded in 2016:

- Libraries
- Airport Services
- Fitness Centres
- Ranger Services

**The Shire as a Place to Live**

Living in the Shire is viewed positively, with 65% of residents feeling that the quality of life afforded in the Shire of East Pilbara is either good or excellent. This compares with 66% last year.

Most residents feel that quality of life in the Shire has remained either the same (60%, up from 47% last year) or improved (16%, down from 24% last year) over the last 12 months, with the remaining 25% feeling that it has deteriorated, down from 28% last year.

**Shire Amenity and Community Values**

More than 3 in 4 residents (77%) like living in the Shire and 79% feel that it is accepting of people from diverse cultures and backgrounds.

66% of residents feel connected and a part of the community and a similar proportion (64%) are proud to say that they live in the Shire and feel that they can afford to live comfortably (63%).

57% of residents feel that there is always something to do or activities to participate in around the Shire.

**Community Inclusion Activities**

Around 2 in 3 residents currently feel that the Shire actively encourages members of the indigenous community (67%) and people from non-English speaking backgrounds (67%) to feel included.

57% believe that inclusion opportunities are provided for teenagers and young adults and 52% for people with physical disabilities. Only 37% of residents feel that the Shire actively encourages inclusion for people with behavioural issues, mental disabilities or mental health issues.

**Community Events and Activities**

Residents are generally satisfied with the number (67%) and type of events (65%) held across Shire each year. Australia Day Celebrations, the Newman Triathlon, NAIDOC week and the Outback Fusion Festival achieve the strongest levels of awareness and attendance across the Shire. Last year 78% of respondents said that they thought Shire run events were either "Good" or "Very Good".

**Shire Communications**

Residents generally find out about Shire activities and events from other residents (67%, up from 28% last year), followed by various Facebook pages (57%, up from 36% last year), including the Shire's page (39%, with no comparative data). More

traditional forms of communication follow these, including the Newman News and the Council website.

**Advocacy: Making the Shire a better place to live**

92% of residents, (marginally up from 90% last year), would like the Shire to continue advocating to the State and/or Federal Government to improve health and medical services across the Shire.

This is followed by advocacy to improve services for young people (64%, up from 50% last year) and the provision of additional retail opportunities throughout the Shire (43%, down from 48% last year).

**Concluding Comments**

Overall, this study has provided the Shire with a strong **BENCHMARK** from which to monitor satisfaction levels in the future.

At present, the Shire is perceived as a **good place to live** and thoughts regarding this haven't changed significantly for a couple of years.

**Around 2 in 3 residents are satisfied with the Shire's performance overall and the services it provides.**

The **performance of the Shire** in providing what are perceived to be essential facilities and services like parks and ovals, footpaths, aquatic centres and tips and refuse sites is currently very strong and needs to be applauded across the organisation.

Areas where additional focus may be required include:

- **Roads** – this could include potentially communicating to residents the works program associated with roads across the Shire as well as which roads “belong” to which tier of government
- **Services for young people** – where keeping existing facilities operating as well as expanding facilities like the Skate park are suggested improvements
- **Children's Services** – where additional school holiday and before and after school care programs are sought
- **Oval lighting in Newman** – where residents feel that taking further advantage of this facility requires lighting around and to the oval to increase perceptions of safety as well as additional monitoring of anti-social behaviour

**Telling people** about what the Shire is doing is potentially **as important** as actually doing it. Residents are telling us that they are increasing relying on Facebook pages to find out about Shire events and activities. Further pursuing this strategy as a means of communicating with residents in the future may therefore be beneficial. In addition, actively informing FIFO/DIDO residents of the Facebook page, potentially with an incentive to encourage “likes and follows” may also assist in keeping this segment of the community better informed regarding Shire events and activities.

Residents would also like to see the **Shire continue to actively lobby** the State and/or Federal Government for improved health and medical facilities and services as well as facilities for young people and additional retail opportunities throughout the Shire. The Newman Revitalisation Project may assist in this area, particularly in relation to entertainment and activities for young people and additional retail services.

Again, it is important to keep residents informed regarding initiatives and advocacy activities and the Facebook page may provide one of the best avenues for this purpose.

## **STATUTORY IMPLICATIONS/REQUIREMENTS**

Nil

## **POLICY IMPLICATIONS**

### **6.9 ANNUAL COMMUNITY SURVEY**

## **STRATEGIC COMMUNITY PLAN**

### **Goal 1 – Civic Leadership – Planned Actions**

- 1.3.2 Excellence in customer service  
Responsible officer: MFA  
Timing: 1-3 years

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
  - 1.1.2 Continued strong financial management  
Responsible officer: DCEO  
Timing: 1 year
  - 1.1.3 Effective business management  
Responsible officer: DCEO  
Timing: 1-3 years

## **RISK MANAGEMENT CONSIDERATIONS**

Nil

## **FINANCIAL IMPLICATIONS**

No financial resource impact.

## **VOTING REQUIREMENTS**

Simple.

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OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201617/24

MOVED: Cr Shane Carter

SECONDED: Cr Craig Hoyer

THAT Council note the report on the 2016 Annual Community Satisfaction Survey.

CARRIED  
RECORD OF VOTE: 8 - 0

*To be actioned by Mr Pip Parsonson, Manager Community Wellbeing*

### 9.2.7 COMMUNITY ASSISTANCE GRANTS ROUND 1 2016

**Responsible Officer:** Ms Sian Appleton  
Deputy Chief Executive Officer

**Author:** Mr Pip Parsonson  
Manager Community Wellbeing

**Location/Address:** N/A

**Name of Applicant:** N/A

**Author Disclosure of Interest:** Nil

*An Interest was declared by Mr Allen Cooper for Item No. 9.2.7*

*Nature of Interest: Direct*

*Extent of Interest: Member of the Newman Taekwondo & Hapkido Club and also Member of the Newman RSL Sub Branch.*

*1:38PM Mr Allen Cooper left Chambers.*

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### REPORT PURPOSE

For council to consider and make decisions on the Community Assistance Grant funding applications for Round 1 of the 2016/2017 financial year.

### BACKGROUND

The Shire of East Pilbara's Community Assistance Grants and Sponsorships are designed to promote community development and wellbeing within the East Pilbara local government area.

Grants are available for not-for-profit organisations involved in arts, culture, sports, recreation and social services. Limited support is also available to local educational institutions. Applicants must fit one of the following categories.

1. A not-for-profit community organisation providing a community service within the East Pilbara region where there is a demonstrated community need or benefit
2. An educational institution in the East Pilbara for award presentations only
3. A sporting association to assist with club development (eg. Coaching courses, governance training and or grant writing courses)
4. An organisation involved in cultural development within the East Pilbara

Applications for the Community Assistance Grant Number Three (3) can be made by clubs and community groups twice per year. Round One (1) opens on the 1st of July and closes on the 31st July and applications are assessed at the next scheduled Council Meeting. Round Two (2) opens on January 1st and closes on January 31st and applications are assessed at the next scheduled Council Meeting. Each application is eligible for a grant of up to \$6,000 in cash or in-kind contributions.

### COMMENTS/OPTIONS/DISCUSSIONS

This round, the Shire received seven (7) applications from community groups and sporting clubs, all of which are based in the East Pilbara. All seven (7) applications met the Shire's Community Assistance Grants eligibility criteria. Details are as follows:

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<b>Applicant Organisation</b>	<b>Met Criteria (Yes/No)</b>	<b>Amount Sought</b>	<b>Comment/Description</b>
Pioneers Football Club	Yes	\$6,000	Cash contribution for urgent electrical works and refurbishment of the club.
Newman Community Baptist Church	Yes	\$2,500	Cash contribution towards sound and lighting for the 2016 Christmas Carol Celebrations.
Newman Taekwondo and Hapkido Club	Yes	\$5,000	Cash contribution towards referee training and attendance at WA Northwest Taekwondo Hanmadang.
Newman Bowling Club Inc.	Yes	\$5,841	Cash contribution for the purchase of indoor bowling mats.
Newman RSL Sub Branch	Yes	\$6,000	Cash contribution towards the Newman RSL / William Lynas Club patio renovation.
Newman Amateur Swim Club	Yes	\$6,000	Cash contribution towards the Pilbara Championships costs.
Marble Bar Community Resource Centre	Yes	\$4,500	Cash contribution towards materials for the Marble Bar Community Resource Centre cyclone fencing Project.
<b>TOTAL</b>		<b>\$35,841</b>	

A summary of each application follows.

<b>Name of organisation</b>	<b>Pioneers Football and Sporting Club</b>			
<b>Activity the organisation is seeking funding for</b>	<b>Electrical distribution board replacement and refurbishment of club bathrooms and kitchen</b>			
<b>Amount Requested</b> \$6000	<b>Total Budget</b> \$16,207			
<b>Type of fund request</b>	In kind <input type="checkbox"/>		Cash <input checked="" type="checkbox"/>	
<b>Funding sought from other organisations</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>		
<b>If yes, amount funded from other organisation</b>	\$			
<b>Previous funding from Shire of East Pilbara</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If yes, amount received and Year	Year: 2013: \$2,666 2014: \$120
<b>Funds Acquitted</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<b>Outstanding Shire Debts</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<b>Does Application meet funding criteria?</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<input checked="" type="checkbox"/>	<b>Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit</b>			
<input type="checkbox"/>	<b>Educational institutions in the East Pilbara for award presentations only</b>			
<input type="checkbox"/>	<b>Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).</b>			
<input type="checkbox"/>	<b>Organisations involved in cultural development within the Shire of East Pilbara</b>			
<b>Target Group of project outcome</b>	Users of the Pioneers Football & Sporting Club, including members, spectators and local companies who hire the venue.			
<b>Description</b>	The project is to make the facilities at the club safe and comfortable for all users. The main electrical distribution board will be replaced, as it has been deemed non-compliant to AS3000 and is a genuine fire hazard. The kitchen and bathrooms have been in need of a refurbishment for some time, so the club will take the opportunity to upgrade these facilities too. Currently the club has to bring cooking equipment in when required, as the kitchen equipment is inadequate. The cabinetry in both the bathroom and kitchen is falling apart and the tiling is falling away and/or broken in both the bathrooms and kitchen.			
<b>Benefit to East Pilbara Community</b>	Safe and comfortable use of the facilities for all users, including junior and senior football, netball, touch rugby, cricket and softball players; boxing classes; dance company classes; and their families and spectators.			
<b>Purpose of Grant</b>	The purpose of the grant is to partially cover the contractor's costs - labour and materials, including tiling, cabinetry and cooking equipment.			
<b>Acknowledgement of SOEP</b>	Signage will be placed around the club; social media acknowledgements will be made; and verbal acknowledgments will be made at appropriate events.			



<b>Name of organisation</b>	<b>Newman Baptist Community Church</b>			
<b>Activity the organisation is seeking funding for</b>	<b>2016 Newman Community Christmas Carols</b>			
<b>Amount Requested</b> \$2,500	<b>Total Budget</b> \$5,000			
<b>Type of fund request</b>	In kind <input type="checkbox"/>		Cash <input checked="" type="checkbox"/>	
<b>Funding sought from other organisations</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>		
<b>If yes, amount funded from other organisation</b>	\$			
<b>Previous funding from Shire of East Pilbara</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If yes, amount received and Year	Year:
<b>Funds Acquitted</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<b>Outstanding Shire Debts</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:	
<b>Does Application meet funding criteria?</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<input checked="" type="checkbox"/>	<b>Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit</b>			
<input type="checkbox"/>	<b>Educational institutions in the East Pilbara for award presentations only</b>			
<input type="checkbox"/>	<b>Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).</b>			
<input type="checkbox"/>	<b>Organisations involved in cultural development within the Shire of East Pilbara</b>			
<b>Target Group of project outcome</b>	The entire Newman community is invited to 2016 Newman Community Christmas Carols.			
<b>Description</b>	The Christmas Carols have been facilitated by the churches of Newman for a number of years and in 2016 the Baptist Church will be organising the event. This grant enables the Newman Baptist Community Church to hire a sound and lighting company to deliver quality services on the night. In 2014 the Newman Baptist Community Church hired ROCKWEST to do the sound and lighting and there was an overwhelming response from the community about the quality of the night – particularly because of the lighting and sound.			
<b>Benefit to East Pilbara Community</b>	The Christmas Carols is an all-inclusive event and will be a celebration for the whole community.			
<b>Purpose of Grant</b>	The grant seeks to cover ROCKWEST's sound, lighting and associated costs.			
<b>Acknowledgement of SOEP</b>	Verbal and social media acknowledgement, plus ensuring the SoEP logo is present on all promotional material.			

<b>Name of organisation</b>	<b>Newman Taekwondo and Hapkido Club</b>		
<b>Activity the organisation is seeking funding for</b>	<b>WA Northwest Taekwondo Competition</b>		
<b>Amount Requested</b> \$ 5,000	<b>Total Budget</b> \$ 17,400		
<b>Type of fund request</b>	In kind <input type="checkbox"/>	Cash <input checked="" type="checkbox"/>	
<b>Funding sought from other organisations</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	
<b>If yes, amount funded from other organisation</b>	\$ 7,400.00		
<b>Previous funding from Shire of East Pilbara</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If yes, amount received and Year Year:
<b>Funds Acquitted</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Comments:
<b>Outstanding Shire Debts</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments: \$542.00 due 6.08.2016. Club has promised to pay before 17.08.2016. Executive to be updated with confirmation of payment before Council meeting.
<b>Does Application meet funding criteria?</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:
<input checked="" type="checkbox"/>	<b>Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit</b>		
<input checked="" type="checkbox"/>	<b>Educational institutions in the East Pilbara for award presentations only</b>		
<input type="checkbox"/>	<b>Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).</b>		
<input type="checkbox"/>	<b>Organisations involved in cultural development within the Shire of East Pilbara</b>		
<b>Target Group of project outcome</b>	Taekwondo and Hapkido Club students and spectators		
<b>Description</b>	The Newman Taekwondo club will send instructors to a Port Hedland referee and judging training course. The club students will then participation in the WA Northwest Taekwondo Hanmadang in Port Hedland. The WA Northwest Taekwondo Hanmadang is an exciting and important event for the club.		
<b>Benefit to East Pilbara Community</b>	The development of the Newman Taekwondo and Hapkido Club, a volunteer-based organisation that supports the physical and mental growth of its members.		
<b>Purpose of Grant</b>	The purpose of the grant is to cover travel, accommodation and festival organisation costs.		
<b>Acknowledgement of SOEP</b>	Verbal recognition at the beginning and end of the festival, plus social media recognition and placement of Shire logos on banners.		

<b>Name of organisation</b>	<b>Newman Bowling Club Inc</b>			
<b>Activity the organisation is seeking funding for</b>	<b>Indoor Bowling</b>			
<b>Amount Requested</b> \$6,000	<b>Total Budget</b> \$12,935			
<b>Type of fund request</b>	In kind <input type="checkbox"/>		Cash <input checked="" type="checkbox"/>	
<b>Funding sought from other organisations</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>		
<b>If yes, amount funded from other organisation</b>	\$			
<b>Previous funding from Shire of East Pilbara</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If yes, amount received and Year	Year:
<b>Funds Acquitted</b>	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<b>Outstanding Shire Debts</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:	
<b>Does Application meet funding criteria?</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<input checked="" type="checkbox"/>	<b>Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit</b>			
<input type="checkbox"/>	<b>Educational institutions in the East Pilbara for award presentations only</b>			
<input type="checkbox"/>	<b>Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).</b>			
<input type="checkbox"/>	<b>Organisations involved in cultural development within the Shire of East Pilbara</b>			
<b>Target Group of project outcome</b>	Newman Bowling Club members, corporate bodies and the general public.			
<b>Description</b>	Newman Bowling Club Inc is a community-based sporting club, facilitating bowls functions for corporate and social groups. The club has over 35 year's involvement with the Newman community. The project plans to bring the sport of Indoor Bowling to Newman residents at the Boomerang Senior Sports Pavilion.			
<b>Benefit to East Pilbara Community</b>	Indoor Bowling is an exciting venture for the Newman Bowling Club. It will allow players to enjoy the sport, regardless of the weather.			
<b>Purpose of Grant</b>	The purpose of the grant is to cover the cost of the indoor bowling mats.			
<b>Acknowledgement of SOEP</b>	Verbal acknowledgements and media articles, for instance the Northwest Telegraph, the local newspaper and social media.			

<b>Name of organisation</b>	<b>Returned &amp; Services League of Australia Newman Sub-Branch</b>			
<b>Activity the organisation is seeking funding for</b>	<b>Newman RSL / William Lynas Club patio repair and renovation</b>			
<b>Amount Requested</b> \$ 6,000	<b>Total Budget</b> \$ 20,000.			
<b>Type of fund request</b>	In kind <input type="checkbox"/>		Cash <input checked="" type="checkbox"/>	
<b>Funding sought from other organisations</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>		
<b>If yes, amount funded from other organisation</b>	\$ 2,500.00			
<b>Previous funding from Shire of East Pilbara</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If yes, amount received and Year	Year: 2015: \$990.50
<b>Funds Acquitted</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<b>Outstanding Shire Debts</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:	
<b>Does Application meet funding criteria?</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<input checked="" type="checkbox"/>	<b>Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit</b>			
<input type="checkbox"/>	<b>Educational institutions in the East Pilbara for award presentations only</b>			
<input type="checkbox"/>	<b>Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).</b>			
<input type="checkbox"/>	<b>Organisations involved in cultural development within the Shire of East Pilbara</b>			
<b>Target Group of project outcome</b>	Users of the William Lynas Club.			
<b>Description</b>	The project is to renovate the William Lynas Club patio, replacing warped and buckling plywood flooring and to extend the outdoor area. The new decking will be more durable and long-lasting, being made of composite decking. The extra investment in composite decking now will ensure the decking will not need to be replaced for at least ten (10) years.			
<b>Benefit to East Pilbara Community</b>	This renovation will enable the safe use of the William Lynas Club facilities for all users – Defence and RSL personnel; community users such as WAPOL, SES, Newman Primary and High Schools and YMCA; and the general public, when the RSL host public visitors on ANZAC Day and following other commemorative events.			
<b>Purpose of Grant</b>	The grant will partially cover the cost of materials, including decking and steel.			
<b>Acknowledgement of SOEP</b>	Acknowledged on printed materials, social media announcements and verbally acknowledged at appropriate functions at the venue.			

<b>Name of organisation</b>	<b>Newman Amateur Swimming Club</b>			
<b>Activity the organisation is seeking funding for</b>	<b>Pilbara Championships</b>			
<b>Amount Requested</b> \$6,000	<b>Total Budget</b> \$15,720			
<b>Type of fund request</b>	In kind <input type="checkbox"/>		Cash <input checked="" type="checkbox"/>	
<b>Funding sought from other organisations</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>		
<b>If yes, amount funded from other organisation</b>	Not known at this stage.			
<b>Previous funding from Shire of East Pilbara</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If yes, amount received and Year	Year:
<b>Funds Acquitted</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:	
<b>Outstanding Shire Debts</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments: \$163 due 30.07.2016	
<b>Does Application meet funding criteria?</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<input checked="" type="checkbox"/>	<b>Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit</b>			
<input type="checkbox"/>	<b>Educational institutions in the East Pilbara for award presentations only</b>			
<input checked="" type="checkbox"/>	<b>Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).</b>			
<input type="checkbox"/>	<b>Organisations involved in cultural development within the Shire of East Pilbara</b>			
<b>Target Group of project outcome</b>	Approximately 250 competitors in the Pilbara Championships, their support families and spectators.			
<b>Description</b>	The project is to host the Pilbara Championships in Newman in November 2016. 10 swimming clubs from across the Northwest will be in attendance to compete in the prestigious, Swim WA-sanctioned, meet.			
<b>Benefit to East Pilbara Community</b>	The event is an opportunity to showcase Newman and will draw hundreds of people to town for the meet weekend. The event is an opportunity for the Newman swimming community to connect with other regional communities.			
<b>Purpose of Grant</b>	The purpose of this grant is to partially cover the flight, accommodation and food costs incurred in bringing in approximately 6 officials from around WA.			
<b>Acknowledgement of SOEP</b>	Shire acknowledgements will be signage around the complex; Shire logo on the events program; verbal acknowledgements by announcement throughout the weekend; and media articles post-event.			

<b>Name of organisation</b>	<b>Marble Bar Community Resource Centre</b>			
<b>Activity the organisation is seeking funding for</b>	<b>Marble Bar Community Resource Centre Fencing Project</b>			
<b>Amount Requested</b> \$4,500	<b>Total Budget</b> \$9,735			
<b>Type of fund request</b>	In kind <input type="checkbox"/>		Cash <input checked="" type="checkbox"/>	
<b>Funding sought from other organisations</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>		
<b>If yes, amount funded from other organisation</b>	\$			
<b>Previous funding from Shire of East Pilbara</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If yes, amount received and Year	Year: 2013: \$64 2014: \$2623
<b>Funds Acquitted</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<b>Outstanding Shire Debts</b>	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:	
<b>Does Application meet funding criteria?</b>	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:	
<input checked="" type="checkbox"/>	<b>Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit</b>			
<input type="checkbox"/>	<b>Educational institutions in the East Pilbara for award presentations only</b>			
<input type="checkbox"/>	<b>Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).</b>			
<input type="checkbox"/>	<b>Organisations involved in cultural development within the Shire of East Pilbara</b>			
<b>Target Group of project outcome</b>	Marble Bar Community Resource Centre users, including tourists.			
<b>Description</b>	The project is to replace the existing old fence, which covers only one third of the fence line, with a new cyclone fence that will run the whole perimeter of the property (approximately 100 metres).			
<b>Benefit to East Pilbara Community</b>	The new fence will improve the property and provide protection for the Marble Bar community garden when the town boundary fence comes down after flooding. The fence will also protect the garden from damage caused by cattle.			
<b>Purpose of Grant</b>	The purpose of the grant is to cover the cost of fencing materials. Fencing labour will be provided by community organisations and members.			
<b>Acknowledgement of SOEP</b>	Acknowledgement of the Shire's contribution will be made via external signage (one fixed, one sandwich board); verbal acknowledgement at any official Community Garden event; articles in the Marble Bar Nullagine Mirage; and on social media.			

The overall Community Assistance Grant budget for 2016/17 is \$60,000. Approximately \$11,000 of the total amount needs to be set aside for the smaller Grant 1 and Grant 2 programs that are open year-round and approved by the CEO. The balance of \$49,000 then needs to be halved, to accommodate the two Grant 3 rounds approved by the full Council. This means there is approximately \$24,500 for each of the two rounds.

The total amount sought for Round 1 of the 2016/17 financial year is \$35,841, which is \$11,341 over the Round 1 budget. Accordingly a means was developed to put to Council a set of recommendations that ensured budget limitations were not exceeded.

Each of the Round 1 applications have been individually assessed against the eligibility criteria to assist the decision making process. As noted earlier they are all eligible for funding. Additionally, other factors have been taken into account to determine a recommendation specific to each application. These include the potential scale of the benefit or the value for money, the capacity to run the program or event if only a portion of the requested amount was granted and the perceived risk of program failure or funding acquittal compliance based on the applicant's reliance on other sources of income. Accordingly, the following recommendations have been made taking these factors into account.

Organisation	Requested	Recommended	Comment
<b>Pioneers Football Club</b>	\$6,000	\$5,000	Electrical board replacement is a priority. The full refurbishment has large, fixed costs, however the grant value can be reduced and the project will proceed, with a reduced scope.
<b>Newman Community Baptist Church</b>	\$2,500	\$1,500	Event benefits the community; the benefit is not significantly increased compared with using local sound production services. Grant value can be reduced to match a local sound production services supplier costs.
<b>Newman Taekwondo and Hapkido Club</b>	\$5,000	\$4,000	Grant value can be reduced and the project will proceed, with additional fundraising.
<b>Newman Bowling Club Inc.</b>	\$5,841	\$0	Chosen location at Boomerang Pavilion is not fit for proposed purpose and it is the Officer's considered opinion that there is a lack of business planning associated with the proposal. Shire is proposed as the major contributor to the program, and accordingly the proposal is considered a risk. See further notes below.
<b>Newman RSL Sub Branch</b>	\$6,000	\$5,000	Decking replacement is a priority. Project has large, fixed material costs. However, the grant value can be reduced and the project will proceed, with a smaller deck size or increased fundraising.
<b>Newman Amateur Swim Club</b>	\$6,000	\$5,000	Important swim meet that will bring people into Newman from other regions. Grant value can be reduced and the project will proceed, with additional fundraising.
<b>Marble Bar Community Resource Centre</b>	\$4,500	\$4,000	High fixed costs for materials only, with labour provided by the community.
<b>TOTAL</b>	<b>\$35,841</b>	<b>\$24,500</b>	
<b>Budget</b>	<b>\$24,500</b>	<b>\$24,500</b>	
<b>Balance</b>	<b>\$11,341</b>	<b>\$0</b>	



Councillors will note that the Newman Bowling Club Inc. is the only applicant that has not been recommended for funding. There are a number of reasons for this. The primary reason is that an internal investigation determined that the playing area in Boomerang Pavilion is too small to accommodate the indoor bowls carpet (9.1 metres long x 1.8 metres wide). The playing area is only 11.4 x 8.6 metres. This means there is virtually no circulation space for the number of players anticipated.

There is also considerable concern for safety and damage as the club proposes to sell alcohol and there is a considerable amount of glass in the Boomerang Pavilion. The Manager Assets and Procurement has been approached with these details and expressed on available information that he would not approve the venue for that type of use.

## **STATUTORY IMPLICATIONS/REQUIREMENTS**

Nil

## **POLICY IMPLICATIONS**

### **6.6 COMMUNITY ASSISTANCE GRANTS**

## **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.

- 2.4.1 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
- 2.4.4 Equity and opportunities for all  
Responsible officer: MCW  
Timing: 1-3 years

## **RISK MANAGEMENT CONSIDERATIONS**

Should the Council choose not to endorse the Community Assistance Grants, Council may be subject to some reputational risk within the Community.

## **FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

## **VOTING REQUIREMENTS**

Absolute.

**OFFICER'S RECOMMENDATION**

**THAT Council**

- 1. Approve the Community Assistance Grant for the Pioneers Football Club for a reduced cash contribution of \$5,000 for the club refurbishment and electrical distribution board replacement.**
- 2. Approve the Community Assistance Grant for the Newman Community Baptist Church for a reduced cash contribution of \$1,500 for the sound and lighting services for the 2016 Christmas Carol Celebrations.**
- 3. Approve the Community Assistance Grant for the Newman Taekwondo and Hapkido Club for a reduced cash contribution of \$4,000 for the referee training and attendance at the WA Northwest Taekwondo Hanmadang.**
- 4. Does not approve the Community Assistance Grant for the Newman Bowling Club Inc. for the purchase of indoor bowling mats.**
- 5. Approve the Community Assistance Grant for the Newman RSL Sub-Branch for a reduced cash contribution of \$5,000 for the Newman RSL / William Lynus Club patio renovation.**
- 6. Approve the Community Assistance Grant for the Newman Amateur Swim Club for a reduced cash contribution of \$5,000 for the Pilbara Championships costs.**
- 7. Approve the Community Assistance Grant for the Marble Bar Community Resource Centre for a reduced cash contribution of \$4,000 for the Marble Bar Community Resource Centre cyclone fencing project.**

**COUNCIL RESOLUTION: 201617/25**

**MOVED: Cr Michael Kitchen**

**SECONDED: Cr Craig Hoyer**

**THAT Council**

1. Approve the Community Assistance Grant for the Pioneers Football Club for a reduced cash contribution of \$5,000 for the club refurbishment and electrical distribution board replacement.
2. Approve the Community Assistance Grant for the Newman Community Baptist Church for a reduced cash contribution of \$1,500 for the sound and lighting services for the 2016 Christmas Carol Celebrations.
3. Approve the Community Assistance Grant for the Newman Taekwondo and Hapkido Club for a reduced cash contribution of \$4,000 for the referee training and attendance at the WA Northwest Taekwondo Hanmadang.
4. Does not approve the Community Assistance Grant for the Newman Bowling Club Inc. for the purchase of indoor bowling mats.
5. Approve the Community Assistance Grant for the Newman RSL Sub-Branch for a reduced cash contribution of \$5,000 for the Newman RSL / William Lynus Club patio renovation.
6. Approve the Community Assistance Grant for the Newman Amateur Swim Club for a reduced cash contribution of \$5,000 for the Pilbara Championships costs.
  - Outstanding Shire Debts of \$163.00 due 30.07.2016 to be paid before receiving the Community Assistance Grant of \$5,000.
7. Approve the Community Assistance Grant for the Marble Bar Community Resource Centre for a reduced cash contribution of \$4,000 for the Marble Bar Community Resource Centre cyclone fencing project.

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

**Reason for Non Acceptance of Officer's Recommendation: Council referred to item No: 6 Newman Amateur Swim Club is to pay the Shire of East Pilbara, the outstanding debt of \$163.00 before receiving the grant of \$5,000.**

***To be actioned by Mr Pip Parsonson, Manager Community Wellbeing***

### 9.2.8 AMENDMENTS TO THE POLICY MANUAL

**Attachments:** [Policy Manual Amendments August 2016 Council Meeting Agenda Item pdf](#)

**Responsible Officer:** **Ms Sian Appleton**  
**Deputy Chief Executive Officer**

**Author:** **Mrs Batsi Masaka**  
**Coordinator Governance**

**Location/Address:** **N/A**

**Name of Applicant:** **N/A**

**Author Disclosure of Interest:** **Nil**

*1:43PM Mr Allen Cooper returned to the Chambers*

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### REPORT PURPOSE

1. For Council to delete policy 1.18 Occupational Health and Safety Policy (OH & S) from the Staff Procedures Manual and bring it back to the Policy Manual as per the auditors risk improvement plan recommendation.
2. For Council to accept a minor change to Policy 10.9 Regional Price Preference Policy: Paragraph 2 under the sub heading Policy: replace Shire of Roebourne with City of Karratha and replace Ashburton with Shire of Ashburton

### BACKGROUND

1. Following an audit conducted in June 2016, Moore Stephens issued the Shire of East Pilbara a Report on a review of risk management, legislative compliance and internal controls in July 2016. The report recommends that the OH & S Policy be deleted from the Staff Procedures Manual and be brought back to the Policy Manual.
2. The Shire of Roebourne was renamed the City Of Karratha, hence the policy is being amended accordingly. The removal of the word Shires requires that the word Shire be added to Ashburton

### COMMENTS/OPTIONS/DISCUSSIONS

1. The Shire of East Pilbara is committed to promoting Occupational Health and Safety (OH & S) as an important element of staff discipline. To ensure Council's commitment to the OH & S policy as per the auditor's recommendation, the policy must be recorded in the Policy Manual and incorporated into the formal induction procedure for staff.
2. In line with the name change from the Shire of Roebourne to the City of Karratha, the policy is being amended accordingly.

### STATUTORY IMPLICATIONS/REQUIREMENTS

Regulation 17 of the Local Government (Audit) Regulations 1996

## **POLICY IMPLICATIONS**

### **OCCUPATIONAL HEALTH AND SAFETY POLICY**

#### **10.9 REGIONAL PRICE PREFERENCE POLICY**

### **STRATEGIC COMMUNITY PLAN**

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

### **RISK MANAGEMENT CONSIDERATIONS**

In order to remain transparent and to facilitate appropriate decision-making processes, it is imperative that policies reflect the current positions of Council and work practices at the Shire.

### **FINANCIAL IMPLICATIONS**

No financial resource impact.

### **VOTING REQUIREMENTS**

Simple.

### **OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201617/26**

**MOVED:** Cr Jay Ahmedi

**SECONDED:** Cr Anita Grace

### **THAT Council**

1. **Deletes policy 1.18 Occupational Health and Safety Policy (OH & S) from the Staff Procedures Manual and bring it back to the Policy Manual as per the auditors risk improvement plan recommendation.**
2. **Adopts the minor change to Policy 10.9 Regional Price Preference Policy: to implement a name change from the Shire of Roebourne to the City of Karratha and replace Ashburton with the Shire of Ashburton.**

**CARRIED**

**RECORD OF VOTE: 8 - 0**

***To be actioned by Mrs Batsi Masaka, Coordinator Governance***

### 9.2.9 MONTHLY FINANCIAL REPORT - JULY 2016

<b>Attachments:</b>	<a href="#">July 2016 Financial Report.pdf</a> <a href="#">July 2016 Variance Report.doc</a> <a href="#">July 2016 Asset Variance Report.doc</a>
<b>Responsible Officer:</b>	<b>Mr Andries Gertenbach</b> <b>Manager Corporate Services</b>
<b>Author:</b>	<b>Mrs Candice Porro</b> <b>Senior Finance Officer</b>
<b>Location/Address:</b>	<b>N/A</b>
<b>Name of Applicant:</b>	<b>N/A</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>

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### 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 1 July 2016 to 31 July 2016 of the 2016/2017 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: 201617/27**

**MOVED:** Cr Dean Hatwell

**SECONDED:** Cr Michael Kitchen

**That the monthly financial statements for the period 1 July 2016 to 31 July 2016 of the 2016/2017 financial year as presented be received.**

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

***To be actioned by Mrs Candice Porro, Senior Finance Officer***

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**9.2.10 CREDITORS FOR PAYMENT**

**File Ref:** FIN10-2

**Attachments:** [Schedule of Accounts Chq 1.pdf](#)  
[Schedule of Accounts EFT 1.pdf](#)  
[Schedule of Accounts Manual Cheque 1.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

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**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 22/07/16.

**COMMENTS/OPTIONS/DISCUSSIONS**

<b>FUND</b>	<b>VOUCHER</b>	<b>AMOUNT</b>
EFT Payments	EFT#'s 34193 - 34598	\$3912391.41
	<b>Total</b>	<b>\$3,912,391.41</b>
Cheque Payments	CHQ#'s 24103 – 24124	\$132,456.28
Manual Cheque Payments	CHQ#'s 272 – 273	\$23,367.12
		<b>\$155,823.40</b>
	<b>GRAND TOTAL</b>	<b><u>\$4,068,214.81</u></b>

*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  
Nil



CANCELLED CHEQUES & EFTS

EFT#'s 34298, 34367, 34395, 34433, and #'s 34457 to 34156 (due to Synergy error)

**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**

Nil

**RISK MANAGEMENT CONSIDERATIONS**

Nil

**FINANCIAL IMPLICATIONS**

Total expenses of \$4,068,214.81

**VOTING REQUIREMENTS**

Simple.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201617/28**

**MOVED: Cr Jay Ahmed**

**SECONDED: Cr John Jakobson**

**THAT Council endorse the payments:**

<b>FUND</b>	<b>VOUCHER</b>	<b>AMOUNT</b>
EFT Payments	EFT#'s 34193 - 34598	\$391,239.41
	<b>Total</b>	<b>\$3,912,391.41</b>
Cheque Payments	CHQ#'s 24103 – 24124	\$132,456.28
Manual Cheque Payments	CHQ#'s 272 – 273	\$23,367.12
		<b>\$155,823.40</b>
	<b>GRAND TOTAL</b>	<b><u>\$4,068,214.81</u></b>

**CARRIED**  
**RECORD OF VOTE: 8 - 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 - JULY 2016**

**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

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#### **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

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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: 201617/29**

**MOVED: Cr Craig Hoyer**

**SECONDED: Cr Michael Kitchen**

**THAT the “Status of Council Decisions” – Director Technical and Development Services for July 2016 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	MDS-P	Refer to Information Bulletin	In Progress
28 September 2012	13.4	NEW ROAD LINKED TO LIGHT INDUSTRIAL AREA (LIA) – newman - Cr Shane	MDS-P	Refer to Information Bulletin	In Progress
28 August 2015	13.8	CARAWINE GORGE Cr Lang Coppin	MDS-P	Refer to Information Bulletin	In Progress
11 December 2015	12.8	CARAVAN & TRUCK PARKING NEWMAN Cr Jay Ahmedi commented on the space next to the Boomerang Oval being a good place for trucks and travellers with caravans to park.	DTDS	Total town centre street signage to be reviewed  Signs ordered and will be installed once received	Sept 2016
11 March 2016	13.1	PARKING SIGNS FOR CARPARK NEXT TO POST OFFICE NEWMAN Cr Jay Ahmedi asked if parking signs could be put up at the carpark next to the Post Office to indicate limited time parking.	DTDS	Sometime limiting signage will be purchased and installed.  Signs ordered and will be installed once received	Sept 2016
11 March 2016	13.9	NEWMAN TOWN CENTRE Cr John Jakobson asked if there were any maps for where the signs will be erected around the Town Centre as many tourists	DTDS	Mr Rick Miller, commented that this is an area is currently under investigation.  Signs ordered and will be installed once received	Sept 2016

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

**26 AUGUST, 2016**

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		are confused on e.g.: parking for caravans and entry.			
27 <sup>th</sup> May 2016		BBQ AT NULLAGINE LOOKOUT Cr Biddy Schill commented that the BBQ at the Nullagine lookout is not working. Ms Sian Appleton to follow up.	MTS-R TSAO	<ul style="list-style-type: none"> <li>Location for townsite replacement BBQ being investigated;</li> <li>Temporary signage at Lynas lookout installed;</li> <li>Final signage to be installed when new BBQ is in place.</li> </ul>	Oct 2016
24 <sup>th</sup> June 2016	13.3	SCHOOL ZONES – ROAD COLOURING Cr Lynne Craigie asked about the possibility of colouring the road surface in school zones? E.g. red.	DTDS	Cr Lynne Craigie to confirm if issues have been raised any particular schools? Using School in Gregory St as example and they are between the 2 speed humps is about 450m2 – To treat this to provide a red surface could cost about \$25,000.	COMPLETE
24 <sup>th</sup> June 2016	13.10	Cr Lang Coppin commented that he had received comments from some tourists that the signage around and into the towns of Marble Bar and Nullagine was poor.	MDS-P MTS-O	MDS-P to forward comment to PRC and Tourist WA once more specific details are provided by Cr Coppin. Condition of existing signage checked and no specific issues identified. Require more specific info on issue.	Sept 2016
22 July 2016	13.1	ROAD ENTRANCE INTO PARNPAJINYA COMMUNITY Cr Anita Grace asked the road leading into the Parnpajinya Community who is responsible for the road as it requires urgent grading. Director Technical & Development Services, Mr Rick Miller to follow up.	DTDS	The internal roads are not on shire controlled land and not under shire jurisdiction. The main access off the highway for the first 420m is in a road reserve and is bitumen. A works request has been raised to repair some minor potholes and to mow and spray the road shoulders	COMPLETE
22 July 2016	13.2	MARBLE BAR ROAD Cr Lang Coppin replied the road from the Cloud	DTDS	Request sent to MRWA	COMPLETE

<b>COUNCIL MEETING DATE</b>	<b>ITEM NO</b>	<b>COUNCIL RESOLUTION</b>	<b>DIRECTORATE</b>	<b>ACTION TAKEN/ STATUS</b>	<b>ESTIMATED COMPLETION DATE</b>
		Break turn off about 10kms straight the road requires grading as there is a lot of pot holes?			
22 July 2016	13.3	<p><b>NULLAGINE DOG PROBLEM</b></p> <p>Cr Lang Coppin indicated that he thought it is unsafe to walk in the mornings due to the number of dogs roaming the streets. There is a need for the Rangers to be in Nullagine more often and stay overnight to help alleviate the problem. Chief Executive Officer, Mr Allen Cooper replied the Rangers have been to Nullagine and removed a few dogs, and will continue to visit Nullagine on a regular basis. Cr Biddy Schill also replied the Rangers have been to Nullagine.</p>	MCS	<p>Rangers are scheduled to visit Marble Bar and Nullagine by the first week in September and will overnight in Nullagine to be there in the early morning. In the last 5 months Nullagine and the community have been visited about 5 times regarding dog issues. About 9 dogs have been removed over this period and we are working on rebuilding relationships with members of the community to hand dogs over for rehoming.</p>	COMPLETE
22 July 2016	13.4	<p><b>PARKING FRONT OF CIVIC CENTRE</b></p> <p>Cr Dean Hatwell asked if it was possible to put back the angle parking compared to the parallel, as more vehicles can park when parked on an angle and it is a better option especially when there are functions at the Civic Centre. Director Technical &amp; Development Services, Mr Rick Miller to follow up.</p>	MTS-R	<p>Parking was changed to parallel parking because the angle parking resulted in issues previously to the following: 1. Vehicles reversing out blindly due to severely impeded line of sight causing near misses and complaints. 2. Tourists with caravans and/or trailers unable to park in front of office. 3. Heavy vehicles travelling close to median strip damaging the seal due to moisture under seal as a result from median strip reticulation. In regards to events perhaps we can promote parking further down the road where there is</p>	COMPLETE

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COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
				additional parking. Will also arrange remarking when line markers back in town and re-black old ones.	

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

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

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**9.3.2 PROPOSAL TO EXCISE PORTION OF MARBLE BAR COMMON RESERVE  
2906 FOR TOURISM AND RECREATION**

**File Ref:** A222906  
**Attachments:** [Extract of Council Minutes from 19 April 2013](#)  
**Responsible Officer:** Mr Rick Miller  
Director Technical and Development Services  
**Author:** Mr Roy Winslow  
Manager Development Services - Planning  
**Location/Address:** Portion Reserve 2906, Corunna Downs Road,  
Marble Bar  
**Name of Applicant:** N/A  
**Author Disclosure of Interest:** Nil

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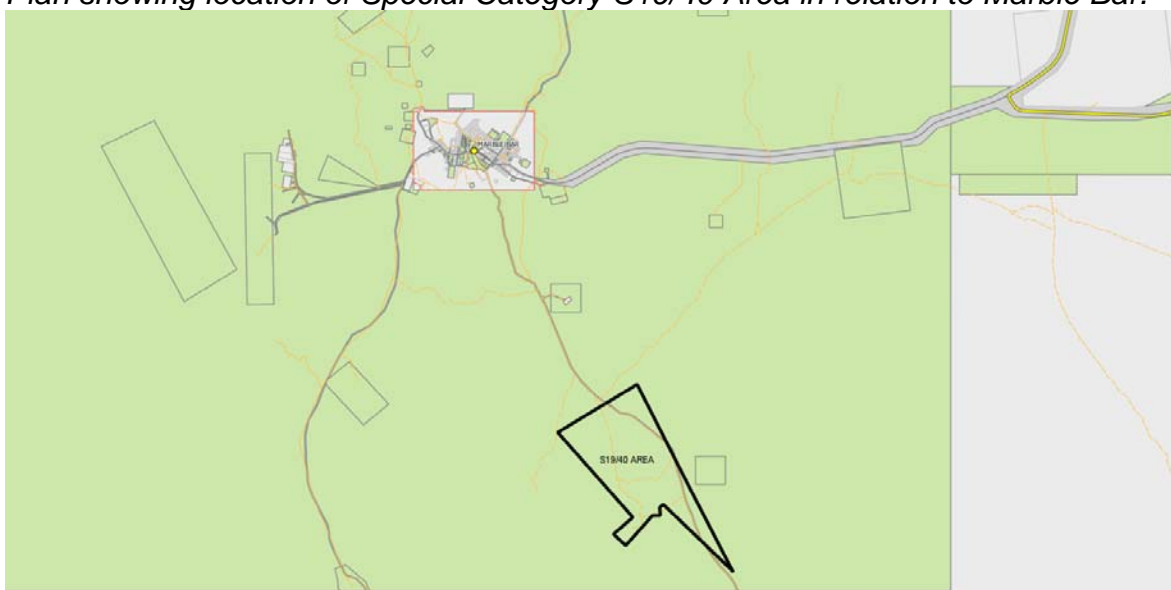
**REPORT PURPOSE**

To consider whether to progress with excise of a tourism and recreation reserve from the Marble Bar Common as resolved in 2013, due to unexpected high costs associated with survey of the planned boundaries.

**BACKGROUND**

At its Ordinary Meeting held on 19 April 2013, Council resolved to request the Minister for Lands to reserve a 258ha portion of the Marble Bar Common (Reserve 2906) for the purposes of 'Tourism and Recreation'. This resolution was the culmination of a process to provide an area for public prospecting that dates back to 1992. The area of land in question is referred to as 'Special Category S19/40'.

*Plan showing location of Special Category S19/40 Area in relation to Marble Bar.*



A copy of the Officer Report and Resolution from 2013 is attached.



Council's request was subsequently forwarded to the Department of Lands for finalisation. As a part of the process of creating the new reserve, a land survey by a Licensed Surveyor is required. The costs associated with the survey are borne by the Shire as the requesting authority. A quotation has been provided by MNG Surveyors totalling \$35,600 plus GST. This cost was not anticipated when Council considered the matter in 2013.

In addition to the high cost in surveying the proposed reserve, it is unclear as to what the value of reserving the land for tourism and recreation would add to public access and enjoyment. This is due to the land already being managed by the Shire as part of the Marble Bar Common and being accessible to the public. Currently, any person holding a \$25 Miner's Right can fossick on the site as it has been excluded from the ability for a party to apply for a mining lease or tenement over the Special Category S19/40 land.

### **COMMENTS/OPTIONS/DISCUSSIONS**

There are two main options available to Council:

1. Continue with the reservation process by allocating funds for the survey to be conducted; or
2. Not continue with the reservation process and advise the Department of Lands accordingly.

Shire officers have consulted with the Department of Mines and Petroleum (DMP) regarding the future tenure of the land. DMP advises that the current reservation of "Common" allows holders of a Miners Right automatic access to the site. Changing the reserve purpose to anything other than "Common", "Public Purposes" or "Mining" removes this automatic right of access. Should the reserve purpose be changed as previously resolved to "Tourism and Recreation", this automatic right of entry will cease, requiring every person wishing to fossick to obtain written permission from the Shire each time. Shire officers consider this an onerous and unnecessary process given that the land is not used by, or abuts, any other land use that would be affected by retaining unfettered access.

The DMP has advised that the current Special Category exemption will remain in place indefinitely, although this may be subject to review at some point in the future. Any review of the exemption will include liaison with the Shire given the initial request for the Special Category was made by Council.

Shire officers recommend Option 2 given the high cost of survey (\$35,600 plus GST) and the implication that the reservation change would have on public access to fossick on the site.

### **STATUTORY IMPLICATIONS/REQUIREMENTS**

Council's 19 April 2013 resolution was based upon the information available at the time. When making the request to the Minister for Lands, Council was unaware that there would be a significant financial implication. Given that new information is now available that may change Council's position, formal revocation of the 2013 resolution is not required in the event Council wishes to not proceed with the reservation.

**POLICY IMPLICATIONS**

Nil

**STRATEGIC COMMUNITY PLAN**

**Goal 3 – Economic – Planned Actions**

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

3.1 Business diversification and promotion

3.1.3 Encourage tourism

Responsible officer: DCEO

Timing: 1-5 years

**RISK MANAGEMENT CONSIDERATIONS**

There is no increase in risk by not creating a stand-alone reserve over the Special Category Area. Conversely, the implication of a reserve purpose that requires the Shire to give written approval to each person wishing to access the reserve for fossicking may increase risk attributed to administrative error.

**FINANCIAL IMPLICATIONS**

There are no current resources allocated, will need to be considered as part of next budgetary process. Should Council wish to continue with the creation of a separate reserve for the site, \$35,600 plus GST will need to be allocated in a future Budget Review.

**VOTING REQUIREMENTS**

Simple.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201617/30**

**MOVED: Cr Dean Hatwell**

**SECONDED: Cr Michael Kitchen**

**THAT Council:**

1. Advise the Department of Lands that it no longer seeks the creation of a reserve for "Tourism and Recreation" over the Special Category S19/40 land, Reserve 2906, Corunna Downs Road, Marble Bar, due to the high costs associated with its creation and the effect reservation for this purpose will have on unfettered access to the land currently enjoyed by holders of a Miner's Right.
2. Request the Department of Mines and Petroleum leave in place indefinitely the current Special Category S19/40 over portion of the Marble Bar Common Reserve 2906 to maintain unfettered access by holders of a Miners Right as intended by the initial request made by Council in 1992.

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

***To be actioned by Mr Roy Winslow, Manager Development Services – Planning***

**9.3.3 RELINQUISHMENT OF PORTION OF NEWMAN RACECOURSE RESERVE  
39519**

**File Ref:** A400071

**Attachments:** [Plan of proposed lot layout over Reserve 39519  
CONFIDENTIAL ATTACHMENT 26 August 2011  
Report](#)

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

**Author:** Mr Roy Winslow  
Manager Development Services - Planning

**Location/Address:** Reserve 39519, Newman Racecourse

**Name of Applicant:** Department of Lands

**Author Disclosure of Interest:** Nil

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**REPORT PURPOSE**

For Council to consider relinquishment of a 3.76ha portion of the Newman Racecourse Reserve to allow the land to be leased to Fortescue Minerals Group as part of its Pilot Plant operation.

**BACKGROUND**

On 26 August 2011, Council resolved to grant planning approval for a "Pilot Plant, Workshop, Laboratory and Drum Storage facility" on a portion of Reserve 39519 (Newman Racecourse Reserve). A "Pilot Plant" is a facility for the loading, washing, screening and fines treatment of ore samples prior to testing. It includes office, laboratory, drop tower and workshop areas associated with ore sampling and testing. The Pilot Plant and associated facilities have operated from the site since late 2011. In addition to reserve Lot 552, the facility is partly located on freehold Lot 70, which has planning approval for office space and accommodation granted in 2008.

A copy of the 2011 Officer Report is attached as a confidential attachment as the matter was considered as a confidential matter behind closed doors.

As part of its 2011 resolution, Council instructed staff to commence negotiations on a 21 year lease to Fortescue Metals Group Limited (FMG), subject to fair and reasonable terms being negotiated. In October 2011, Council amended the terms of the lease to be 10 years + 5 years + 5 years. Negotiations for a lease have continued between the Department of Lands and the Shire over time, with the delay attributed to a range of factors including a change in the land area to be leased, awaiting the finalisation of rezoning of the land and changes in state government assessment processes.

Shire officers have approached the lease agreement from the perspective that any outcome should have a benefit to the community and not impose costs or risk onto the Shire. During the process, it became apparent that the Department of Lands would not support the Shire leasing the land directly to FMG under the existing

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reservation purpose of "Racecourse". This objection was based on the proposed lease was commercial in nature and the use was not associated with the vested purpose of the reserve. An alternative approach was investigated that would have excised the land from the racecourse reserve, with the parcel then leased by the Department of Lands to the Shire, which would then enter into a sub-lease with FMG. After further investigation, including valuation of the lease amount that the State would charge, it became apparent that there would be no benefit to the Shire or the community of this approach. Further, the Shire holding the head lease would expose the community to possible financial costs in the event that the sub-lease did not eventuate, or was cancelled early. Another risk of the Shire holding a head lease relate to ensuring that the land is returned to the State uncontaminated at the end of the lease period. Given that the Shire has no operational management of the land, requiring it to be responsible for ensuring the land was uncontaminated may expose the community to future costs.

The approach that has now been identified will see FMG entering into a lease directly with the Department of Lands without the need for Shire involvement. This will require Council to formally relinquish the management order over the portion of land shown below:

*Area of land to be relinquished from Reserve 39519*



The area to be excised from Reserve 39519 is identified as Lot 552 on Deposited Plan 407496, which is attached. The two land parcels of Reserve 39519 which will remain managed by the Shire are identified as Lots 550 and 551 on the same deposited plan.

### **COMMENTS/OPTIONS/DISCUSSIONS**

Lot 552 is used exclusively by FMG as part of its operations. Excision of the land will not affect the racecourse, go-kart and jet boat leases over the reserve.

It is noted that the boundaries of Special Use Zone No. 16 placed over the Pilot Plant do not correspond fully with the proposed excision area. This was caused by an increase in the land required by FMG for the Pilot Plant occurring after finalisation of the rezoning. The zone boundaries will be rectified by future Local Planning Scheme No.5, with preparation of the document due to commence in late 2016.

Relinquishment of Lot 552 is supported by Shire officers on the grounds that a direct lease between the Department of Lands and FMG is the simplest method to provide security of tenure as envisaged by Council's 2011 resolution. The direct lease approach is further supported given that the Shire will not be exposed to any financial or regulatory risk. At the end of the lease period, the leaseholder will be responsible for rehabilitation of the land, at which point a future Council may wish to consider re-amalgamation into the racecourse reserve.

### **STATUTORY IMPLICATIONS/REQUIREMENTS**

Section 50 of the Land Administration Act 1997 provides for a management body to agree to a management order being revoked. Revoking the management order over Reserve 39519 will allow for Lot 552 to be removed from the remainder of the Reserve. A new management order will then be issued to the Shire in accordance with section 46 of the Act for Lots 550 and 551. It is recommended that the vested purpose of the reserve be expanded from "Racecourse" to "Racecourse and Recreation" to reflect the uses on the reserve currently.

To allow Lot 552 to be relinquished, the Shire will need to complete a Statutory Declaration in regards interests and possible contamination of the portion of land to be excised. This matter will be dealt with administratively and does not require formal Council resolution. It is noted that any contamination on Lot 552 is highly likely to be associated with the Pilot Plant operation. Legal advice will be obtained to ensure that the Shire does not become liable for any future remediation costs.

### **POLICY IMPLICATIONS**

Nil.

### **STRATEGIC COMMUNITY PLAN**

#### **Goal 3 – Economic – Planned Actions**

The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.

##### **3.1 Business diversification and promotion**

###### **3.1.1 Provide support for established and emerging business bodies and local businesses**

Responsible officer: DCEO

Timing: 1-5 years

###### **3.1.2 Build a thriving and diverse economy**

Responsible officer: DCEO

Timing: 1-5 years

**RISK MANAGEMENT CONSIDERATIONS**

Excision from the reserve to allow a direct lease between the Department of Lands and FMG removes any risk to the Shire that may be caused by remaining responsible for the land or by being the holder of a head lease.

**FINANCIAL IMPLICATIONS**

No financial resource impact. All costs associated with excise of Lot 552 from Reserve 39519 will be borne by FMG as the party requesting the land.

**VOTING REQUIREMENTS**

Simple.

**OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201617/31**

**MOVED: Cr Anita Grace**

**SECONDED: Cr Michael Kitchen**

**THAT Council:**

1. **Agrees to the management order being revoked for Reserve 39519, Newman Racecourse to allow for Lot 552 on Deposited Plan 407496 to be excised from the reserve;**
2. **Requests a management order with power to lease be granted in the Shire's favour for Lots 550 and 551 on Deposited Plan 407496 for the purpose of "Racecourse and Recreation"; and**
3. **Notes that the current zoning irregularity between the boundaries of Lot 552 on Deposited Plan 407496 and Special Use Zone 16 will be rectified during review of Shire of East Pilbara Town Planning Scheme No.4.**

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

***To be actioned by Mr Roy Winslow, Manager Development Services - Planning***

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**10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

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

Nil

**12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS**

Nil

**13 GENERAL BUSINESS**

**13.1 CATHOLIC CHURCH MARBLE BAR**

Cr Dean Hatwell asked if the Manager Development Services – Building can look at the church for an assessment on the condition of the building before the Shire of East Pilbara consider taking on the responsibility of the building.

Director Technical and Development Services to follow up.

**13.2 TESTING OF DUST ELEMENTS**

Cr Shane Carter asked if it was possible for the Department of Health to test the dust, surrounding the town of Newman for particulates and if a report could be tabled at Council

Manager Development Services – Health to follow up.

**13.3 DESERT VISIT BY COUNCILLORS**

Cr John Jakobson asked what month/date the desert visit by the Shire Councillors to the communities will be happening?

Chief Executive Officer to follow up.

**13.4 NEWMAN AIRPORT LUGGAGE TROLLEY**

Cr Gerry Parsons asked if it was possible to get a couple of luggage trollies at Newman Airport as she has had requests from the community.

Director Technical and Development Services to follow up.

**14 DATE OF NEXT MEETING**

23 September 2016, Marble Bar

**15 CLOSURE**

2:20PM