



EAST PILBARA SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council will be held,
in Council Chambers, Nullagine,
10.00 AM, FRIDAY, 26 JUNE, 2015.

Allen Cooper
CHIEF EXECUTIVE OFFICER



DISCLAIMER

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

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

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

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

WRITTEN CONFIRMATION

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

Signed: _____
Allen Cooper
Chief Executive Officer

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	3
2	RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE	3
2.1	ATTENDANCES	3
2.2	APOLOGIES	3
2.3	LEAVE OF ABSENCE	3
3	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	3
4	PUBLIC QUESTION TIME	3
5	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	3
6	APPLICATIONS FOR LEAVE OF ABSENCE	3
7	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING.....	4
7.1	CONFIRMATION OF MINUTES.....	4
7.2	PILBARA REGIONAL COUNCIL (PRC) MINUTES	4
8	MEMBERS REPORT	4
8.1	ITEMS FOR RECOMMENDATION	4
8.2	ITEMS FOR INFORMATION	4
9	OFFICER'S REPORTS	5
9.1	CHIEF EXECUTIVE OFFICER.....	5
9.1.1	CR KEVIN DANKS	5
9.1.2	CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - MAY 2015.....	11
9.1.3	JOINT KIMBERLEY PILBARA & NORTHERN TERRITORY FORUM - OUTCOMES REPORT.....	13
9.1.4	AFFIXING OF THE COMMON SEAL TO EMPLOYMENT CONTRACT - MANAGER HUMAN RESOURCES.....	16

9.1.5	AFFIXING THE COMMON SEAL TO EMPLOYMENT CONTRACT - MANAGER TECHNICAL SERVICES - NULLAGINE	18
9.2	DEPUTY CHIEF EXECUTIVE OFFICER	20
9.2.1	DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - MAY 2015.....	20
9.2.2	AFFIXING COMMON SEAL TO FUNDING AGREEMENT WITH PILBARA DEVELOPMENT COMMISSION.....	23
9.2.3	CAPE KERAUDREN ACCESS FOR THE NGARLA PEOPLE ...	25
9.2.4	EVENTS STRATEGY	27
9.2.5	AMENDED COMMUNITY ASSISTANCE GRANTS POLICY, GUIDELINES AND APPLICATION FORMS.....	30
9.2.6	REQUEST FOR REDUCTION IN RATE INCREASE (ENCOUNTER OPERATIONS PTY LTD)	33
9.2.7	PURCHASING AND TENDER PROCEDURES POLICY UPDATE	38
9.2.8	ANNUAL REVIEW OF POLICY MANUAL.....	47
9.2.9	MONTHLY FINANCIAL STATEMENTS - MAY 2015	51
9.2.10	CREDITORS FOR PAYMENT.....	53
9.3	DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES ...	56
9.3.1	DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS - MAY 2015.....	56
9.3.2	NEWMAN TOWN CENTRE CROWN LAND ACTIONS	58
10	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	62
11	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL	62
12	CONFIDENTIAL MATTERS BEHIND CLOSED DOORS.....	62
13	GENERAL BUSINESS.....	62
14	DATE OF NEXT MEETING	62
15	CLOSURE	62

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Lynne Craigie
Lang Coppin OAM
Shane Carter
Craig Hoyer
Gerry Parsons
Biddy Schill
Stephen Kiernan
Dean Hatwell

Shire President
Deputy Shire President

Officers

Mr Allen Cooper
Ms Sian Appleton
Mr Rick Miller

Mrs Sheryl Pobrica

Chief Executive Officer
Deputy Chief Executive Officer
Director Technical & Development
Services
Executive Services Administration Officer

Public Gallery

2.2 APOLOGIES

Councillor Apologies

Anita Grace

Officer Apologies

2.3 LEAVE OF ABSENCE

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

[Minutes May 22 2015 Council.DOCX](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of Council held on 22 May 2015, be confirmed as a true and correct record of proceedings.

7.2 PILBARA REGIONAL COUNCIL (PRC) MINUTES

[PRC Council Minutes 11 & 12 .05.2015.DOCX](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of the Pilbara Regional Council held on 11th & 12th May 2015, be received.

8 MEMBERS REPORT

8.1 ITEMS FOR RECOMMENDATION

8.2 ITEMS FOR INFORMATION

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CR KEVIN DANKS

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

BACKGROUND

To recognise the service of Cr Kevin Graham Danks.

The funeral for Kevin Danks was held at the Kukerin Cemetery on the 12th June 2015. The Shire President, Cr Lynne Craigie, Deputy Shire President, Cr Lang Coppin, Cr Gerry Parsons and Cr Shane Carter, along with the CEO, Allen Cooper attended on behalf of Council. Also in attendance was past Councillor, Doug Stead.

Cr Kevin Graham Danks passed away at Sir Charles Gardiner Hospital on Sunday the 7th June 2015, aged 69.

Kevin served as a Councillor for the North Ward (Shay Gap) 1988-1992. Then again for Central Ward (Marble Bar) 1995-2005 and 2006-2007, finally, 2009 to his passing the East Ward.

Kevin served as a Councillor for total of 21years.

Kevin served on many community committees in particular, Marble Bar Amateur Race Committee, Marble Bar Tourist Association and Pilbara Prospectors Association.

In 2010, he was awarded a Long and Loyal Service Award from the Western Australian Local Government Association.

COMMENTS/OPTIONS/DISCUSSIONS

Please find attached Media Releases from the Shire of East Pilbara, The West Australian.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

- 1. Acknowledge the significant contribution that Kevin Graham Danks made to the Shire of East Pilbara during his 21 years as a Councillor.**
- 2. Offer sincere condolence to Ms Helen Mitchell and Kevin's children Daniel, Felicity and Coralie on his passing.**
- 3. Commit to assisting with a memorial service if held in the Shire of East Pilbara.**

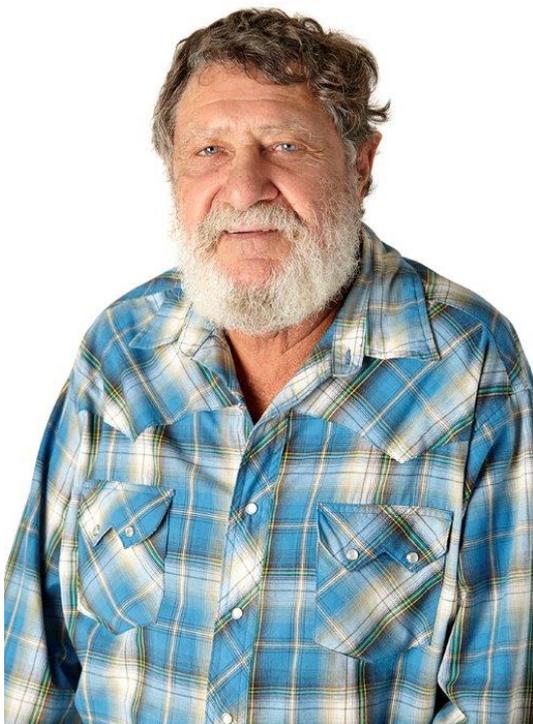
Media Release

Shire of EAST
Pilbara
AUSTRALIA'S LARGEST SHIRE



VALE KEVIN DANKS

The Shire of East Pilbara is mourning the passing of one of its longest serving Councillors, Kevin Danks, who passed away on Sunday 7th June, aged 69.



Kevin first became a Councillor in Shay Gap 1988 for the North Ward before the boundaries were changed. In 1995 he became Councillor for the Central Ward until 2005 and was most recently a Councillor of the East Ward. In total, Kevin served on the Shire of East Pilbara council for 21 years.

He was well known to willingly help those who asked and was always the first to discuss issues at Council from his community and ward. One of the causes most important to him was the improvement of the roads to and from Marble Bar. Kevin played a major role in the getting Marble Bar Road sealed from Port Hedland to Marble Bar; a significant project which has not only made a journey more comfortable for thousands of motorists, but possibly even saved lives.

“To live in such an isolated environment requires people who can stand up and be a voice for the community and its future. Kevin was a champion of Marble Bar and

the surrounding areas ever since he moved to the area more than 30 years ago,” said Shire President Lynne Craigie

“Kevin served on many committees and up until his passing was still a huge part of the Marble Bar Amateur Race Committee, Marble Bar Tourist Association and Pilbara Prospectors Association.

“Kevin was a man whose heart truly belonged to the Pilbara and his passing has left us broken hearted knowing there will never be another like him. Our thoughts are with Helen and his children,” she added.

Cr Kevin Danks has also served on the Marble Bar Telecentre, Marble Bar Progress Association and as a FESA volunteer. He was also the main organiser of the legendary Marble Bar Races and President of the Marble Bar Amateur Race Committee. He was awarded a Long and Loyal Service Award from the Western Australian Local Government Association (WALGA) in 2010.

Councillor Kevin Danks

Elected Service

1988-1992, (Four years)

1995- 2005 re-elected (10 years)

2006- 2007 (one year)

2009- present, re-elected (six years)

Committees/ Taskforces/ Advisory Bodies:

Marble Bar Amateur Race Committee, President

Marble Bar Tourist Association, Vice President.

Pilbara Prospectors Association President

Marble Bar mourns for town favourite

Kelly Bell
June 8, 2015, 4:00 pm

[Share](#)



Kevin Danks. Picture: Kelly Bell

The North West is mourning the loss of one of the Pilbara's biggest characters after the death of Shire of East Pilbara councillor Kevin Danks.

The East Ward councillor of 21 years, and long-time president of the Marble Bar Race Club, Marble Bar Tourist Association, Marble Bar Progress Association and the Pilbara Prospectors Association died in a Perth hospital aged 69 on Sunday.

Mr Danks had lived in Marble Bar for "a hell of a long time" and for many people in the region, he was the embodiment of the Pilbara spirit.

Over the years, the North West Telegraph was fortunate to chat with Mr Danks about all manner of subjects, including the organisation of the annual Marble Bar Races, liquor restrictions, the price of gold, streakers, cyclones which turned out to be fizzers, and jasper collections.

In 2013, he saved the day for a French film crew visiting the Pilbara to film a documentary about the region who were struggling to find a vantage point from which to capture the last moments of the Marble Bar Cup.

After calling on Mr Danks, who had a starring role in the documentary, the closing scenes were recorded from the roof of his 1984 Toyota HJ 47 ute, which was parked at the side of the final straight.

Marble Bar mourns for town favourite - The West Australian

In February, for a story about the things that make the Pilbara special, Mr Danks said life in the remote outpost bred some pretty out-there characters.

“The funny thing with Marble Bar is sometimes you can get real characters, but being a smaller place, they don’t really stick out because everyone is a character,” he said.

“A lot of the blokes are pretty bloody independent — they don’t bludge on their mates.”

To Marble Bar, Mr Danks was one of those characters and he will be sadly missed by all who knew him.

He is survived by his partner Helen and children.

 Share

**9.1.2 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - MAY
2015**

File Ref: CLR 4.5
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

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

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
6 March 2015	13.1	ADSL MARBLE BAR Cr Stephen Kiernan asked the Shire to continue to follow up with Telstra regarding ADSL in Marble Bar. Mr Allen Cooper, Chief Executive Officer to follow up.	CEO	To discuss options with PDC	

**9.1.3 JOINT KIMBERLEY PILBARA & NORTHERN TERRITORY FORUM -
OUTCOMES REPORT**

File Ref: ORG 4-6
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr Allen Cooper
Chief Executive Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To consider any actions from the Joint Kimberley, Pilbara & Northern Territory Forum outcome report.

BACKGROUND

A number of Councillors the CEO and the Deputy CEO attended the Forum held in Darwin between the 2nd and 4th May 2015.

The Outcome Report attached was produced from feedback from the participants at the forum.

A number of items from the report were referred back to the Pilbara Regional Council and/or the Pilbara member Councils under the heading commitments to action.

Commitments to Action

➤ **Increased development of connectivity and supply chain logistics, especially ports:**

- Get the respective organisations talking together, ie: LGAs with airports talking together with airline providers, Pilbara Port Authority to talk with LGAs regarding shipping connection opportunities, Main Roads and LGA's working together with industry and other LGAs to prioritise road and bridge developments to better connect the region;

(Pilbara Regional Council)

- Intra town and northwest regional air route development; joint airports commitment to engage in scoping studies;

(TOPH to lead via the Northwest Aviation Forum)

- Overall review of roads to be prioritised throughout the north (ie: transport routes and heavy haulage to be carried out by MRD and funding prioritised);

(Pilbara Regional Council with feedback from the four member Local Governments)

➤ Develop a standardised project pipeline that can be part of a communication campaign with China:

– Pilbara Regional Council to market our region with China, with input and feedback from the four member Local Governments;

(Pilbara Regional Council)

➤ Gain clarity on the Aboriginal heritage Supreme Court decision and establish local site registers:

– Each individual City, Town or Shire needs to take the lead on compiling the list and share the information with each other. **(All)**

➤ Build capacity for Aboriginal businesses to undertake tenders, subcontracting of specific elements, etc: **(All)**

➤ Promote, market and brand regional products:

– Pilbara Regional Council with feedback from the four member Local Governments.

(Pilbara Regional Council)

➤ Support and develop the agricultural sector with investment schemes:

– Pilbara Regional Council to develop a strategy in dealing with the agricultural sector, with collaboration from four member Local Governments, and then market for investment;

(Pilbara Regional Council)

➤ Understand what the rules of engagement are for the international trade communities, cross cultural awareness training and develop policies to attract global investment:

– Pilbara Regional Council with feedback from four members Local Governments, liaise with Federal Government Departments responsible for Trade.

(Pilbara Regional Council)

COMMENTS/OPTIONS/DISCUSSIONS

Council needs to consider the input into the above action's from the outcomes report and if any action is required from the Shire of East Pilbara.

Most of the items are referred direct to the Pilbara Regional Council (PRC).

At this time it is appropriate to await advice from the PRC as to its direction on the matters.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

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

3.1.2 Build a thriving and diverse economy

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council defer any action on the outcomes report from the Joint Kimberley, Pilbara and Northern Territory Forum pending feedback from the Pilbara Regional Council and/or Council representatives on the Pilbara Regional Council.

**9.1.4 AFFIXING OF THE COMMON SEAL TO EMPLOYMENT CONTRACT -
MANAGER HUMAN RESOURCES**

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

REPORT PURPOSE

To seek approval to affix the common seal of the Shire of East Pilbara to the employment contract of the Manager Human Resources.

BACKGROUND

The employment contract of Mr David Kular has been extended by a two year term expiring on 21st August 2017.

COMMENTS/OPTIONS/DISCUSSIONS

Nil.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil.

POLICY IMPLICATIONS

Policy:
Council's Policy Manual

EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3
Date 27th June 2003

Objective:
To allow for the proper execution of documents.

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

PLAN FOR FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr David Kular, Manager Human Resources for a term of two years, expiring on 20 August 2017.

**9.1.5 AFFIXING THE COMMON SEAL TO EMPLOYMENT CONTRACT -
MANAGER TECHNICAL SERVICES - NULLAGINE**

File Ref: ADM-1-1
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr David Kular
Manager Human Resources
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek approval to affix the common seal of the Shire of East Pilbara to the employment contract of the Manager Technical Services – Nullagine.

BACKGROUND

The employment contract of Mr Harvey Hamersley has been extended by a two year term expiring on 30 June 2017.

COMMENTS/OPTIONS/DISCUSSIONS

Nil.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil.

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2003

Objective

To allow for the proper execution of documents.

Policy

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

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.

1.2 Foster a great place to work

1.2.1 Engaged and valued workforce
Responsible officer: MHR
Timing: 1-3 years

1.2.3 Plan, attract and maintain staff
Responsible officer: MHR
Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr Harvey Hamersley, Manager Technical Services – Nullagine for a term of two years, expiring on 30 June 2017.

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - MAY 2015

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

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

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
24 October 2014	13.1	SPORTING COMPLEX MARBLE BAR FIVE YEAR PLAN Cr Dean Hatwell asked if the electrical works can be included in the five year plan for the sporting complex. Ms Sian Appleton, Deputy Chief Executive Officer answered yes this will be included in the five year plan as appropriate.	DCEO	Still being completed	June 2015
30 January 2015	13.7	MARBLE BAR AQUATIC CENTRE CONTRACT BETWEEN DEPARTMENT OF EDUCATION AND SHIRE OF EAST PILBARA Cr Dean Hatwell commented the contract between the Department of Education and the Shire of East Pilbara for the Marble Bar Aquatic Centre is due to expire this year and what is happening. Ms Sian Appleton replied yes the contract is due to expire 16 th June 2015 and staff will be discussing the agreement with the Department of Education.	DCEO	In consultation with Education Department	June 2015
6 March 2015	13.9	NULLAGINE GYM Cr Bidy Schill asked if there was an alternative to the pub holding the key to the gym as people cannot use the gym while pub is closed and also people are using the gym	DCEO	Still being investigated	April 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		without paying. Ms Sian Appleton said they are looking into this with different options eg: CRC Nullagine holding the key and taking payments for the use of the gym.			
24 April 2015	9.2.9	TO REPORT ON THE CONDITION OF THE WATER PLAYGROUND AT THE NEWMAN AQUATIC CENTRE, COMMENT ON ITS COMPLIANCE AND CONSIDER OPTIONS FOR ITS FUTURE	DCEO	Report back to Council	August 2015
24 April 2015	9.2.6	CAPE KERAUDREN ACCESS FOR THE NGARLA PEOPLE	DCEO	In Agenda	June 2015
24 April 2015	9.2.7	EVENTS STRATEGY FOR PUBLIC COMMENT	MRE	In Agenda	June 2015
22 May 2015	9.2.5	NULLAGINE COMMUNITY SPACES	DCEO	Further work being undertaken as per resolution	December 2015
22 May 2015	9.2.7	REQUEST FOR REDUCTION IN RATE INCREASE (ENCOUNTER OPERATIONS PTY LTD)	RRO	In Agenda	June 2015

**9.2.2 AFFIXING COMMON SEAL TO FUNDING AGREEMENT WITH PILBARA
DEVELOPMENT COMMISSION**

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Sian Appleton
Deputy Chief Executive Officer

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To advise Council that the Common Seal has been affixed under delegated authority to the Funding Agreement between the Pilbara Development Commission and the Shire of East Pilbara with respect to the East Pilbara Arts Centre opening.

BACKGROUND

A funding application was made to PDC through their Community Chest Fund for assistance in hosting the opening of the East Pilbara Arts Centre on the 24th July 2015.

COMMENTS/OPTIONS/DISCUSSIONS

The total funding application for this project was \$16,000.00 (gst ex).

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2013

Objective

To allow for the proper execution of documents.

Policy

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

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) _____

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.

2.3 Art, culture and youth

2.3.3 Foster artistic and creative expression

Responsible officer: DCEO

Timing: 1-3 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council note that the Common Seal has been affixed under delegated authority to the Funding Agreement between the Pilbara Development Commission and the Shire of East Pilbara with respect to the East Pilbara Arts Centre opening.

9.2.3 CAPE KERAUDREN ACCESS FOR THE NGARLA PEOPLE

File Ref: A139135
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sian Appleton
Deputy Chief Executive Officer
Location/Address: A139135
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to formulate a position on access to Cape Keraudren by the Ngarla People.

BACKGROUND

After communication from Maclean Legal, who were acting on behalf of the Ngarla People, Council resolved at the 24th April 2015 council meeting:

THAT Council formulate a position on entry to the Cape Keraudren reserve by the Ngarla People.

COMMENTS/OPTIONS/DISCUSSIONS

After discussion with both Council's asset and procurement team and suggestions from the Ngarla People's legal representation the following process has been created:

- An application form has been created for free access
- Assessment and approval of application will be by the Asset and Procurement section
- Approval must be verified by the Chief Executive Officer
- A car sticker will be issued by the Asset and Procurement team as appropriate
- Ranger at Cape Keraudren informed of approved application.

STATUTORY IMPLICATIONS/REQUIREMENTS

6.16. Imposition of fees and charges

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

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —

- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
 - (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

** Absolute majority required.*

POLICY IMPLICATIONS

8.4 ABORIGINAL AFFAIRS POLICY

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.4 Diverse and inclusive communities

2.4.1 Promote diverse, harmonious and caring communities

Responsible officer: MCW

Timing: 1-3 years

FINANCIAL IMPLICATIONS

There will be a small reduction in potential income which is difficult to predict.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council approve the process for the Ngarla People to make application to receive free entry to Cape Keraudren based on their traditional obligations to country.

9.2.4 EVENTS STRATEGY

File Ref:	REC-22-8
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mr David Goodwin Manager Recreation and Events
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to endorse the adoption of the Events Strategy.

BACKGROUND

The Shire of East Pilbara (SoEP) recognises the importance of social, cultural, and recreational events as a means of ensuring that the East Pilbara communities are given the opportunity to participate in a diverse range of vibrant and stimulating events and community based activities.

This strategy contains a number of elements including the vision the Council has for events in the Shire, The Council's roles and responsibilities, the requirement for selection and evaluation criteria, as well as a number of strategies and actions.

The consultation process to date for the development of this strategy involved holding public workshops in Newman and Marble Bar, with workshops also held for Councillors and Shire staff. In addition meetings were held with key stakeholders in the Pilbara and in Perth.

The vision is to create a viable, strategically balanced calendar of events that will support community connectedness, attract visitors, and deliver social, economic, environment and community outcomes. This is a shared Shire and community vision that captures the needs of a vibrant and diverse community while at the same time delivering on the Shire's governance standards and linking to the Shire's desired strategic outcomes across a number of areas.

There are four suggested strategic outcomes that any decision pertaining to the support of events in the Shire should align with. Support can rely on a single outcome or all of them. These strategic outcomes are:

SOCIAL OUTCOMES - organisational skills, community connectedness, volunteering, group viability, education, exposure to experiences not locally available

ECONOMIC OUTCOMES - visitor spend, local spend, group income, employment creation.

ENVIRONMENTAL OUTCOMES - fit with natural environment, meet health and safety requirements, low impact on environment.

CULTURAL OUTCOMES - broadens exposure to multiculturalism, connects the community to music and the arts, exposure of Aboriginal culture and supports Aboriginal reconciliation.

The adoption of the Events Strategy will be of benefit not only to Newman, but to the whole of the Shire of East Pilbara. Potential benefits for the Shire of East Pilbara are likely to occur with the adoption of this document, as any applications for funding for events within the Shire will be required to align with this document. The funding opportunities provided by external funding bodies such as Tourism WA to run events are likely to be strengthened by the Shire having a strategic direction for events in the region.

At its meeting of 24th April 2015 Council resolved...

“THAT Council endorse the Events Strategy Report for advertising for Public comment.”

COMMENTS/OPTIONS/DISCUSSIONS

Public comments on this document were encouraged over a three week period through the display of public notices in all three towns, on the Shire website, and an advert in the North West Telegraph and closed on the 25th May 2015.

Council received six (6) sets of written comments regarding this document. As a result of analysis of the comments received by the Manger of Recreation and Events, it is requested the following amendments be made to the text of this document.

Page 5 – Table of current events to include Disability Awareness Day, Artist in residence, Horizon Expo, Newman Triathlon, Harmony Day. Photography Exhibition, boxing events and Welcome to Newman.

Page 6- Remove the Filipino Day from the list of events no longer operating and add to the table of current events on page 5

Page 13- In the SWOT table in the Threats section delete the word moral and add in the word morale

Page 17- in the 6th paragraph change the sentence “Community groups or businesses wishing to hold an event and apply for financial assistance to...

Community groups or businesses wishing to hold an event and applying for financial assistance

Page 26 - In order to be responsive to the needs of FIFO workers and to encourage their attendance at more events it is proposed to add an additional action under Strategy 1 as follows

Strategy 1 – Ensure that internal Shire processes are efficient and assist event organisers and stakeholders

Add in Item 1.7 - Initiate discussions with BHP on how to encourage FIFO workers to attend events.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.3 Engaged community

1.3.1 Increase community awareness

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council endorse the adoption of the Events Strategy document with the changes as recommended.

9.2.5 AMENDED COMMUNITY ASSISTANCE GRANTS POLICY, GUIDELINES AND APPLICATION FORMS

Attachments: [Community Assistance Grants Policy.docx](#)
[Community Assistance Grants Proposed New
Policy 160115.docx](#)
[Shire of East Pilbara CAG 2015-16 Draft Grant
1.docx](#)
[Shire of East Pilbara CAG 2015-16 Draft Grant
2.docx](#)
[Shire of East Pilbara CAG 2015-16 Draft Grant
3.docx](#)
[Shire of East Pilbara CAG 2015-16 Draft Grant
4.docx](#)

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

REPORT PURPOSE

To seek Council approval to amend the Community Assistance Grants Policy

BACKGROUND

The current Community Assistance Grant (CAG) policy was adopted by Council on 24 September 2010 (Item No. 9.2.3)

The policy has generally worked well since its inception and has provided significant benefits to community organisations and offered a diverse range of activities and programs to the community.

COMMENTS/OPTIONS/DISCUSSIONS

Over the past eight (8) months, there has been increasing pressure on the administration of the CAG process.

A number of issues have been identified that need to be addressed:

- The current criteria are outdated and do not reflect the dominant interests of community groups applying for support.
 - The application, budget and acquittal forms are convoluted and should be simplified to reduce confusion and poorly completed applications.
-

- The small in-kind grant (Quick Grant) needs to be increased in line with fees and charges as the current \$300 value maximum is often insufficient.
- There is no section in the existing CAG policy that supports the budget allocation for donations to young people selected/invited to participate in sporting competitions or cultural activities.
- The current requirement that organisations that receive a CAG become ineligible to apply the following year is unnecessary and should be removed.

To counter these issues, the CAG guidelines, application form has been reviewed and amended along with the CAG policy. The major changes are,

- Changes to the selection criteria,
- Inclusion of new criteria for the youth sports/cultural grants,
- A slight increase in grant maximum amounts (Other than Grant 2 where the CEO has delegated authority to approve grants valued at under \$1,000), and
- Removing the limitation that disallows organisations from applying for a grant in consecutive years.

POLICY IMPLICATIONS

6.6 COMMUNITY ASSISTANCE GRANTS

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.

1.3 Engaged community

1.3.3 Implement civic engagement projects

Responsible officer: MCW

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

2.4.4 Equity and opportunities for all

Responsible officer: MCW

Timing: 1-3 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council adopt the amended Community Assistance Grant Policy.

9.2.6 REQUEST FOR REDUCTION IN RATE INCREASE (ENCOUNTER OPERATIONS PTY LTD)

Attachments: [Mining Statement.pdf](#)
[RE OFM15-18010 - RE Unexpected 300% Increase in Local Government Rates.msg](#)

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Sian Appleton
Deputy Chief Executive Officer

Location/Address: A202500 A202501 A202502 A202503 A202561
A202658 and A202657

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to reconsider a reduction in rates for seven exploration licences registered to Encounter Operations Pty Ltd effected by the change in the Department of Mines and Petroleum policy.

BACKGROUND

Council considered two applications for the reduction of rates on seven exploration licences registered to Encounter Operations Pty Limited on the 24 April 2015 and the 22 May 2015. This followed the introduction of a new rental policy by the Department of Mines and Petroleum on exploration licences as follow:

1. Non Graticular Exploration Licences increase by 236% after 7 years,
2. Graticular Exploration Licences increase by 53% after 3 years, 111% after 5 years, 300% after 7 years.

As Unimproved Value (UV) of tenements is based on rentals – a further formula is then applied by Landgate – this has meant an increase in the UV rate and subsequently the rate amount charged by the Shire of East Pilbara for properties that have been captured by this new policy.

COMMENTS/OPTIONS/DISCUSSIONS

As previously reported this change in policy led to several phone calls of complaint to this office of which only one resulted in a formal request for a reduction in their rate bill. This was received by Encounter Operations Pty Limited. Council considered these requests and passed the following motions:

At the 24th April 2015 Council meeting:

THAT Council write off \$5,736.96 on tenement A 202657 and 202658 (a total of \$11,473.92), being the amount charged on their rate assessment that is over 100% their original debt for the 14/15 year.

At the 22nd May 2015 Council meeting:

THAT Council write off \$4,901.96 for assessment A202500, \$1,425.62 for assessment A202501, \$6,410.25 for assessment A202502, \$2,262.45 for assessment A202503, and \$2,545.28 for assessment A202561 (a total of \$17,545.56), being the amount charged on their rate assessments that is over 100% of their original debt for the 2014/2015 year.

A further request has been received from Encounter Operations Pty Ltd to reconsider Council's decision and further reduce the increase in rates owing to this change in policy. The email is attached for Council's information.

Encounter Operations state the following to validate their request:

Encounter Resources operates its exploration activities in the Great Sandy Desert, and on Martu Lands, far removed from most of the services provided by the Shire. Regardless of our activities being located a vast distance from most Shire services, the Company has been a long term rate payer and has paid rates to the Shire in excess of \$115,000 since 2008. The majority of Encounter's exploration licences that are more than seven years old. Accordingly, as a result of our long term commitment to the region, and the time consuming frontier exploration that we undertake, we are particularly harshly stung by the actions of the Shire in relation to the UV changes of August 2014.

In a very difficult market, Encounter Resources has reluctantly been forced to reduce its workforce by 40% this year as we endeavour to survive the current downturn and continue our grassroots exploration activities. If we are successful in exploration, the result will be long term, enduring rateable assets and employment in the Shire of East Pilbara.

The company pays considerable compensation and support to the Martu and has done so over the last 8 years. In addition, Encounter is currently having discussions with the Martu about voluntary support to a proposed Curtin University/Martu pilot health initiative in two of the communities. It is very difficult to provide support at this time but we do consider these to be important matters that should be supported as best as they can through market cycles.

As detailed previously, the company did not budget for a 300%, or a 100% increase, in Shire rates. It is clear that the Shire did not budget on this additional, one off revenue either. The Shire states that it endeavours to keep rate annual increases in the 3-4% range to provide certainty to their ratepayers. Encounter cannot simply absorb a one off 100% increase in Shire rates. An exploration company has no revenue and relies on the support of currently severely depressed capital markets for funding. As such the proposed unbudgeted, arbitrary 100% rating increase for the 2014/15 year could not come at a worse time and the Shire's one off gain will simply and unfortunately come at the expense of other remaining non-discretionary expenditure.

I ask that the Shire reconsiders this matter again in the interest of reasonableness, equity and fairness.

The media statement issued by the Ministers of Mines and Petroleum and Regional Development and Lands has again been attached stating that these anomalies will be removed for the 2015-16 year.

Even with Council's write off previously allowed Encounter Operations Pty Limited would be required to pay \$14,847.86 in additional rates

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 6 - Financial management (Division 4 - General financial provisions) 6.12. Power to defer, grant discounts, waive or write off debts (pg 217)

- (1) Subject to subsection (2) and any other written law, a local government may –
- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money,

Which is owed to the local government.

* Absolute majority required.

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

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
 - 1.1.2 Continued strong financial management
Responsible officer: DCEO
Timing: 1 year

FINANCIAL IMPLICATIONS

On the premise the recommendation is adopted the reduction of potential income totals \$43,667.34 being the total amount of the increase. This amount has not been allowed for in the budget.

The increase of rates for the seven tenements is as follows:

A202500	Original Rate	\$2,362.89
	New Rate	\$9,627.74
	Difference	\$7,264.85
	New Rate (less write off)	\$4,725.78
A202501	Original Rate	\$590.60
	New Rate	\$2,406.82
	Difference	\$1,816.22
	New Rate (less write off)	\$1,181.20
A202502	Original Rate	\$3,089.94
	New Rate	\$12,590.13
	Difference	\$9,500.19
	New Rate (less write off)	\$6,179.88
A202503	Original Rate	\$1,090.56
	New Rate	\$4,443.57
	Difference	\$3,353.01
	New Rate (less write off)	\$2,181.12
A202561	Original Rate	\$1,226.85
	New Rate	\$4,998.98
	Difference	\$3,772.13
	New Rate (less write off)	\$2,453.70
A202658	Original Rate	\$3,243.51
	New Rate	\$12,223.98
	Difference	\$8,980.47
	New Rate (less write off)	\$6,487.02
A202657	Original Rate	\$3,243.51
	New Rate	\$12,223.98
	Difference	\$8,980.47
	New Rate (less write off)	\$6,487.02

Council's previous recommendation would have meant a reduction of potential rates of \$28,819.48.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council write off the entire increase in rates for Encounter Operations Pty Limited owing to the changes in the Department of Mines and Petroleum policy, set out below:

A202500	Write off	\$7,264.85
A202501	Write off	\$1,816.22
A202502	Write off	\$9,500.19
A202503	Write off	\$3,353.01
A202561	Write off	\$3,772.13
A202658	Write off	\$8,980.47
A202657	Write off	\$8,980.47
A total of		<u>\$43,667.34</u>

9.2.7 PURCHASING AND TENDER PROCEDURES POLICY UPDATE

File Ref: FIN 10-12
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Candice Porro
Expenditure Finance Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

The amended policy will reflect up to date information of the inclusion of Senior Supervisor – Newman Recreation Centre Facilities having authorisation to raise purchase orders up to the value of \$2,000.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

10.12 PURCHASING AND TENDER PROCEDURES

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

9.2.11 6 March 2015

Responsible Officer: Chief Executive Officer and Directors

Objective

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

1.1 **Purchase Procedures**

NOTE: All Figures in this policy are exclusive of GST

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

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

Capital Expenditure

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

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

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

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

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

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

Orders for Goods & Services

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

Orders should never be raised retrospectively.

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

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

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

- Managers
- Coordinator Property Services

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

- Coordinators
- Works Supervisor (Newman and Marble Bar)

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

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

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

Light Vehicle Purchases

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

Consultants Services

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

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

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

Light Vehicle Disposals

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

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

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

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

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

1.2 Regulatory Compliance

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

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

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.2 Continued strong financial management

1.1.3 Effective business management

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

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

10.12 PURCHASING AND TENDER PROCEDURES

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

Responsible Officer: Chief Executive Officer and Directors

Objective

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

1.1 Purchase Procedures

NOTE: All Figures in this policy are exclusive of GST

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

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

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

Capital Expenditure

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

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

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

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

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

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

Orders for Goods & Services

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

Orders should never be raised retrospectively.

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

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

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

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

- Managers
- Coordinator Property Services

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

- Coordinators
- Works Supervisor (Newman and Marble Bar)

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

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

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

Light Vehicle Purchases

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

Consultants Services

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

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

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

Light Vehicle Disposals

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

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

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

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

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

1.2 Regulatory Compliance

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

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

9.2.8 ANNUAL REVIEW OF POLICY MANUAL

File Ref:	LEG-2-1
Attachments:	Policy Manual 2015-2016.pdf
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Emma Whakaruru Coordinator Administration Services
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to adopt the 2015 Policy Manual including four minor policy changes.

BACKGROUND

Council last reviewed the Policy Manual on 27 June 2014. Since the last review, up to and including the Council meeting held 22 May 2015, Council has resolved to make 3 policy amendments and adopted 1 new policy.

COMMENTS/OPTIONS/DISCUSSIONS

1. Policies relate to issues of an on-going nature; policy decisions on single issues are not to be recorded in the manual.
2. The objectives of the Council's Policy Manual are:
 - a) To provide Council with a formal written record of all policy decisions
 - b) To provide staff with precise guidelines in which to act in accordance with Council wishes;
 - c) To enable staff to act promptly in accordance with Council's requirements, but without continual reference to Council;
 - d) To enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Council;
 - e) To enable Councillors to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances;
 - f) To enable residents and ratepayers to obtain immediate advice on matters of Council Policy.
3. Changes to council Policy shall be made only on:
 - a) Notice of motion; or
 - b) An agenda item clearly setting out details of the amended policy; or
 - c) At the annual review of Council's Policy Manual, subject to verification from the Chief Executive Officer.

Although the *Local Government Act 1995* ("the Act"), s2.7 specifically mentions the making of policies as a role of the Council, there is no definition of "Policy" in the Act.

A suitable definition would appear to be:

Policy

A general rule to be applied in the exercise of a function (power or duty) and includes a statement of conditions under which an authorisation may, or is to be, given or withheld.

In that it is a “rule” it can be regarded as the fourth layer in a legislative hierarchy, i.e.

- Acts of Parliament
- Regulations
- Local Laws
- Policies

The Act states that Council’s role is defined as:

- 1) *“The Council –
(a) Governs 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”*
“Section 3.1 provides that the general function of local government is:
 - 1) *The general function of a local government is to provide for the good government of persons in its district.*
 - 2) *The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.*
 - 3) *A liberal approach is to be taken to the construction of the scope of the general function of a local government. “*

Taking the above information into consideration three manuals have been developed, those being:

1. The Policy Manual
2. The Authorisations and Delegations Manual; and
3. The Chief Executive Officer’s Operation Manual.

The aim of the manuals is to ensure a consistent response in dealing with people be they residents, councillors, staff, ratepayers, contractors, visitors or any other individual or organisation with a relationship with the Council.

The following policies have been adopted by Council in the 2014/2015 financial year and included in the Policy Manual:

AGENDA ITEM	RESOLUTION	NOTE
30 January 2015		
9.2.6	201415/145	Purchasing and Tender Procedures Update
6 March 2015		
9.2.11	201415/173	Purchasing and Tender Procedures Update
11.1	201415/185	New Policy – Junior Community and Sporting Organisations Assistance Policy
24 April 2015		
9.2.5	201415/202	Amendment to staff electricity subsidy.

The following policies have been updated with minor changes as part of the Annual Review of the Policy Manual:

AGENDA ITEM	COMMENT	NOTE
26 June 2015		
Annual Review Policy Manual	Minor changes to comply with Building Regulations 2012; <ul style="list-style-type: none"> • Building License to Building Permit • Not exceeding 15m to not exceeding 10m • Maximum height of 2.1m to maximum height of 2.4m • Add to References: Building Regulations 2012 	Free Standing Garden Sheds
	Minor change; <ul style="list-style-type: none"> • Building Licence to Building Permit 	Relocated Buildings
	Minor changes to comply with Building Act 2011; <ul style="list-style-type: none"> • Building License to Building Permit • Approved by council from time to time to provided by the Building Act 2011 • Add to References: Building Act 2011 	Sea Containers
	Minor change; <ul style="list-style-type: none"> • ANZAC Day month from January to April 	Council Supported/ Recognised Events of Community Interest

A draft copy of the 2015 Policy Manual is included under separate cover. Minor amendments to policies have been made as detailed above.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

To be reviewed, updated and adopted annually.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council adopt the 2015 Policy manual as presented.

9.2.9 MONTHLY FINANCIAL STATEMENTS - MAY 2015

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

REPORT PURPOSE

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

BACKGROUND

The attached 17-page report details the financial activities of the Council for the period May 2015 of the 2014/2015 financial year –

There are 4 sections of the monthly report:

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

COMMENTS/OPTIONS/DISCUSSIONS

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

Reportable variations in accordance with accounting policies are as follows:

STATUTORY IMPLICATIONS/REQUIREMENTS

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

“The financial report is to –

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

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

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

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

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY

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

PLAN FOR FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

That the monthly financial statements for the period May 2015 of the 2014/2015 financial year as presented be received.

9.2.10 CREDITORS FOR PAYMENT

File Ref: FIN10-2
Attachments: [Schedule of Accounts EFT.pdf](#)
[Schedule of Accounts Chq.pdf](#)
[Schedule of Accounts Manual Chq.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Jeanette Bessell
Finance Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

Council endorsement of payment to creditors.

BACKGROUND

As per the attachment list, outlines payments made to creditors since the Council meeting on the 22nd May 2015.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT28455 – EFT28953	\$4,595,176.34
	Total	\$4,595,176.34
Cheque Payments	CHQ23543 – CHQ23613	\$154,962.34
Manual Cheque Payments	CHQ232 – CHQ237	\$24,814.45
	Total	\$179,776.79
	GRAND TOTAL	<u>\$4,774,953.13</u>

Please note the computer system allows for only a limited field for the description of goods/services purchased, therefore the description shown on the attached Schedule of Accounts may not show the entire description entered for the goods/services purchased.

CANCELLED AND UNUSED CHEQUES:

UNUSED CHEQUES
CHQ235

CANCELLED CHEQUES & EFTS

EFT28537 and EFT28628

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government (Financial Management) Regulations 1996

Part 2 – General financial management

Reg 11

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

Local Government (Financial Management) Regulations 1996

Part 2 – General financial management

Reg 12

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

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY IMPLICATIONS

Nil.

PLAN FOR THE FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

Total expenses of \$4,774,953.13

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT28455 – EFT28953	\$4,595,176.34
	Total	\$4,595,176.34
Cheque Payments	CHQ23543 – CHQ23613	\$154,962.34
Manual Cheque Payments	CHQ232 – CHQ237	\$24,814.45
	Total	\$179,776.79
	GRAND TOTAL	<u>\$4,774,953.13</u>

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

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

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

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

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
16 December 2014	13.5	SIGNS – RECOGNITION ON THE DESERT ROADS Cr Lang Coppin asked if it was possible to get plaques/signs about the history and stories of the desert roads e.g.: rabbit proof fence. People always stop to read on their travels and Shire of East Pilbara needs recognition for these roads.	DTDS CEO DCEO	Nov 2013 - Cr Lang Coppin & DTDS travelled desert roads and marked points of interest for future tourist mapping. Executive to allocate resources to develop themes and seek funding	Pending
30 January 2015	13.5	MARBLE BAR HOUSE NUMBERING Cr Dean Hatwell asked for an update regarding the house numbers.	DTDS TSAO	Plates Received. Draft brochure complete. Will promote in July.	July 2015
6 March 2015	13.15	TAXI STAND – TOWN CENTRE Cr Anita Grace asked if the taxi stand can be moved as she felt it is in the wrong location. Sometimes there are many people waiting and they sit on the road causing more problems with commuters walking and driving.	DTDS	On Hold President Lynne Craigie to speak to EPIS about providing a pick up and drop off service.	June 2015

9.3.2 NEWMAN TOWN CENTRE CROWN LAND ACTIONS

File Ref:	A417557
Responsible Officer:	Mr Rick Miller Director Technical and Development Services
Author:	Mr Adam Majid Manager Development Services - Planning
Location/Address:	Newman Town Centre
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

Due to minor changes, Council's further consideration is required In relation to Crown Land within the town centre to facilitate further developments as planned.

BACKGROUND

Council previously considered the widening of Lee Lane at its meeting held in September 2014 where it was proposed and accepted to excise 862m² from Reserve 38771 being the current Car Parking Reserve and location of the planned Town Square.

Additionally, Council at its meeting of April 2015 considered the excision of 3361m² from Car Park Reserve 38771 for the purposes of the Town Square Development.

Since the above resolutions have been made, additional planning has resulted in the requirement to modify the proposed road widening which in turn affects the proposed Town Square site. The changes are only very minor; however, they require an additional Council resolution to satisfy the requirements of Department of Lands.

COMMENTS/OPTIONS/DISCUSSIONS

As previously reported, Reserve 38771 has a current total area of 7319m². As per the above, it was proposed to excise 862m² for the required widening of Lee Lane and 3361m² for the Town Square site.

Due to revised utility planning, there is now a requirement to truncate the north-west corner of the proposed Town Square site to ensure electrical works are captured within the road reserve. This modifies the previous proposals by slightly increasing the size of the road widening and in turn reducing the size of the town square. Accordingly, the results are as follows:

- 867m² for the widening of Lee Lane;
- 3356m² for the proposed new Town Square Reserve; and
- The balance of Reserve 38771 unchanged from previous reports at a total area of 3958m².

All other actions previously proposed and resolved remain unchanged. Therefore, it is requested that Council resolve to accept the proposed minor changes and resolve accordingly to allow Department of Lands to process and approve such requests.

STATUTORY IMPLICATIONS/REQUIREMENTS

Land Administration Act 1997.

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.

3.4 Land use and development control

3.4.2 Plan well for the future development of the Shire
Responsible officer: CEO
Timing: 1-5 years

FINANCIAL IMPLICATIONS

No financial resource impact.

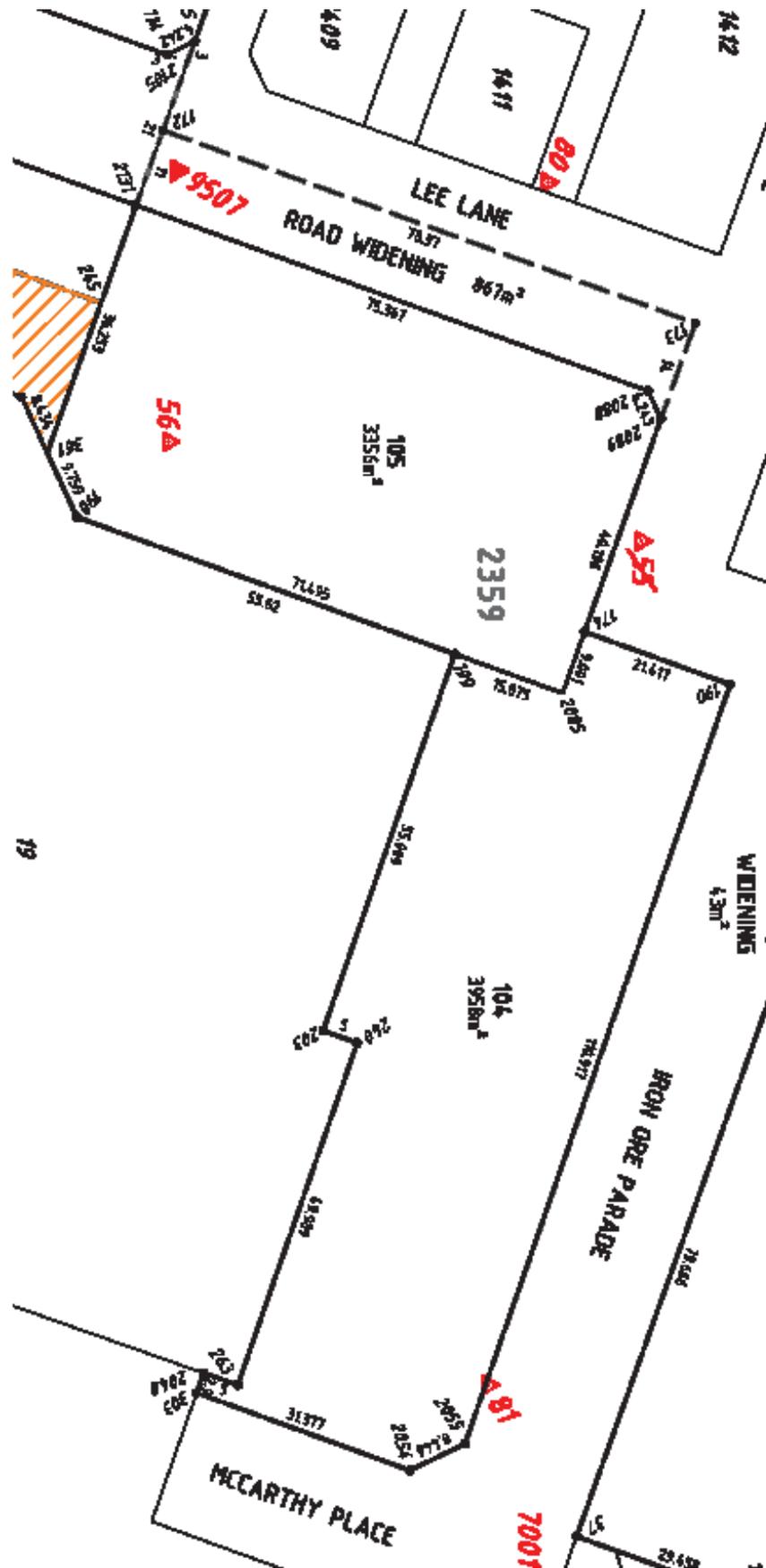
VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Relinquish management orders of Reserve 38771 Car Parking Reserve;**
- 2. Request the Minister for Lands to excise 867m² from Reserve 38771, as shown on the attached plan, for the purposes of widening Lee Lane and including such excised land into the existing Lee Lane road reserve and accept new management over such road;**
- 3. Request the Minister for Lands to excise 3356m² from Reserve 38771, as shown on the attached plan, to create a new Reserve for the purposes of 'Park', 'Civic' and 'Cultural' purposes and advise that Council accepts new management orders accordingly;**
- 4. Request the Minister for Lands to issue new management orders for the remaining 3958m² of Reserve 38771, as shown on the attached plan, for the purpose of 'Car Parking' and advise that Council accepts such new management orders.**



- 10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL**
- 12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS**
- 13 GENERAL BUSINESS**
- 14 DATE OF NEXT MEETING**
24th July 2015, Newman
- 15 CLOSURE**