

Unconfirmed copy of Minutes of
Meeting held on 28 August 2015 subject
to confirmation at meeting to be held
on 25 September 2015



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, 28 AUGUST, 2015.

Allen Cooper
CHIEF EXECUTIVE OFFICER



DISCLAIMER

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

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

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

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

WRITTEN CONFIRMATION

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

Signed: _____
Allen Cooper
Chief Executive Officer

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairman Cr Lang Coppin declared the meeting open at 10:10 AM and welcomed the Visitors in the public gallery.

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

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

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 and Development
Services.
Executive Services Administration Officer

Public Gallery

Mr Hiroaki Seino
Mr Jason Pugh
Mr Gary Player
Mr Andrew Turner
Ms Lindy Brand

CLAIR
New Energy Corporation
Main Roads Western Australia
Rio Tinto
Rio Tinto

2.2 APOLOGIES

Councillor Apologies

Lynne Craigie
Anita Grace

Officer Apologies

Nil

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 NEW ENERGY CORPORATION PTY LTD

Mr Jason Pugh provided Council with an update presentation on Waste to Energy Project.

10:30 AM Mr Jason Pugh, left Chambers.

5.2 RIO TINTO

Mr Andrew Turner, Manager of Communities and Agriculture and Ms Lindy Brand, provided Council with an update on a new mining project.

11:00 AM Mr Andrew Turner and Ms Lindy Brand left Chambers

5.3 MAIN ROADS WESTERN AUSTRALIA

Mr Gary Player, Regional Manager provided Council with an update on the Projects in the Shire of East Pilbara and on the Marble Bar Road.

11:20 AM Councillor Craig Hoyer left Chambers

11:40 AM Mr Gary Player left Chambers

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

[Minutes July 24 2015 Council.DOCX](#)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/16

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

THAT the minutes of the Ordinary Meeting of Council held on 24 July 2015, be confirmed as a true and correct record of proceedings.

**CARRIED
RECORD OF VOTE: 6 - 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:

- NCCI Committee Meeting
- WALGA Convention 2015
- Newman Rec Centre Management Meeting

Cr Biddy Schill attended:

- WALGA Convention 2015
- Artist Winner, Ysauaki Onishi, East Pilbara 2015 Workshop

Cr Dean Hatwell attended:

- Marble Bar Progress Association Meeting
- Marble Bar Tourist Association Meeting
- WALGA Convention 2015

Cr Lang Coppin attended:

- WALGA Convention 2015
- Australian Airports Association State Meeting Perth 07.08.2015

Cr Shane Carter attended:

- WALGA Convention 2015

Cr Craig Hoyer attended: (submitted by email)

- WALGA Convention 2015
- Fortescue Festival 2015 Opening Speech
- PRC Meeting Perth 27.08.2015

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JULY 2015

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) The council –

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/17

MOVED: Cr Dean Hatwell

SECONDED: Cr Shane Carter

THAT the "Status of Council Decisions" – Chief Executive Officer for July 2015 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
6 March 2015	13.1	ADSL MARBLE BAR Cr Stephen Kiernan asked the Shire to continue to follow up with Telstra regarding ADSL in Marble Bar. Mr Allen Cooper, Chief Executive Officer to follow up.	CEO	To discuss options with PDC. Request for Information sent to PDC	On Going
26 June 2015	13.3	NORTHERN AUSTRALIA WHITE PAPER Cr Lang Coppin asked for a letter of support be sent regarding the Northern Australia White Paper. CEO responded this will be considered for Council in the future.	CEO	Item put to Council	August 2015

**CARRIED
RECORD OF VOTE: 6 - 0**

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

**9.1.2 AFFIXING COMMON SEAL EMPLOYMENT CONTRACT - MANAGER
DEVELOPMENT SERVICES - HEALTH**

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 Development Services – Health.

BACKGROUND

The employment contract of Mr Edmore Masaka, Manager Development Services – Health has been extended by a two year term from 8th August 2015 to 7th 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/COUNCIL RESOLUTION: 201516/18

MOVED: Cr Gerry Parsons

SECONDED: Cr Shane Carter

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr Edmore Masaka, Manager Development Services - Health for a term of two years, from 8th August 2015 to 7th August 2017.

**CARRIED
RECORD OF VOTE: 6 - 0**

To be actioned by Mr David Kular, Manager Human Resources.

9.1.3 FINANCIAL ASSISTANCE GRANTS TO LOCAL GOVERNMENT

File Ref: ORG-4-2-3
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

For Council to acknowledge the importance of the Commonwealth Financial Assistance Grants (FAG's) in assisting to provide community infrastructure and services.

BACKGROUND

The Commonwealth FAGs program was established in 1974/75 and consists of two components.

1. A general purpose component which is distributed between the states and territories according to population (ie as a per capital basis and distributed in Western Australia by the Western Australian Local Government Grants Commission; and
2. An identified local road component which is distributed between the states and territories according to fixed historical shares.

Both components of the grant are vital and provide funds to maintain a range of infrastructure and provide services to the community.

In 2014/2015 Federal Budget, the Federal Government announced that the indexation applied to the FAG's program would be frozen for three years. FAG's are intended to improve Local Governments capacity to provide communities with an equitable level of service and to increase the effectiveness and efficiency of Local Government.

In 2014/15 the Shire was allocated \$3,097,832 for general purpose component and \$1,696,317 for the local road component.

These funds are vital component of the Shire's income and is equivalent to approximately 37% of rates raised (\$12,824,548 – 14/15).

At the Australia Local Government Association (ALGA) National General Assembly in 2015, a motion was moved to highlight the impact that the Federal Government decision to freeze the FAG's will have on local governments and their communities. Since then ALGA has commence a campaign to restore the indexation of FAG's and

which calls for the Federal Government to consider the adequacy of FAG's and the indexation methodology in the future.

As part of the campaign all Council have been asked to adopt a resolution acknowledging the importance of FAG's in the delivery of services and infrastructure.

COMMENTS/OPTIONS/DISCUSSIONS

As part of the campaign all Council have been asked to adopt a resolution acknowledging the importance of FAG's in the delivery of services and infrastructure.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Nil

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/19

MOVED: Cr Stephen Kiernan

SECONDED: Cr Gerry Parsons

THAT Council acknowledges the importance of Federal Funding through the Financial Grants program for the continued delivery of services and infrastructure.

**CARRIED
RECORD OF VOTE: 6 - 0**

To be actioned by Mr Allen Cooper, Chief Executive Officer

**9.1.4 OUR NORTH, OUR FUTURE: WHITE PAPER ON DEVELOPING
NORTHERN AUSTRALIA**

File Ref: ORG-4-4-1
Attachments: [Speech](#)
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 support the use of “Our North, Our Future: White Paper on Developing Northern Australia” as a complimentary planning document.

BACKGROUND

The white paper has been produce by the Australian Government so that “Northern Australia can grasp its full potential and become an economic powerhouse.

Council has already been made aware of the White Paper when it was released in June 2015. A full version of the paper can be viewed at <http://northernaustralia.infrastructure.gov.au>, a hard copy can be made available on request.

A media state from the Prime Minister is attached as background information.

COMMENTS/OPTIONS/DISCUSSIONS

The document will be used as a supporting complimentary for planning document only.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Nil

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/20

MOVED: Cr Dean Hatwell

SECONDED: Cr Shane Carter

THAT Council support the use of "Our North, Our Future: White Paper on Developing Northern Australia" as a Complimentary Planning document.

CARRIED

RECORD OF VOTE: 6 - 0

To be actioned by Mr Allen Cooper, Chief Executive Officer

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

File Ref: FAC 1-5
Attachments: [ITEM 11.1.1 OCM22052015.pdf](#)
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 update Council on the selection of Councillors to attend the Australian Airports Association National Conference.

BACKGROUND

At the May 2015 Council meeting, Council resolved the following;

- 1. That Council authorises the CEO to nominate up to three airport staff to attend the full 2015 AAA Conference program over the period 12 to 16 October 2015.*
- 2. THAT Council nominates and authorises up to two Councillors to attend the 2015 AAA Conference over the period 12 to 16 October 2015.*

*CARRIED
RECORD OF VOTE: 7 – 0*

Since the above resolution was adopted by Council there has been a number of Councillors (7) expressing interest to attend the conference.

This has seen two issues arise;

1. The number of Councillors is greater than the number nominated by Council;
and
2. A number of Councillors expressing an interest to attend are up for election on the 17th October 2015.

Point 2 raises a concern that a number of Councillors could, if there was a contested election, effectively lose their seat on the 17th October 2015. This then would be no benefit to Council for a retiring or possible retiring Councillor to attend the conference.

Therefore, it is proposed to hold off confirming attendance until after the close of nominations on the 10th September 2015.

A further agenda item will be put to the September Council meeting for the consideration of full Council.

In the meantime 2 places have been booked to attend the conference.

COMMENTS/OPTIONS/DISCUSSIONS

To endorse or not support the selection process.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Resource requirements are in accordance with existing draft FY 2015/16 Function 12 Airports budgetary allocation to attend the full program with funds sourced from GL121139.

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

1.1.3 Effective business management

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/21

MOVED: Cr Shane Carter

SECONDED: Cr Gerry Parsons

THAT Council endorse the deferring of the attendance selection to the Australian Airports Association Annual National Conference until the 25th September 2015 Council meeting.

**CARRIED
RECORD OF VOTE: 6 - 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 2015

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) The council –

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/22

MOVED: Cr Gerry Parsons

SECONDED: Cr Stephen Kiernan

THAT the "Status of Council Decisions" – Deputy Chief Executive Officer for July 2015 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
24 October 2014	13.1	<p>SPORTING COMPLEX MARBLE BAR FIVE YEAR PLAN</p> <p>Cr Dean Hatwell asked if the electrical works can be included in the five year plan for the sporting complex.</p> <p>Ms Sian Appleton, Deputy Chief Executive Officer answered yes this will be included in the five year plan as appropriate.</p>	CDS-Rural	CDS-Rural undertaking	September 2015
30 January 2015	13.7	<p>MARBLE BAR AQUATIC CENTRE CONTRACT BETWEEN DEPARTMENT OF EDUCATION AND SHIRE OF EAST PILBARA</p> <p>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.</p> <p>Ms Sian Appleton replied yes the contract is due to expire 16th June 2015 and staff will be discussing the agreement with the Department of Education.</p>	DCEO	Still in consultation with Education Department	September 2015
6 March 2015	13.9	<p>NULLAGINE GYM</p> <p>Cr Biddy Schill asked if there was an alternative to the pub holding the key to the gym as</p>	DCEO	Still being investigated	September 2015

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

28 AUGUST, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		people cannot use the gym while pub is closed and also people are using the gym without paying. Ms Sian Appleton said they are looking into this with different options eg: CRC 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	September 2015
22 May 2015	9.2.5	NULLAGINE COMMUNITY SPACES	DCEO	Further work being undertaken as per resolution	December 2015
24 th July 2015	13.2	CAPE KERAUDREN Cr Biddy Schill commented over the school holiday period, customers visited Cape Keraudren and due the many patrons visiting there was no clear camping space available? The patrons were forced to borrow a whipper snipper from the Ranger to clear some scrub to create a camping area. Ms Sian Appleton to follow up.	MAP	MAP has spoken to Ranger at Cape Keraudren	Completed
24 th July 2015	13.3	NULLAGINE – BLUE HOUSE Cr Biddy Schill asked who does the Blue House belong too as it is empty and could be used by community groups/members of the public. Can a letter be written to ask what they intend doing to the Blue House. Ms Sian Appleton, Deputy CEO replied it is owned by the Water Corporation and letter will be written.	MDS-Building	MDS-Building to follow up	October 2015

**CARRIED
RECORD OF VOTE: 6 - 0**

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

**9.2.2 AFFIXING COMMON SEAL TO FUNDING AGREEMENT WITH PILBARA
DEVELOPMENT COMMISSION – TOURISM ASSET IMPROVEMENT
PROJECT**

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 Tourism Asset Improvement Project.

BACKGROUND

A funding application was made to PDC through their Community Chest Fund for a study to be conducted regarding Est Pilbara Tourism Asset Improvements. This would encompass both Cape Keraudren and the Nullagine Caravan Park

COMMENTS/OPTIONS/DISCUSSIONS

The total funding application for this project was \$50,000.00 (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/COUNCIL RESOLUTION: 201516/23

MOVED: Cr Dean Hatwell

SECONDED: Cr Shane Carter

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 Tourism Asset Improvement Project.

CARRIED
RECORD OF VOTE: 6 - 0

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

**9.2.3 AFFIXING COMMON SEAL TO VARIATION TO FUNDING AGREEMENT -
MINISTRY OF THE ARTS AND MARTUMILI ARTISTS**

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Carly Day
Manager Martumili Artist

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 Variation to the Funding Agreement between the Attorney-General's Department (Ministry of the Arts) and the Shire of East Pilbara (Martumili Artists Operational Support) with respect to the Indigenous Visual Arts Industry Support Program (IVAIS).

BACKGROUND

The original Funding Agreement was dated 26th August, 2013 for the amount of \$455,000.

This Funding Agreement was subject to Variation Schedule 1 on the 3rd September 2014 which increased funding by \$55,000 (gst ex) to a total amount of \$510,000. This Variation document was signed and sealed by the Shire on the 16th December, 2014 (**Resolution 201415/142.**)

As part of the new streamlined IVAIS program model the aim is to have a single agreement with each organisation covering all IVAIS funding. Therefore the new funding agreement contains \$33,215 and \$150,000 funding which was previously included in the 2013-14 triennial funding agreement. In order to provide this funding through the new agreement, a Variation is required on the 2013-14 agreement to remove this amount.

COMMENTS/OPTIONS/DISCUSSIONS

The secondary Variation to the Funding Agreement (Varied Schedule 2) has been received from the Ministry of Arts with respect to the funding for the National Jobs Program.

The variation is to de-commit National Jobs Program funding. The Activity Objectives and Values remain unchanged. The objective is to provide employment to Indigenous persons in positions supporting Australia's Indigenous Arts, Language, Culture and Broadcasting sectors.

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/COUNCIL RESOLUTION: 201516/24

MOVED: Cr Dean Hatwell

SECONDED: Cr Biddy Schill

THAT Council note that the Common Seal has been affixed under delegated authority to the Variation to the Funding Agreement between the Attorney-General's Department (Ministry of the Arts) and the Shire of East Pilbara (Martumili Artists Operational Support) with respect to the Indigenous Visual Arts Industry Support Program (IVAIS).

CARRIED
RECORD OF VOTE: 6 - 0

To be actioned by Ms Carly Day, Manager Martumili Artist

**9.2.4 AFFIXING COMMON SEAL TO THE MARTUMILI ARTISTS INDIGENOUS
VISUAL ARTS INDUSTRY SUPPORT PROGRAM (IVAIS) FUNDING
AGREEMENT**

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Carly Day
Manager Martumili Artist

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 Attorney-General's Department and the Shire of East Pilbara (Martumili Artists) with respect to the Indigenous Visual Arts Industry Support Program (IVAIS) for the total amount of \$1,322,215 (gst exc) for a duration of five years.

BACKGROUND

The purpose of this grant is to support a professional, strong and ethical Indigenous visual arts industry, with strong participation by Aboriginal and Torres Strait Islander people.

This Grant is being provided as part of the Indigenous Visual Arts Industry Support program (IVAIS).

The activity objective and values is to support Martumili Artists to provide services to visual artists based in the East Pilbara region and engage Indigenous arts workers.

- a) Supporting Aboriginal and Torres Strait Islander artists in the production, promotion and marketing of their art;
- b) Providing opportunities for Aboriginal and Torres Strait Islander artists to develop, extend and generate income from their art practice;
- c) Providing employment and economic opportunities in the visual arts industry for Aboriginal and Torres Strait Islander people, particular in remote communities;
- d) Providing opportunities for art centre staff, artists and board members to develop professional skills and gain experience;
- e) Delivering professional services.

COMMENTS/OPTIONS/DISCUSSIONS

The activity start date is 1st July, 2015 and the end date is 31st October, 2020.

The total amount of the Grant is \$1,322,215 (gst exc). The Grant will be paid in instalments by the Commonwealth upon completion of the agreed Milestones, and compliance by the Shire with its obligations under the Agreement. Instalments are expected to be paid in July and December.

	2015-16	2016-17	2017-18	2018-19	2019-20
IVAIS Operational funding	\$205,000	\$205,000	\$205,000	\$205,000	\$205,000
IVAIS Employment funding	\$33,215	\$66,000	\$66,000	\$66,000	\$66,000
Annual Total	\$238,215	\$271,000	\$271,000	\$271,000	\$271,000

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/COUNCIL RESOLUTION: 201516/25

MOVED: Cr Stephen Kiernan

SECONDED: Cr Gerry Parsons

THAT Council note that the Common Seal has been affixed under delegated authority to the Funding Agreement between the Attorney-General's Department and the Shire of East Pilbara (Martumili Artists) with respect to the Indigenous Visual Arts Industry Support Program (IVAIS) for the total amount of \$1,322,215 (gst exc) for a duration of five years

CARRIED

RECORD OF VOTE: 6 - 0

To be actioned by Ms Carly Day, Manager Martumili Artist

**9.2.5 AFFIXING THE COMMON SEAL TO THE CONTRACT FOR SERVICES
BETWEEN WEST END PROJECTS AUSTRALIA PTY LTD AND THE SHIRE
OF EAST PILBARA**

Attachments: [Contract for Services - Final 220715.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

REPORT PURPOSE

To seek Council approval of the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contract for Services between West End Projects Australia Pty Ltd and the Shire of East Pilbara. The Contract for Services specifies the payment of \$51,887.00 to manage phase 2 and 3 of the 2015 Art at the Heart artist in residency program.

BACKGROUND

In this, the second year of the Art in the Heart residency program, the Shire has opted to have a formal contract with West End Projects Australia Pty Ltd to implement the residency from the point immediately after the artist was selected, through the actual residency and then to the final project report.

The Contract for Services was drawn up by and with the advice of McLeods Barristers and Solicitors in July/August 2015.

The Contract for Services requires West End Projects Australia Pty Ltd to coordinate all artist travel, visa requirements, payment of prize money, administration of the commission budget, artist support while in residency, media promotions, community engagement coordination, documentation and final reporting.

The Contract for Services specifies the payment of a management fee (Item 2) of \$51,887.00 to West End Projects Australia Pty Ltd manage phase 2 and 3 of the 2015 Art at the Heart artist in residency program, and a further \$85,245.00, (Item 3) held in trust to be utilised for artist prize money (\$15,000.00) the commission budget, \$40,000.00 and sundry expenses, (\$30,245.00). The Contract for Services specifies that all unspent money allocated to Item 3 must be returned to the Shire at the completion of the program.

COMMENTS/OPTIONS/DISCUSSIONS

The rationale for undertaking this business/administrative model with West End Projects Australia Pty Ltd is to reduce the administrative duplication that occurred in

the first year of Art at the Heart where responsibilities between West End Projects Australia Pty Ltd and the Shire were not clearly specified. The earlier arrangement often resulted in confusion, duplication of financial processes and unnecessary fees.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

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

2.3.1 Develop and implement community pride projects

Responsible officer: MCW

Timing: 1 year

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

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/26

MOVED: Cr Gerry Parsons

SECONDED: Cr Biddy Schill

THAT Council approve the application of the common seal of the Shire of East Pilbara to the Contract for Services between West End Projects Australia Pty Ltd and the Shire of East Pilbara.

CARRIED BY ABSOLUTE MAJORITY

RECORD OF VOTE: 6 - 0

To be actioned by Mr Pip Parsonson, Manager Community Wellbeing

9.2.6 DELETION OF COUNCIL SUPPORTED EVENTS POLICY

File Ref: LEG-2-1
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sian Appleton
Deputy Chief Executive Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council's approval to delete the Council Supported / Recognised Events of Community Interest policy in line with recommendations from the endorsed Events Strategy.

BACKGROUND

In January 2015 Kirkgate Consultants were engaged to produce an Events Strategy. The strategy was to -

“Encourage sustainability and good practice in order for the Shire to meet its economic and social aspirations by building capacity within the local community and long term liveability.”

Council endorsed the strategic at the 26 June 2015 Council meeting as follows:

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/250

MOVED: Cr Dean Hatwell

SECONDED: Cr Biddy Schill

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

CARRIED

RECORD OF VOTE: 8 - 0.

Current Policy -

6.7 Council Supported/Recognised Events of Community Interest

Responsible Directorate	Corporate Services
Responsible Officer	Manager Community Wellbeing
File Number	CSV 14

Objective

To identify significant community events which Council will support financially through its annual budget allocation.

Policy

Council has limited financial resources with which to support events within the Shire.

Therefore, it is imperative to recognise community events which will be directly supported without further application to Council.

Council will only allocate resources to the following events; all other events will only be considered upon application.

Council will consider its level of annual financial and/or resources contribution at the Council Meeting when the budget is considered annually.

NEWMAN		
Lions Fortescue Festival	3 rd Sunday in August	Free use Capricorn Oval
Australia Day	26 th January	
Anzac Day	25 th April	
Newman Drain Games	Last Sunday in June	
Family Fun Day	1 st Weekend in September	AKA – first day of the season – Newman Aquatic Centre
Newman Film Festival	3 rd Saturday in September	
Bloody Slow Cup		
Kids Christmas Party	Last week in December	Newman Aquatic Centre
Christmas Lights Competition	Last week in December	

MARBLE BAR		
Marble Bar Race Day	1 st Saturday in July	Free use of Marble Bar Sports Complex
Marble Bar Fun Day	1 st Sunday in July	Free use of Marble Bar Sports Complex
Australia Day	26 th January	
Anzac Day	25 th April	
Marble Bar Survivor Games	Term 2	
Christmas Lights Competition	Last week in December	
Nullagine		
Australia Day	26 th January	
Anzac Day	25 th April	
Nullagine Survivor Games	Term 2	
Christmas Lights Competition	Last week in December	

COMMENTS/OPTIONS/DISCUSSIONS

One of the recommendations within the strategy was to delete the Council Supported / Recognised Events of Community Interest policy.

Strategy 4 – Cancel Council policy 6.7 which offers certain events support on an annual basis.

The recommendation was made as it is important that every event that is supported by the shire is measured against key performance indicators that are linked to the strategy and not just support events on the basis that they have previously been supported. An evaluation tool is currently being created to support this initiative.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

6.7 COUNCIL SUPPORTED/RECOGNISED EVENTS OF COMMUNITY INTEREST

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/27

MOVED: Cr Gerry Parsons

SECONDED: Cr Biddy Schill

THAT Council approve the deletion of the Council Supported / Recognised Events of Community Interest policy in line with recommendations from the endorsed Events Strategy

CARRIED
RECORD OF VOTE: 6 - 0

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

9.2.7 COMMUNITY ASSISTANCE GRANTS AUGUST 2015

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

For council to consider and make decision on the Community Assistance Grant Funding Applications for Round 1 of the 2015/2016 financial year.

BACKGROUND

At its June 2015 Council meeting, a new policy and guidelines were adopted for the Shire's Community Assistance Grants and Sponsorship Program. Changes have been made to, the eligibility criteria; the amounts that can be applied for; and in the case of individual sponsorship, by the introduction of formal eligibility criteria.

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

Grants are available to non-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 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 are assessed at the next scheduled Council Meeting. Round Two (2) opens on January 1st and closes on January 31st and 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.

COMMENTS/OPTIONS/DISCUSSIONS

This round, the Shire received six (6) applications from community groups and sporting clubs, all of which are based in the East Pilbara. All six (6) applications met the Shire's Community Assistance Grants eligibility criteria. Details are as follows;

Applicant Organisation	Met Criteria (Yes/No)	Amount Sought	Comment/Description
Filipino Association of Newman	Yes	\$6,000	In-kind contribution for access to Shire amenities
Marble Bar Playgroup	Yes	\$6,000	Contribution to overall annual operating budget
Newman Brazilian Jiu Jitsu Inc.	Yes	\$2,000	Contribution to cost of vital safety equipment
WA Police Legacy	Yes	\$4,130	In-kind contribution for works at the memorial site associated with the Bloody Slow Cup
YMCA WA Youth & Community Services Inc.	Yes	\$6,000	Capacity Building Martu Women's Group through art workshops
Empowering People in Communities (EPIC)	Yes	\$4,153	Guest speaker targeting parents on childhood development
TOTAL		\$28,283	

A summary of each application follows.

Name of organisation		Filipino Association of Newman			
Activity the organisation is seeking funding for		Filipino Sportsfest /Celebration of Christmas / Celebration of Philippine Independence Day			
Amount Requested \$ 6000		Total Budget \$12000			
Type of fund request	In kind <input checked="" type="checkbox"/>	Cash <input type="checkbox"/>			
Funding sought from other organisations	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>			
If yes, amount funded from other organisation	\$				
Previous funding from Shire of East Pilbara	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If yes, amount received and Year	\$6000 Year: 14/15 & 13/14	
Funds Acquitted	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:		
Outstanding Shire Debts	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:		
Does Application meet funding criteria?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:		
<input type="checkbox"/>	Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit				
<input type="checkbox"/>	Educational institutions in the East Pilbara for award presentations only				
<input type="checkbox"/>	Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).				
<input checked="" type="checkbox"/>	Organisations involved in cultural development within the Shire of East Pilbara				
Target Group of project outcome	All of the Newman community including the large number of Filipino residents				
Description	60-80 people for Sportsfest (September- November) getting the community involved in sports activities. 80-100 people for a Xmas Celebration 250-300 people for Philippine Independence Day celebrations.				
Benefit to East Pilbara Community	The Filipino Association has actively promoted health & social wellbeing in the community over the last 5 years & has put together a years' worth of activities to continue to promote a healthy, active & social lifestyle for everyone living in Newman. The Filipino Association actively assists the town of Newman in the facilitation of many events as well as promoting the Filipino's positive culture.				
Purpose of Grant	In-kind support for use of Recreation Centre/ Boomerang Pavilion and Shire equipment				
Acknowledgement of SOEP	Banner to be used at all events & verbal acknowledgement & the logo on any promotional posters etc.				

Name of organisation		Marble Bar Playgroup	
Activity the organisation is seeking funding for		Establishment & first year of trade Marble Bar Playgroup for 0-5 year olds	
Amount Requested \$ 6000		Total Budget \$12000	
Type of fund request	In kind <input checked="" type="checkbox"/>	Cash <input checked="" type="checkbox"/>	
Funding sought from other organisations	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	
If yes, amount funded from other organisation	SoEP and Playgroup WA will provide Admin & technical support to the Marble Bar Playgroup 7 it will be run out of the Marble Bar Youth Shed when it becomes a dual purpose facility.		
Previous funding from Shire of East Pilbara	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If yes, amount received and Year: \$
Funds Acquitted	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Comments:
Outstanding Shire Debts	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:
Does Application meet funding criteria?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:
<input checked="" type="checkbox"/>	Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit		
<input type="checkbox"/>	Educational institutions in the East Pilbara for award presentations only		
<input type="checkbox"/>	Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).		
<input type="checkbox"/>	Organisations involved in cultural development within the Shire of East Pilbara		
Target Group of project outcome	Marble Bar Parents & their children (0-5 years)		
Description	Support & activities for Families & Children (0-5) in a safe environment to promote development & wellbeing for 0-5 year olds		
Benefit to East Pilbara Community	Marble Bar has no area or groups for children in their early years & recently the number of families with young children has increased requiring the establishment of a Playgroup to support families with young children. It is anticipated that the playgroup will be set up at the current Marble Bar Rec Shed (plans are currently underway to change the Rec shed to a dual purpose facility that caters to more of the towns' population).		
Purpose of Grant	To purchase equipment – Children's toys		
Acknowledgement of SOEP	Newsletters, Newspaper articles & mirage articles will all be badged with the Shire logo & support will be acknowledged.		

Name of organisation		Newman BJJ			
Activity the organisation is seeking funding for		Purchase of mats			
Amount Requested \$ 2000		Total Budget \$4000			
Type of fund request	In kind <input type="checkbox"/>	Cash <input checked="" type="checkbox"/>			
Funding sought from other organisations	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>			
If yes, amount funded from other organisation					
Previous funding from Shire of East Pilbara	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If yes, amount received and Year	Year:	
Funds Acquitted	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Comments:		
Outstanding Shire Debts	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Comments:		
Does Application meet funding criteria?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:		
<input type="checkbox"/>	Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit				
<input type="checkbox"/>	Educational institutions in the East Pilbara for award presentations only				
<input checked="" type="checkbox"/>	Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).				
<input type="checkbox"/>	Organisations involved in cultural development within the Shire of East Pilbara				
Target Group of project outcome	Club Members (40 Children/10 Adults)				
Description	To purchase mats that are a critical requirement for Brazilian Jiu Jitsu (BJJ) activities. This purchase will ensure sustainability of the club				
Benefit to East Pilbara Community	Bringing a new sport opportunity to the people of Newman				
Purpose of Grant	To purchase equipment necessary for their sport				
Acknowledgement of SOEP	Shire is acknowledged on social media & verbal acknowledgment at any event we hold or participate in.				

Name of organisation		WA Police Legacy	
Activity the organisation is seeking funding for		Memorial Site maintenance for Bloody Slow	
Amount Requested \$ 4130		Total Budget \$36,660	
Type of fund request	In kind <input checked="" type="checkbox"/>	Cash <input checked="" type="checkbox"/>	
Funding sought from other organisations	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	
If yes, amount funded from other organisation			
Previous funding from Shire of East Pilbara	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If yes, amount received and Year \$14,000 Year: 2012/13/14
Funds Acquitted	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:
Outstanding Shire Debts	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:
Does Application meet funding criteria?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:
<input checked="" type="checkbox"/>	Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit		
<input type="checkbox"/>	Educational institutions in the East Pilbara for award presentations only		
<input type="checkbox"/>	Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).		
<input type="checkbox"/>	Organisations involved in cultural development within the Shire of East Pilbara		
Target Group of project outcome	500 people attend the memorial service. Police Officers, family members of the fallen officers & community members.		
Description	To conduct the annual memorial service at the site where Police Officers lost their lives in the line of duty in a plane crash near Newman in 2001		
Benefit to East Pilbara Community	This event is one of the biggest draw cards on the Newman Calendar bringing in a huge volume of outside people to Newman. Remembering the fallen in what is the largest single incident loss of life is a very significant to the Newman community		
Purpose of Grant	In-kind support for Shire works – grounds maintenance/cleaning		
Acknowledgement of SOEP	Shire is acknowledged on the Bloody Slow Cup information bulletin, the lead up to the cup, on local radio & in local newspapers including the NW Telegraph		

Name of organisation		YMCA WA Youth & Community Services Inc			
Activity the organisation is seeking funding for		Martu Women's art Group			
Amount Requested \$ 6000		Total Budget \$13630			
Type of fund request	In kind <input type="checkbox"/>	Cash <input checked="" type="checkbox"/>			
Funding sought from other organisations	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>			
If yes, amount funded from other organisation					
Previous funding from Shire of East Pilbara	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If yes, amount received and Year	\$1230 Year: 2013/14	
Funds Acquitted	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:		
Outstanding Shire Debts	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:		
Does Application meet funding criteria?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:		
<input checked="" type="checkbox"/>	Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit				
<input type="checkbox"/>	Educational institutions in the East Pilbara for award presentations only				
<input type="checkbox"/>	Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).				
<input checked="" type="checkbox"/>	Organisations involved in cultural development within the Shire of East Pilbara				
Target Group of project outcome	15-20 women & young women				
Description	To build on the impetus of a newly formed group of Martu women who recently travelled to Fitzroy Crossing to see how the women in that community have made a significant impact in relation to drinking & the effects of drinking while pregnant (Foetal Alcohol Spectrum Disorder-FASD)				
Benefit to East Pilbara Community	The project would allow the Martu women a safe space to build skills, share information & work together to bring about change in their community. The local Martu are very keen to bring about change in Newman & the surrounding communities in relation to FASD, substance abuse & their children's education.				
Purpose of Grant	Cash support for arts project. Facilitator/materials costs				
Acknowledgement of SOEP	We will highlight the project in local media-Northwest Telegraph & Newman News detailing the Shire's role in bringing the project to fruition.				

Name of organisation		Empowering People in Communities (EPIC)			
Activity the organisation is seeking funding for		What works for kids workshop			
Amount Requested \$ 4153		Total Budget \$8313			
Type of fund request	In kind <input checked="" type="checkbox"/>	Cash <input checked="" type="checkbox"/>			
Funding sought from other organisations	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>			
If yes, amount funded from other organisation	\$ 800				
Previous funding from Shire of East Pilbara	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	If yes, amount received and Year	\$ Year:	
Funds Acquitted	YES <input type="checkbox"/>	NO <input type="checkbox"/>	Comments:		
Outstanding Shire Debts	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments:		
Does Application meet funding criteria?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments:		
<input checked="" type="checkbox"/>	Not for profit community organisations providing a community service within the East Pilbara region where there is a demonstrated community need or benefit				
<input type="checkbox"/>	Educational institutions in the East Pilbara for award presentations only				
<input type="checkbox"/>	Sporting Associations to assist with club development (e.g. coaching courses, governance training and or grant writing courses).				
<input type="checkbox"/>	Organisations involved in cultural development within the Shire of East Pilbara				
Target Group of project outcome	100 people from the community				
Description	To host Darrell Wills from PLEDG holding an inclusive & developmental person centred workshop in Newman				
Benefit to East Pilbara Community	Early childhood, middle years & youth information, support & practical skills for parents & carers.				
Purpose of Grant	Cash support for guest speaker fees and travel/accommodation				
Acknowledgement of SOEP	Logo on promotional/advertising material				

The overall Community Assistance Grant budget for 2015/16 is \$60,000. Approximately \$15,000 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, \$45,000 then needs to be halved to accommodate the two Grant 3 rounds approved by the full Council. This means there is approximately \$22,500 for each of the two rounds.

The total amount sought for Round 1 of the 2015/16 financial year is \$28,283 which is \$6,033 over 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 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.

Applicant organisation	Requested	Recommended	Comment
Filipino Assn	6000	6000	Proven track record, significant benefit, non-negotiable amount due to fixed shire fees and charges
Marble Bar Playgroup	6000	2000	Reduced non-critical assets should not impact on sustainability.
Newman Brazilian Jiu Jitsu	2000	1000	The Shire cannot afford to be a significant contributor to sports club's critical equipment. Unsustainable.
WA Police Legacy	4130	4130	Significant historical context and non-negotiable amount due to fixed shire fees and charges
YMCA WA Youth & Community Services Inc.	6000	5000	Program of critical importance that can proceed with a small contraction in scale
Empowering People in Communities (EPIC)	4153	4153	Potentially significant benefit with largely fixed costs that do not allow for reduced funding.
TOTAL	\$28,283	\$22,283	
Budget	\$22,250	\$22,250	
Balance	-\$6,033	-\$33	

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

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 Application for the Filipino Association of Newman for \$6,000 in-kind support for access to Shire amenities during the 2015/16 financial year to run a range of public events and activities.**
2. **Approve the Community Assistance Grant Application for the Marble Bar Playgroup for a reduced contribution of \$2,000 cash for purchasing equipment.**
3. **Approve the Community Assistance Grant Application for the Newman Brazilian Jiu Jitsu Club for a reduced contribution of \$1,000 cash to purchase mats.**
4. **Approve the Community Assistance Grant Application for WA Police Legacy for \$4,130 for in-kind support for works at the memorial site for the Bloody Slow Cup**
5. **Approve the Community Assistance Grant Application for the YMCA WA Youth & Community Services Inc. for a reduced contribution of \$5,000 cash to contribute to a capacity building project working with Martu women.**
6. **Approve the Community Assistance Grant Application for Empowering People in Communities (EPIC) for \$4,153 to host Darrell Williams as a guest speaker at a workshop in Newman.**

COUNCIL RESOLUTION: 201516/28

MOVED: Cr Dean Hatwell

SECONDED: Cr Stephen Kiernan

THAT Council

- 1. Approve the Community Assistance Grant Application for the Filipino Association of Newman for \$6,000 in-kind support for access to Shire amenities during the 2015/16 financial year to run a range of public events and activities.**
- 2. Approve the Community Assistance Grant Application for the Marble Bar Playgroup for a reduced contribution of \$4,000 cash for purchasing equipment.**
- 3. Approve the Community Assistance Grant Application for the Newman Brazilian Jiu Jitsu Club for a reduced contribution of \$1,000 cash to purchase mats.**
- 4. Approve the Community Assistance Grant Application for WA Police Legacy for \$4,130 for in-kind support for works at the memorial site for the Bloody Slow Cup**
- 5. Approve the Community Assistance Grant Application for the YMCA WA Youth & Community Services Inc. for a reduced contribution of \$5,000 cash to contribute to a capacity building project working with Martu women.**
- 6. Approve the Community Assistance Grant Application for Empowering People in Communities (EPIC) for \$2,153 to host Darrell Williams as a guest speaker at a workshop in Newman.**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 6 - 0**

Reason for Non Acceptance of Officer's Recommendation: Council felt the Marble Bar Playgroup needed additional funding to purchase equipment as it is a new group providing a community service.

To be actioned by Mr Pip Parsonson, Manager Community Wellbeing

9.2.8 WAIVE ENTRY FEE TO CAPE KERAUDREN

Attachments: [IAS15_25230_CCE02072015_0003.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mr Ben Lewis
Manager Assets and Procurement
Location/Address: Cape Keraudren
Name of Applicant: Ian Badger – Pardoo Roadhouse
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval to waive the entry fees for the Pardoo Roadhouse owners.

BACKGROUND

Council has prescribed fees for entry into the Cape Keraudren Reserve which is administered by the onsite ranger / caretaker. The only current exemption to the entry fee is native title holders.

Over the past few years it has been difficult for staff to determine who are native title holders eligible for free entry into the reserve. As such an application form was created for native title holders to submit for annual approval. Once approved an entry sticker is issued to be placed on the windscreen of the nominated vehicle.

In the past, certain groups have been given free entry into the reserve for different reasons and over time this has developed into an accepted practice. With the introduction of the application system, staff have requested these groups submit an application to council so the existing practice can be formalised.

This being the case the owners of the roadhouse have submitted an application for free entry.

COMMENTS/OPTIONS/DISCUSSIONS

The application form requires the applicant to state the reason for applying for free entry. This applicant has stated the following reasons:

“Over many years we have always provided the rangers and residents with ongoing assistance, service and support at no cost”.

The Pardoo Roadhouse and council staff have a good working relationship.

Council has two options available, to either approve or refuse the application.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 6 - Financial management (Division 4 – General financial provisions) 6.12. Local government's ability to defer, grant discounts, waive or write off debts (pg 221)

(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.

1.3 Engaged community

1.3.2 Excellence in customer service
Responsible officer: MFA
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

2.4.1 Promote diverse, harmonious and caring communities
Responsible officer: MCW
Timing: 1-3 years

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

FINANCIAL IMPLICATIONS

Currently council staff does not record the number of times that the roadhouse vehicle frequents the reserve, therefore could not confirm the loss of potential income.

However, the estimated projected income for the current budget did not include the roadhouse staff and as such there would be no impact on the proposed income.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/29

MOVED: Cr Gerry Parsons

SECONDED: Cr Shane Carter

THAT Council, approve the application for 2015 calendar year for free entry for one vehicle to Cape Keraudren as submitted by Ian Badger on behalf of the Pardoo Roadhouse.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 6 - 0**

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

**9.2.9 FURTHER INVESTIGATION INTO THE REPAIR AND USE OF THE WATER
PLAYGROUND AT NEWMAN AQUATIC CENTRE**

File Ref: A417555
Attachments: [NAC Health Dept Report.pdf](#)
[NAC Ninnes Report docx](#)
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

This report presents the result of further investigations into the repair and use of the Water Playground at Newman Aquatic Centre and provides a recommendation for the future of the facility.

As a result of the further investigations requested by Council in April a report has been prepared by the WA Government Health Directorate. The Health Department report states that it is doubtful that the facility can be brought to a satisfactory standard and recommends that Council replace the existing separate toddler pool and water playground with a single water body providing a playground and toddler swim facility.

BACKGROUND

On the 11th March 2006 Council advertised the tender for the Newman Aquatic Centre Water Playground with tenders closing on the 7th April 2006. One tender was received and at the Council meeting of 5th May 2006 Council resolved to reject that tender and delegate authority to appoint subcontractors for the construction at a cost not to exceed \$653,000.

The Water Playground was installed over an older 25 metre pool shell which was filled in and a concrete pad laid over where the Water Park now stands by a local contractor.

Initially when opened the Water Playground was connected to the existing toddler's pool circulation and filtration system and due to problems with chemical balancing and compliance, in 2009, a tender was advertised for the playground to be converted to its own circulation system. Since these works were completed a number of issues have been raised by the Department of Health with regards to the facility's compliance with Western Australian Department of Health Guidelines.

Recently the facility has been used only as a dry playground due to a number of operational and non-compliance issues.

In January 2015 Mr Geoff Ninnes from Geoff Ninnes Fong and Partners was requested to compile a report on the current status of the Water Playground and provide some options and recommendations for its future. During this process it was ascertained that currently the Water Playground does not have any approval for use from the Western Australian

Department of Health. In order to apply for approval for use a number of issues would require rectification prior to any application to the WA Health Department for future usage. (See Ninnes Fong and partners report dated 3rd February 2015 page 2 section A at Appendix 1)

On Friday 24th April 2015 Council considered a number of options for the future of the Water Park and resolved as follows

“THAT Council request further investigation into the repair and use of the Water Playground at the Newman Aquatic centre which is then to be reported back to Council for consideration.”

As a result of the above resolution officers sought advice from the WA Health Department and Mr Sid Brodie (Senior Technical Officer) visited Newman on 15th July and inspected the Water Playground. Mr Brodie has since provided a report dated 22nd July 2015 as attached at Appendix 2. This also includes a cover letter from Mr Llew Withers, Manager Applied Environmental Health for Councils information.

COMMENTS/OPTIONS/DISCUSSIONS

In his report Mr Brodie outlines additional works in relation to the play equipment and the water treatment that are required to be completed (not costed) as follows

Play equipment

1. Access must be provided to the void under the raised play equipment to facilitate cleaning.
2. The play equipment step Treads shall be equally spaced with a rise of between 100 and 220 mm.
3. Slides should comply with AS 4685.3. The slide landings are a particular concern. Because the slide ends above the ground and has a landing zone soft fall is required This can be compared with similar equipment where the slides end in a landing pool or a wet run out such as South Hedland Aquatic Centre, Outback Splash, X Scape and Adventure World. These facilities have non-slip concrete floors.
4. Some of the components are showing visible signs of deterioration, given that it is exposed in a harsh environment there other components including the slide flumes that may no longer be safe. The facility requires a structural assessment by a competent person to ascertain that it is safe and identify any structural issues. The water filtration is unable to comply with DOH requirements and represents a serious hazard to users.

Water treatment

5. An automated diversion valve is required to divert contaminated water returning from the playground away from the filtration system.
6. The water treatment needs to be upgraded to ensure that a continuous supply of water is available.
7. The return water gutters are difficult to maintain.

As reported to Council in April, in his report dated 3rd February 2015 Geoff Ninnes advises that the following works are required

1. Construct two pits in the floor of the clear water tank
 2. Remove soft fall
 3. Scabble to give minimum concrete depth of 90mm dowel, mesh, broom (allow \$300/m²)
 4. Clean out gutters and adjust so consistent falls and no areas where water sits. Allow positions of gutters to be rebuilt. Allow 70m x \$500/m
 5. New valve pit for bypass to sewer
 6. New stand tube to foot valves
 7. Install UV screen and associated piping revisions
 8. Install valves and waste line from pad pit to sewer
 9. Install backwash boost line
-

Mr Sid Brodie states in his recommendations on page 4 of his report this telling statement

The two main health related concerns for these facilities is the safety of the playground equipment and the water quality. Both of these are unsatisfactory and it is doubtful that the facility can be brought to a satisfactory standard.”

Mr Brodie recommends replacing the existing separate toddler pool and water playground with a single water body providing a playground and toddler swim facility rather than attempting to rectify the issues associated with the current water park.

Geoff Ninnes Fong and partners agrees with Mr Brodie and suggests that Council consider removing the Water Playground completely rather than attempt to upgrade the existing facility. It is suggested that Council consider building a leisure pool which encapsulates the current toddler's pool and extends throughout the footprint of the Water playground and beyond. This development (similar to recent builds in Karratha and Port Hedland) would provide much needed additional space for families with young children. The new facility could incorporate water features and internal spa's,

bubble beds for small children and fine spray features and water jets. It could also include a beach entry with a gradual slope to deeper water of approximately 1 metre to 1.2 metre to facilitate swimming lessons. It is also proposed that any new leisure pool be heated, (solar) possibly with a retractable shade structure and could include a 25 metre section for winter lap swimming. This would mean that the 50 metre pool could potentially be shut down during the winter months. Swimming lessons and fitness classes could be run comfortably all year in the new heated facility with an expected increase in patronage and therefore income, potentially reducing the operational costs of the centre in the long term.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 1 - Introductory matters 1.8. Statewide public notice (pg 9)

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

The Shire of East Pilbara Strategic Community Plan identifies one of the Shire's key responsibilities as the provision and maintenance of recreation facilities and public open spaces such as parks, sports fields and courts, swimming pools, sport and recreation centres.

The following planned actions are identified in the plan

2.1.1 Promote safe and healthy communities

2.1.2 Encourage active lifestyles

The Shire of East Pilbara's Newman Recreation Master plan identifies one of the Shire's key facility development priorities as a refurbished aquatic centre and provision of a program pool. The plan states on page 26 item 5.1.2

"Refurbishment of the existing swimming pool and provision of a program pool, permanent shade structure, solar heating and associated facilities, on the existing centre site. The current facility requires: refurbishment to the pool deck, tank and services upgrade accessibility, and to meet current building requirements, improved temperature control to extend the season and provision of a program pool. This will provide for markets not well serviced for example older adults, learn to swim, program users and people with a disability. Additionally a small amount of leisure water and water play features would be desirable"

FINANCIAL IMPLICATIONS

There is currently a budget allocation of \$1,000,000 for some initial work on this project including unconfirmed funding of \$500,000.

Indicative costing by Ninnes Fong and partners suggests the following budget would be required and the officer suggests that some funding would need to be sourced externally to support the project.

Budget estimates (Perth Prices) as supplied by Ninnes Fong and partners are;

Leisure Pool budget \$840,000+GST

Children's Pool Budget \$330,000+GST

Total estimated cost is \$1,170,000 +GST

It is suggested that with cost escalations for Newman of 65% and other contingencies and price rises into FY16/17 together with an allowance for the installation of solar heating that Council consider a total budget of approximately \$2.5 million for a project of this type.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/30

MOVED: Cr Gerry Parsons

SECONDED: Cr Shane Carter

THAT Council authorises the use of monies from account no# 119082 Newman Aquatic Centre Redevelopment to undertake a feasibility study, prepare a business case and prepare initial design plans to redevelop the Newman Aquatic Centre Water Playground.

**CARRIED
RECORD OF VOTE: 6 - 0**

To be actioned by Mr David Goodwin, Manager Recreation & Events

9.2.10 CREDITORS FOR PAYMENT

File Ref: FIN10-2

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

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Mrs Jeanette Bessell
Finance Officer

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

Council endorsement of payment to creditors.

BACKGROUND

As per the attachment list, outlines payments made to creditors since the Council meeting on the 24th July 2015.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT29463 – EFT29963	4,583,379.72
	Total	\$4,583,379.72
Cheque Payments	CHQ23654 - 23690	155,677.56
Manual Cheque Payments	CHQ241 – CHQ243	42,543.60
	Total	\$198221.16
	GRAND TOTAL	<u>\$4781600.88</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
CHQ23675 and CHQ23685

CANCELLED CHEQUES & EFTS
EFT29490, EFT29490, EFT29564, EFT29578, EFT29646, EFT29748,

EFT29763 – EFT 29820 and EFT29824

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 \$4,781,600.88

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/31

MOVED: Cr Gerry Parsons

SECONDED: Cr Biddy Schill

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT29463 – EFT29963	4,583,379.72
	Total	\$4,583,379.72

Cheque Payments	CHQ23654 - 23690	155,677.56
Manual Cheque Payments	CHQ241 – CHQ243	42,543.60
	Total	\$198221.16

GRAND TOTAL	<u>\$4781600.88</u>
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CARRIED
RECORD OF VOTE: 6 - 0

To be actioned by Mrs Jeanette Bessell, Finance Officer

9.2.11 MANAGEMENT OF NEWMAN HOUSE

File Ref:	ORG-9-11
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Sian Appleton Deputy Chief Executive Officer
Proposed Meeting Date:	28 August 2015
Location/Address:	N/A
Name of Applicant:	Newman House Building Management Committee
Author Disclosure of Interest:	Treasurer of Newman House Building Management Committee

REPORT PURPOSE

For Council to consider the transfer of the management of Newman House from the Building Management Committee to the Shire of East Pilbara as requested by the Newman House Building Management Committee.

BACKGROUND

Newman House (previously Newman Co Location Building) was constructed by Council in 2009 for the purpose of housing Not For Profit organisations. The Committee have struggling attracting members to the committee as well as having difficulty sustaining the centre.

Several agenda items have previously been presented to Council on request from the Building Management Committee regarding sustainability of the Centre. Unlike other organisations that lease Council property the Building Management Committee are liable to pay Council \$100,000 a year for a Building Renewal Reserve under its lease agreement.

In 2012 , again from request from the Newman House Building Management Committee, Council engaged a consultant to complete a report on the sustainability and management of the Centre. This report is attached for information.

As per recommendation one the Newman House BMC continued to manage the centre and made changes to the management of the Centre as recommended. Since that time the Newman BMC has continued to struggle with membership and sustainability.

COMMENTS/OPTIONS/DISCUSSIONS

As previously stated the Newman House BMC has struggled over the past years for membership. The committee currently has four members. Two of whom are fly-in fly out or not residents of Newman.

The Newman House BMC currently contracts the Newman Chamber of Commerce to manage the Centre. This requires the NCCI to employ a part time administration officer to manage the reception desk. The Centre is currently full tenanted however EPIC has notified the Committee that they will be moving into the TAFE building therefore cancelling the lease at Newman House from the 30 September 2015. EPIS has also notified informally that once their offices are completed at the North Newman Reserve they will relocate to that area. The future of PAMS is currently unknown in relation to their administration operation out of Newman.

Other tenants include Pilbara Community Legal Service, World Vision, Greening Australia, NCCI, Disability Services Commission and also BHP Billiton who hold a room free of charge as per their agreement owing to BHP's contribution to the Centre.

Council needs to consider the following when assessing this request:-

- Council would need to employ someone to undertake duties at reception
- All leasing arrangements would need to be renegotiated with tenants
- Cost of managing the Centre

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.4 Diverse and inclusive communities

2.4.1 Promote diverse, harmonious and caring communities

Responsible officer: MCW

Timing: 1-3 years

2.4.2 Build strong community groups, networks and governance

Responsible officer: MCW

Timing: 1-5 years

2.4.3 Provide relevant and affordable community services

Responsible officer: MCW

Timing: 1-5 years

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation. Currently Newman House is running at a slight profit including the donation from Council. Council provide the following assistance to Newman House as per the 15/16 budget:

Donation	\$50,000
Landscaping costs	\$22,900
Other Expenditure including insurance	\$32,800
TOTAL COST	\$105,700

The following is a draft budget of income and expenditure for the management of the centre.

NEWMAN HOUSE			
	Actual to Date	Estimated Actual	Budget
	2014/15	2014/15	2015/16
Income			
Rental Income	177,052.53	177,052.53	180,000.00
SoEP Donation	25,000.00	50,000.00	-
Conference Room Bookings	46,103.34	46,103.34	35,000.00
Equipment Hire Income	1,372.77	1,372.77	1,500.00
Interest	252.65	252.65	
Reimbursements	1,406.25	1,406.25	
Tea and Coffee Sales	3,604.48	3,604.48	3,500.00
Other	270.77	270.77	100.00
Total Income	255,062.79	280,062.79	220,100.00
Expenditure			
Cost of Sales			
Water Bottles	32.00	32.00	40.00
Milk	5.36	5.36	-
Conference Miscellaneous	22.30	100.00	500.00
Cutlery	5.46	5.46	-
Tea and Coffee Expenses	343.14	343.14	500.00
TOTAL COST OF SALES	363.66	485.96	1,040.00
Other Expenditure			
Alarm Monitoring	474.08	474.08	-
Minor Equipment (under \$1,000)			2,000.00
Audit Fees	4,000.00	4,000.00	-
Bank Charges	5.76	50.00	10.00
Building Management Fees	76,291.35	76,291.35	
Building Renewal Expenses	88,863.64	100,000.00	100,000.00
Cleaning	43,786.42	43,786.42	50,000.00
Computer / IT Expenses	821.86	821.86	1,000.00
Depreciation	1,100.82	1,100.82	
Electricity	15,018.69	15,018.69	20,000.00
Emergency Services Levy	3,214.54	3,214.54	3,500.00
Employment Costs (30 hours per week)			45,000.00
Freight	13.64	13.64	200.00
Gardening Expenses			22,900.00
Insurance	1,518.18	1,518.18	25,000.00
Legal Expenses			8,500.00
Office Supplies	2,095.93	2,095.93	2,000.00
Postage & Freight (incl PO Box)	104.55	104.55	130.00
Promotion and Advertising	1,038.64	1,038.64	1,000.00
Rates and Taxes	17,979.94	17,979.94	6,000.00
Repairs and Maintenance			20,000.00
Sundry Expenses	801.48	801.48	1,000.00
Telephone/Internet	2,518.20	2,518.20	2,500.00
Water Consumption / Rates	5,122.18	5,122.18	5,500.00
Total Expenditure	265,122.04	276,436.46	316,240.00
Surplus / (Deficit)	(10,059.25)	3,626.33	(96,140.00)

This would mean that the total cost of managing the Centre would be within current budget allocations.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/32

MOVED: Cr Dean Hatwell

SECONDED: Cr Biddy Schill

THAT Council approve the transfer of the management of Newman House from the Newman House Building Management Committee to Council.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 6 - 0**

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

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

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

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) The council –

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/33

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

THAT the "Status of Council Decisions" – Director Technical and Development Services for July 2015 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
16 December 2011	13.5	SIGNS – RECOGNITION ON THE DESERT ROADS Cr Lang Coppin asked if it was possible to get plaques/signs about the history and stories of the desert roads e.g.: rabbit proof fence. People always stop to read on their travels and Shire of East Pilbara needs recognition for these roads.	DTDS CEO DCEO	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	Brochure to be distributed after budget adopted. Shire to install numbers on all Shire properties	August 2015
26 June 2015	13.2	WATER FOUNTAIN MARBLE BAR SKATE PARK Cr Stephen Kiernan asked if a water fountain can be installed at the skate park in Marble Bar.	MTS-R	Has been ordered and will be installed once received.	August 2015
26 June 2015	13.4	MARBLE BAR HERITAGE TRAIL Cr Dean Hatwell said the heritage trail signs are in poor condition and if it is possible for these to be replaced and updated. It was mentioned that this may be already be replacement signs stored at the Marble Bar Depot.	MTS-R	Replacement signage received and scheduled for installation at end of month	August 2015
24 th July 2015	13.1	NULLAGINE PUBLIC TOILETS Cr Dean Hatwell asked who was responsible for the cleaning of the Nullagine Public Toilet as he called in on his way	MTS-R	It is a high use facility. Staff will review frequency of cleaning and attention to detail	August 2015

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

28 AUGUST, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		to Newman, the toilet had been hosed out, everything was wet including the toilet paper and the basin was still dirty. Mr Rick Miller replied the Shire of East Pilbara are responsible for the cleaning and will follow up.		when cleaning.	
24 th July 2015	13.4	GINGIANNA POOL Cr Shane Carter said there is a derelict caravan on the turn off to Gingianna Pool which requires removing. Mr Rick Miller, Director Technical and Development Services to follow up.	MCS	Works request raised and to be followed up by Ranger Services	August 2015
24 th July 2015	13.5	GREAT NORTHERN HIGHWAY Cr Anita Grace asked if the rubbish from the Newman Airport turn off to the Capricorn Roadhouse could be removed from the side of the Great Northern Highway. Mr Rick Miller to follow up with Main Roads.	DTDS TSAO	Works request will be raised with MRWA	August 2015
24 th July 2015	13.6	SPEED SIGN – KALGAN DRIVE Cr Anita Grace said the solar speed advice sign on Kalgan Drive is still not working. Mr Rick Miller, Director Technical and Development Services to follow up.	MTS-N TSAO	Works request raised to inspect and action	August 2015

**CARRIED
RECORD OF VOTE: 6 - 0**

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

9.3.2 AIRPORT BUDGET REALLOCATION

File Ref: FIN-23-10
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Leon Burger
Chief Operating Officer - Airports
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council's approval for a reallocation of capital budget as accepted as part of the Shire of East Pilbara Budget 2015/ 2016 process.

BACKGROUND

A number of complaints regarding lighting in the Long Term Car Park have been received during Financial Year 2014/ 2015. Lighting "black spots" stem from the fact that no additional power is available to flood lit the Long Term Car Park.

Solar lighting is utilised in the Long Term Car Park. Of these, a number of the first generation lights are located around the pay station. They have reached the end of their useful life. Corrective maintenance is continually required as they are very unreliable.

COMMENTS/OPTIONS/DISCUSSIONS

As a result of the above, the Airport requires a capital amount in account 129406 (Services – streetlights) to acquire new solar lights to light up critical areas in the Long Term Car Parks.

Within the approved Financial Year 2014/ 2015 Budget an amount of \$226,000 was approved for account 129024 - Vehicles. This amount represents a duplication of \$113,000 for replacement vehicles.

A reallocation of the duplicated \$113,000 in account 129024 is required to account 129406. This will allow the Airport the option to acquire new/additional new generation solar lights to light up critical areas.

COMMENTS

The following reallocation of budget is recommended:

Account	Name	Current amount	Future amount
129024	Vehicles	\$226,000	\$113,000
129406	Services - streetlights	0	\$113,000

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

3.4 BUDGET AMENDMENTS

STRATEGIC COMMUNITY PLAN

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.2 Asset Management

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/34

MOVED: Cr Shane Carter

SECONDED: Cr Dean Hatwell

THAT Council

- Approves the reallocation of \$113,000 included in the Financial Year 2015/ 2016 approved Budget from account 129024 to account 129406.

CARRIED
RECORD OF VOTE: 6 - 0

To be actioned by Mr Leon Burger, Chief Operating Officer - Airports

9.3.3 NEWMAN AIRPORT CAR PARK FEES

File Ref: FIN-23-10
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Leon Burger
Chief Operating Office - Airports
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council's approval for the amendment of Car Park Fees and Charges.

BACKGROUND

The Car Park Fees and Charges approved for Financial Year (FY) 2015/ 2016 (**Resolution 201415/201**) for the use of Newman Airport included both the Short Term Car Park and the Long Term Car Park Fees and Charges.

Prices for the Short Term Car Park are based on a per hour rate.

The Fees and Charges reflected in the accepted Schedule of Fees and Charges for Newman Airport contain a minor inconsistency.

The Short Term Car Park Fees and Charges accepted included the following:

Short Term Car Park Fees and Charges	
Time band current (incorrect)	Cost (incl GST)
6-7 hours	\$13.00
7-8 hours	\$15.00
9-10 hours	\$16.00
11-12 hours	\$17.00
12-24 hours	\$22.00

As can be seen, the fee for parking up to eight hours, would be the same as parking up to nine hours. Also, no incremental revenue is gained for stays longer than 10 but shorter than 11 hours.

COMMENTS/OPTIONS/DISCUSSIONS

The solution is to collapse the fee structure to encompass the omitted hours. Such a fee structure will have the added advantage of being simpler for users to understand, rather than creating new fee layers for the omitted time periods above.

Such a new Fees and Charges schedule would be reflected as:

Short Term Car Park Fees and Charges	
Time band	Cost (incl GST)
0-1	Free
1-2	\$4.00
2-3	\$5.00
3-4	\$7.00
4-5	\$8.00
5-6	\$9.00
6-7	\$13.00
7-8	\$15.00
8 to 9 hours	\$16.00
9 to 10 hours	\$17.00
10 to 24 hours	\$22.00
Additional days	\$22.00 per day

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 1- Introductory matters 1.7. Local Public Notice (pg 8)

Part 6 – Financial Management (Division 5 – Financing local government activities)(Subdivision 2 – Fees and charges) 6.16. Imposition of fees and charges (pg220)

Part 6 – Financial Management (Division 5 – Financing local government activities)(Subdivision 2 – Fees and charges) 6.19. Local government to give notice of fees and charges (pg222)

POLICY IMPLICATIONS

3.4 BUDGET AMENDMENTS

STRATEGIC COMMUNITY PLAN

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.2 Asset Management

FINANCIAL IMPLICATIONS

May lead to a slight increase in Shire income

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/35

MOVED: Cr Dean Hatwell

SECONDED: Cr Shane Carter

THAT Council

1. Approves the Newman Airport Short Term Car Parking Fees amendments as follows:

Airport Short Term Car Park Fees and Charges	
Car Parking Fees	Cost (incl GST)
Short Term Car Park - 8 to 9 hours	\$16.00
Short Term Car Park - 9 to 10 hours	\$17.00
Short Term Car Park - 10 to 24 hours	\$22.00

2. Advertise under Sections 1.7, 6.16 and 6.19 of the Local Government Act 1995, the Shire of East Pilbara's intention to introduce an amended fee which will be imposed from the 17 September 2015.

CARRIED BY ABSOLUTE MAJORITY

RECORD OF VOTE: 6 - 0

To be actioned by Mr Leon Burger, Chief Operating Officer - Airports

9.3.4 PILBARA REGIONAL COUNCIL - EOI FOR REGIONAL GREEN WASTE PROCESSING CONTRACT

File Ref: LEG-13
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Rick Miller
Director Technical and Development Services
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council's consideration for the Pilbara Regional Council (PRC) to proceed to a Selection Tender Process for Regional Green Waste Processing.

BACKGROUND

Expressions of Interest (EOI) arose from a PRC Steering Committee formed to discuss a shared pool of regional equipment. The Committee identified green waste processing as a service that was required across the Pilbara. It was determined that a regional services arrangement would deliver a more cost effective outcome than purchasing a shared asset for the works. In June 2015, the PRC issued an EOI to the market with respect to a regional green waste processing contract. Nine (9) submissions were received and these are currently being evaluated by a panel comprising of officers from PRC Member Councils and a PRC representative with a view to shortlisting suitable proponents for a Tender process.

The Shire of East Pilbara accepts approximately 535 tonnes of green waste annually for disposal at its Newman Landfill Waste Facility. The table below shows the estimated annual tonnage of green waste disposed across the Pilbara region.

Local Government Authority	Waste Management Facility	Green Waste Tonnages p/a (estimate)
City of Karratha	7 Mile Waste Facility	3,500
Town of Port Hedland	South Hedland Landfill	1,400
Shire of East Pilbara	Newman Landfill Waste Facility	535
Shire of Ashburton	Tom Price Waste Disposal Site	745
	Paraburdoo Waste Disposal Site	215
	Onslow Waste Transfer Station	135
	Total	6,350

The key objective of the EOI is to identify suitable contractors to provide mulching services for green waste currently disposed at Waste Management Facilities operated by PRC Member Councils. The benefits of providing such a service include:

- Providing a product suitable for use by the general public and in Council parks and gardens;
- Reducing waste to landfill in accordance with the WA Waste Strategy; ----- Reducing landfill emissions and leachate production; and
- Promoting sustainability within the community.

The general requirements of the EOI were as follows:

- Stockpiled green waste is to be processed by the Contractor on-site at the various Waste Management Facilities (WMFs);
- Large items not able to be mulched are to be set aside and disposed of to landfill; Finished product to be stockpiled into windrows of uniform width and height;
- Final mulched product to be fit for purpose for use by Parks Departments of the various Member LGAs and potentially for distribution to the general public; and
- Contractor to visit each WMF and mulch all stockpiled green waste at a quarterly minimum.

The evaluation of the EOIs will conclude shortly, however it is probable that several proponents will be deemed suitable to invite to tender. Should Member Councils agree to proceed to the Tender stage, a full scope of works will be determined by the panel assessing the EOIs. The PRC will perform the central contract management functions under this arrangement in consultation with the various Waste Management facility representatives.

COMMENTS/OPTIONS/DISCUSSIONS

Consultation has taken place between the PRC Steering Committee comprising officers from all member Councils and SOEP Director Technical and Development Services.

The Shire of East Pilbara currently burns off greenwaste at the Newman Landfill Site. The opportunity to mulch will have environmental benefits of avoiding CO2 emissions and cost benefits of being able to use local materials and greatly reduce the need to purchase mulch from Perth.

Similar resolutions have been adopted by other member Councils to allow the project to progress.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.3 Effective business management

Responsible officer: DCEO

Timing: 1-3 years

Goal 4 – Environmental – Planned Actions

4.2.1 Cultivate clean green towns

Responsible officer: MCW

Timing 1 year

The Shire of East Pilbara seeks to effectively manage and maintain its iconic Pilbara environmental assets by reducing ecological footprints and developing clean, green towns.

4.1 Reduce the Shire's ecological footprint

4.1.2 Promote recycling

Responsible officer: DTDS

Timing: 1-3 years

FINANCIAL IMPLICATIONS

No financial resource impact in carrying out officer's recommendation at this point. Should Council progress to accepting tender then costs would be allocated to relevant approved operational budgets.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/36

MOVED: Cr Stephen Kiernan

SECONDED: Cr Gerry Parsons

THAT Council

1. NOTE and SUPPORT the Pilbara Regional Council proposal to proceed to a Selection Tender process following the Expression of Interest evaluation outcome for a Regional Waste Processing contract ; and
2. REPORT the outcomes to Council for Consideration, following the tender evaluation.

CARRIED
RECORD OF VOTE: 6 - 0

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

9.3.5 TO SEEK COUNCIL APPROVAL TO REALLOCATE APPROVED 2015-16 BUDGETED FUNDS TO ALLOW PRIORITY PROJECTS TO BE COMPLETED.

Responsible Officer: Mr Rick Miller
Director Technical & Development Services

Author: Mr Bhavesh Modi
Manager Technical Services

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval to reallocate already approved 2015-16 budgeted funds, listed under the Function 12 Capital Expenditure in GL 129530 "Newman Town Streets Reseal", to allow priority projects to be completed.

BACKGROUND

The budget for the 2015-16 financial year was adopted at Council meeting held on 24 July 2015 which included the following accounts;

Newman Town Streets Reseal	(Funded Muni)	GL 129530	\$200,000
Federal Black Spot – Kalgan Drive	(Funded Grant 100%)	GL 129598	\$365,000
Federal Black Spot – Newman Drive	(Funded Grant 100%)	GL 129600	\$445,000

In 2014, Council received 100% Federal Black Spot funding for each project, Federal Black Spot – Kalgan Drive and Federal Black Spot – Newman Drive, separately. The total funding received was \$810,000 (EX GST) between two projects. Unfortunately, process associated, in particularly with approval from BHPB for design and specifications for electrical work, has taken longer and funds rolled over and must be spent this year or funding may be withdrawn from the federal source of funding.

Both, the road construction and street light upgrade, works is to align with *the Shire of East Pilbara Strategic Community Plan 2013-2022 "Our Planned Actions- 3.3 "Provide Adequate Community Infrastructure"*.

Black Spot funded project for Newman Drive widening and Kalgan Drive / Welsh Drive intersection improvement, and associated street light upgrade work, would stand out as an important project from the road safety point of view.

COMMENTS/OPTIONS/DISCUSSIONS

As per BHPBs' electrical approvals, the project on Kalgan Drive would incorporate relocation of six street lights and supply and installation of five new street lights, including conduit cabling even on road reserve.

Hence, with the increased level of complexity, the shire engaged specialist design consultant APD, through the project's main design consultant WML.

It was required to advertise a tender to undertake the procurement for the services of Civil and electrical contractors for construction and electrical works for the Shire of East Pilbara. On the day of tender closing, the shire received three submissions.

During tender evaluation, it was identified that as a result of a number of BHPB added street lighting work items, the prices received were way above the funded budget and budget figures were substantiated with a shortfall of about \$200,000 (EX GST).

There is an estimated shortfall in budget of \$200,000 to deliver both Black Spot projects. The \$200,000 from GL 129530 "Newman Town Streets Reseal" would be reallocated from accounts GL 129598 and GL 129600 as outlined in the Table 1;

Table 1

Description	Budget
GL 129530 "Newman Town Streets Reseal" adopted budget for 2015-16	\$200,000
LESS- Recommended Reallocation to GL 129598 Federal Black Spot – Kalgan Drive	\$175,000
LESS- Recommended Reallocation to GL 129600 Federal Black Spot – Newman Drive	\$25,000
Remaining budget for Newman Town Streets Reseal	\$0

Works intended from GL 129530 "Newman Town Streets Reseal" will be deferred as both Black Spot Funded projects are higher priority and high risk of losing funds if projects not completed during the 2015-16.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

- 1.1 Efficient and effective local government
 - 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

FINANCIAL IMPLICATIONS

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/37

MOVED: Cr Dean Hatwell

SECONDED: Cr Gerry Parsons

THAT Council

1. Reallocate funds from 2015/16 Approved Budget account GL 129530 "Newman Town Streets Reseal" \$200,000, with \$175,000 reallocated to GL 129598 Federal Black Spot – Kalgan Drive and \$25,000 reallocated to GL 129600 Federal Black Spot – Newman Drive.

**CARRIED
RECORD OF VOTE: 6 - 0**

To be actioned by Mr Bravesh Modi, Manager Technical Services

**9.3.6 TENDER RFT 14-2014-15 – BLACK SPOT FUNDED ROADWORKS AT
KALGAN DRIVE & NEWMAN DRIVE, NEWMAN.**

Attachments: Confidential
Responsible Officer: Mr Rick Miller
Director Technical & Development Services
Author: Mr Bhavesh Modi
Manager Technical Services
Location/Address: Newman Drive and Kalgan Drive /
Welsh Drive Intersection, Newman.
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to consider tender submissions for the provision of construction works incorporating Newman Drive reconstruction and Kalgan Drive / Welsh Drive intersection improvement and associated street light upgrade work and to seek approval for the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contract of the successful tenderer.

BACKGROUND

Both, the road construction and street light upgrade, works is to align with *the Shire of East Pilbara Strategic Community Plan 2013-2022 “Our Planned Actions- 3.3 “Provide Adequate Community Infrastructure”*.

In conjunction with findings from the road safety audit reports and crash data, funding applications were made for each road requesting fund under the Federal and State funded Black Spot Program to fix issues identified. Hence, both the Projects were 100% funded through the Federal Black Spot Program and the relevant budget details are outlined further in this recommendation.

Furthermore, the budget, for this project, for the 2015-16 financial year were adopted at Council meeting held 24 July 2015 which included the following accounts;

Federal Black Spot – Kalgan Drive	GL 129598	\$365,000
Federal Black Spot – Newman Drive	GL 129600	\$445,000

With approval on funding applications, the Shire staff engaged design consultant WML to provide them with design and specifications, for civil and electrical works, including getting BHPB’s approval on design and specifications for associated electrical works on Kalgan Drive.

It was required to advertise a tender to undertake the procurement for the services of Civil and electrical contractors for construction and electrical works for the Shire of East Pilbara.

The Shire advertised tender to seek services of a registered contractor/company to carry out road and associated street light works, as per the Shire supplied design and specifications, which is including but not limited to the followings;

- Pavement and culvert construction, asphalt laying, concrete kerb and footpath work, installation of various road furniture, and relocation of six existing street lights and supply and installation of five new street lights, over approximately 195m on Kalgan Drive.
- Pavement and culvert construction, asphalt laying, concrete kerb and footpath work and installation of various road furniture over approximately 470m on Newman Drive.

The request for tenders was advertised in the West Australian and the WALGA TenderLink e-Tendering Portal on 27th June 2015. The contractors were advised about release of electrical side of work related tender documents to take place on the Wednesday 8th July, 2015. The Shire issued two Addendums. Addendum No. 1 was issued on the 10th July, 2015 including documents for electrical side of work named as; Appendices 6.6, 6.7 and 6.8 and Revised Appendix 6.4. Addendum No. 2, however, was issued on the 14th July, 2015 with "Part 4 - Respondent's Offer has been attached in word format" as was requested by the contractor.

It is important to note that, after months long dealing with the BHPB by the shire engaged consultant WML and shire staff, the shire received BHPB's endorsement on the electrical works related design and specification on 6th August 2015.

COMMENTS/OPTIONS/DISCUSSIONS

The contractors were requested to participate in a mandatory briefing meeting on Friday 10th July, 2015 which was attended by five (5) contractors, including Marniyarra Mining and Civil, a local contractor Tribute Earthmoving and three other contractors who submitted their prices as mentioned just below.

The request for tenders closing date was Wednesday 22nd July, 2015. Three (3) tender submissions were received from the following companies:

Dowsing Family Trust, All Earth Group Pty Ltd and Degrey Civil Pty Ltd.

The Shire of East Pilbara is committed to providing safe, adequate and efficient infrastructure that represents "value for money" to its residents and business community across the district.

As mentioned above, in order to seek services of a registered contractor/company to carry out road and associated street light works, the Shire advertised tender and received three (3) tender submissions from the following companies:

Dowsing Family Trust, All Earth Group Pty Ltd and Degrey Civil Pty Ltd.

The tender evaluation assessed each submission against a set of qualitative criteria being; Relevant Experience, Skills and Experience of Key Personnel, Methodology, Demonstrated Understanding which was then considered in conjunction with the submitted schedule of rates.

Confidential Tender Recommendation Report, including breakdown on quoted tender price and aggregated weighted scores by the evaluation panel are attached with this report.

Also, attached for your information are design drawings; 5489-C-001- Locality Plan, 5489-C-100- General Layout, 5489-C-110- General Layout

It is important to note, after months long dealing with the BHPB by the shire engaged consultant WML and shire staff, the shire received BHPB endorsed the electrical works related design and specification on 6th August 2015.

Once final costings were detailed and expenditure to date for detail design and partial procurement, it was identified that the project needed an additional \$200,000 to ensure completion. These funds have been sourced from another approved project and the reallocation has been considered by Council in an earlier agenda item.

STATUTORY IMPLICATIONS/REQUIREMENTS

The requirements of the Local Government Act 1995 and the Local Government (Functions and General Regulations) 1996. Part 3 – Functions (Division 3 – Executive functions) 3.57 Tenders for providing goods or services.

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 with 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 - \$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.
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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 \$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:

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.

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

1. Duty Officers – Newman Aquatic Centre
2. Team Leader – Works Crew (Newman)
3. Field Officer and client Services – Martumili
4. Technical Services Administration Officer
5. RPT Bus Driver
6. Executive Services Administration Officer
7. Asset and Procurement Administration Officer
8. Marble Bar Mechanic
9. Community Wellbeing Administration Officer

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:

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 1995 apply;
12. The purchase is under the Shire of East Pilbara Supplier Panel and is under \$30,000 exc GST.

References	<ul style="list-style-type: none">• <i>Local Government Act 1995</i>• <i>Local Government (Functions and General) Regulations 1996 (as amended)</i>		
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
Next Review			

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.

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

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/38

MOVED: Cr Shane Carter

SECONDED: Cr Gerry Parsons

THAT Council

1. Award tender RFT 14–2014/2015 for the provision of construction works incorporating Newman Drive widening and Kalgan Drive / Welsh Drive intersection improvement and associated street light upgrade works to Dowsing Family Trust for \$861,381.78 Exclusive of 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 Dowsing Family Trust with respect to this tender.

CARRIED
RECORD OF VOTE: 6 - 0

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

**9.3.7 TENDER RFT 18-2014/2015 PROVISION OF WET HIRE OF PLANT
EQUIPMENT AND PERSONNEL**

File Ref:	LEG-13-4-18
Attachments:	<u>Confidential</u>
Responsible Officer:	Mr Rick Miller Director Technical and Development Services
Author:	Mr Ian Hamilton Technical & Development Services Consultant
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

The purpose of this report is to consider the submission of tenders for the provision of Wet Hire of Plant, Equipment and Personnel in order to appoint a panel of suitably qualified and experienced Contractors and to seek approval for the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contract for the successful tenderers.

BACKGROUND

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

Council is able to engage plant, equipment and personnel under this contract arrangement and is able to carry out minor as well as major works. Equipment may vary depending on project requirements but can range from the supply of one machine to assist with town works or the supply of heavy earthmoving equipment to carry out roadworks within Council's vast remote road network.

The contract is administered as a panel contract whereas the lowest ranked, based on submitted prices and demonstrated previous relevant experience, is consulted regarding availability. If the lowest ranked contractor is not available the offer of work is made to the next panel member.

The current contract term expired on the 30th of June 2015 (Tender RFT 21-2013/2014 Provision of Wet Hire of Plant, Equipment and Personnel). The option to extend the old contract by a further 2 x 12 months was not taken up as it was felt that due to the decline in construction activity as a result of the mining downturn it would be advantageous for Council to test the market to ensure the best rates and value for money is obtained.

A new tender was advertised for a one (1) year term from 1st July 2015 to the 30th of June 2016 with the option to extend by a further 2 x 12 months periods or part thereof up to the 30 June 2018.

The request for tenders was advertised in the West Australian Newspaper on June 6th, 2015 and uploaded to Tenderlink Portal the same day. Copies of the advertisements placed in the West Australian Newspaper were also placed on public noticeboards around Newman, Marble Bar and Nullagine.

Tenders closed at 10am, Friday 26th of June 2015. At the closing of tenders fifteen (15) compliant tender submissions had been received as per table and in no particular order.

Tenderer	ABN	Address
Young's Earthmoving Pty Ltd	54 094 469 584	50 Angelo Street South Perth WA 6151
Viento Contracting Services Pty Ltd	19 158 523 347	155 Lakes Road Hazelmere WA 6055
Tremor – The Earth's Moving Company Pty Ltd	12 600 192 372	135 Boundary Road Carnarvon WA 6701
T & K Crawshaw Contracting	Not Provided	PO Box 357 Newman WA 6753
Red Dust Holdings	82 428 834 120	62 Edward Road Utakarra WA 6530
Pilbara Hire Group Pty Ltd	39 114 700 784	Unit 1 58 Reserve Drive Mandurah WA 6210
Kee Hire Pty Ltd	28 129 173 842	1 Langar Way Landsdale WA 6065
Gumala Enterprises Pty Ltd	95 079 982 988	Lot 15A LIA Tom Price WA 6751
Edwards Transport	91 637 441 182	1 Munda Way Wedgefield WA 6721
East Pilbara Earthmoving	25 774 647 315	Noreena Downs Station WA
Degrey Civil Pty Ltd	23 141 935 364	7A Yanana Street Wedgefield WA 6722
Binbirri Contracting Pty Ltd	42 151 996 913	Lot 5232 Great Northern Highway South Hedland WA 6722
All Excavator Hire	66 186 358 760	43 Avocet Road Stirling WA 6021
All Earth Group	63 100 087 287	10 Schillaman Street South Hedland WA 6721
AK Evans Earthmoving	37 121 960 816	2 Trig St Wedgefield South Hedland WA 6722

The Tenders were assessed by the Evaluation Panel which included the Manager Technical Services – Rural Operations; Manager Technical Services – Newman Operations and Manager Special Projects/Contracts(Consultant). Tender submission

documents will be available at the meeting however, as prices submitted are commercial in confidence they are not detailed in this public document.

COMMENTS/OPTIONS/DISCUSSIONS

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

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

The following table shows the options that have been tendered as per table and in no particular order.

Tenderer	Town Based Works	Remote Works
Young's Earthmoving Pty Ltd		✓
Viento Contracting Services Pty Ltd	✓	✓
Tremor – the Earth's Moving Company Pty Ltd	✓	✓
T & K Crawshaw Earthmoving	✓	
Red Dust Holdings Pty Ltd	✓	✓
Pilbara Hire Group Pty Ltd	✓	
Kee Hire Pty Ltd	✓	✓
Gumala Enterprises Pty Ltd	✓	✓
Edwards Transport	✓	✓
East Pilbara Earthmoving	✓	✓
De Grey Pty Ltd	✓	
Binbirri Contracting Pty Ltd	✓	✓
All Excavator Hire	✓	✓
All Earth Group Pty Ltd	✓	
AK Evans Earthmoving	✓	✓

The pricing schedule consisted of a list of pre-determined equipment required and essential for remote works.

It would be advantageous to Council that all submissions be accepted in order to achieve the broadest possible coverage. This allows for full coverage of plant and equipment covering townsite works, airport desert/remote roadworks and remote maintenance grading, as well as strategically placed organisations to cover any potential emergency works.

However, some tenders are considered high and would only be considered should works be required of an urgent nature with lower priced tenderers not being available.

Council officers when engaging contractors will still provide specific scope of works and inspect sites to ensure works are completed on time and budget to provide quality product representing value for money.

STATUTORY IMPLICATIONS/REQUIREMENTS

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

POLICY IMPLICATIONS

10.12 PURCHASING AND TENDER PROCEDURES

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 - \$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:

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 \$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:

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.

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

1. Duty Officers – Newman Aquatic Centre
2. Team Leader – Works Crew (Newman)
3. Field Officer and client Services – Martumili
4. Technical Services Administration Officer
5. RPT Bus Driver
6. Executive Services Administration Officer (restricted to staff and councillor training/conference expenses)
7. Asset and Procurement Officer

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 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 \$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:

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):

1. An emergency situation as defined by the Local Government Act 1995;
2. 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;
3. The purchase is under auction which has been authorised by Council;

4. The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
5. Any of the other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 apply;
6. The purchase is under the Shire of East Pilbara Supplier Panel and is under \$30,000 exc GST.

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.

STRATEGIC COMMUNITY PLAN

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

1. **Award Tender 18-2014/2015 Provision of Wet Hire of Plant, Equipment and Personnel as per tendered schedule of rates, for the period 1st September 2015 to 30th June 2016 with an option to extend by a further 2 x 12 months or part thereof up to 30 June 2018:**

Tenderer	Town Based Works	Remote Works
Young's Earthmoving Pty Ltd-South Perth		✓
Viento Contracting Services Pty Ltd-Hazelmere	✓	✓
Tremor – The Earth's Moving Company Pty Ltd-Carnarvon	✓	✓
T & K Crawshaw Contracting-Newman	✓	
Red Dust Holdings-Utakarra	✓	✓
Pilbara Hire Group Pty Ltd-Mandurah	✓	
Kee Hire Pty Ltd-Landsdale	✓	✓
Gumala Enterprises Pty Ltd-Tom Price	✓	✓
Edwards Transport -Wedgefield	✓	✓
East Pilbara Earthmoving-Noreena Downs Station	✓	✓
Degrey Civil Pty Ltd-Wedgefield	✓	
Binbirri Contracting Pty Ltd-South Hedland	✓	✓
All Excavator Hire-Stirling	✓	✓
All Earth Group-South Hedland	✓	
AK Evans Earthmoving-South Hedland	✓	✓

2. **Approve the Chief Executive Officer applying the common seal of the Shire of East Pilbara to the Contract between the Shire and the contractors detailed in the table above.**

COUNCIL RESOLUTION: 201516/39

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

THAT Council

1. **Award Tender 18-2014/2015 Provision of Wet Hire of Plant, Equipment and Personnel as per tendered schedule of rates, for the period 1st September 2015 to 31st August 2016.**

Tenderer	Town Based Works	Remote Works
Young's Earthmoving Pty Ltd-South Perth		✓
Viento Contracting Services Pty Ltd-Hazelmere	✓	✓
Tremor – The Earth's Moving Company Pty Ltd-Carnarvon	✓	✓
T & K Crawshaw Contracting-Newman	✓	
Red Dust Holdings-Utakarra	✓	✓
Pilbara Hire Group Pty Ltd-Mandurah	✓	
Kee Hire Pty Ltd-Landsdale	✓	✓
Gumala Enterprises Pty Ltd-Tom Price	✓	✓
Edwards Transport -Wedgefield	✓	✓
East Pilbara Earthmoving-Noreena Downs Station	✓	✓
Degrey Civil Pty Ltd-Wedgefield	✓	
Binbirri Contracting Pty Ltd-South Hedland	✓	✓
All Excavator Hire-Stirling	✓	✓
All Earth Group-South Hedland	✓	
AK Evans Earthmoving-South Hedland	✓	✓

2. **Approve the Chief Executive Officer applying the common seal of the Shire of East Pilbara to the Contract between the Shire and the contractors detailed in the table above.**

**CARRIED
RECORD OF VOTE: 6 - 0**

Reason for Non Acceptance of Officer's Recommendation: Council felt it was unnecessary to be locked in a contract for more than one year as commodities are going down due to the fuel prices and the mining down turn.

To be actioned by Mr Ian Hamilton, Technical & Development Consultant

9.3.8 MEMORANDUM OF UNDERSTANDING BETWEEN THE SHIRE OF EAST PILBARA, NEWMAN SENIOR HIGH SCHOOL AND THE DEPARTMENT FOR CHILD PROTECTION AND FAMILY SUPPORT

Attachments: [MOU WELFARE CENTRE Newman - 2015 - 2018.docx](#)

Responsible Officer: Mr Rick Miller
Director Technical and Development Services

Author: Mr Paul Dickson
Manager Community Safety

Location/Address: Recreation Centre - Newman

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Councils approval of the Memorandum of Understanding (MOU) between the Shire of East Pilbara, Newman Senior High School and the Department for Child Protection and Family Support (DCPFS) for the provision of a welfare centre at the Newman Recreation Centre

To seek Councils approval for the Chief Executive Officer to sign, on behalf of Council, the MOU between the Shire of East Pilbara, Newman Senior High School and the Department for Child Protection and Family Support (DCPFS) for the provision of a welfare centre at the Newman Recreation Centre

BACKGROUND

Emergency Welfare Centres are a temporary shelter for persons rendered homeless by an emergency or due to evacuation from an emergency, ranging from short term emergency shelter to medium term accommodation as determined by the DCPFS.

Under WA Emergency Management Arrangements it is the responsibility of local government to make available suitable Local Government buildings to be used as welfare centres in the event of an emergency; this is identified in State Westplans that relate to various emergencies such as cyclone, storm and flood.

The Shire of East Pilbara has identified the Newman Recreation Centre as a suitable building for people that do not have permanent or adequate accommodation within Newman in which to seek shelter during an emergency or if evacuated in the face of an impending emergency. This building is not a Local Government building as it is owned by the Education Department however the Shire of East Pilbara shares it with the Education Department and they have agreed to it being used as a Welfare Centre in time of need.

The Newman Recreation Centre has always been identified as a place to shelter when residents and visitors to Newman have nowhere else to go, this MOU seeks to

formalise the responsibilities of each stakeholder should the building be activated as a Welfare Centre.

COMMENTS/OPTIONS/DISCUSSIONS

When a Welfare Centre is activated by the DCPFS it has been identified in the Local Emergency Management Plan for the provision of Welfare Support that various Shire of East Pilbara staff will support DCPFS when the building is being used as a Welfare Centre.

If any damage is caused to the building or equipment whilst it is being used as a Welfare Centre the DCPFS will reimburse the Shire and/or the Education Department for any replacement of equipment or repairs to the building, this includes any theft of Shire or Education Department assets.

The facility will only be activated as a Welfare Centre when requested by the respective Hazard Management Agency, in most instances this would be the Department of Fire & Emergency Services (DFES), in consultation with the various agencies that would form an Incident Support Group during an emergency, the Shire is represented on this group by the Manager Community Safety or his proxy.

The activation of any welfare centre during an emergency happens very rarely and given the agreement of the Education Department for this facility to be used in this capacity during an emergency and the agreement by the DCPFS to make good on any damage to or theft of any Council asset it is recommended that Council approve this Memorandum of Understanding and give approval for the CEO to sign on their behalf.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.1 Health and recreation

2.1.1 Promote safe and healthy communities
Responsible officer: MCW
Timing: 1-3 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/40

MOVED: Cr Stephen Kiernan

SECONDED: Cr Shane Carter

- 1. THAT Council endorse the Memorandum of Understanding between the Shire of East Pilbara, Newman Senior High School and the Department for Child Protection and Family Support (DCPFS) for the provision of a welfare centre at the Newman Recreation Centre**
- 2. THAT Council give approval for the Chief Executive Officer to sign, on behalf of Council, the Memorandum of Understanding between the Shire of East Pilbara, Newman Senior High School and the Department for Child Protection and Family Support (DCPFS) for the provision of a welfare centre at the Newman Recreation Centre**

**CARRIED
RECORD OF VOTE: 6 - 0**

To be actioned by Mr Paul Dickson, Manager Community Safety

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 NEWMAN NETBALL COURTS

Cr Gerry Parsons asked where the Shire of East Pilbara is with the repairs to the Newman Netball Courts, as the Northwest Championships are going to be held in Newman for 2016 and require the Courts to be fixed.

Deputy Chief Executive Officer, Ms Sian Appleton replied that we are waiting on the supplier to undertake repairs and we will be contacting the Newman Netball Association to advise of progress.

13.2 WATER FOUNTAINS WALK/CYCLE PATH

Cr Shane Carter said the water fountains on the walk/cycle path are not working?

Director Technical and Development Services, Mr Rick Miller replied there is only one fountain working due to health regulations and will follow up.

13.3 RUBBISH BIN – RADIO HILL

Cr Shane Carter asked if it is possible to put a bin next to the car park on Radio Hill as too many people are lazy to walk to the lookout to place the rubbish in the bin, instead it is dropped on the ground.

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

13.4 RSL PARK MARBLE BAR

Cr Dean Hatwell asked if it was possible to review the concept of the RSL Park layout and if possible to extend the playing area of the park.

Mr Rick Miller, Director Technical and Development Services to review.

13.5 WORKS MARBLE BAR

Cr Dean Hatwell asked if the Councillors could get an update or information on works scheduled for this financial year in Marble Bar.

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

13.6 OLD CATHOLIC CHURCH MARBLE BAR

Cr Stephen Kiernan asked if the Shire of East Pilbara could take responsibility of the old Catholic Church as it is deteriorating, and vandals are breaking in destroying the church.

Furthermore can discussions be made with the Catholic Church and Shire of East Pilbara on the future of the church.

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

13.7 ADSL MARBLE BAR

Cr Stephen Kiernan asked again for the Shire to follow up on the possibility of having ADSL installed in Marble Bar.

Mr Allen Cooper, Chief Executive Officer explained the situation on ADSL and requests to the Pilbara Development Commission to investigate.

13.8 CARAWINE GORGE

Cr Lang Coppin asked if the Shire of East Pilbara could investigate the possibility of Carawine Gorge becoming an A Class Reserve.

Mr Allen Cooper, Chief Executive Officer to follow up.

14 DATE OF NEXT MEETING

25th September 2015, Marble Bar

15 CLOSURE

2:32 PM