

Unconfirmed copy of Minutes of
Meeting held on 18 May 2018 subject to
confirmation at meeting to be held on
29 June 2018



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, 18 MAY, 2018.

Jeremy Edwards
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: _____
Jeremy Edwards
Chief Executive Officer

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairman declared the meeting open at 10:20AM and welcomed the Visitors in the public gallery.

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Cr Lynne Craigie	Shire President
Cr Jeton Ahmedi	Deputy Shire President
Cr Michael Kitchin	Councillor
Cr Anthony Middleton	Councillor
Cr Lang Coppin	Councillor
Cr Anita Grace	Councillor
Cr Biddy Schill	Councillor
Cr Craig Hoyer	Councillor
Cr Gerry Parsons	Councillor
Cr Dean Hatwell	Councillor

Officers

Mr Jeremy Edwards	Chief Executive Officer
Ms Sian Appleton	Deputy Chief Executive Officer
Mr Rick Miller	Director Technical and Development Services
Mrs Kylie Bergmann	Coordinator Governance
Miss Shannen Cusack	Administration Assistance
Mrs Sheryl Pobrica	Executive Services Administration Officer

Public Gallery

Mrs Sue Michoff	BHP
Mr Brendon Grylls	Pardoo Beef Corporation
Mr Bruce Cheung	Pardoo Beef Corporation
Mr Brett Blanchett	Pardoo Beef Corporation
Ms Monica Chetty	Pardoo Beef Corporation
Ms Helena Bailey	GHD
Mr Ed Hauck	Department of Primary Industry Resources and Development
Mr Anthony Carroll	Resident - VP NCCI

2.2 APOLOGIES

Councillor Apologies

Cr Carol Williams	Councillor
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Officer Apologies

Nil

2.3 LEAVE OF ABSENCE

Nil

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

5.1 PARDOO BEEF CORPORATION

Mr Brett Blanchett, CEO, Pardoo Beef Corporation provided to Council an updated overview of Pardoo Station.

Shire President, Lynne Craigie thanked Pardoo Beef Corporation for their presentation.

11:05 AM Mr Brett Blanchett, Mr Bruce Cheung, Mr Brendon Grylls, Mr Ed Hauck, Ms Monica Chetty and Ms Helena Bailey left the Chambers.

11:05 AM Cr Lang Coppin left the Chambers.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Cr Carol Williams has requested a leave of absence for June, July and August 2018.

COUNCIL RESOLUTION: 201718/169

MOVED: Cr Anita Grace

SECONDED: Cr Jeton Ahmedi

THAT Council grant the application for leave of absence for Cr Carol Williams for the months of June, July and August 2018.

**CARRIED
RECORD OF VOTE: 9 - 0**

To be actioned by Mr Jeremy Edwards, Chief Executive Officer

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

[Minutes April 13 2018 Council.DOCX](#)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/170

MOVED: Cr Biddy Schill

SECONDED: Cr Michael Kitchin

THAT the minutes of the Ordinary Meeting of Council held on 13 April 2018, be confirmed as a true and correct record of proceedings.

**CARRIED
RECORD OF VOTE: 9 - 0**

To be actioned by Mr Jeremy Edwards, Chief Executive Officer

8 MEMBERS REPORT

11:07 AM Cr Lang Coppin returned to the Chambers.

8.1 ITEMS FOR RECOMMENDATION

Nil

8.2 ITEMS FOR INFORMATION

Cr Craig Hoyer attended:

- LEMC Newman May Meeting
- Pilbara Kimberley Forum 1-2/05/2018
- Martu Farm Opening
- Premier Visit
- Pardoo Beef Corporation Dinner 17/05/2018

Cr Anthony Middleton attended:

- Pilbara Kimberley Forum 1-2/05/2018
- Welcome to Newman
- Pardoo Beef Corporation Dinner 17/05/2018

Cr Michael Kitchen attended:

- Pilbara Kimberley Forum 1-2/05/2018
- Premier Visit 17/04/2018
- Pardoo Beef Corporation Dinner 17/05/2018
- Volunteer Bush Fire Brigade Meeting/s Marble Bar 16/05/2017

Cr Dean Hatwell attended:

- Pardoo Beef Corporation Dinner 17/05/2018

Cr Lang Coppin attended:

- Volunteer Bush Fire Brigade Meeting/s Marble Bar 16/05/2017

Cr Anita Grace attended:

- Pilbara Kimberley Forum 1-2/05/2018
- Martu Farm Opening
- Premier Visit
- Pilbara Regional Council Meeting Perth
- Laying of wreath ANZAC Ceremony Newman
- Pardoo Beef Corporation Dinner 17/05/2018
- Newman Women's Shelter Meeting

Cr Gerry Parsons attended:

- Premier Visit
- Pilbara Development Commission Meeting Newman
- NCCI Meeting
- Pilbara Kimberley Forum 1-2/05/2018
- NCCI Business After Hours
- Welcome to Newman
- Newman Recreation Centre Management Committee Meeting
- Laying of wreath ANZAC Ceremony Newman
- Martu Farm Opening
- Pardoo Beef Corporation Dinner 17/05/2018

Cr Biddy Schill attended:

- Pilbara Kimberley Forum 1-2/05/2018
- LEMC Meeting Nullagine
- Pardoo Beef Corporation Dinner 17/05/2018
- ANZAC Ceremony Nullagine

Cr Jeton Ahmedi attended:

- Pilbara Kimberley Forum 1-2/05/2018
- Pilbara Development Commission Meeting Newman

Cr Lynne Craigie attended:

- Pilbara Kimberley Forum 1-2/05/2018
- Premier Visit
- Martu Farm Opening
- Welcome to Newman 05/05/2018
- Pilbara Regional Council 01/05/2018
- LGIS Committee Meeting
- Newman Visitors Centre Committee Meeting
- Mother's Day Classic 13/05/2018
- Meeting with BHP, Mr Pat Bourke
- Local Government Act Review
- Meeting with Kevin Michel re: TAFE
- ALGA Meeting
- ANZAC Ceremony - Perth
- Meeting with Hon K Sanderson
- Regional State Council Meeting
- LGCI Committee Meeting
- Pardoo Beef Corporation Dinner 17/05/2018
- Kim Beasley Ceremony
- Meeting with Mr Brendon Grylls re: Water
- Meeting with Hon Alannah MacTiernan
- Radio Interview with Nargla
- Radio interview with ABC Karratha
- Radio interview with ABC Broome
- interview with Northwest Telegraph
- WALGA executive meetings
- BHP Strategic Partners Launch
- Showing of a town called War Boys
- Members of Parliament Breakfast
- Welcome to Newman
- Meeting Adrian Robinson – Re: HR
- WACOSS Awards – Maggie Lewis
- Kim Beasley inauguration as Governor of WA
- Kimberley & Central Zone Meeting
- PRC Meeting

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - APRIL 2018

File Ref: CLR-4-5
Responsible Officer: Mr Jeremy Edwards
Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Proposed Meeting Date: 18 May 2018
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

The status list of Council decisions is included in the agenda.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 2 Constitution of local government
Division 2 Local governments and councils of local governments
Section 2.7

- (1) The council –
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to -
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

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

RISK MANAGEMENT CONSIDERATIONS

In order to remain transparent and to facilitate timely and appropriate decision-making it is necessary that actions items be reviewed at each Council meeting.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/171

MOVED: Cr Anita Grace

SECONDED: Cr Michael Kitchen

THAT the Chief Executive Officer "Status of Council Decisions" Report for the month of April 2018 be received.

**CARRIED
RECORD OF VOTE: 10 - 0**

To be actioned by Mr Jeremy Edwards, Chief Executive Officer

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

18 MAY, 2018

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE	COMMENTS
25 August 2017	12.1.2	AVIAIR PILBARA-RPT AIR SERVICE MOU	CEO		On Going	
22 September 2017	13.5	DESERT ROAD TRAIL SITES Cr Lang Coppin asked if a letter could be written to the mining companies in the Shire of East Pilbara region for sponsoring the Desert Road Trail whether it is to donate towards signage on the Trail especially Newcrest, Nifty, Woodie Woodie where the trail is close to their mining site. Chief Executive Officer to follow up.	CEO	Letter sent awaiting on response	April 2018	
22 September 2017	13.6	SPONSORSHIP FOR COMMUNITY AREAS Cr Lang Coppin asked if a letter could be written to the mining companies within the Shire of East Pilbara for sponsorship e.g. Rio Tinto, Millennium, FMG, Roy Hill, e.g. Marble Bar Skate Park, Marble Bar Golf Course, shade over community facilities, Nullagine. Chief Executive Officer to follow up.	CEO	The Executive Team met with Millennium / Roy Hill – awaiting further response. No other responses received.	April 2018	
8 December 2017	9.1.5	LOCAL GOVERNMENT ACT 1995 REVIEW: PHASE 1	CES		Now Closed	

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

18 MAY, 2018

Council Meeting Date	Item No	Responsible Officer	Report Title	Accepted Recommendation	Council Resolution No.	Actioning Officer	Comments/Action Taken	Completion Date
13 April 2018	9.1.1	CEO	CEO - Status of Council Decisions March 2018	THAT the CEO "Status of Council Decisions" Report for the month of March 2018 be received.	201718/153	CEO	No further action required, status report noted and received.	23/4/18
13 April 2018	9.1.2	CEO	WA Local Government Association Conference 2018	THAT: 1. The Shire President, Deputy Shire President, and all other interested Councillors, including the Chief Executive Officer to attend the WA Local Government Association (WALGA) Convention and Trade Exhibition 2018 on Thursday 2nd & Friday 3rd of August 2018, on behalf of the Shire of East Pilbara; and 2. The Deputy Shire President, Cr Jeton Ahmedi and one other Councillor to be Council's voting delegates at the WALGA Annual General Meeting on Wednesday 1st August 2018.	201718/154	CEO	Noted and Executive Services will make the arrangements with interested Councillors.	23/4/18
13 April 2018	9.1.3	MHR	Affixing of the Common Seal to Employment Contract - CEO	THAT Council note the common seal be affixed to the employment contract between the Shire of East Pilbara and Mr Jeremy Edwards, Chief Executive Officer for a term of three years (3) from 12th March 2018 to 11th March 2021.	201718/155	MHR		Completed
13 April 2018	9.1.4	MHR	Affixing of the Common Seal to Employment Contract - Manager Procurement and Assets	THAT Council note the common seal be affixed to the employment contract between the Shire of East Pilbara and Mr Ben Lewis, Manager Procurement and Assets, for a term of three years (3) from 7th April 2018 to 6th April 2021.	201718/156	MHR		Completed

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

18 MAY, 2018

13 April 2018	13.1	CEO	GENERAL BUSINESS Cr Bidy said she believe it is not beneficial to delete "General Business" from our monthly Council meeting.	Response: General business is currently listed as an item within the order of business in accordance with the Shire of East Pilbara Standing Orders 2010; therefore it will continue to be included.		CEO		Completed
13 April 2018	13.2	CEO	SHIRE HOUSE NULLAGINE Cr Bidy asked a shire worker (Anni Kennedy) who has recently of late moved into a shire house at no#19 Clemensen Street, Nullagine. All three bedrooms have had water ingress- carpet tiles are rotten. On removal it was found the wooden floors were rotten. Anni is currently living in the lounge/kitchen area could this situation be rectified urgently.	Response: The CEO and Director Technical and Development Services have inspected the house, some minor works to the floor need to be undertaken and these are being progressed. The employee living in the house is happy with the current arrangement and works that will be progressed.		CEO		Completed
13 April 2018	13.7	CEO	NEWMAN HOSPITAL Cr Michael Kitchen asked are we still in a bind re the rebuilding /replacement of the Newman Hospital. This is a parlous state for a town of some 4,600 personnel. May a committee inclusive of residents, health operatives, health professionals, local constabulary perhaps chaired by out CEO or his delegate, be formed as an advocacy source to try and get some action by the Govt. Onslow with a population of 800, had an extremely active hospital committee, that with LNG Companies assistance, secured a \$51M hospital back in 2015, with broad parameters of top notch medical services, way ahead of those services available here in Newman.	Response: The Shire President and CEO recently met with the Principal Policy Advisor for the Minister for Health and it was advised that scoping for the design is underway and the project is on track.		CEO		Completed

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

18 MAY, 2018

13 April 2018	13.8	CEO	<p>IMPROVE OVERALL COUNCIL operational efficiency Cr Michael Kitchin would like to present/discuss with the CEO some suggestions for improving the information flows to Councillors which would improve overall Council operation efficiency. Response: The CEO is happy to meet with individual Councillors to discuss these matters.</p>	Response: The CEO is happy to meet with individual Councillors to discuss these matters.		CEO		
13 April 2018	13.10	CEO	<p>TENDER FOR INSURANCE TO OBTAIN COMPETITIVE MARKET</p> <p>tender for insurance to obtain competitive market</p> <p>Cr Michael Kitchin tabled questions for consideration as below</p> <p>Background The Council Insurer LGIS. How long has the LGIS been SoEP insurer? When did SoEP last tender for its insurance cover? What is the cost of the current insurance cover? Does the CEO believe that going to tender has the potential to save SoEP residents and ratepayer's money? Rationale It is consistent with good procurement practices to ensure that expenditure by SoEP is regularly checked to ensure competitive pricing. I have been advised that most Councils who went to tender last year remained with LGIS but received a significant reduction of the order of 30-40% on their premiums for like for like insurance</p>	Response: The Chief Executive Officer to take on notice.		CEO		

			<p>insurance cover. Going to tender has the potential for significant savings to SoEP residents and ratepayers. Contact: jlyon@cambridge.wa.gov.au Risk Advisory Services provide corporate insurance services. 40 of the top 200 ASX listed companies – with previous experience they have streamlined the process and the information required from Councils is that the process of going to tender involves little more than the provision of the risk report prepared by JLT, provided to your Council each year and the population of a proforma document which requires similar information to that of your annual renewal. From a resourcing point of view this process requires less than one days work for an individual.</p> <p>RAS have agreed to reduce that cost of their tender service to \$10,000 for each Council. The likely cost of an alternate insurance tender service provider to run a similar tender process is \$25,000. LGIS scheme uses JLT as a fund manager and broker, given the potential for conflict, it is a matter for good governance to go to tender on this service. Most Councils who went to tender last year remained with LGIS and received 90% of like for like.</p>					
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9.1.2 GENERAL BUSINESS IN COUNCIL MEETINGS

Responsible Officer: Mr Jeremy Edwards
Chief Executive Officer

Author: Mrs Kylie Bergmann
Coordinator Governance

Proposed Meeting Date: 18 May 2018

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To consider the removal of General Business from the order of business at a Council Meeting.

BACKGROUND

Traditionally, general business has been used by Councillors to raise questions and have general discussions. There is generally no discussion or debate around particular motions.

From a governance and best practise perspective this type of discussion should ideally take place during Corporate Discussion/Concept Forum or similar.

The purpose of a Council meeting is to discuss and debate the motions that have been put forward to the Council. No business should be transacted at a Council meeting unless specified in the agenda.¹ Therefore, it is more appropriate that these discussions take place in an alternative forum.

COMMENTS/OPTIONS/DISCUSSIONS

It has previously been mentioned that the order of business, as defined in the Shire of East Pilbara *Standing Orders Local Law 2010*, shall include general business. However, cl 4.3(1) says that Council can decide otherwise:

“Unless otherwise decided by the Council the order of business at an ordinary meeting of the Council is to be as follows-“

It is for this reason the administration is suggesting that general business *can* be removed from the order of business of a Council meeting.

By way of comparison, we have done some research into what other local Councils in the region include in their order of business; specifically whether they include general business.

¹ No business is to be transacted at a Council meeting unless specified in the agenda. Cl 4.1(1) Shire of East Pilbara, *Standing Orders Local Law 2010*

The WALGA Model Local Law for Standing Orders does not include General Business in the order of business for Council Meetings. It does however; include an item for 'Questions from Members without notice.' Whilst this is currently not within our order of business at the Shire of East Pilbara it is proposed to include it within the future.

Comparisons for neighbouring local governments are as follows:

Council Locality	General Business Yes/No
City of Karratha	No
Town of Port Hedland	Questions from members without notice
Shire of Ashburton	No
Shire of Broome	No
Shire of Derby West Kimberley	No

The only other local regional council that appears to have something similar to our General Business is the Town of Port Hedland, where questions from members are given without notice as indicated and outlined above this is similar to the WALGA model local law.

Our intention is not to remove Council's right to have these general discussions with staff and each other but rather, to move them to a more appropriate forum – e.g. Corporate Discussion.

In the past, we have allowed 1 hour for Corporate Discussion However, in the future we envisage Corporate Discussion and the opportunity for general business with Council to take up most of the morning. Council meetings in the future will be recommended to start after lunch

Council should also be aware that the Shire of East Pilbara *Standing Orders Local Law 2011* is due for review. Pursuant to section 3.16 of the *Local Government Act 1995*, Council must conduct periodic reviews of its local laws every 8 years. Therefore, the *Standing Orders Local Law 2011* must be reviewed by 17 January 2019. It would appear to be unlikely that the inclusion of general business would be acceptable by the Joint Standing Committee once the Shire reviews its standing orders local laws. This may be a good time to review the order of business for our Council meetings.

Another point for Councillor to note is the ability to raise motions of which previous notice has been given. This is currently included within the order of business and any proposed motions would need to be submitted prior to the development of the agenda.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Part 5 Administration

Division 2 Council meetings, committees and their meetings and electors' meetings

Local Government (Administration) Regulations 1996

Part 2 Council and committee meetings

Shire of East Pilbara Standing Orders Local Law 2010

Part 4 Business of the Meeting
cl 4.3 Order of business

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.

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

1.1.1 Ethical, accountable and transparent decision-making
 Responsible officer: DCEO
 Timing: As appropriate

RISK MANAGEMENT CONSIDERATIONS

As previously mentioned, discussion at Council meetings should only be around those agenda items that have been presented before Council. If Council are discussing items not on the agenda, there is the risk that they have not properly been informed about those items. This is not good practice from a governance point of view.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/172

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

THAT Council:

1. Remove General Business from the order of business at a Council meeting.
2. Include General Business as an item in Corporate Discussion.

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 9 - 1

To be actioned by Mrs Kylie Bergmann, Coordinator Governance

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

**9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER - STATUS OF COUNCIL
DECISIONS - APRIL 2018**

File Ref: CLR-4-5
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Proposed Meeting Date: 18 May 2018
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

The status list of Council decisions is included in the agenda.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 2 Constitution of local government
Division 2 Local governments and councils of local governments
Section 2.7

- (1) The council –
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to -
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

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

RISK MANAGEMENT CONSIDERATIONS

In order to remain transparent and to facilitate timely and appropriate decision-making it is necessary that actions items be reviewed at each Council meeting.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/173

MOVED: Cr Anita Grace

SECONDED: Cr Gerry Parsons

THAT the Deputy Chief Executive Officer "Status of Council Decisions" Report for the month of April 2018 be received.

CARRIED
RECORD OF VOTE: 10 - 0

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

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

18 MAY, 2018

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	OFFICERS	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE	COMMENTS
28 July 2017	13.2	NULLAGINE CARAVAN PARK Cr Biddy Schill said the toilet block at the Nullagine Caravan Park requires an urgent upgrade as they are unacceptable for use; especially it is now tourist season. Cr Biddy Schill would like this brought back to Council regarding the condition of the toilet block. Ms Sian Appleton, Deputy Chief Executive Officer to follow up.	DCEO	Report being provided re-future of Nullagine Caravan Park	April 2018	Presentation to May Corporate Discussion and agenda item to be presented to June meeting
8 December 2017	13.8	COUNCILLOR KNOWLEDGE OF THE SHIRE Cr Lang Coppin asked if it would be possible to arrange an internal trip across the Shire for all Councillors in an effort to increase their working knowledge on its communities. Shire President Lynne Craigie said that this would be logistically difficult and suggested that staff produce a photo and information session to be presented by Council. Ms Sian Appleton, Deputy Chief Executive Officer to follow up.	DCEO	With the Media Relations Department	May 2018	Presentation to May Corporate Discussion
9 March 2018	3.2.2	TOILET BLOCKS AT GALLOP HALL AND CARAVAN PARK NULLAGINE Cr Biddy Schill	MAP	Allegedly these premises have been assessed could we have a result and plans for the refurbishment. Ms Sian Appleton, Acting Chief Executive Officer response: Gallop Hall new toilet block is in the agenda for consideration. Mr Ben Lewis, Acting Director Community Services response: An initial site audit has been completed; this information will form part of the report to be present to Council at the April meeting.	May 2018	Please see item one – 13.2

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

18 MAY, 2018

Council Meeting Date	Item No	Responsible Officer	Report Title	Accepted Recommendation	Council Resolution No.	Actioning Officer	Comments/Action Taken	Completion Date
13 April 2018	9.2.1	DCEO	DCEO - Status of Council Decisions March 2018	THAT the DCEO "Status of Council Decisions" Report for the month of March 2018 be received.	201718/157	DCEO	Noted - no further action required 23/04/2018	23/04/2018
13 April 2018	9.2.2	DCEO	Affixing Common Seal under delegated authority	THAT Council receive the report detailing where the Common Seal has been affixed under delegated authority to the: - 1. Contract - Awarded to Wideglide Constructions for patio, fencing and pathways works to 1 Ella Street, and fencing works to 3 Ella Street, Newman. 2. Contract - Awarded to Wideglide Constructions for a kitchen, bathroom and laundry upgrade, internal painting and new bearers to 1 Beeton Street, Nullagine. 3. Contract - Awarded to Wideglide Constructions for a bathroom, toilet and laundry upgrade, and tiling to the lounge and dining areas to 3 Kurra Street, Newman.	201718/158	CPO	Noted - no further action required	23/04/2018
13 April 2018	9.2.3	DCEO	Adoption of Proposed Fees and Charges 2018/2019	THAT Council 1. Approve the proposed schedule of fees and charges; 2. Include fees and charges in Council's 2018/2019 annual budget. 3. Note the change to the domestic bins (waste & recycling) charge to remain at \$260.00 for the 2018/19 annual budget.	201718/159	CFS	Rubbish charge noted. Document to be included in 2018/2019 Budget	24/04/2018

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

18 MAY, 2018

13 April 2018	9.2.4	DCEO	Draft 2018/2019 Differential Rating Model	<p>THAT Council</p> <ol style="list-style-type: none"> 1. Endorse the advertising of the Council's intention to levy the following differential rates in 2018/2019 2. Endorse the Objects and Reasons for the proposed differential rates as presented; 3. Confirm the deviation from the rating strategy contained in the current Corporate Business Plan and Long Term Financial Plan at a 4% increase, be reduced to a 3% increase in response to changing economic conditions in the district; 4. Apply to the Minister for Local Government for approval to impose differential rates that exceed the statutory two times limit in the GRV and UV categories for the 2018/2019 financial year. 	201718/160	MCorpS	Advertised as at 2nd May 2018 - Additional agenda in May Meeting	2/05/2018
13 April 2018	9.2.5	DCEO	Fraud & Corruption Prevention Policy & Plan	<p>THAT Council:</p> <ol style="list-style-type: none"> 1. Endorse changes to the Fraud & Corruption Prevention Policy, as attached. 2. Endorse changes to the Fraud & corruption Prevention Plan, as attached. 3. Highlight the following 5 priorities for the following 12 months: <ol style="list-style-type: none"> a. Fraud & corruption control responsibilities be incorporated into the performance management system. b. Preventing fraud and corruption should be specified in the position description of line managers. c. Communicate fraud and corruption awareness through the staff newsletter. d. Revalidation checks of criminal history (police clearance) every 5 years. e. Consider developing a policy of mandatory reporting of known or suspected fraud or corruption. 	201718/161	CG		

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

18 MAY, 2018

13 April 2018	9.2.6	DCEO	Monthly Financial Report - February 2018	THAT the monthly financial statements for the period 1st July 2017 to 28th February 2018 of the 2017/2018 financial year as presented be received.	201718/162	CFS	Completed	24/04/2018
13 April 2018	9.2.7	DCEO	Creditors for payment	THAT Council endorse payments as presented.	201718/163	EFO	Completed	24/04/2018
13 April 2018	13.13	DCEO	TOURISM Cr Lang Coppin commented he visited the Caravan Camping Expo in Perth and the display regarding the Pilbara, especially the East Pilbara was very limited. Can Council revisit expenditure on tourism promotion.	Deputy Chief Executive Officer to follow up.		DCEO	To be considered in Budget	
13 April 2018	13.14	DCEO	OHS INCIDENT STATISTICS Cr Anthony Middleton was concerned about the figures in the April 2018 Information bulletin on loss time injuries, and asked if this can be investigated.	Deputy Chief Executive Officer to follow up.		DCEO	DCEO to comment	

9.2.2 REVIEW OF MEETING ATTENDANCE FEES AND MEMBER ALLOWANCES

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Mrs Lisa Davis
Manager Corporate Services

Proposed Meeting Date: 18 May 2018

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

11:25 AM Miss Shannen Cusack left the Chambers.

11:28 AM Miss Shannen Cusack returned to the Chambers.

REPORT PURPOSE

To determine the amount to be provided for in the 2018/2019 budget for meeting attendance fees for Members and reimbursement of allowable expenses.

BACKGROUND

The Local Government Act provides for the payment to Members of fees for attending Council Meetings on either per meeting, or annual basis and these are set annually by the Salaries and Allowances Tribunal (SAT). The Act also allows for the reimbursement of, or an allowance to, cover certain expenses incurred by council members.

Current Fees are as follows: -

- | | | |
|-----|-------------------------------|--|
| (a) | Councillor's Meeting Fees | \$152,500 (An Annual Fee of \$15,250 per Councillor) |
| (b) | President's Meeting Fees | \$29,450 |
| (c) | Presidential Allowance | \$33,500 |
| (d) | Deputy Presidential Allowance | \$8,380 |
| (e) | Telecommunications Allowance | \$1,000 (Councillors) |
| | Telecommunications Allowance | \$2,000 (President) |

Each Council is placed into a band to determine applicable fees. The Shire of East Pilbara falls into band two (2).

The value of attendance fees and allowances are stipulated by the SAT and from 1 July 2018 are as follows:

	For a council member other than the President			For a council member who holds the office of President		
Council meeting attendance fees per meeting – local governments	\$369	to	\$576	\$369	to	\$772
Committee meeting and prescribed meeting attendance fees – per meeting (including President)	\$184	to	\$288	\$184	to	\$288
Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees	\$14,718	to	\$23,000	\$14,718	to	\$30,841
Annual allowance for a President				\$15,225	to	\$62,727
Annual allowance for a Deputy President	The percentage determined for the purposes of section 5.98A(1) of the LG Act is 25 per cent.					

The Salaries and Wages Tribunal also allows for an annual ICT allowance -

9.2 Annual Allowances Determined Instead of Reimbursement for Particular Types of Expenses

(1) In this section –

ICT expenses means –

- (a) rental charges in relation to one telephone and one facsimile machine, as prescribed by regulation 31(1)(a) of the LG Regulations; or
- (b) any other expenses that relate to information and communications technology (for example, telephone call charges and internet service provider fees) and that are a kind of expense prescribed by regulation 32(1) of the LG Regulations;

(2) For the purposes of section 5.99A(b) of the LG Act, the minimum annual allowance for ICT expenses is \$500 and the maximum annual allowance for ICT expenses is \$3,500.

COMMENTS/OPTIONS/DISCUSSIONS

When considering the fees payable and allowances which may be reimbursed to Councillors the unique circumstances applicable to the Shire of East Pilbara need to be considered. Given the sheer size of the Shire and the isolation of the location the commitment by Councillors in both time, predominantly for travel, and expenses incurred would exceed those of other smaller local governments and those closer to, or based in, the metropolitan area.

Although historically Councillors have been paid under the “Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees” scenario there is the option to change to a pay by meeting scenario.

The current Council meeting and Allowance fees are currently within the Salaries and Allowances Tribunal parameters. Council does have the option to raise Councillor meeting

fees more than this. The fees and allowances payable were not raised last year. A 1.9% raise in fees has been applied to all sitting fees and the President and Deputy President's allowances, in line with Australian Bureau of Statistics Consumer Price Index increase for the March 2017 to March 2018 year, for Council consideration.

Comparison Sitting Fees - Pilbara Council's

Details	2016/17	2016/17	2016/17
	Ashburton	Port Hedland	Karratha
President's Meeting Fees	30,385	N/A	45,000
Deputy President's Meeting Fees	N/A	N/A	30,000
Councillor' Meeting Fees	(8) 171,624	(9) 294,000	(9) 270,000
Presidential Allowance	61,800	88,000	85,000
Deputy President's Allowance	15,450	22,000	21,250
Telecommunications Allowance	4,600	19,000	38,350
Members' Travelling	74,000	22,000	30,434
	186,235	151,000	250,034

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act

Section 5.98 Fees for Council members

5.98A Allowance for Deputy President

5.99 Annual Fee for Attending Meetings

5.99A Allowances in Lieu of Reimbursements

Administration Regulations

Regulation 30 Meeting Attendance Fees

31 Expenses that are to be reimbursed

32 Expenses that may be reimbursed

33 Annual Allowance for President

33A Annual Allowance for Deputy President

34 Annual Attendance Fees

34A Allowances in Lieu of Reimbursements of Telecommunications Expenses

Salaries and Allowances Tribunal – Local Government Elected Members Review April 2018

POLICY IMPLICATIONS

1.11 SHIRE PRESIDENT & COUNCILLORS – ATTENDANCE FEES, EXPENSES & ALLOWANCES

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

RISK MANAGEMENT CONSIDERATIONS

That adequate resources will not be allowed for in the development of the budget for the 2018/2019 financial year.

FINANCIAL IMPLICATIONS

There are no current resources allocated, will need to be considered as part of next budgetary process.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council

Endorse the following annual allowances and meeting attendance fees for inclusion in the 2018/19 budget to be paid quarterly in arrears

- (a) Councillor's Meeting Fees \$155,400 (An Annual Fee of \$15,540 per Councillor)
 - (b) President's Meeting Fees \$30,000
- 2. A Telecommunications Allowance per annum to be paid quarterly in arrears of \$1,000 to all councillors and \$2,000 to the Shire President.
 - 3. A Presidential Allowance of \$33,900 per annum be paid quarterly in arrears
 - 4. A Deputy Presidential Allowance of \$8,540 per annum be paid quarterly in arrears

ALTERNATIVE MOTION – Cr Dean Hatwell

COUNCIL RESOLUTION: 201718/174

MOVED: Cr Dean Hatwell

SECONDED: Cr Anita Grace

THAT Council

1. Endorse the following annual allowances and meeting attendance fees for inclusion in the 2018/19 budget to be paid quarterly in arrears

(a) Councillor's Meeting Fees \$161,000 (An Annual Fee of \$16,100 per Councillor)

(b) President's Meeting Fees \$21,600

2. A Telecommunications Allowance per annum to be paid quarterly in arrears of \$1,000 to all councillors and \$2,000 to the Shire President.
3. A Presidential Allowance of \$44,000 per annum be paid quarterly in arrears
4. A Deputy Presidential Allowance of \$11,000 per annum be paid quarterly in arrears

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 8 - 2

Reason for Non Acceptance of Officer's Recommendation:

Under the proposed fee structure the Presidents meeting fee reflected approximately 97% (\$30,000) of the maximum allowable amount for the Shire President being \$30,841. Council were of the view that a standard percentage rate of each allowance would be a more transparent and consistent way of applying these fees, the rate of approximately 70% should therefore be applied across the board. The breakdown of fees would be as follows:

	Meeting Fees		Previously Proposed	New Proposed	Percentage of Maximum
	Range Minimum	Range Maximum			
Presidents Meeting Fee	\$14,718	\$30,841	\$30,000	\$21,600	70%
Elected Member Meeting Fee	\$14,718	\$23,000	\$15,540	\$16,100	70%
President Allowance	\$15,225	\$62,727	\$33,900	\$44,000	70%
Deputy President Allowance	\$3,806	\$15,682	\$8,540	\$11,000	25% of Presidents
President Telecommunications	\$2,000	\$2,000	\$2,000	\$2,000	N/A
Elected Member Telecommunications	\$1,000	\$1,000	\$1,000	\$1,000	N/A
Grand Total			\$239,840	\$249,600	
			Previously Proposed	New Proposed	Difference
Total Presidents			\$63,900	\$65,600	\$1,700
Total D/Presidents			\$24,080	\$27,100	\$3,020
Total Elected Member			\$15,540	\$16,100	\$560
President Telecommunications			\$2,000	\$2,000	\$0
Elected Member Telecommunications			\$1,000	\$1,000	\$0
Grand Total			\$239,840	\$249,600	\$9,760

The total annual cost will now be \$249,600 as opposed to \$239,840 however the above allows for an equitable and transparent application of the fees across the Council structure.

To be actioned by Mrs Lisa Davis, Manager Corporate Services.

9.2.3 PUBLIC INTEREST DISCLOSURE GUIDELINES REVIEW

File Ref:	LEG-1-10
Attachments:	Public Interest Disclosure Guidelines 2018 DRAFT docx
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mrs Kylie Bergmann Coordinator Governance
Proposed Meeting Date:	18 May 2018
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to endorse the 2018-2020 Public Interest Disclosure (**PID**) Guidelines.

BACKGROUND

Council adopted the PID Guidelines in 2014. Last review was done on 27 May 2016.

*NOTE: previously the guidelines included a requirement to review the document annually. This has been changed to biennial reviews.

COMMENTS/OPTIONS/DISCUSSIONS

Minor amendments have been made to the PID Guidelines, as shown in the **attached** document.

In particular, the nominated PID Officers have been changed (due to staff changes). The newly appointed PID Officers will be:

- Coordinator Executive Services – VACANT
- Coordinator Governance – Kylie Bergmann
- Manager Development Services – Building – David Evrett
- Manager Community Safety – Brent Stein

STATUTORY IMPLICATIONS/REQUIREMENTS

Public Interest Disclosure Act 2003 – Part 5 – Section 23

23. Principal executive officer of public authority, duties of

- (1) The principal executive officer of a public authority must –
 - (a) designate the occupant of a specified position with the authority as the person responsible for receiving disclosures of public interest information; and
-

- (b) provide protection from detrimental action or the threat of detrimental action for any employee of the public authority who makes an appropriate disclosure of public interest information; and
 - (c) ensure that his or her public authority complies with this Act; and
 - (d) ensure that his or her public authority complies with the code established by the Commissioner under section 20; and
 - (e) prepare and publish internal procedures relating to the authority's obligations under this Act; and
 - (f) provide information annually to the Commissioner on –
 - (i) the number of public interest disclosures received by a responsible officer of the authority over the report period; and
 - (ii) the results of any investigations conducted as a result of the disclosures and the action, if any, taken as a result of each investigation; and
 - (iii) such other matters as are prescribed.
- (2) Internal procedures prepared under subsection (1)(e) must be consistent with guidelines prepared by the Commissioner under section 21.

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

RISK MANAGEMENT CONSIDERATIONS

The Shire must prepare internal procedures as required by s23 of the PID Act. Failure to do so will result in the Shire being non-compliant with this requirement.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/175

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

THAT Council:

1. Endorse the following officers to be Public Interest Disclosure Officers:
Coordinator Governance – Kylie Bergmann
Manager Development Services – Building – David Evrett
Manager Community Safety – Brent Stein
2. Adopt the changes to the Public Interest Disclosure Guidelines 2018-2020, as attached.

CARRIED
RECORD OF VOTE: 10 - 0

To be actioned by Mrs Kylie Bergmann, Coordinator Governance

9.2.4 25M POOL UPGRADE NEWMAN AQUATIC CENTRE

Attachments: [Concept A](#)
[Concept B](#)

File Ref: LEG-13-7-7

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Mr Ben Lewis
Manager Assets and Procurement

Proposed Meeting Date: 18 May 2018

Location/Address: Newman Aquatic Centre

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Councils preferred design option for the redevelopment of the 25 metre pool at the Newman Aquatic Centre.

BACKGROUND

Council at its ordinary meeting on 28 August 2015, resolved to prepare initial plans to redevelop the Newman Aquatic Centre Water Playground. Since then Council officers have secured funding through the Pilbara Development Council to redesign the water playground back into a 25m program pool. In January 2018 Geoff Ninnes Fong and Partners PTY LTD we awarded the contract to complete the redesign. In March 2018, the aquatic engineer undertook a comprehensive inspection of the site including the existing plant room.

COMMENTS/OPTIONS/DISCUSSIONS

The design of the 25m program pool is a relatively simple process and the added features of a disabled access ramp and seating along the length of the pool will be of benefit to general users as well as those learning to swim.

The program pool is to remain in the same location only with an extension down towards the plant room to allow additional space and to tie into a new balance tank.

Having completed a site inspection and liaising with pool staff regarding operational issues, the aquatic engineers have identified that the plant servicing the existing toddler pool is tired and requires some work. They also identified that there are some operational issues with the existing toddler pool regarding the return lines and the absence of adequate screening which is a carryover from the installation of the water playground.

Once the engineers calculated the size of the plant required to service the new program pool, it was identified that there would be enough capacity to incorporate the toddler pool as well. This will be a significant advantage to council and potentially we can reduce operational costs by having one filtration system to service two bodies of water.

Considering the operational issues with the existing toddler pool, the decision was made to include a toddler section at the end of the program pool. This would allow for two new bodies of water operated by a new plant which would be more effective to run operationally and financially. The concept plans were developed to incorporate a toddler pool into the design for the program pool.

There are two concept designs, Concept A shows the toddler pool attached to the end of the program pool and Concept B shows the toddler pool separated from the program pool. The difference between the two concepts is the existing bridge.

In accordance with the Recreational Master Plan adopted by Council at its ordinary meeting in August 2014, the long term strategic plan is to move the dry recreational facility to the aquatic centre and have one centralised recreational precinct. In this concept the dry facility would be located on the grass area at the western end of the centre adjacent to the existing toddler pool. In this concept the toddler pool would be relocated to make room for the new building, so concept A would be best for the long term strategic plan.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.3 Provide adequate community infrastructure

- 3.3.1 Ensure well managed and equitable provision of community infrastructure
Partnering With: Federal Government, State Government, Industry, NCCI, other relevant stake holders
Responsible officer: MBA
Timing: 1-5 years

RISK MANAGEMENT CONSIDERATIONS

The risk to Council is selecting a concept that will interfere in the long term strategic recreational plan.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/176

MOVED: Cr Gerry Parsons

SECONDED: Cr Anita Grace

THAT Council

1. Endorse concept plan A to incorporate a toddler pool connected to the end of the proposed program pool, located at the Newman Aquatic Centre;
2. Consider the inclusion of this project in the new Corporate Business Plan.

CARRIED
RECORD OF VOTE: 10 - 0

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

**9.2.5 AFFIXING THE COMMON SEAL TO THE MEMORANDUM OF
UNDERSTANDING BETWEEN THE NEWMAN VISITOR CENTRE
INCORPORATED AND THE SHIRE OF EAST PILBARA**

Attachments: [MOU Newman Visitors Centre SoEP](#)

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Mr Pip Parsonson
Manager Community Wellbeing

Proposed Meeting Date: 18 May 2018

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

Cr Lynne Craigie, Shire President declared an Impartial Interest. In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007. I Cr Lynne Craigie, Shire President declared an impartial Interest in this item 9.2.5 as I am the Chairperson (Voluntary Position) of the Newman Visitors Centre. As a consequence there maybe a perception that my impartiality on the matter may be affected I declare that I will consider this matter on its merits and vote accordingly.

Cr Biddy Schill declared an Impartial Interest. In accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007. I Cr Bridget Schill, Councillor declared an impartial Interest in this item 9.2.5 as my interest in the Newman Visitors Centre is as a Board Member. As a consequence there maybe a perception that my impartiality on the matter may be affected I declare that I will consider this matter on its merits and vote accordingly.

REPORT PURPOSE

To seek Council approval to apply the common seal of the Shire of East Pilbara to the Newman Visitor Centre Memorandum of Understanding and Funding Agreement, (MOU), for the provision of visitor and new resident services from 1 July 2018 until 30 June 2020 for a total amount of \$180,000 ex GST.

BACKGROUND

The Shire of East Pilbara has an existing MOU with the Newman Visitors Centre, which expires on the 30th June this year.

Conditions and terms of the current MOU have been met by the Newman Visitor Centre since the MOU came into effect in July 2016.

COMMENTS/OPTIONS/DISCUSSIONS

In April of this year, the Manager Community Wellbeing met with the Manager of the Newman Visitor Centre to review the terms and conditions of the existing MOU so as to inform, and make changes as necessary to, the proposed new MOU, (attached) which will have a two year term commencing on 1 July 2018 and expiring on 30 June 2020.

As a result of this review the following changes were made to the opening hours of the NVC.

Summer Months: Monday - Friday 8:30am to 4:30pm. Weekends: 9.00am – 12.30pm.
Changed to Friday 9:00am to 5:00pm. Weekends: 9.00am – 2.00pm

Winter Months: Monday – Sunday 8.30am - 4:30pm.
Changed to Monday – Sunday 8:00am – 5:00pm.

Public Holidays: 9.00am – 12.30pm.
Changed to 9.00am – 2.00pm

Changes were also made to the reporting and payment schedule to streamline the process. The change results in the reporting to be submitted quarterly consistent with and tied to the quarterly payment schedule.

Furthermore, internal discussions with the Manager Development Services – Planning and the Manager Development Services – Health, led to proposed additions to Section 8. Nature of the Collaboration.

These are,

“Under the terms of this agreement Newman Visitor Centre Inc. will:

- Manage all the temporary trading activities and ensure that they comply with all applicable legislation
- Assist the Shire of East Pilbara with data collection programs regarding the number and types of tourists who visit the Shire of East Pilbara and broader Pilbara Region.

Under the terms of this agreement the Shire of East Pilbara will:

- Provide advice on all temporary trading requirements”

The Manager of the Newman Visitor Centre indicated that these proposed new conditions were acceptable and they are included in the attached proposed new MOU.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

Goal 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

2.4.3 Provide relevant and affordable community services

Partnering With: Federal Government, State Government, Industry and NGO's

Responsible officer: MCW

Timing: 1-5 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

Partnering With: State Government, Industry, NCCI, other relevant stake holders

Responsible officer: DCEO

Timing: 1-5 years

RISK MANAGEMENT CONSIDERATIONS

Not providing funding to the Newman Visitor Centre could have a minor to moderate impact on tourism services in Newman.

FINANCIAL IMPLICATIONS

There are no current resources allocated and Council will need to commit to the \$180,000 (excluding GST) over the next two years.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/177

MOVED: Cr Dean Hatwell

SECONDED: Cr Anita Grace

THAT Council

1. Approve the Shire of East Pilbara entering into the updated Newman Visitor Centre Inc. Memorandum of Understanding for the provision of visitor and new resident services year period commencing on 1 July 2018 and concluding on 30 June 2020;
2. Allocate \$90,000 (excluding GST) in the 18/19 budget and \$90,000 (excluding GST) in the 19/20 budget to finance the Newman Visitor Centre Inc Memorandum of Understanding.

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 10 - 0

To be actioned by Mr Pip Parsonson, Manager Community Wellbeing

**9.2.6 NEWMAN HOUSE - NEW AGREEMENT FOR NEWMAN CHAMBER OF
COMMERCE AND INDUSTRY INC**

Attachments: [Minutes NCCI Meeting March 2018.pdf](#)
[NCCI Lease](#)

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Mrs Marisa Wolfenden
Coordinator Property Services

Proposed Meeting Date: 18 May 2018

Location/Address: Newman House
15 Iron Ore Parade, Newman

Name of Applicant: Newman Chamber of Commerce

Author Disclosure of Interest: Nil

11:40 AM Mrs Kylie Bergmann left the Chambers.

Cr Gerry Parsons declared an Impartial Interest, in accordance with regulation 11 of the Local Government (Rules of Conduct) Regulations 2007. I Cr Geraldine Parsons, Councillor declared an impartial Interest in this item 9.2.6 as I am a member – Council Representative of the Newman Chamber of Commerce and Industry Inc. As a consequence, there may be a perception that my impartiality on the matter may be affected. I declare that I will consider this matter on its merits and vote accordingly.

REPORT PURPOSE

To seek Council approval to enter into a new lease agreement with the Newman Chamber of Commerce and Industry Inc for office space at Newman House.

BACKGROUND

Newman Chamber of Commerce and Industry (NCCI) has been a tenant of Newman House since opening in 2013. They had an agreement with the Newman House – Building Management Committee until 2016 which the NH – BMC became defunct and the Shire of East Pilbara took over the operations of Newman House. The Newman Chamber of Commerce Inc then entered into a new agreement for a term of one year with an option term of 1 year which terminates on the 30th Jun 2018.

Currently the Shire of East Pilbara has a Memorandum of Understanding (MOU) with the organisation to assist the Shire with the daily operation of the Newman House centre.

The Newman Chamber of Commerce's Inc provides important services to the community, particularly local business members. Additionally, providing support to its members including educational, training and development programs to assists in promoting and marketing for businesses to be sustainable within our community. The NCCI provides the community with Newman Directory and the Business Excellence Awards.

COMMENTS/OPTIONS/DISCUSSIONS

The NCCI currently lease Office 1 which is 11sqm. There have been no concerns with the tenant during the current lease term.

The Newman House – Office Accommodation for NCCI for the duration of the agreement is as follows;

Newman Chamber of Commerce	SQM	11		
PO Box 611	Rate	\$485.00		
Newman	Total	\$5,335.00		
New Lease 2018	3.5%			
Periods - invoice annually	Yrly Fee Gst Exc	Yrly Fee Gst Inc	Monthly Fee Gst Exc	Monthly Fee Gst Inc
1 July 2018 - 30 June 2019	\$ 5,335.00	\$ 5,868.50	\$ 444.58	\$ 489.04
1 July 2019 - 30 June 2020	\$ 5,521.73	\$ 6,073.90	\$ 460.14	\$ 506.16
1 July 2020 - 30 June 2021	\$ 5,714.99	\$ 6,286.48	\$ 476.25	\$ 523.87

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995, Part 9, Division 3, s.9.49A Execution of Documents.

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

RISK MANAGEMENT CONSIDERATIONS

The risk consideration for Council is that failure to secure a lease will result in additional empty office space reducing income to Council. In addition, the NCCI oversee the daily operations of Newman House on behalf of Council in an MOU agreement and failing to secure office space would have an impact on the services the NCCI provide to Council.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/178

MOVED: Cr Craig Hoyer

SECONDED: Cr Anthony Middleton

THAT Council

1. Approve entering into a new agreement with Newman Chambers of Commerce and Industry Inc for office space at Newman House commencing 1st July 2018 to 30th June 2019, with 2 x 1 year Option Terms.
2. Approval to affix the Shire of East Pilbara common seal to the agreement between the Newman Chambers of Commerce and Industry Inc and the Shire of East Pilbara.

CARRIED
RECORD OF VOTE: 10 - 0

To be actioned by Mrs Marisa Wolfenden, Coordinator Property Services

9.2.7 CAPITAL EXPENDITURE FOR THE 18/19 FINANCIAL YEAR

File Ref: FIN-24-1
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sian Appleton
Deputy Chief Executive Officer
Proposed Meeting Date: 18 May 2018
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

11:41 AM Mrs Kylie Bergmann returned to the Chambers.

Mr Jeremy Edwards, Chief Executive Officer, declared a financial interest, in accordance with section 5.60A of the Local Government Act 1995, Mr Jeremy Edwards declared a financial interest in this item 9.2.7 as the vehicle being considered by Council will be used by the Chief Executive Officer for private benefit and will therefore have a financial benefit. At 11:41AM the Chief Executive Officer withdrew from the Meeting.

REPORT PURPOSE

For Council to allow for capital expenditure of \$85,000, for a 4WD vehicle, in the 18/19 budget for the Chief Executive Officer (CEO).

BACKGROUND

The current allocated Chief Executive Officer's vehicle was a Toyota Kluger. This vehicle is a 2WD and unsuitable for 4WD driving on gravel roads.

As Council would be aware the Shire has recently appointed a new CEO that commenced in March 2018. The previous vehicle allocated to the CEO was recently sold at auction to enable the new CEO to purchase a vehicle that is fit for purpose.

The new CEO is eager to travel around the Shire and for this reason a 4WD to facilitate this would be more appropriate. It should be noted that within the current contract of employment for the CEO a 4WD vehicle has been included. Provision of the previous vehicle for the CEO recently sold at auction for \$45,000 and provision within the plant reserve and municipal budget is available to facilitate the purchase of a new vehicle.

COMMENTS/OPTIONS/DISCUSSIONS

Owing to the long lead time on the new vehicle it is necessary to order vehicles well in advance to allow for delivery of the vehicle in the desired timeframe. The fleet manager would like to order this vehicle now for delivery in the 2018/19 financial year. Currently there is no budget provision within the 2017/18 budget and therefore Council is requested to allocate the appropriate provision within the 2018/19 budget to enable an order to be placed.

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

The 18/19 budget will allow for the purchase of the vehicle for \$85,000.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/179

MOVED: Cr Lang Coppin

SECONDED: Cr Dean Hatwell

THAT Council approve the purchase of a 4WD vehicle for \$85,000 to be included in the 2018/19 budget, for use by the CEO.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 10 - 0**

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

9.2.8 INVESTMENT REPORT

File Ref: FIN-23-11
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Lisa Davis
Manager Corporate Services
Proposed Meeting Date: 18 May 2018
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

11.44AM *Mr Jeremy Edwards returned to the Chambers*

REPORT PURPOSE

For Council to note the attached investment report and authorise reinvestment of Shire funds as per the Authorisations and Delegations Manual.

BACKGROUND

Council's reserve portfolio is invested as per Council's investment policy. Delegated authority for all investment decisions and withdrawals is given to the Chief Executive Officer and the Deputy Chief Executive Officer.

Conditions applied to this delegation include that any investments sums greater than \$5 million are to be made by Council.

Currently Council's reserve portfolio is over \$35,000,000 meaning a considerable amount of funds can be held in higher return accounts requiring Council approval. Investment amounts and accounts are listed at the end of the schedule.

SHIRE OF EAST PILBARA ORDINARY COUNCIL MEETING MINUTES

18 MAY, 2018

The below table shows Council's reserves and the investment to the end of March.

Shire of East Pilbara
Investment Register
For the Month Ended 31 March 2018

	Principal as at 1 July 2017	Deposits & Withdrawals	Total	Previous Accrued Interest	Sub Total	Interest this period	Total	Interest to Date	Current Balance
1 Municipal Investments									
Municipal	3,981,440.55	(1,209,327.86)	2,772,112.69	113,817.97	2,885,930.66	709.71	2,886,640.37	114,527.68	2,886,640.37
	3,981,440.55	(1,209,327.86)	2,772,112.69	113,817.97	2,885,930.66	709.71	2,886,640.37	114,527.68	2,886,640.37
2 Reserves									
Other Reserves									
Alice Springs Road	205,017.45		205,017.45	3,072.42	208,089.87	27.28	208,117.15	3,099.70	208,117.15
Cape Keraudren	343,942.86		343,942.86	5,154.39	349,097.25	45.76	349,143.01	5,200.15	349,143.01
Heavy Plant	1,853,996.09	500,000.00	2,353,996.09	27,784.24	2,381,780.33	246.69	2,382,027.02	28,030.93	2,382,027.02
Marble Bar A/drome	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Nullagine A/drome	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Computer Tech	352,446.43	100,000.00	452,446.43	6,048.67	458,495.10	60.11	458,555.21	6,108.78	458,555.21
Rec Centre Mtce	246,377.50		246,377.50	3,692.25	250,069.75	32.78	250,102.53	3,725.03	250,102.53
Long Service Leave	657,629.19	(175,000.00)	482,629.19	10,047.04	492,676.23	90.81	492,767.04	10,137.85	492,767.04
Sewerage Farm	110,753.95		110,753.95	1,659.77	112,413.72	14.74	112,428.46	1,674.51	112,428.46
Oval lights Mtce	136,997.06		136,997.06	2,053.06	139,050.12	18.23	139,068.35	2,071.29	139,068.35
Rec Facility Mtce	1,120,959.67	1,000,000.00	2,120,959.67	16,798.86	2,137,758.53	149.15	2,137,907.68	16,948.01	2,137,907.68
Staff Housing	867,399.88		867,399.88	12,998.97	880,398.85	115.42	880,514.27	13,114.39	880,514.27
Town Centre Revital	325,529.36		325,529.36	4,878.43	330,407.79	43.31	330,451.10	4,921.74	330,451.10
Public Art	118,189.39		118,189.39	1,771.21	119,960.60	15.73	119,976.33	1,786.94	119,976.33
Waste Management	1,113,535.80		1,113,535.80	16,687.59	1,130,223.39	148.17	1,130,371.56	16,835.76	1,130,371.56
TC Public Toilet	993.04		993.04	0.00	993.04	0.00	993.04	0.00	993.04
Annual Leave Reserv	473,338.45		473,338.45	7,093.51	480,431.96	62.98	480,494.94	7,156.49	480,494.94
Nwm Tomorrow Proj	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Newman House	470,498.43	174,419.77	644,918.20	8,388.51	653,306.71	85.65	653,392.36	8,474.16	653,392.36
Public Building Mtce	1,458,468.54	1,000,000.00	2,458,468.54	22,546.99	2,481,015.53	205.95	2,481,221.48	22,752.94	2,481,221.48
Moondoorow Housing	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Martumili Operations	386,871.10	156,684.88	543,555.98	10,373.19	553,929.17	75.16	554,004.33	10,448.35	554,004.33
Martumili Infrastructure	50,394.15	100,000.00	150,394.15	1,333.21	151,727.36	19.89	151,747.25	1,353.10	151,747.25
Cowra Tourist & Rec	0.00		0.00	0.00	0.00	0.00	0.00	0.00	0.00
Future Infrastructure	0.00	463,700.00	463,700.00	3,555.92	467,255.92	61.25	467,317.17	3,617.17	467,317.17
Community Housing	0.00	23,400.00	23,400.00	179.44	23,579.44	3.09	23,582.53	182.53	23,582.53
	10,293,338.34	3,343,204.65	13,636,542.99	166,117.67	13,802,660.66	1,522.15	13,804,182.81	167,639.82	13,804,182.81
Newman Airport	15,813,556.94	4,932,512.31	20,746,069.25	277,424.06	21,023,493.32	2,691.22	21,026,184.54	280,115.28	21,026,184.53
Royalties for regions	184,686.09	(157,637.53)	27,048.56	2,767.70	29,816.26	24.57	29,840.83	2,792.27	29,840.83
Sub Total Reserves	26,291,581.37	8,118,079.43	34,409,660.80	446,309.43	34,855,970.24	4,237.94	34,860,208.18	450,547.37	34,860,208.17
Total investments	30,273,021.92	6,908,751.57	37,181,773.49	560,127.40	37,741,900.90	4,947.65	37,746,848.55	565,075.05	37,746,848.54

Legend

Italic - Estimated Interest

	Item	Deal No.	Amount	Invest Date	Maturity Date	Rate
7	11 AM Call Account No 7		\$4,022,506.03			1.45%
2	Money Market	4678412	\$3,082,569.74	29.01.18	03.04.18	2.25%
	Money Market	4686219	\$10,098,684.47	19.02.18	20.04.18	2.20%
	Money Market	4687957	\$20,543,088.30	26.02.18	29.05.18	2.45%
			\$37,746,848.54		\$0.00	

As at today the Shire currently has three term deposits as shown below:

Item	Deal No.	Amount	Invest Date	Maturity Date	Rate
Money Market	4687957	\$20,543,088.30	26.02.18	29.05.18	2.45%
Money Market	4699923	\$3,094,731.11	03.04.18	01.06.18	2.25%
Money Market	4706367	\$10,135,205.74	20.04.18	29.06.18	2.35%
		\$37,800,325.13		\$0.00	

COMMENTS/OPTIONS/DISCUSSIONS

Deal No 4687957 for \$20,669,948.91 (includes \$126,860.61 of additional interest) will mature on the 29th of May 2018.

Below are the options for investment of this money:

Bankwest

2/05/2018	
Term	Rate
30 days	2.05%
60 days	2.30%
3 Months	2.65%
4 -6Months	2.65%
7-12 Months	2.70%

Deal No 4706367 for \$10,180,883.59 (includes \$45,677.85 of additional interest) will mature on the 29th of June 2018

Below are the options for investment of this money:

CBA Bank

2/05/2018	
Term	Rate
1 Month	1.95%
2 Months	2.30%
3 Months	2.37%
4 Months	2.49%
5 Months	2.49%
6 Months	2.52%
7 Months	2.54%
8 Months	2.57%
9 Months	2.59%
10 Months	2.61%
11 Months	2.62%
12 Months	2.63%

Bankwest

2/05/2018	
Term	Rate
30 days	2.05%
60 days	2.30%
3 Months	2.65%
4 -6Months	2.65%
7-12 Months	2.70%

ANZ

2/05/2018	
Term	Rate
1 – 3 months	1.50%
3 – 4months	2.00%
4 – 6 months	1.50%
6 – 7 months	2.05%
7-12 Months	1.50%

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Policy Manual	3.9	Investment Policy
Authorisations & Delegations Manual	4.20	Power to Invest

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

RISK MANAGEMENT CONSIDERATIONS

To ensure compliance with Authorisations and Delegations Manual

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/180

MOVED: Cr Anthony Middleton

SECONDED: Cr Michael Kitchen

THAT Council

1. Note the Investment Report;
2. Authorise the re-investing of Deal 4687957 for \$20,669,948.91 for a further 6 months at 2.65% with Bankwest
3. Authorise the re-investing of Deal 4706367 for \$10,180,883.59 for a further 3 months at 2.65% with Bankwest

CARRIED
RECORD OF VOTE: 10 - 0

To be actioned by Mrs Lisa Davis, Manager Corporate Services

9.2.9 DRAFT 2018/2019 DIFFERENTIAL RATING MODEL

File Ref: FIN-22-1
Attachments: [Objects and Reasons 2018-19 MB.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Lisa Davis
Manager Corporate Services
Proposed Meeting Date: 18 May 2018
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

11:50 AM Mr Anthony Carroll, left the Chambers.

11:50 AM Cr Anita Grace, left the Chambers.

REPORT PURPOSE

To create a new Differential Rate category called Mixed Business.

BACKGROUND

At the council meeting on the 13th of April 2018, council resolved the below differential rates:

Category	2017-18 Rate in Dollar	2018-19 Rate in Dollar Proposed	2017-18 Minimum	2018-19 Minimum
Gross Rental Value – Industrial	1.5901	1.8998	\$663	\$663
Gross Rental Value – Town Centre	4.4963	5.7426	\$663	\$663
Gross Rental Value – Nullagine Townsite	4.4805	7.3662	\$265	\$265
Gross Rental Value – Transient Workforce	4.4963	6.8077	\$663	\$663
Gross Rental Value – Other	3.1645	7.3662	\$663	\$663
Unimproved Value – Pastoral/Special Leases	5.9121	6.0894	\$230	\$230
Unimproved Value – AML Leases	17.7505	18.2830	\$230	\$230
Unimproved Value – Mining Leases	17.7505	18.2830	\$230	\$230
Unimproved Value – General Leases	17.7505	18.2830	\$230	\$230
Unimproved Value – Petroleum Leases	17.7505	18.2830	\$230	\$230
Unimproved Value – Exploration Leases	17.7505	18.2830	\$230	\$230
Unimproved Value – Prospecting Leases	17.7505	18.2830	\$230	\$230

COMMENTS/OPTIONS/DISCUSSIONS

Currently Council's differential rates are based on land use with the mixed business category falling into the "other" GRV rate category. Further rates modelling showed a significant increase in the land use Mixed Business rate yield – an over 100% increase in rates to be levied. This difference in yield has occurred because the mixed business gross rental values have not decreased proportionally to the drop in the residential gross rental values. The only way to ensure this category has a rate yield increase of approximately 3%, similar to other categories, is to create another differential rate category called mixed business.

Proposed New Rate Category and Differential rate as below:

Category	2017-18 Rate in Dollar	2018-19 Rate in Dollar Proposed	2017-18 Minimum	2018-19 Minimum
Gross Rental Value – Mixed Business	N/A	3.7603	N/A	\$663

The alternative is for mixed business to remain in the “other” category and receive a significant increase in levied rates proportionate to the difference in new GRV values as set out in the 2018/19 revaluation schedules.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act

6.33. Differential general rates

6.36. - Local government to give notice of certain rates

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

RISK MANAGEMENT CONSIDERATIONS

Council’s must consider its ability to fund expected outcomes in the Community Strategic Plan.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/181

MOVED: Cr Michael Kitchen

SECONDED: Cr Dean Hatwell

THAT Council

1. Approve the creation a new Differential Rate category called Mixed Business and apply a differential rate of 3.7603 cents in the dollar;
2. Endorse the amended Objects and Reasons for the proposed differential rates as presented;
3. Include the new differential rate when applying to the Minister for Local Government for approval to impose differential rates that exceed the statutory two times limit in the GRV and UV categories for the 2018/2019 financial year.

CARRIED
RECORD OF VOTE: 9 - 0

To be actioned by Mrs Lisa Davis, Manager Corporate Services

9.2.10 SUNDRY DEBTORS WRITE OFF

File Ref: FIN-10-2
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Isabella Kloppers
Revenue Finance Officer
Proposed Meeting Date: 18 May 2018
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

11:51 AM Cr Anita Grace returned to the Chambers

REPORT PURPOSE

To seek Council approval to write off uncollectable debt to the value of \$998.04.

BACKGROUND

In the past year, the Shire had debtors that have gone into liquidation. Unfortunately, the invoices have to be written off. Although some debt has been recovered from Pitcher Partners, some invoices remained unpaid.

COMMENTS/OPTIONS/DISCUSSIONS

Details as per below.

Debtor	Debtor no	Date of invoice	Invoice	Total	Description	Action
Outback Travel Centres	2601	June 2017	73175	\$427.02	Lease for June 17	Liquidated
Outback Travel Centres	2601	May 2017	72762	\$427.02	Lease for May 17	Liquidated
Outback Travel Centres	2601	May 2017	73227	\$72.00	Tip fees for May 17	Liquidated
Outback Travel Centres	2601	June 2017	73550	\$72.00	Tip fees for June 17	Liquidated
				998.04		

STATUTORY IMPLICATIONS/REQUIREMENTS

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

S6.12.

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

Reduction in Sundry Debtors totalling \$998.04. An amount of \$18,400.00 in account 41177 has been allowed in the budget for Bad/Doubtful Debts.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/182

MOVED: Cr Gerry Parsons

SECONDED: Cr Biddy Schill

THAT the Sundry Debtors below be written off:

Debtor	Debtor no	Date of invoice	Invoice	Total	Description	Action
Outback Travel Centres	2601	June 2017	73175	\$427.02	Lease for June 17	Liquidated
Outback Travel Centres	2601	May 2017	72762	\$427.02	Lease for May 17	Liquidated
Outback Travel Centres	2601	May 2017	73227	\$72.00	Tip fees for May 17	Liquidated
Outback Travel Centres	2601	June 2017	73550	\$72.00	Tip fees for June 17	Liquidated
				998.04		

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 10 - 0**

To be actioned by Mrs Isabella Kloppers, Revenue Finance Officer

9.2.11 MONTHLY FINANCIAL REPORT - MARCH 2018

Attachments:	March 2018 Capital Projects.pdf March 2018 Financial Statement.pdf March 2018 Variance Report.pdf
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mrs Noelene Holmes Coordinator Financial Services
Proposed Meeting Date:	18 May 2018
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

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

BACKGROUND

The attached 12-page report details the financial activities of the Council for the period 1st July 2017 to 31st March 2018 of the 2017/2018 financial year –

There are 4 sections of the monthly report:

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

COMMENTS/OPTIONS/DISCUSSIONS

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

Reportable variations in accordance with accounting policies are as follows:

STATUTORY IMPLICATIONS/REQUIREMENTS

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

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

POLICY IMPLICATIONS

3.1 ACCOUNTING POLICIES

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

RISK MANAGEMENT CONSIDERATIONS

This report is part of ensuring the risk matters are reviewed periodically

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/183

MOVED: Cr Gerry Parsons

SECONDED: Cr Michael Kitchen

THAT the monthly financial statements for the period 1st July 2017 to 31st March 2018 of the 2017/2018 financial year as presented be received.

CARRIED
RECORD OF VOTE: 10 - 0

To be actioned by Mrs Noelene Holmes, Coordinator Financial Services

9.2.12 CREDITORS FOR PAYMENT

File Ref: FIN10-2

Attachments: [Schedule of Accounts EFT.pdf](#)
[Schedule of Accounts CHQ.pdf](#)
[Schedule of Accounts Directs.pdf](#)

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Memory Mandaza
Expenditure Finance Officer

Proposed Meeting Date: 18 May 2018

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 13 April 2018.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT# 43043 - #43504	2,897,225.68
	Total	\$2,897,225.68
Cheque Payments	CHQ# 24527 - #24551	12,698.17
Direct Debits	DD11639.1 – DD11663.9	105,682.93
Manual Cheques	-	0
	Total	\$118,381.10
	GRAND TOTAL	<u>\$3,015,606.78</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

CANCELLED CHEQUES & EFTS

EFT# 43409

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government (Financial Management) Regulations 1996

Part 2 – General financial management

Reg 11

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

Local Government (Financial Management) Regulations 1996

Part 2 – General financial management

Reg 12

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

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Nil.

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Total expenses of \$3,015,606.78

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/184

MOVED: Cr Dean Hatwell

SECONDED: Cr Michael Kitchin

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT# 43043 - #43504	2,897,225.68
	Total	\$2,897,225.68
Cheque Payments	CHQ# 24527 - #24551	12,698.17
Direct Debits	DD11639.1 – DD11663.9	105,682.93
Manual Cheques	-	0
	Total	\$118,381.10
	GRAND TOTAL	<u>\$3,015,606.78</u>

CARRIED
RECORD OF VOTE: 10 - 0

To be actioned by Ms Memory Mandaza, Expenditure Finance Officer

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

9.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS - APRIL 2018

File Ref: CLR-4-5
Responsible Officer: Mr Jeremy Edwards
Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Proposed Meeting Date: 18 May 2018
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

The status list of Council decisions is included in the agenda.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 2 Constitution of local government
Division 2 Local governments and councils of local governments
Section 2.7

- (1) The council –
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to -
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

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

RISK MANAGEMENT CONSIDERATIONS

In order to remain transparent and to facilitate timely and appropriate decision-making it is necessary that actions items be reviewed at each Council meeting.

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/185

MOVED: Cr Dean Hatwell

SECONDED: Cr Jeton Ahmedi

THAT the Director Technical and Development Services “Status of Council Decisions” Report for the month of April 2018 be received.

CARRIED
RECORD OF VOTE: 10 - 0

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

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

18 MAY, 2018

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE	COMMENTS
28 Jul 2017	11.2.1	DESERT ROAD MASTER PLAN Project Implementation - Cr Lang Coppin	DTDS MTSR	<i>Refer to Information Bulletin Letters seeking support funding has been sent to various mining companies and awaiting responses. No responses have been received or external funding provided.</i>	Ongoing	
28 September 2012	13.4	NEW ROAD LINKED TO LIGHT INDUSTRIAL AREA (LIA) – NEWMAN - Cr Shane Carter	DTDS	<i>Refer to Information Bulletin Officers to develop RFQ to prepare business case and detailed design and costings</i>	Jun 2018	
9 December 2016	13.5	SIGNAGE REGARDING NEWMAN TOWN Cr Lynne Craigie asked if it is possible for signs to be erected on Great Northern Highway to advise of what services are available in Newman.	MDS-P DTDS	NCCI would like an information business sign installed at the main town entry information bay on Kalgan Drive. Shire to draft up concept design and costings. Further discussions required on how to fund. After discussions with NCCI officers will cost up two concepts one a stand-alone sign and the second to be on the back of the info structure.	Jun 2018	
9 March 2018	3.2.3	CALOTROPIS DECLARED WEED Cr Biddy Schill	DTDS	Calotropis is a declared weed and ten years ago was hardly ever seen in the Pilbara now; it is along the river banks and bush area. Can the Council contact the Department of Agriculture regarding the controlling of weed? Mr Rick Miller, Director Technical and Development Services commented that it should be the land owner or district committee that deal with the weed and report to the Department of Agriculture if applicable. Cr Schill said it may be possible for the KJ Rangers to take the project on. DTDS to contact KJ regarding if this may be possible. Report to be tabled at meeting.	April 2018	
9 March 2018	11.2.1	RESPONSE REGARDING DRAG RACES AT NEWMAN AIRPORT	DTDS	Ms Sian Appleton, Acting Chief Executive Officer, tabled the response from CASA regarding holding the Drag Races at Newman Airport OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/150 MOVED: Cr Gerry Parsons SECONDED: Cr Anthony Middleton THAT Council engage a consultant to perform a	May 2018	Complete

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

18 MAY, 2018

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE	COMMENTS
				risk assessment and develop a business case regarding holding the Drag Races at Newman Airport, for a limited period of time, for an amount within the current budget for this purpose. Officers are developing scope of works and RFQ to be advertised by end of May.		

Council Meeting Date	Item No	Responsible Officer	Report Title	Accepted Recommendation	Council Resolution No.	Actioning Officer	Comments/Action Taken	Completion Date
13 April 2018	9.3.1	DTDS	DTDS - Status of Council Decisions March 2018	THAT the Director Technical and Development Services "Status of Council Decisions" Report for the month of March 2018 be received.	201718/164	DTDS	Note of Actioned	Complete
13 April 2018	9.3.2	DTDS	Memorandum of Understanding between DFES and Shire of East Pilbara - Transfer of Bushfire Control	THAT Council 1. That Council approve in principal agreement on entering into the Memorandum of Understanding (MOU) with the Department Fire and Emergency Services (DFES) for the management and control of the Bushfire Brigades, bush fires and emergency services in the Pilbara region of Western Australia for a trial period of 3 years. This will enable DFES to investigate and develop a business case to enhance the Bush Fire Firefighting capabilities of the Newman VFRS. 2. That Council authorise the Chief Executive Office to sign the MOU. 3. Request that the Fire and Emergency Services Commissioner be responsible for designating a person employed by DFES to act as the Chief Bush Fire Control Officer in accordance with Section 38A of the Bush Fires Act 1954 during the trial period.	201718/165	MCS	Signed and Sent	Complete

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

18 MAY, 2018

13 April 2018	9.3.3	DTDS	Affixing the common seal to an agreement between the Shire of East Pilbara and Hertz Australian regarding the lease of land at Newman Airport	<p>THAT Council</p> <ol style="list-style-type: none"> 1. Authorises the Chief Executive Officer to advertise the proposed disposition of land, being on Reserve 44775, Lot 571 DP71045, Drawing 95807-009-C - Lease Areas 17, 18, 31 and 37, in accordance with Section 3.58 (Disposing Property) of the Local Government Act 1995; 2. Approve the proposed lease to be sent to the Minister of Lands for approval; and 3. Authorise the Chief Executive Officer to affix the common seal to a lease agreement between the Shire of East Pilbara and Hertz Australian (ABN 31 004 407 087) regarding Lease area 31 (kiosk), Lease Area 37 (ten car bays), Lease Areas 17 and 18 (Depot Yard Areas) at Newman Airport subject to, receiving no submissions prior to the closing date. 	201718/166	MDA	Out for S3.58 advertising and no responses received. Sent to state lands for approval.	Complete
13 April 2018	9.3.4	DTDS	Affixing the common seal to lease agreement with Chalkwest Pty Ltd (Budget Car and Truck Rental)	<p>THAT Council</p> <ol style="list-style-type: none"> 1. Authorises the Chief Executive Officer to advertise the proposed disposition of land being on Reserve 44775, Lot 571 DP71045, Drawing 95807-009-C - Lease Areas 33 and 41, in accordance with Section 3.58 (Disposing Property) of the Local Government Act 1995; 2. Approve the proposed lease to be sent to the Minister of Lands for approval; 3. Authorise the Chief Executive Officer to affix the common seal to a lease agreement between the Shire of East Pilbara and Chalkwest Pty Ltd (ACN 093 844 574) regarding the Lease Area 33 (kiosk), and Lease Area 41 (ten car bays), at Newman Airport subject to, receiving no submissions prior to the closing date. 	201718/167	MDA	Out for S3.58 advertising and no responses received. Sent to state lands for approval.	Complete

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

18 MAY, 2018

13 April 2018	9.3.5	DTDS	RFT 09-2017/2018 Supply and install new residence at Cape Keraudren	<p>THAT Council:</p> <p>1. Award Tender RFT 09-2017/18 for supply and install new residence at Cape Keraudren to Murray River North ABN 26 009 265 909 for the total price of \$400,115 (ex GST); and</p> <p>2. Authorises the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the contract between the Shire and Murray River North ABN 26 009 265 909 with respect to this tender.</p>	201718/168	CAM	Letters being sent to successful/non successful tenderers. Contract being drawn up.	23/04/2018 Complete
13 April 2018	13.10	DTDS	<p>INDUSTRY LAND AVAILABLE IN MARBLE BAR</p> <p>Cr Michael Kitchen asked if the Shire has industry blocks of land as there in none available in Marble Bar.</p>	Director Technical and Development Services to follow up.		MDS-P	Currently being investigated	June 2018
13 April 2018	13.11	DTDS	Neighbourhood watch Cr Gerry Parsons asked if Council had received an update on what is happening with the neighbourhood watch program previously discussed.	Director Technical and Development Services to follow up with the Community Safety department.		MCS	This was advertised by the Shire on behalf of police and community. No interest was received. No further action by Shire as it needs to be community driven	Complete

**9.3.2 MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN FOODBANK (WA)
AND THE SHIRE OF EAST PILBARA - PROMOTING PUBLIC HEALTH**

Attachments: [MOU Foodbank and SoEP](#)
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Edmore Masaka
Manager Development Services - Health
Proposed Meeting Date: 18 May 2018
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

12:00 PM Miss Shannen Cusack left the Chambers.

REPORT PURPOSE

For Council to consider entering into a memorandum of Understanding (MOU) between Foodbank WA (FBWA) and the Shire of East Pilbara.

BACKGROUND

This report presents before Council for consideration an MOU establishing the guidelines for collaboration between Foodbank WA (FBWA) and the Shire of East Pilbara (SoEP) for the implementation of the Food Sensations initiative to disadvantaged school students, youth and other community groups in the community as a key activity identified under Priority One (1) of the Shire's Public Health Plan namely, "*Prevention of Obesity and provision of healthy food options*"

In 2014, the SoEP adopted its Public Health Plan which identified 6 priority areas in which efforts and resources needed to be focused to fulfil its responsibilities of creating healthy communities as stated in its Strategic Community Plan (SCP).

The Shire of East Pilbara's Public Health Plan seeks to improve the health and wellbeing of all who live in, work in and visit the Shire. The aim of this Plan is to provide Council with a strong leadership role in the health and wellbeing of the Shire's population, particularly by:

- adopting a leadership and advocacy role in population health planning;
- having a whole-of-Council approach to delivering health and wellbeing initiatives;
- developing active external partnerships; and engaging Councilors and other influential community leaders and members to lead the way to a healthy and fulfilling lifestyle

Broad priorities (shown in Figure 1 below), goals and strategies have been developed that Council, in partnership with relevant stakeholders, will undertake to maintain and improve good health and wellbeing.



Obesity and healthy food options



Mental health



Alcohol and drugs



Environmental health protection



Community safety



Looking within

Priority number one (1) of the SOEP's Public Health Plan is the "Prevention of Obesity and provision of healthy food options". Foodbank (WA)'s Food Sensations activities provide a key aspect of achieving this priority under the Plan. Because of the collaborative nature of these activities, the SOEP invited Foodbank (WA) to become a key partner in the delivery of activities geared towards addressing this aspect of its Public Health Plan.

COMMENTS/OPTIONS/DISCUSSIONS

Terms of agreement

The MOU will entail the parties collaborating in the following areas:

- FBWA to consult with SOEP regarding locations of need and community considerations for regional and remote WA service delivery and vice versa.
- FBWA to report Food Sensations activities (number of sessions and session participants) annually in November/December to SOEP, for contribution to SOEP Public Health Plan objectives.
- SOEP to provide promotional support and community networking opportunities for FBWA staff and the Food Sensations initiative pre-, during- and post- Pilbara visits, as per an annual promotional plan, developed and agreed to by SOEP and FBWA.

- FBWA to inform SOEP in advance of travel plans to the Pilbara region, where possible.
- SOEP to provide FBWA with constructive feedback on project components and delivery methods using the SOEP's evaluation findings and reporting processes, with the assistance of staff from a variety of professional backgrounds where appropriate.
- FBWA and SOEP will act as a referral system for each other's services where possible, and where the respective agency would be best placed to deliver the service.
- Relevant SOEP staff to have access to FBWA nutrition resources via www.superherofoodshq.org.au as well as FBWA educator training opportunities, where possible.

Limits of MOU

- The MOU has been formed in good faith for the purpose of working in collaboration in the region/s of operation of both agencies
- Either party is free to withdraw from the MOU at any time by providing written advice to the other.
- All materials and content created by either party shall remain the intellectual property of that party and shall not be replicated by the other party without prior permission.

Financial status

- No exchange of money is associated with this Memorandum of Understanding. Costs incurred to travel to regional and remote WA are the responsibility of the individual organization

Duration and termination

- This agreement shall come into force from 21 May 2018 and will remain effective until 31 December 2020. Either party is free to withdraw from the MOU at any time by providing written advice to the other

Considering the vast resourcing capability and expertise of FBWA in delivering outcomes in this key outcome area of the SoEP Public Health Plan, significant benefits abound in partnering the former as outlined in the MOU.

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.

2.1.1 Promote safe and healthy communities
Partnering With: NGO's, State Government
Responsible officer: MCW
Timing: 1-3 years

2.1.1 Promote safe and healthy communities
Partnering With: NGO's, State Government
Responsible officer: MCW
Timing: 1-3 years

RISK MANAGEMENT CONSIDERATIONS

This MOU provides the Shire with the ability to adequately report on one of its key priorities under the Public Health Plan, thus reducing non-compliance risks under the integrated Planning Reporting Framework as well as the soon to be enforceable reporting requirement under the Public Health Act 2016 (WA).

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/186

MOVED: Cr Gerry Parsons

SECONDED: Cr Anita Grace

THAT Council

- 1. Approve entering into a MOU between Foodbank WA and the Shire of East Pilbara that will expire 31/12/2018.**
- 2. Authorise the Chief Executive Officer to sign the MOU.**

**CARRIED
RECORD OF VOTE: 10 - 0**

To be actioned by Mr Edmore Masaka, Manager Development Services - Health

9.3.3 AFFIX THE COMMON SEAL TO A LEASE AGREEMENT BETWEEN THE SHIRE AND WTH W.T.H PTY LTD (AVIS CAR RENTAL)

Attachments:

[Valuer Report.pdf](#)
[Licence template - Car rental kiosks and bays 13.02.2018.pdf](#)
[Confidential Attachment WTH \(Avis\).pdf](#)

Responsible Officer:

Mr Rick Miller
Director Technical and Development Services

Author:

Mr Salomon Kloppers
Manager Development Airports

Proposed Meeting Date:

18 May 2018

Location/Address:

N/A

Name of Applicant:

N/A

Author Disclosure of Interest:

Nil

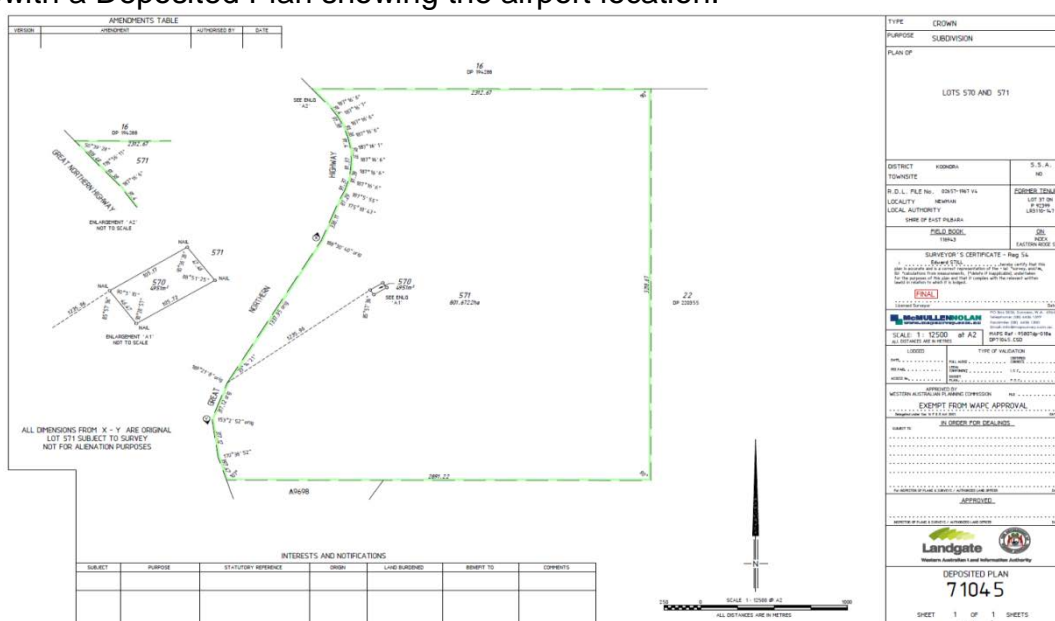
12:02 PM Miss Shannen Cusack returned to the Chambers.

REPORT PURPOSE

To seek Council approval to apply the common seal of the Shire of East Pilbara (the Shire) to an Agreement between the Shire and W.T.H. Pty Ltd. W.T.H. Pty Ltd operates Avis car rental at Newman Airport.

BACKGROUND

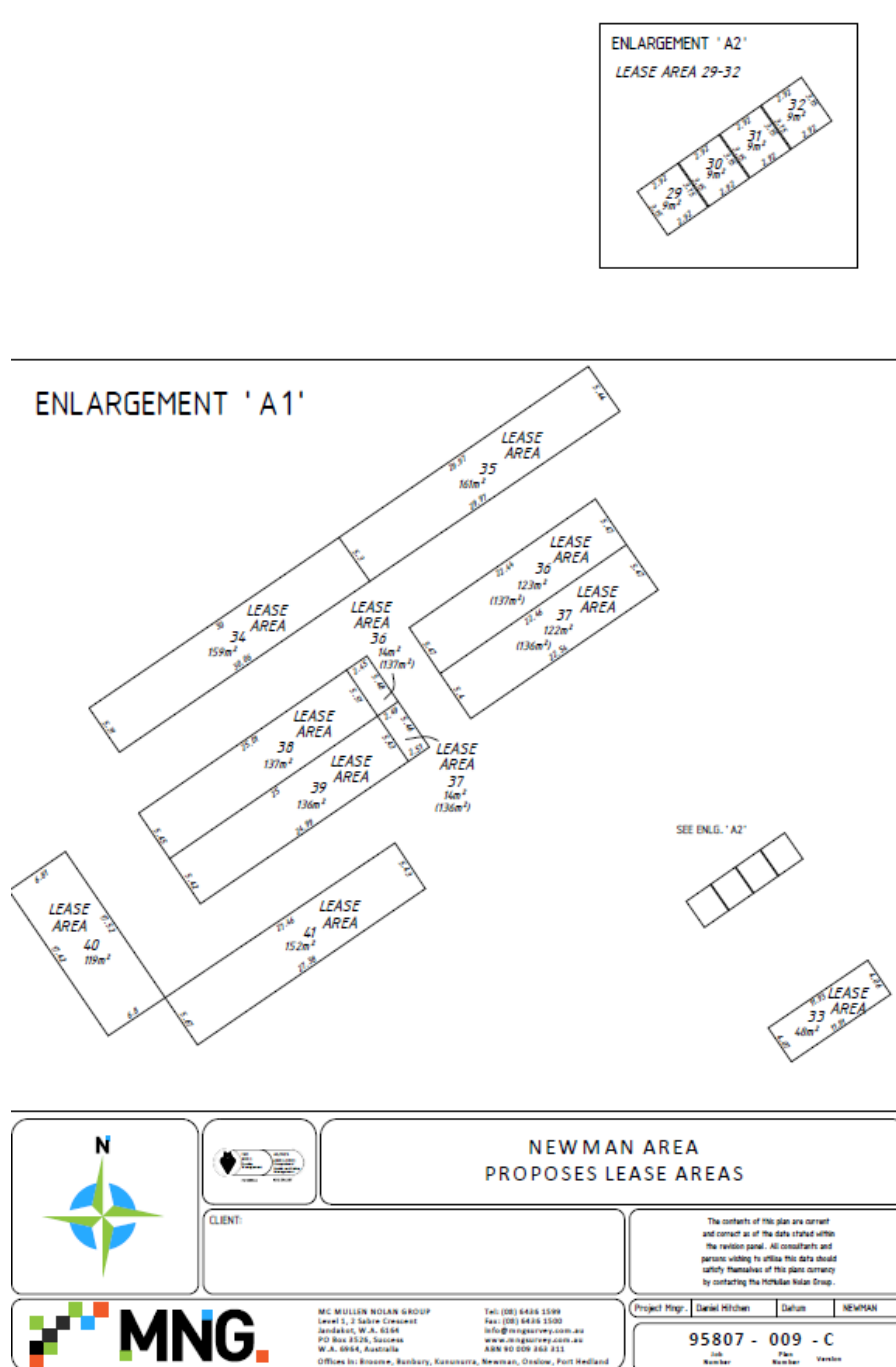
Newman Airport is owned and operated by the Shire of East Pilbara (the Shire) and serves as a vital link between the community of Newman and surrounding communities to Perth. Herewith a Deposited Plan showing the airport location:



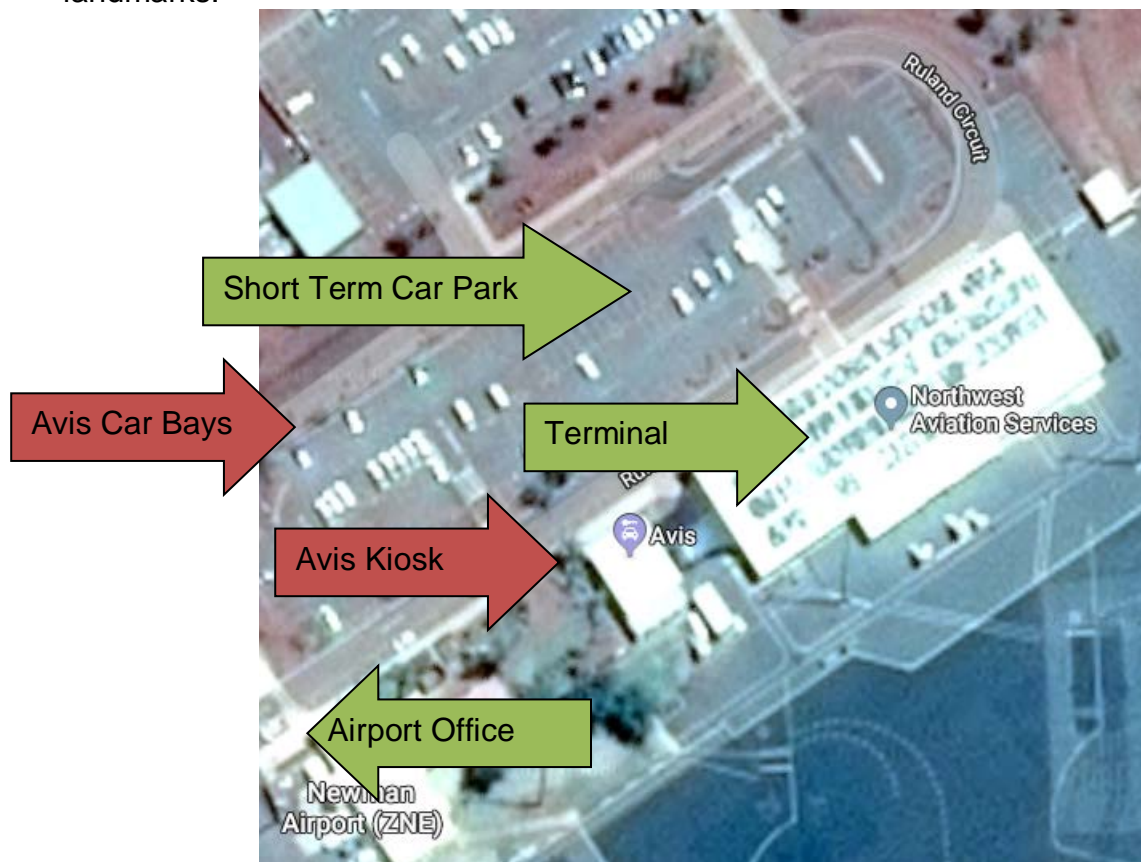
Effective 1 May 2011 the Shire agreed to the licensing of a small car rental kiosk, mainly used to issue vehicle keys to rental clients. On 19 December 2011, the second License

agreement was agreed upon and covered the rental of ten car bays in the Short Term Car Park, to be used as ready bays for car rental clients with W.T.H. Pty Ltd (operating as Avis car rental).

These agreements have come to an end and the tenant has been operating on Newman Airport via the "Hold-Over" clauses for some time. Subsequently the tenant has approached the Shire with a proposal to enter into a new agreement so as to secure tenure and certainty for their business. The proposal includes a Car Rental Kiosk of 9.2m², noted as Lease Area 29 in the Diagram below, and Lease Area 34 which consist of 10 car bays.



As a general guide, the above locations can be seen here relative to other Airport landmarks:



COMMENTS/OPTIONS/DISCUSSIONS

Considering the detail and comments as contained in the confidential attachment it is recommended that Council agree to the terms put forward in the terms and conditions described in the confidential attachment.

Section 3.58 (Disposal of Property) of the Local Government Act 1995 notes that prior to disposal of property a local government must invite submissions from the community regarding the matter after providing certain information. Council has to consider submissions, and decide on whether to go ahead or not.

It is recommended that Council authorise the CEO to make the notifications required by Section 3.58 of the Local Government Act 1995. Should no submissions be received the CEO should be given the delegation to enter into an agreement (as per the terms discussed in the Confidential Attachment) and apply the Common Seal to the resultant Agreement.

Should submissions be received those will have to be tabled at the next Council meeting.

In addition, the Shire of East Pilbara is in possession of a management order on the Airport Land. One of the requirements of that management order is that the Minister of Lands must approve Leases on the premises. This result in a separate procedure that must be followed aimed at securing approval from the relevant authorities to proceed with the Lease.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Delegation From: Council

Delegation To: Chief Executive Officer

Council File Reference: ADM 14-9

Legislative Authority for Delegation S 5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

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

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

Authority for exercise of Power/ Duty/ Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law.

Date of Delegation _____

Delegator (Shire President) _____

EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2003

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

Objective

To allow for the proper execution of documents.

Policy

Council's Policy Manual 27 June 2004 on page 78.

Execution of Documents

Minute No: Item 9.1.3

Date: 27th June 2003

Objective:

To allow for the proper execution of documents.

Policy:

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

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

STRATEGIC COMMUNITY PLAN

Goal 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.

3.1.2 Build a thriving and diverse economy

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

FINANCIAL IMPLICATIONS

The Shire will receive an increased revenue stream from the tenancy as per the confidential attachment.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/187

MOVED: Cr Craig Hoyer

SECONDED: Cr Dean Hatwell

THAT Council

- 1. Authorises the Chief Executive Officer to advertise the proposed disposition of land, being on Reserve 44775, Lot 571 DP71045, Drawing 95807-009-C – Lease Areas 29 and 34, in accordance with Section 3.58 (Disposing Property) of the Local Government Act 1995;**
- 2. Approve the proposed lease to be sent to the Minister of Lands for approval; and**
- 3. Authorise the Chief Executive Officer to affix the Common Seal to a Lease Agreement between the Shire of East Pilbara and W.T.H. Pty Ltd (ACN 093 844 574) regarding Lease Area 29 (kiosk), and Lease Area 34 (car bays) at Newman Airport subject to receiving no submissions prior to the closing date.**

**CARRIED
RECORD OF VOTE: 10 - 0**

To be actioned by Mr Salomon Kloppers, Manager Development Airports

9.3.4 AFFIX THE COMMON SEAL TO A SUBLEASE AGREEMENT BETWEEN RAW HIRE AND SIMMCAL (NORTHFLEET)

Attachments:

[CORRSDMS-#14792339-v2-Deed - Lease areas 3 and 4 Newman Airport.pdf](#)
[Lease Areas 3 to 4.pdf](#)
[v3 1 Sublease - Raw Hire to Simmcals \(Final\) fully signed.pdf](#)

Responsible Officer: Mr Rick Miller
Director Technical and Development Services

Author: Mr Salomon Kloppers
Manager Development Airports

Proposed Meeting Date: 18 May 2018

Location/Address: N/A

Name of Applicant: N/A

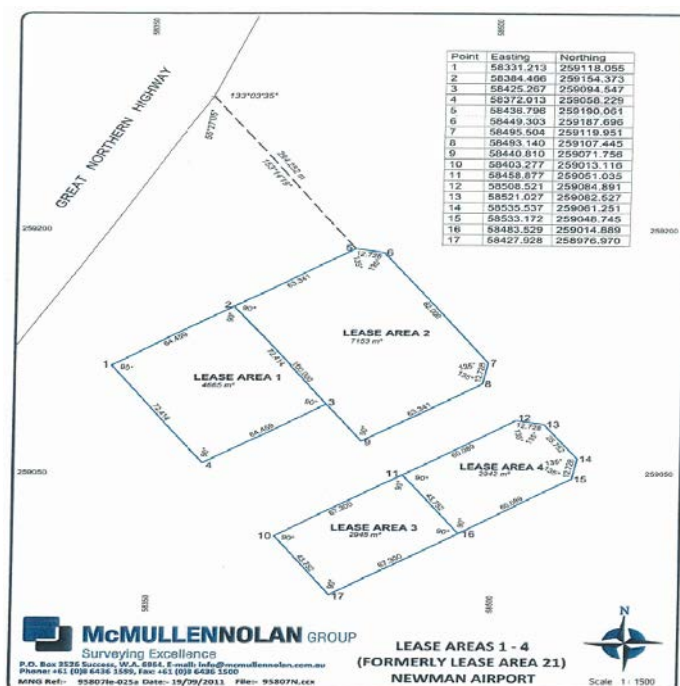
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval to apply the common seal of the Shire of East Pilbara (the Shire) to the Agreement between the Shire and RAW Hire Pty Ltd (RAW Hire) in respect of a proposed Sublease by Raw Hire with SIMMCAL Pty Ltd (Northfleet).

BACKGROUND

Lease Area 3 and 4 is currently Leased from the Shire by RAW Hire as per the following diagram:



This Lease commenced on 1 July 2012, and expires on 31 December 2022 as per

Council Resolution 201112/167.

“THAT Council authorises the Manager Airport Services to negotiate a land lease agreement with McLaren Hire for Lease Areas 3 & 4, subject to the following conditions:

- ***That they accept a lease for both areas.***
- ***That they develop those blocks to the airport drainage and development specifications.***
- ***That they be granted an initial lease period of nine years at a rate of \$7.63/m² with a 1%/annum rate increase.***
- ***That they accept a further period of lease of eleven years at a market related lease rate as determined by an independent valuer during Year 9 of the initial lease term.***
- ***That, should they require office space within the GA Terminal, they are granted a maximum of 26m² at the adopted rental rate of \$535/m² under a license agreement.***
- ***That they be allowed to position/install a small customer service kiosk/desk at a suitable location for immediate customer service.”***

The Lease Agreement has two options to renew. Currently the land is leased at a predetermined rate. This rental amount will be based on a mark to market from the Review Date of 1 January 2022. As the “mining boom” came to an end during 2015 RAW Hire decided to cease providing services from the site. Raw Hire negotiated a sublease with Pilbara Car and Truck Rental that the Shire agreed to. Part of that agreement included requirements where RAW Hire will share certain amounts over a minimum return on the premises with the Shire.

Further details to the site are:

Lease Area	Nature	Tenant in Agreement	Area m²
Lease Area 3 and 4 (Consolidated into one Agreement)	Yard for storing and renting vehicles	Mclaren Hire (Raw Hire Pty Ltd) To be subleased to Simmcal Pty Ltd	5,887m ² combined

COMMENTS/OPTIONS/DISCUSSIONS

RAW Hire has approached the Shire to request the substitution of Pilbara Car and Truck Rental with SIMMCAL who operates as Northfleet. Should Council agree to the Sublease, the Shire will sign a renewed Sublease Agreement on the same terms with RAW Hire (Please see the attached Sublease Agreement between the Shire and RAW Hire in terms of the Pilbara Car and Truck Rental Sublease.

As Newman Airport is operated by the Shire in terms of a management order, State Lands have to approve all tenancy agreements. State Lands will be approached depending on whether Council agrees to the sublease. However no difficulty is anticipated as the use of the premises is limited to the rental and supply of motor vehicles and ancillary equipment and directly associated uses (maintenance and repair of those vehicles).

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Delegation From: Council

Delegation To: Chief Executive Officer

Council File Reference: ADM 14-9

Legislative Authority for Delegation S 5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

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

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

Authority for exercise of Power/ Duty/ Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law.

Date of Delegation _____

Delegator (Shire President) _____

EXECUTION OF DOCUMENTS

4.5 Execution of Documents

Minute No: Item 9.1.3

Date: 27th June 2003

Objective:

To allow for the proper execution of documents.

Policy:

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

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

3.2.1 Promote a variety of choice in local employment

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

3.1.2 Build a thriving and diverse economy

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.

3.3.3 Provide infrastructure to support economic development

FINANCIAL IMPLICATIONS

The proposed sublease is a replacement of one sublessee by another.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/188

MOVED: Cr Michael Kitchin

SECONDED: Cr Dean Hatwell

THAT Council

1. Authorises the Chief Executive Officer to advertise the proposed disposition of land, being on Reserve 44775, Lot 571 DP71045, Drawing 95807-009-C – Lease Areas 29 and 34, in accordance with Section 3.58 (Disposing Property) of the Local Government Act 1995;
2. Approve the proposed lease to be sent to the Minister of Lands for approval; and
3. Authorise the Chief Executive Officer to affix the Common Seal to a Lease Agreement between the Shire of East Pilbara and W.T.H. Pty Ltd (ACN 093 844 574) regarding Lease Area 29 (kiosk), and Lease Area 34 (car bays) at Newman Airport subject to receiving no submissions prior to the closing date.

CARRIED
RECORD OF VOTE: 10 - 0

To be actioned by Mr Salomon Kloppers, Manager Development Airports

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 RPT BUS – ICR18-42592

Councillor Bidy Schill said the RPT Service could give a much better service to clients due to the cost per trip and clients are not allowed to bring shopping back. Could some thought be given to increasing the size of the bus or towing a small trailer? There is also the time spent e.g.: in Newman on the Friday trips is really insufficient to attend a doctor's appointment or the dentist or to have tax done.

Response: Take it on notice report back at next Council meeting.

12:15 PM Cr Dean Hatwell left the Chambers.

13.2 RANGERS NEW OFFICE & DOG/CAT ACCOMMODATION– ICR18-42592

Councillor Bidy Schill would like to have a report on the Ranger's new office and the cat and dog accommodation at the Newman Depot.

Response: The facility is still under construction. Some delays have been experienced in the procurement processes but expect it to be operational by August 2018.

As per Council Report on 22nd January 2018. Officers have actioned the following items of outstanding works

1. Remote access gate to animal management facility In accordance with Council budget and procurement policy. An RFQ was developed and advertised through tenderlink - Work is now **completed**.
2. Supply, lay and compact asphalt parking area In accordance with Council budget and procurement policy. An RFQ was developed and advertised through tenderlink with concrete accept as the preferred "value for money" surface on this occasion. Work is now **completed**.
3. Sewerage treatment for Human and dog waste In accordance with Council budget and procurement policy. An RFQ was developed, advertised (through tenderlink) and closed on Friday 13th April 2018. No, Quotations were received. Under Council and Local Government procurement policy. The SoEP has contacted local companies to clarify why they didn't submit a quotation, with various responses pertaining to profit margin/resources available etc.

SoEP is in the process of trying to obtain fresh quotations to get the works completed and within budget. Depending on supply of materials these works should be completed by **end of June**.

4. Turf and irrigate dog exercise yard. Works cannot commence until sewerage treatment is complete, quotes have be sought and one accepted. **Not Started**.

13.3 CONTRIBUTIONS FROM MIINING COMPANIES FOR NEWMAN HOSPITAL - ICR18-42586

12:17 PM *Cr Dean Hatwell returned to the Chambers*

Councillor Michael Kitchen requested the CEO to approach and communicate with Roy Hill Iron Ore, Rio Tinto, FMG with the aim of soliciting contributions to expedite construction of the planned Newman Hospital.

Rationale: these Companies operate within the Pilbara scenario it is reasonable that at times they will utilize Newman Hospital facilities. Chevron donated \$22M for the construction of the Onslow Hospital, servicing a considerably smaller population than the Newman precincts. Currently Public Health are spending considerable sums upon improving facilities in Southern State areas. Already last years approved Forward Estimates of \$37M are now being considered for inclusion in 2018/2019 Forward Estimates. We must continue pressure upon the State Govt. to provide facilities with in the Region that is the "Powerhouse" of Income generation for Australia.

13.4 DUST MONITORING CONTAMINATION OF THE "FORTESCUE MARSHES – ICR18-42586

Dust monitoring contamination of the Fortescue marshes, may Council be informed as the status quo of dust monitoring currently scheduled to be carried out by BHP within the Newman Townsite if this operation is being effected, what are the readings.

Response: Dust Monitoring

DWER has confirmed that they have contracted Ecotech to install the equipment in May 2018 and they are scheduled to come and conduct training at the beginning of July when the sampling will commence.

Response: Fortescue Marshes

Regarding the Shire's "Duty of Care" position Re:: Impact of airborne contamination on the Fortescue Marshlands impinging from mining operations.

A copy of the report is [attached](#).

Mining operations in this area fall under the supervision of the Department of Mining and Petroleum whilst the environmental performance including permitting processes are managed by the Department of Water and Environmental Regulation. Matters related to invasive and declared pests such as Parkinsonia are managed by the Department of Agriculture and Food. Whilst the Shire can raise any concerns regarding the impact of dust contamination from mining operations on the Fortescue Marshlands, it carries no duty of care regarding the need to control such activities.

The Shire's responsibilities in these areas are limited to development approvals related to mining accommodation areas excluding all mining activities. These approvals cover Planning, Building and Waste Water Systems only. The responsibility to control any declared weeds in this area falls on the landholder. The only declared Parkinsonia weed is Parkinsonia aculeata L, which carries an exempt status in accordance with Section 22(2) of the Biosecurity and Agriculture Management Act 2007. Exempt status means that the Department will not prosecute in cases where the landholder fails to control the declared pest, but encourages them to do so to reduce the risk to their lands.

13.5 TREE PLANTING MARBLE BAR – ICR18-42586

Councillor Michael Kitchin said no trees have been planted within the townsite of Marble Bar since November 2017. Council was informed in December meeting that this activity would be resumed after the Xmas breaks. By comparison Nullagine has been pre-eminent and diligent in improving the locations environment by planting trees. Would it be possible to resume this activity now?

Response: Staff tried to get more trees in April to resume the tree planting program from Outback Trees however they don't have any left to sell or give away as their stock has been sold. We will get more as soon as new stock is ready. We have planted 80 new trees and thus far 69 have survived. The trees that have survived are going well.

13.6 POLICY ON REHOMING ABANDONED ANIMALS – ICR18-42664

Councillor Jeton Ahmedi asked for Council's view/policy on rehoming abandoned animal or are they simply "disposed" of by rangers or are they sent to SAFE. City of Karratha have a MOU with SAFE.

Response: Regarding rehoming of animals, we work closely with SAFE Newman and rehome all animals that pass assessment. This year 3 dogs have been rehomed and the only 2 euthanised both were involved in dogs attacks around the Horse yards/Lions Park. All others have been returned to owners.

We assess impounded cats and all unclaimed domesticated cats are rehomed to SAFE Newman (11 this year), unfortunately the large majority of the cats we encounter are feral and require euthanasia (23 this year).

We have in the past entered into discussions with SAFE about signing an MOU, however we don't have the turnover of animals like Karratha and our relationship with the local SAFE branch is at a level where a formal agreement is not required.

13.7 POLICY REDUCING OMISSIONS – ICR18-42664

Councillor Jeton Ahmedi asked regarding the Pilbara Kimberley Forum – does Council have a policy around reducing omissions and switching to a more environmental healthy alternative in solar and wind.

Response: Council doesn't currently have a policy specifically regarding reduction in omissions. However, staff take in to consideration alternative green power when designing for various works and the feasibility of its inclusion in a project.

Our high use public facilities such as main administration building, the Newman Aquatic Centre and the airport already have solar running to reduce consumption from the grid and overall running costs. We also have used a high proportion of solar on pathway street lights, parks and shelter lighting Weighbridge. A percentage of shire houses are fitted with solar. Our housing strategy identifies the continuation of the strategic rollout for the remaining houses.

It should be noted that in Nullagine and Marble Bar we receive solar credits from Horizon Power, however in Newman BHP do not provide any credits. Council staff use the credits to undertake bi-annual servicing of all the solar systems across the district.

13.8 POWER CONSUMPTION TOWN SQUARE KITCHEN – ICR18-42665

Councillor Anthony Middleton asked in regards to the power consumption, all items are running constantly, even when no one has hired the venue in weeks. Is this sustainable paying power for these items to run?

Response:: When the buildings are not in use the lights, fans, gas and air conditioning are turned off where possible (except for the audio-visual room which is required to be cooled at all the times). The fridges/freezers are left on due to the bookings and food being stored from community & recreation events. We are not able to turn the fridges on and off given the bookings that are scheduled and food being stored in them.

13.9 OIL CATCHMANT TOWN SQUARE KITCHEN – ICR18-42665

Councillor Anthony Middleton asked in regards to oil catchment bund with a cover for the used oil containers.

Response: It is not a requirement for the building to have an oil catchment bund. The building has a grease trap as per the Water Corporation of W.A's requirement for waste water which may contain grease that is spilt on the floor during operations and is washed into the grease trap. Our operating procedure and kitchen management plan requires that all hirers who wish to use/cook with oil are to be responsible for the storage, use, removal and disposal of their oil and that they remove their oil as soon as practicable from the fryers and woks (once it is cooled) and to take it with them to dispose of.

However, staff will cost up for installation of a containment bund/tray where oil containers can be placed for storage during the day and in the event they cannot be immediately removed from site.

14 DATE OF NEXT MEETING

29th June 2018, Nullagine.

15 CLOSURE

12:20 PM