

**SHIRE OF EAST PILBARA
ORDINARY MEETING
2 May 2025**



Minutes to be confirmed at the next Ordinary Council Meeting on 30 May 2025.

I hereby certify that these Minutes are a true and correct record as confirmed by Council at the Ordinary Council Meeting on 30 May 2025

Presiding Member's Signature

Date

30/05/2025

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President declared the Shire of East Pilbara Council Meeting of **2 May 2025 open at 10.30am at the Newman Council Chambers.**

The President acknowledged the Traditional Owners of the land on which the Council met, the Nyiyaparli People, and their continuing connection to the land, waters and community. Council also acknowledged the Martu People as the Custodians of Jigalong which sits in Nyiyaparli Country. The Council paid its respects to all their Elders, past, present and emerging.

All present were requested to turn off and refrain from using their mobile phones for the duration of the meeting. Tablets and Laptops were permitted for the purpose of accessing agenda items.

All present were also advised that the meeting was being live streamed and audio recorded which can be accessed by members of the public and the media, as such Council Members were reminded to refrain from making any defamatory statements.

Members of the public who were in attendance were advised that anyone who has any application lodged with the Shire of East Pilbara must obtain and should only rely on the 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.

2 ATTENDANCE BY ELECTRONIC MEANS

A request to attend the meeting via a virtual platform were received from:

- **Cr Peta Baer**

and approved by the Shire President in accordance with regulation 14C of the *Local Government (Administration) Regulations 1996*.

3 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3.1 ATTENDANCES

Council Members

Anthony Middleton	Shire President
Cr Wendy McWhirter-Brooks	Deputy Shire President / Councillor
Cr Lee Anderson	Councillor
Cr Peta Baer	Councillor (MS Teams)
Cr David Everett	Councillor
Cr David Kular	Councillor
Cr Karen Lockyer	Councillor

Executive Team

Steven Harding	Chief Executive Officer
Nicole O'Neill	Director Community Experience
Etienne Vorster	Director Infrastructure Services
Emil Moul	Acting Director Corporate Services
Robert Paull	Director Regulatory Services

Shire Officers

Joshua Brown	Manager Governance, Risk and Procurement
Sally Fry	Governance Administration Officer (MS Teams)
Teshin Ali	Governance Administration Officer (MS Teams)

Public Gallery

Nil

3.2 APOLOGIES

Nil

3.3 LEAVE OF ABSENCE

Nil

Notation:

Councillor Milton Chapman and Councillor Annabell Landy were absent for this meeting.

4 DISCLOSURE OF INTEREST

Name	Cr Peta Baer
Item No and Title of Report	17.1.1 - Proposed Disposal of Land - Expression of Interest Process
Nature of Interest	Pursuant to section of 5.60A of the Local Government Act 1995, the nature of the interest is: PROXIMITY
Reason	Cr Baer is the Assistant Group Leader of Newman Scout Group which holds a lease over the same property area.
Action Taken	Cr Baer attending the meeting via remote platform will disengage electronically for the debate and vote of this item.

5 DECLARATIONS BY COUNCIL MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER BEFORE THE MEETING

The following declarations were made by the below listed Council Members:

"I have given due consideration to all matters that are contained in the Business Papers before this meeting."

Anthony Middleton	Shire President
Cr Wendy McWhirter-Brooks	Deputy Shire President / Councillor
Cr Lee Anderson	Councillor
Cr Peta Baer	Councillor
Cr David Evrett	Councillor
Cr David Kular	Councillor
Cr Karen Lockyer	Councillor

6 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

7 PUBLIC QUESTION TIME

Nil

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

9 APPLICATION FOR LEAVE OF ABSENCE

An application for Leave of Absence for the **30 May 2025 Ordinary Council Meeting** has been received from **Cr Lou Lockyer**.

An application for Leave of Absence for the **25 July 2025 Ordinary Council Meeting** has been received from **Cr David Kular**.

Resulting from the above application the below resolution was moved:

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: (2025 / 127))

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Everett

That a Leave of Absence be granted for:

- **Cr Lou Lockyer** for the Ordinary Council Meeting of 30 May 2025
- **Cr David Kular** for the Ordinary Council Meeting of 25 July 2025.

CARRIED
RECORD OF VOTE 7/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson,
Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

10 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: (2025 / 128))

Moved: Cr Anderson

Seconded: Deputy Shire President McWhirter-Brooks

That the Ordinary and Confidential Minutes of the Council meeting held on 28 March 2025 as published on the Shire Website and Councillor Portal be confirmed as true and correct records of proceedings.

CARRIED
RECORD OF VOTE 7/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

11 MEMBERS REPORTS

Cr Wendy McWhirter Brooks:

- Conversation with Ratepayer - Unacceptable processing times for Building Applications submitted to the Shire.
- Conversation with Ratepayer - Discussed a grading of roads issue.

Notation:

A Members Report received from Cr Wendy McWhirter-Brooks for the period 13-12-24 to 30-5-25 is linked for the Minutes for this meeting below.

Press the Ctrl key then Click inside box to access Members Reports - Cr McWhirter-Brooks

12 OFFICER REPORTS

12.1 DIRECTORATE - EXECUTIVE

12.1.1 NEW POLICY - COUNCIL POLICY FRAMEWORK

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: (2025 / 129)

Moved: Cr Everett

Seconded: Deputy Shire President McWhirter-Brooks

That Council adopts the Council Policy Development Framework (attached as Appendix 1).

CARRIED

RECORD OF VOTE 7/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

12.1.2 NEW POLICY - MONTHLY LIST OF ACCOUNTS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: (2025 / 130)

Moved: Cr Anderson

Seconded: Deputy Shire President McWhirter-Brooks

That Council adopts the Monthly List of Accounts Policy attached as Appendix 1 to the report.

CARRIED

RECORD OF VOTE 7/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

12.1.3 POLICY REVIEW - AWARD OF THE TITLE OF HONORARY FREEMAN OF THE SHIRE OF EAST PILBARA POLICY

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: (2025 / 131)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council accepts the review and adopts the re-named Award of Freedom of the Shire of East Pilbara Policy attached as Appendix 1 to this report.

CARRIED
RECORD OF VOTE 7/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

12.1.4 POLICY REVIEW - DESIGNATED SENIOR EMPLOYEES POLICY

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 132)

Moved: Cr Kular

Seconded: Cr Anderson

That Council accepts the review and revokes the Designated Senior Employees Policy as Appendix 1 to this report.

CARRIED
RECORD OF VOTE 7/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

12.1.5 STATUS OF COUNCIL DECISIONS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 133)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Anderson

That Council notes the report.

CARRIED
RECORD OF VOTE 7/0

For:	Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer
Against:	None

12.1.6 AFFIXING THE COMMON SEAL UNDER DELEGATED AUTHORITY

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 134)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Kular

That Council notes the report.

**CARRIED
RECORD OF VOTE 7/0**

For:	Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer
Against:	None

12.2 DIRECTORATE - CORPORATE SERVICES

12.2.1 NOTICE OF INTENTION TO LEVY DIFFERENTIAL RATES 2025/26

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 135)

Moved: Cr Lockyer

Seconded: Deputy Shire President McWhirter-Brooks

That Council:

1. In accordance with section 6.36(3A) of the *Local Government Act 1995* endorses the Statement of Objects and Reasons for 2025/26 rating year (as Appendix 1 to the report).
2. In accordance with section 6.36(1) of the *Local Government Act 1995*, gives local public notice of its intention to impose the following differential rates and minimum charges for 2025/26, in accordance with the 2025/26 Statement of Objects and Reasons:

Rate Category	Rate in the Dollar Charge	Minimum Rate Charge
GRV Residential	\$0.07724	\$1,185
GRV Non-Residential	\$0.07724	\$1,400
GRV Transient Workforce Accommodation	\$0.15448	\$1,400
UV - Pastoral	\$0.192987	\$1,400
UV - Mining / Other	\$0.385975	\$1,400
UV - Prospecting	\$0.319977	\$915

3. Authorises the Chief Executive Officer to publish the 2025/26 Statement of Objects and Reasons on the Shire's website, and to make it available for inspection at the Newman and Marble Bar Administration Offices.
4. Invites submissions to be made by any elector or ratepayer with respect to the proposed rate or minimum payment, and any other related matters within 21 days of the notice.
5. Will consider all submissions received before imposing the proposed rates or minimum payments with or without modification.

CARRIED
RECORD OF VOTE 7/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

12.2.2 POLICY REVIEW - BUDGET AMENDMENTS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 136)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Anderson

That Council accepts the review of and revokes the Budget Amendment Policy (attached as Appendix 1).

**CARRIED
RECORD OF VOTE 7/0**

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson,
Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

12.2.3 POLICY REVIEW - ACCOUNTING FOR NON-CURRENT ASSETS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 137)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Everett

That Council accepts the review of and adopts the revised Accounting for Non-Current Assets Policy (attached as Appendix 1).

**CARRIED
RECORD OF VOTE 7/0**

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr
Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

12.2.4 MONTHLY FINANCIAL STATEMENTS, INSURANCE AND INVESTMENT REPORT AS AT 31 MARCH 2025

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 138)

Moved: Cr Kular

Seconded: Deputy Shire President McWhirter-Brooks

That Council adopts the Monthly Financial Statements for the period ending 31 March 2025 of the 2024/2025 financial year included as Appendices 1 and 2 to the report.

**CARRIED
RECORD OF VOTE 7/0**

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

12.2.5 LIST OF ACCOUNTS - MONTH ENDING 31 MARCH 2025

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 139)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Everett

That Council:

- 1. Pursuant to section 5.23(2)(a) of the *Local Government Act 1995*, that the List of Payments not be disclosed; and**
- 2. Endorses the below payments for the period of 1-31 March 2025 itemised in Confidential Appendix 1.**

EFT Payments	\$3,724,011.12
MasterCard	\$18,960.43
Cheque Payments	\$0.00
Direct Payments	\$99,143.48

**CARRIED
RECORD OF VOTE 7/0**

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

12.3 DIRECTORATE - COMMUNITY EXPERIENCE

12.3.1 NEW POLICY - CHILD SAFE AWARENESS POLICY

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 140)

Moved: Cr Lockyer

Seconded: Cr Everett

That Council adopts the Child Safe Awareness Policy attached as Appendix 1 to the report.

**CARRIED
RECORD OF VOTE 7/0**

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson,
Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

12.3.2 POLICY REVIEW - ANNUAL COMMUNITY SURVEY POLICY

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 /141)

Moved: Cr Kular

Seconded: Cr Anderson

That Council accepts the review of and revokes the Annual Community Survey Policy (attached as Appendix 1).

**CARRIED
RECORD OF VOTE 7/0**

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson,
Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

12.4 DIRECTORATE - INFRASTRUCTURE SERVICES

**12.4.1 POLICY REVIEW - USE OF NATIVE PLANTS, SHRUBS AND GRASSES
POLICY**

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 142)

Moved: Cr Everett

Seconded: Deputy Shire President McWhirter-Brooks

That Council accepts the review of and revokes the Use of Native Plants, Shrubs and Grasses Policy (attached as Appendix 1).

**CARRIED
RECORD OF VOTE 7/0**

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

**12.4.2 POLICY REVIEW - PASTORAL STATIONS - ROADS AND AIRSTRIP
DESIGNATION AND MAINTENANCE POLICY**

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 143)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Everett

That Council accepts the review of and revokes the Pastoral Stations - Roads and Airstrip Designation and Maintenance Policy (attached as Appendix 1).

**CARRIED
RECORD OF VOTE 7/0**

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

13 COMMITTEE REPORTS

13.1 DIRECTORATE - REGULATORY SERVICES

13.1.1 MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEES - APRIL 2025

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 144)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Anderson

That Council notes the Minutes of the meetings of the Shire of East Pilbara Local Emergency Management Committees held as follows:

- Marble Bar - 02 April 2025
- Nullagine - 03 April 2025; and
- Newman - 04 April 2025.

CARRIED
RECORD OF VOTE 7/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

14 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL

Two late items were received for consideration at the meeting and have been circulated to Council Members:

- **Item 16.1.1** is a report for Council to consider swapping the location of the 30 May and 25 July 2025 Ordinary Council Meetings,
- **Item 17.1.1** is a Confidential Report for Council to consider a recommendation to seek expressions of interests for the disposal of land.

The below motion was moved as a result of this request.

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: 2025 / 145)

Moved: Shire President Middleton

Seconded: Deputy Shire President McWhirter-Brooks

That Council consider items:

- Item 16.1.1 is a report for Council to consider swapping the location of the 30 May and 25 July 2025 Ordinary Council Meetings,
- Item 17.1.1 is a Confidential Report for Council to consider a recommendation to seek expressions of interests for the disposal of land.

as new business of an urgent nature in accordance with the *Shire of East Pilbara Meeting Procedures Local Law 2019*. / confidential session in accordance with section 5.23(2) of the *Local Government Act 1995*.

**CARRIED
RECORD OF VOTE 7/0**

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer

Against: None

16.1 DIRECTORATE - EXECUTIVE

16.1.1 CHANGE OF LOCATION - 30 MAY AND 25 JULY 2025 ORDINARY COUNCIL MEETINGS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 146)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council:

1. Adopts the following date, times and places for the Ordinary Council Meetings of 30 May and 25 July 2025:

Meeting Date	Time	Place
30 May 2025	10.30am	Newman
25 July 2025	10.30am	Punmu

2. Publishes the updated places of the May and July 2025 Ordinary Council Meetings in accordance with regulation 12(2) of the Local Government (Administration) Regulations 1996.

CARRIED
RECORD OF VOTE 7/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer
Against: None

17 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

The meeting was closed to the public at 11. 04am and live streaming of the meeting was confirmed interrupted by Governance Staff at this point.

Councillor Peta Baer who was attending the meeting via a virtual platform (MS Teams) in accordance with the regulation on members attending by electronic means declared that she will maintain confidentiality during the closed part of the meeting in accordance with regulations.

Councillor Baer was advised that her declaration will be recorded in the Minutes.

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION **(Resolution No: 2025 / 147)**

Moved: Cr Lockyer

Seconded: Deputy Shire President McWhirter-Brooks

That the meeting be closed to the public in accordance with section 5.23(2) of the Local Government Act 1995 to consider item:

17.1.1 - PROPOSED DISPOSAL OF LAND - EXPRESSION OF INTEREST PROCESS

CARRIED
RECORD OF VOTE 7/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Everett, Cr Kular, Cr Lockyer
Against: None

17.1 DIRECTORATE - EXECUTIVE

17.1.1 PROPOSED DISPOSAL OF LAND - EXPRESSION OF INTEREST PROCESS

Cr Peta Baer was attending the meeting via electronic means and declared an interest in this item. Cr Baer therefore disconnected at 11.12am and reconnected at 11.14am and was absent for the deliberation and vote the item.

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2025 / 148)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council:

1. Endorses the undertaking of a public expression of interest or public tender process for a Lease (subject to agreed conditions) of up to twenty (20) years over Lot 702 (300) Les Tutt Drive, Newman, in accordance with the draft Community and Commercial Tenancies Policy; and
2. Requests the Chief Executive Officer invite aged and home care service providers to lodge expressions of interest articulating the level of service they will provide in the District of East Pilbara.

CARRIED

RECORD OF VOTE 6/0

(Cr Peta Baer was absent for vote)

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Everett, Cr Kular, Cr Lockyer

Against: None

COUNCIL RESOLUTION

(Resolution No: 2025 / 149)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That the meeting return to Open Council in accordance with 5.23(2) of the Local Government Act 1995 at 11.14am.

CARRIED

RECORD OF VOTE 7/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Everett, Cr Kular, Cr Lockyer, Cr Baer

Against: None

18 DATE OF NEXT MEETING

The next Council Meeting of the Shire of East Pilbara will be held on 30 May 2025 in the Newman Council Chamber commencing at 10:30am.

19 CLOSURE

The Council Meeting of the Shire of East Pilbara held on 2 May 2025 was declared closed by the Presiding Member closed at 11.15am.

The Presiding Member thanked Council Members and Staff for their attendance.

Please [click in box](#) for access to the Agenda for OCM 28 March 2025