



EAST PILBARA SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council will be held,
in Council Chambers, Newman,
10.00 AM, FRIDAY, 22 AUGUST, 2014.

Allen Cooper
CHIEF EXECUTIVE OFFICER

THE HEART
OF THE
PILBARA



DISCLAIMER

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

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

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

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

WRITTEN CONFIRMATION

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

Signed: _____
Allen Cooper
Chief Executive Officer

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Lynne Craigie

Lang Coppin

Anita Grace

Shane Carter

Craig Hoyer

Gerry Parsons

Kevin Danks

Dean Hatwell

Biddy Schill

Stephen Kiernan

Shire President

Deputy Shire President

Officers

Mr Allen Cooper

Ms Sian Appleton

Mr Rick Miller

Mrs Sheryl Pobrica

Chief Executive Officer

Deputy Chief Executive Officer

Director Technical and Development
Services.

Executive Services Administration Officer

Public Gallery

2.2 APOLOGIES

Councillor Apologies

Doug Stead

Officer Apologies

Nil

2.3 LEAVE OF ABSENCE

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

5.1 DEPARTMENT PARKS AND WILDLIFE

The Department of Parks and Wildlife will be providing further information of the Cape Keraudren Marine Park proposal.

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

[Minutes July 25 2014 Council.DOCX](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of Council held on 25 July 2014, be confirmed as a true and correct record of proceedings.

8 MEMBERS REPORT

8.1 ITEMS FOR RECOMMENDATION

8.2 ITEMS FOR INFORMATION

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CHIEF EXECUTIVE OFFICER - STATUS OF COUNCIL DECISIONS JULY 2014

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Chief Executive Officer for July 2014 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
31 January 2014	9.1.8	EXTENSION OF LEASE KURRA VILLAGE	CEO		On Going

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

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

REPORT PURPOSE

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

BACKGROUND

The employment contract of Mr Harvey Hamersley has been extended by a one year term expiring on 30 June 2015.

COMMENTS/OPTIONS/DISCUSSIONS

Nil.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil.

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2003

Objective

To allow for the proper execution of documents.

Policy

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

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

- 1.2 Foster a great place to work
 - 1.2.1 Engaged and valued workforce
Responsible officer: MHR
Timing: 1-3 years
 - 1.2.3 Plan, attract and maintain staff
Responsible officer: MHR
Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr Harvey Hamersley, Manager Technical Services – Nullagine for a term of one year, expiring on 30 June 2015.

9.1.3 APPROVAL TO ATTEND THE KIWIRRKURRA INDIGENOUS PROTECTED AREA DEDICATION CEREMONY

Responsible Officer: Mr Allen Cooper
Chief Executive Officer

Author: Mrs Kylie Bergmann
Coordinator Executive Services

Location/Address: Kiwirrkurra Community

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To determine and approve attendees to the Kiwirrkurra Indigenous Protected Area Dedication Ceremony.

BACKGROUND

The Chief Executive Officer has received an invitation to attend the Kiwirrkurra Indigenous Protected Area Dedication Ceremony on 10 September 2014. On this day, the Kiwirrkurra native title holders will sign a declaration to manage their native title determination as an Australian Government supported Indigenous Protected Area (IPA).

The Kiwirrkurra native title holders will become the 61st Aboriginal group in Australia to declare an IPA. The Kiwirrkurra IPA will contribute to a continuous corridor of IPAs across the desert regions of Australia. It will add an extra 4.3 million hectares to the National Reserve system (a 3.6% increase) and will be managed to International Union for the Conservation of Nature (IUCN) standards.

The ceremony will be held at Wala Wala waterhole, a culturally and historically important site about 16kms from Kiwirrkurra community.

COMMENTS/OPTIONS/DISCUSSIONS

The Chief Executive Officer has received a quote from Polar Aviation to charter a flight to Kiwirrkurra. The cost is \$9450.00. The flight will depart Newman at 6:00am and return to Newman the same day. There is room for five passengers in the plane. Council may choose up to five Council members and/or staff to attend the event.

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.

FINANCIAL IMPLICATIONS

Cost involved will be \$9450.00 for the charter flight and can be funded from 41034 account.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Approve the attendance of the following Councillors and/or staff to the Kiwirrkurra Indigenous Protected Area Dedication Ceremony:**

9.1.4 AMENDMENT TO DELEGATION 4.34 - DEVELOPMENT APPLICATIONS

File Ref: PLN-2-1, PLN-2-2
Attachments: [4.34 Development Applications.docx](#)
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Ms Sue Mearns
Coordinator Governance
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To request Council approve the amendment of Delegation 4.34 – Development Applications to enable the CEO to sub-delegate to the Manager Development Services – Building, the ability to approve planning applications and action approval notices in the event that the Manager Development Services – Planning is absent from work for a period of 3 days or more.

BACKGROUND

Delegation 4.34 does not currently cover the need to provide coverage to approve or action development applications during any absence/s of more than 3 days of the Manager Development Services – Planning.

COMMENTS/OPTIONS/DISCUSSIONS

This amendment is required to ensure that no development activities are delayed due to staff absences.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

9.6 LOCAL PLANNING POLICY NO. 8 – RESIDENTIAL

10.5 NEW DEVELOPMENT ROAD RESERVES

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the amendment to Delegation 5.34 – Development Applications to include the sub-delegation to Manager Development Services – Building.



4.34 Development Applications

Delegation From	Council
Delegation To	Chief Executive Officer
Sub-Delegation To	Manager Development Services – Planning Manager Development Services - Building
File Number	PLN-2-1, PLN-2-2, Property Assessment Number
Legislative Authority for Authorisation	ss5.42, 5.43 and 5.44 <i>Local Government Act 1995</i>

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Delegation

To delegate the Chief Executive Officer be given authority to approve development applications where proposals comply with the *Planning and Development Act 2005*, Council town planning schemes, policies and codes or where such applications vary only to a minor extent.

Statutory power being delegated

s3.18(1) *Local Government Act 1995*.

Conditions attached to Delegation

No approval is to be given to an application where:

- It has been advertised and a submission by way of objection has been received and which cannot be satisfied by conditions of consent;
- The proposed development has not been advertised, but is likely to be contentious;
- It requires the concurrence of the Minister.

Date of Delegation	
Delegator	
Delegatee	

9.1.5 CAPE KERAUDREN PROPOSED LAND EXCISION

Attachments:	<u>Confidential</u>
Responsible Officer:	Mr Allen Cooper Chief Executive Officer
Author:	Mr Allen Cooper Chief Executive Officer
Location/Address:	Reserve 39135 - Cape Keraudren
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

To consider a proposal from the Department of Parks and Wildlife to excise land from Cape Keraudren Reserve for inclusion into their adjoining "Marine Park".

BACKGROUND

At the Council meeting of the 25th July 2014, Council resolved the following:

Item 9.2.7 - Resolution: 201415/09

THAT

- 1) the item be deferred to the next meeting of Council and;*
- 2) the Department of Parks and Wildlife be invited to discuss the matter with Council.*

The Department of Parks and Wildlife have been invited to address Council and to answer any questions regarding the establishment of the general marine park zone at Cape Keraudren.

Since 1985, Shire of East Pilbara is the Primary Interest Holder of Crown Reserve 39135 at Cape Keraudren, held for the purpose of "Recreation". The reserve has an area on 4,800 hectares which is used as a Camping Ground and was primarily created as a recreation area for Goldsworthy and Shay Gap, both which have now closed.

Cape Keraudren is classified as a "Nature Based Park" under the *Caravan and Camping Grounds Act 1995*. Local Governments (within its district) may operate a Caravan Park/Camping Ground without a license, but has an inferred responsibility to comply with the Act and Regulations.

At its meeting on 16 December 2009, Council supported the indicative management plan for the proposed Eighty Mile Beach Marine Park, which incorporates Cape Keraudren. The report was supported on the basis that the Marine Park plan's did not impact on the management of the Cape Keraudren camping area.

At its meeting on 27 September 2013, Council accepted the 'Cape Keraudren Recreation Management Plan' which provides many recommendations to management direction for the Reserve into the future.

Referred in the 'Cape Keraudren Recreation Management Plan'

9.3.1 Option 10 – Transfer Management to another Government Agency

Cape Keraudren Reserve occupies part of the Ramsar Wetland and is adjacent to the proposed Eighty Mile Beach Marine Park, both of which are to be managed by Department of Environment and Conservation (DEC). The Conservation Commission could be approached to consider including the reserve in its conservation estate, with DEC taking over management of Cape Keraudren Reserve as a Conservation Park. Factors in favour of this option:

The proposed marine park goes to High Water Mark elsewhere along the coast but abuts the reserve at Low Water Mark, and the mangroves in the reserve have high conservation value;

Most visitors to Cape Keraudren reserve will interact with the Ramsar Wetland and proposed marine park, so the reserve functions as an entry point to both;

The camping and recreation opportunities on the reserve could be made similar to the style of facilities DEC provides in other coastal national parks.

However, as DEC managers for this area are based in Broome it is likely there would be a number of issues to address before DEC could take over management of the reserve, particularly the resourcing of this management.

COMMENTS/OPTIONS/DISCUSSIONS

The Shire received a letter of 15 November 2013 (confidential copy attached under separate cover) from the Department of Parks and Wildlife requesting comments on a proposal to amend the boundaries of the Cape Keraudren Reserve to exclude intertidal areas.

Department of Parks and Wildlife suggests that the proposal:

- Would not impact on the Shire's management of the camping facilities; and
- Would compliment the Shire's existing management strategies.

Department of Parks and Wildlife considers that the proposal will result in:

- Simpler management for visitors
- More practical boundaries
- Promotion of the area
- Additional dedicated marine park resources

Department of Parks and Wildlife suggest that if the Shire is supportive of the proposal, a meeting should be arranged to discuss the various elements in detail.

Shire comments on the proposal are:

- There is a large area proposed to be excised from the Reserve however the land is predominantly intertidal and mangroves which do not directly impact the Shire's camping uses;
- It is usual that land boundaries are created at the high water mark of the ocean/river (as currently exists); however at Cape Keraudren Reserve the boundary is established at the low water mark. Given the tidal size, this suggests

that the Shire is responsible for the management of the offshore reef (visible at low tide). The reef is better managed by Department Parks and Wildlife;

- The Shire is currently completing an environmental report to consider the existing and possible alternative locations for the boat ramp. Within the proposal, the Shire is proposed to retain an intertidal area around the existing boat ramp, however given the future position of that boat ramp is unclear;
- The Shire has concerns on possible limitations to recreational fishing;
- There are concerns with respect to the fashion on which the Reserve is proposed to be broken up (apparently from a height datum) and the number of land islands created for the Shires management. These land islands do not have access to the property and can only be accessed through the proposed Marine Park Reserve;
- Council should be mindful of comments within the 'Cape Keraudren Recreation Management Plan'.

The Shire's Chief Executive Officer has had informal discussions on the matter with the Department of Parks and Wildlife.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 3 - Functions of local governments (Division 3 - Executive functions of local governments) (Subdivision 6 - Various executive functions) 3.58. Disposing of property (pg 71)

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.

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council supports the relinquishment of portion of Reserve 39135, the area from the low watermark to the high watermark and including any off shore islands, for the purpose of creating a general use marine park zone.

9.1.6 NEWMAN TOWN CENTRE & STAGE 3 TOWN SQUARE CONCEPTS

File Ref:	STR-4-2
Attachments:	Town Centre
Responsible Officer:	Mr Allen Cooper Chief Executive Officer
Author:	Mr Allen Cooper Chief Executive Officer
Proposed Meeting Date:	22 August 2014
Location/Address:	Newman Town Centre
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

1. Receive the Newman Town Centre / Stage 3 Masterplan and Town Square Concept May 2014 document.
2. Agree in principle to the concept of the creation of the town square in the Newman Town Centre.
3. Establish a working group consisting of the Chief Executive Officer (CEO), the Director Technical and Development Services (DTDS), the Manager Development Services – Planning (MDS-P), one Councillor and Landcorp to finalise the design and report back to Council on the completed design.

BACKGROUND

Council is aware of the construction of the roads, footpaths and landscaping of stage 3 of the Town Centre Revitalisation Project.

Part of stage 3 is the creation of a town square to encourage activation and usage of the town centre and to create linkages between the various shopping centres and retail outlets.

Landcorp (The Development Manager) formed a community reference group and after a number of meetings, the May 2014 document has been produced with a preferred option.

Landcorp are now requesting Council to endorse the document.

A copy of the Masterplan document has been distributed electronically to Councillors and a hard copy available upon request.

The state is funding the project through Land Corp from Royalties for Region Funding.

COMMENTS/OPTIONS/DISCUSSIONS

This development is the final piece of the Newman Town Centre redevelopment.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.4 Land use and development control

3.4.1 Encourage the release of adequate amounts of housing, industrial and commercial land

Responsible officer: CEO

Timing: 1-5 years

3.4.2 Plan well for the future development of the Shire

Responsible officer: CEO

Timing: 1-5 years

FINANCIAL IMPLICATIONS

No direct financial impost. However, the matter needs to progress to ensure that the Royalties for Regions funding remains allocated to this project.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

- 1. Receive the Newman Town Centre/Stage 3 Masterplan and Town Square Concept May 2014 document;**
- 2. Agree in principle to the concept of the creation of the Town Square in the Newman Town Centre design.**
- 3. Agree to the establishment of a Working Group consisting of the CEO, the DTDS, the MDS-P, one Councillor and Landcorp to finalise the design and report back to Council.**

9.1.7 KURRA VILLAGE - EXTENSION OF LEASE

File Ref:	A700695
Responsible Officer:	Mr Allen Cooper Chief Executive Officer
Author:	Mr Allen Cooper Chief Executive Officer
Proposed Meeting Date:	22 August 2014
Location/Address:	Lot 301 & 302 Newman Drive, Newman
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

To consider further details from the working group.

BACKGROUND

Item 9.1.8, 31st January 2014, refers at the time Council resolved the following:

That Council Support in principle the extension of the lease of Kurra Village up to 25 years subject to a working group consisting of Council and BHP Billiton Iron representatives finalising the details and reporting back to Council.

The working group consisting of the Shire President Cr Lynne Craigie, the CEO Mr Allen Cooper and Mr Robert Curruthers, Manager Government Relations, BHPIO and Mr Alex Seed, Superintendent – Community Relations BHPIO, has met a number of times to discuss further detail of the proposed extension of the lease of the village.

COMMENTS/OPTIONS/DISCUSSIONS

The main points that have been discussed by the working group have been.

1. The size (room numbers) of the village.
2. Proposed users of the village.
3. Built form and integration of the village into the community.

These points will be expanded on further below.

1. The size (room numbers) of the village.
BHP Billiton is keen to see the village remain at its current size of 1,600 beds due to rosters the maximum staff accommodated at any one time will be 1,200 persons.

Indications are that 1,200 rooms will be replaced with a mixture of single and double storey accommodation units and 400 rooms will remain as is.

Central facilities along with the external appearance will also be upgraded.

2. Proposed users of the village.

Indications are that the village will be used for the purpose of accommodating BHP Billiton's transient workforce. Mount Whaleback operation remains residential where possible.

The Pilbara Development Commission's definition of Transient Workforce Accommodation is – *'Transient Worker Accommodation in the Pilbara is accommodation used by workers whose principal place of residence is elsewhere; these workers fly or drive to the Pilbara for a period of time to work before returning home.'*

BHP Billiton has commented that they are committed to workers only, undertaking work directly for BHP Billiton being accommodated there (including direct employees and contractors). Also close proximity sites such as Easter Ridge and Jimlebar will have residential options if it can fit into the workforce model. It is felt that the best option for Council is to encourage BHP Billiton to ensure residential options for prospective and current employees. Also that the village is used by direct employees only – not contractors or suppliers.

3. Built Form and Integration.

Council has already been presented with some preliminary drawings on the shared open space integration concept.

The primary concern for Councillors has been the integration of people utilising the village into the services and the economy of the town and town residents having access to facilities (social and recreation) provided to the village.

General Comments:

For Pilbara Towns including Newman to continue to grow and thrive there has to be a stable population base to encourage business growth along with associated services.

The Pilbara Infrastructure Plan identifies Newman as a sub-regional centre achieving a population of 15,000 persons by 2035.

Currently there has been a considerable resources put into establishing residential properties and creating vacant blocks.

Also over \$40 million dollars has been spent on the Town Centre Revitalisation and Community Infrastructure.

Preference is to ensure that residential opportunities exist for all employees working within the region.

STATUTORY IMPLICATIONS/REQUIREMENTS

Council is not the approving authority of the lease arrangement.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

3.3.1 *Ensure well managed and equitable provision of community infrastructure
The Shire of East Pilbara seeks to support the economic development of its communities through the establishment of partnerships with industry, local businesses, government agencies and the tourism sector.*

3.1 Business diversification and promotion

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

FINANCIAL IMPLICATIONS

Gross Rental Value rates are paid on the property

- Current rate - \$390,266.70
- Emergency - \$52,890 Service Levy (paid to state).
- Sewage - \$33,234.60

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council continue to support the use of Kurra Village based on the following conditions:

- 1. The village be set to a maximum size of 1200 rooms.**
- 2. The village only to be utilised by workers of BHP Billiton who cannot be residentially accommodated with local employment opportunities.**
- 3. BHP Billiton commit to identifying and funding integration opportunities, including but not limited to recreation, public open spaces, pedestrian connectivity and community safety.**

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JULY 2014 A

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Deputy Chief Executive Officer for July 2014 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
23 August 2013	13.5	CIVIC CENTRE – MARBLE BAR Cr Stephen Kiernan asked if the flooring can be repaired or replaced due to wear and tear. Manager Building Assets to follow up	MBA	Flooring assessed. Cost for sanding & sealing - \$21,000. To be considered at budget review.	March 2014
6 December 2013	13.11	CAPE KERAUDREN Cr Lang Coppin asked about the running and managing cost for Cape Keraudren. Deputy Chief Executive Officer replied a report was currently being undertaken by the Manager Building Assets.	DCEO	Meeting 13 th June 2014 with the Department to discuss future of Cape Keraudren	October 2014
14 March 2014	9.2.20	MARBLE BAR RESERVE 2906 – Consideration of Gauging Cableway (Flying Fox)	MBA	Waiting for response from Department of Water & Rivers	October 2014
24 April 2014	13.3	LANDSCAPING MINDARRA DRIVE Cr Shane Carter said the landscaping is starting to look good, is it possible to meet with the Newman Club to discuss their intentions. Deputy Chief Executive Officer to follow up.	DCEO	Manager of Newman Club did not attend the Council Meeting in July will ask again to attend in August.	In Progress
23 May 2014	9.2.2	DRAFT NEWMAN RECREATION PLAN	DCEO	Submissions being	In Progress

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
				assessed.	
23 May 2014	9.2.3	DRAFT REPORTS - IMPROVING YOUTH, FAMILY AND CHILDREN'S SERVICES DELIVERY IN NULLAGINE AND MARBLE BAR	DCEO	Submissions being assessed.	In Progress
27 th June 2014	13.8	NULLAGINE NEW TOILET BLOCK AND SEATING Cr Bidy Schill said thank you for the new toilet block and seating area in Nullagine, installed through the Pilbara Regional Council but she had a concern as there is no hand basin, no water supply, no lighting, and no toilet roll holders is it possible to get these installed. Ms Sian Appleton, Deputy Chief Executive Officer to follow up.	DCEO	Hand basin and water being installed, quote for lights being sought and water to dump point	In Progress
25 th July 2014	13.1	MAP OF BOUNDARY NEWMAN CLUB AND BEACH Cr Doug Stead asked if it was possible to obtain a detail map of the boundaries of the Newman Club and the Beach. Ms Sian Appleton, Deputy Chief Executive Officer to follow up.	DCEO		Completed

**9.2.2 ROYAL ANTEDILUVIAN ORDER OF BUFFALOES LEASE AREA AT
NORTH NEWMAN RESERVE**

File Ref: A700753
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Attachments: [Surrender Letter - Buffaloes 200614.pdf](#)
[Letter of Jehovah's Witness](#)
Author: Mrs Marisa Wolfenden
Coordinator Property Services
Location/Address: N/A
Name of Applicant: Newman Congregation of Jehovah's Witness
Author Disclosure of Interest: Nil

REPORT PURPOSE

To advise Council that the Royal Antediluvian Order of Buffaloes wish to assign their lease agreement to the Newman Congregation of Jehovah's Witness for portion of Reserve 44654, Lot 702 previously Lot 300, known as North Newman Reserve, Newman.

BACKGROUND

The Royal Antediluvian Order of Buffaloes current lease agreement for portion of land at North Newman Reserve was approved by Council on 5th May 2006, for a term of 10 years commencing 15th June 2007 until 14th June 2017 with a further 10 year option commencing 15th June 2017.

During this term they have allowed the Newman Congregation of Jehovah's Witness to use the facility as a meeting hall for the community and contributed to the running costs of the premise.

In the past 12 months the Royal Antediluvian Order of Buffaloes committee have indicated they had declining members and were not financially able to continue with the cost of running and maintaining the facility at North Newman Reserve.

On the 20th June 2014 the Secretary submitted a letter to the Shire announcing that the surrender of the lease agreement at North Newman Reserve was to proceed.

COMMENTS/OPTIONS/DISCUSSIONS

The Royal Antediluvian Order of Buffaloes vacated the building on the 20th June 2014, but continue to be obligated under the lease until 14th June 2017.

As the Newman Congregation of Jehovah's Witness have been using portion of the facility over the past 10 years, the lessee has consented that they may continue to use the property.

The Newman Congregation of Jehovah's Witness have submitted a letter requesting that the lease be assigned to them and the Royal Antediluvian Order of Buffaloes have agreed to the assignment.

The Shire had discussions with the proposed assignees regarding a Deed of Assignment to the Newman Congregation of Jehovah's Witness and proposed a variation to the remaining term of agreement that excludes the 10 year option commencing 15th June 2017.

The Newman Congregation of Jehovah's Witness accepts the proposal and the following conditions should apply to the Deed of Assignment and Variation:

- Term – until the 14th June 2017.
- Fees and Charges to enter into a new lease agreement
 - Cost of preparation of assignment and variation documentation will be the responsibility of the lessee.
- The building will be insured by the Shire of East Pilbara and costs on charged to the lessee. There is to be no cost to Council.
- The lessee will be responsible for all outgoings which includes water consumption, power, ESL and other services on the site.
- Annual Building Fee will apply as per Council Fees and Charges.
- Council is to be provided with current insurance documents such as Public Liability (Certificate of Currency).
- Building and premises to be maintained by the lessee
- Incorporated into the agreement is acknowledgement by the lessee of the state of the building upon commencement of Assignment of Deed.
- No Caretakers dwelling permitted at the site or persons being accommodated at the premises
- Minister approval required.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

3.2 ASSET MANAGEMENT

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.4 Diverse and inclusive communities

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

- 2.4.3 Provide relevant and affordable community services
Responsible officer: MCW
Timing: 1-5 years

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

- 1. Accepts the Assignment of Deed and Variation from the Royall Antediluvian Order of Buffaloes to the Newman Congregation of Jehovah's Witness for the remaining period of the Royal Antediluvian Order of Buffaloes Lease agreement, until 14th June 2017, excluding the option period.**
- 2. Affixing the Shire of East Pilbara common seal to Deed of Assignment and Variation between the Shire of East Pilbara and the Royal Antediluvian Order of Buffaloes.**
- 3. Affix the Shire of East Pilbara common seal to the Deed of Assignment and Variation between the Shire of East Pilbara and the Newman Congregation of Jehovah's Witness.**
 - a) Term being until 14th June 2017.**
 - b) The lessee is responsible for the cost of preparation, documentation and execution of document.**
 - c) The building will be insured by the Shire of East Pilbara and costs will be on charged to the lessee.**
 - d) The lessee is responsible for all outgoings to the site, including water, power, ESL and any other services, there is to be no cost to Council.**
 - e) Annual Service Fee to apply, subject to Council adopted Fees and Charges.**
 - f) Lessee is to provide Council with current insurance documents for Public Liability and Contents Insurance, also current contact details of committee or management.**
 - g) Acknowledgement of the state of the building upon commencement of Deed of Assignment.**
 - h) Minister approval required.**
 - i) Has no objection to the Newman Congregation of Jehovah's Witness using the facility during the preparation and execution of the Deed of Assignment.**

- j) **No Caretakers dwelling permitted at the site or persons being accommodated at the premises.**
- 4. **And if the proposed assignment agreement is not executed within a reasonable timeframe, agrees to release Royal Antediluvian Order of Buffaloes from their lease with the Shire over portion of the land at Reserve 44654, Lot 702, previously Lot 300, North Newman Reserve.**

9.2.3 AFFIXING COMMON SEAL TO CONTRACT - CREATING COMMUNITIES AUSTRALIA

File Ref: LEG-18-3-7
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Dawn Brown
Asset & Procurement Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval for the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contract between the Shire and Creating Communities Australia with respect to the Development of a Business Plan towards Creating Sustainable Community Spaces in Nullagine – Stage 1 for the amount of \$62,656 gst inclusive.

BACKGROUND

The Shire is seeking to engage a consultant to create a business plan (including initial options and feasibility assessments) associated with the construction of a community centre that can combine all the community activities of the Nullagine community, including meeting rooms and access points for service providers from local, state and federal government to deliver services and programs. Part of the initial assessment must include the feasibility of utilising existing buildings or sharing facilities for any service delivery in terms of a cost effective option. The assessment is to also include consideration of an evacuation centre.

The Shire recently undertook a RFQ process in relation to the above business plan project.

Evaluation of the submissions received, indicates that the submission received from Creating Communities Australia would be the most beneficial to the Shire.

COMMENTS/OPTIONS/DISCUSSIONS

Council can either approve or not approve the request to apply the common seal to the Contract.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2013

Objective

To allow for the proper execution of documents.

Policy

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

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.3 Provide adequate community infrastructure

3.3.1 Ensure well managed and equitable provision of community infrastructure

Responsible officer: MBA

Timing: 1-5 years

Goal 2 – Social – Planned Actions

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

2.4 Diverse and inclusive communities

2.4.2 Build strong community groups, networks and governance

Responsible officer: MCW

Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

GL 41010 has an adopted budget of \$120,000.

Following the raising of the purchase order for Creating Communities Australia, the available balance of this GL will \$63,040.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council approve the Chief Executive Officer applying the common seal of the Shire of East Pilbara to the Contract between the Shire and Creating Communities Australia with respect to the Development of a Business Plan towards Creating Sustainable Community Spaces in Nullagine – Stage 1 for the amount of \$62,656 gst inclusive.

**9.2.4 AFFIXING COMMON SEAL TO CONTRACT - RSM BIRD CAMERON - RISK
MANAGEMENT REVIEW**

File Ref: LEG-18-3-6
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Dawn Brown
Asset & Procurement Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To advise Council that the Common Seal has been affixed under delegated authority to the Contract with RSM Bird Cameron in relation to the Risk Management Review.

BACKGROUND

A Risk Management Review is required under Local Government (Audit) Regulations 1996 – Regulation 17.

The Review will include a full review of the appropriateness and effectiveness of the Shire of East Pilbara's systems and procedures in relation to:-

- Risk management;
- Internal controls; and
- Legislative compliance.

The Shire recently undertook a RFQ process in relation to the Risk Management Review.

Evaluation of the submissions received indicated that RSM Bird Cameron would be the most beneficial to the Shire.

A Contract for the Review has been drawn up and signed by both parties, and the Common Seal has been affixed.

COMMENTS/OPTIONS/DISCUSSIONS

RSM Bird Cameron will provide to the Chief Executive Officer sufficient information to report to the Audit Committee on the results of the Review.

RSM Bird Cameron is to ensure that the Risk Management Review is completed and report findings submitted to the Chief Executive Officer by the 31st October, 2014.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil.

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2013

Objective

To allow for the proper execution of documents.

Policy

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

Delegation From: Council
Delegation To: Chief Executive Officer
Council File Reference: ADM-14-9
Legislative Authority for Delegation: S5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

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

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

Authority for exercise of Power/Duty/Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law

Date of Delegation _____

Delegator (Shire President) _____

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.
The cost of the Risk Management Review will be \$18,500 plus gst.
GL 41011 has an adopted budget of \$100,000.
Committed expenditure to the value of \$8,500 has been raised to this GL to date.
Following the raising of the purchase order for RSM Bird Cameron, the available balance of this GL will be \$73,000.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council have been advised that the Common Seal has been affixed under delegated authority to the Contract with RSM Bird Cameron in relation to the Risk Management Review.

**9.2.5 AFFIXING COMMON SEAL TO DOCUMENTS IN RELATION TO THE
PURCHASE OF 4 LOTS OF LAND - EAST NEWMAN**

File Ref: A702694, A702695, A702696, A702556
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Dawn Brown
Asset & Procurement Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To advise Council that the Common Seal has been affixed under delegated authority to four Contracts of Sale, and four Transfer of Land documents for the purchase of four vacant lots in East Newman, being:

- | | | |
|-----------------------------------|----------------|-----------|
| • Lot 205 Braeside Drive, Newman | Purchase Price | \$247,000 |
| • Lot 206 Braeside Drive, Newman | Purchase Price | \$247,000 |
| • Lot 207 Braeside Drive, Newman | Purchase Price | \$238,450 |
| • Lot 367 Coondiner Close, Newman | Purchase Price | \$255,550 |

BACKGROUND

At the Council meeting held 23rd May, 2014 Council resolved:

“THAT Council

1. Support the variation to the Moondoorow Community Housing Project as set out below:

- purchase up to 4 blocks in one of the new Landcorp subdivisions at the cost of no more than \$280,000 each;
- go to tender for three houses being three 3 x 2 houses for the GP housing project and one 3 x 2 house for Shire staff housing.”
(Resolution: 201314/301).

COMMENTS/OPTIONS/DISCUSSIONS

Following Council’s resolution, purchasing the four lots was initiated and Settlement for the purchase of the four lots occurred on the 17th July, 2014.

The tender process for the design and construction of four houses for the East Newman lots (RFT 25-2013/2014) closed on the 23rd June, 2014 and the successful tenderer was endorsed at the Council meeting held 27th June, 2014 (item 11.4.1 – resolution 201314/322)

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2013

Objective

To allow for the proper execution of documents.

Policy

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

Delegation From: Council
Delegation To: Chief Executive Officer
Council File Reference: ADM-14-9
Legislative Authority for Delegation: S5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

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

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

Authority for exercise of Power/Duty/Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law

Date of Delegation _____

Delegator (Shire President) _____

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.2 Foster a great place to work

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

Goal 2 – Social – Planned Actions

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

- 2.1 Health and recreation
- 2.1.4 Support individual and community health
Responsible officer: MCW
Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council have been advised that the Common Seal has been affixed under delegated authority to four Contracts of Sale, and four Transfer of Land documents for the purchase of four vacant lots in East Newman, being:

- | | | |
|-----------------------------------|----------------|-----------|
| • Lot 205 Braeside Drive, Newman | Purchase Price | \$247,000 |
| • Lot 206 Braeside Drive, Newman | Purchase Price | \$247,000 |
| • Lot 207 Braeside Drive, Newman | Purchase Price | \$238,450 |
| • Lot 367 Coondiner Close, Newman | Purchase Price | \$255,550 |

9.2.6 CORPORATE GOVERNANCE FRAMEWORK

Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Sue Mearns Coordinator Governance
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

To seek Councils endorsement of the Shires new Corporate Governance Framework document.

BACKGROUND

Good governance in local government is about ensuring the local government organisation is able to manage its many complex responsibilities effectively and in the best interests of the community. When a local government practices good governance, the community is more connected and engaged, appropriate services are provided and there is more effective use of the local government's resources.

The Corporate Governance Framework has been based on best practice public sector governance and identifies the principles, elements and mechanisms to drive and support governance in practice.

COMMENTS/OPTIONS/DISCUSSIONS

The development and implementation of an effective Governance Framework provides a range of benefits which include:

- Quality decision-making
- Assurance of desired outcomes
- Effective management of risk
- Stakeholder commitment and support
- Transparency and disclosure
- Streamlined internal controls and support systems which are regularly reviewed

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

NUMEROUS POLICIES ARE IMPACTED IN THE PROCESS OF UNDERTAKING GOOD GOVERNANCE.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

Responsible officer: DCEO

Timing: As appropriate

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the new Shire of East Pilbara Corporate Governance Framework.

9.2.7 CLGF FUNDED PROJECT 2012/2013

File Ref: FIN-4-3
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sian Appleton
Deputy Chief Executive Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to endorse the Financial Assistance Agreement with the Department of Regional Development regarding CLGF funded projects for the 2012/2013 year.

BACKGROUND

Regional Councils have received CLGF (Country Local Government Fund) funding as a branch of the Royalties for Regions program since 2010/2011.

Money was originally allocated to Council for the 2012/13 year however Council was informed that it had become ineligible for this funding due to the fact that the 2010/2011 funding was not fully acquitted. Fortunately we have now been informed that this funded has been reinstated.

COMMENTS/OPTIONS/DISCUSSIONS

The projects that were initially elected for completion under the 2012/13 funding have not changed with the reinstatement of the money and these are listed below.

Project 1 – Newman Office Extensions – provision of additional staff offices and archive area by way of a transportable office pod, which will be made up of several offices in each pod and an archive area, this will rectify the current deficit of offices for staff and consultants to use, which will in turn increase service provision to the community. (Page 35 Forward Capital Works Plan 2012/2017)

Project 2 – Marble Bar Memorial – extension of the existing RSL memorial to include access and signage, the memorial is located on the popular RSL park in the centre of the town of Marble Bar. The community has a strong sense of pride with respect to their RSL memorial and their history of fallen soldiers. (Page 63 Forward Capital Works Plan 2012/2017)

Project 3 – Ethel Creek Toilet - Supply and installation of an accessible public toilet to this popular centrally located park in the town of Newman. The Shire's NewmanTomorrow document indicates under Town Vibrancy, item 4.1 – key action – Provision of additional public toilets and facilities. (Page 64 Forward Capital Works Plan 2012/2017)

Project 4 – Marble Bar & Nullagine Court Upgrade – resurfacing of the bitumen courts using synthetic sports coating system, the current surfaces of these courts have deteriorated and are no longer safe to use. The resurfacing of these courts will ensure that both of these communities have the provision of well-resourced recreational and leisure options, which meet the Shire's ProspectUS document - Goal - People of Vitality. (Page 58 Forward Capital Works Plan 2012/2017)

Project 5 – Marble Bar Depot Crib Room & Ablution Upgrade – replacement of the old kitchen/lunchroom and ablution blocks with a new compliant building. (Page 35 Forward Capital Works Plan 2012/2017)

The projects are all identified in the Shire's Forward Capital Works Plan 2012/2017 and have been budgeted for this year.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.3 Provide adequate community infrastructure

3.3.1 Ensure well managed and equitable provision of community infrastructure

Responsible officer: MBA

Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council endorse the projects for completion under the 2012/13 CLGF funding.

9.2.8 BOOMERANG OVAL DOG AGILITY PARK AND PLAYGROUND NAMING

File Ref:	A409750
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Sue Mearns Coordinator Governance
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to decide on a name for the new dog agility park and playground at Boomerang Oval.

BACKGROUND

Owing to an underspend from the Boomerang and Capricorn Sporting Upgrade funding under the Royalties for Regions funding Council applied for and was granted a variation to this funding that saw the development of a dog agility park and playground at Boomerang Oval.

Council awarded the tender for works to Landscaping WA Pty Ltd, with works being completed in July 2014.

Council is now requested to decide on a name for the dog agility park at Boomerang Oval.

COMMENTS/OPTIONS/DISCUSSIONS

Shire policy 10.14 – Naming of Parks, Reserves and Buildings refers mainly to the naming of Shire facilities after a person. It is anticipated that the Park would not be named after a person so the policy is not relevant in this case. Council are therefore asked to consider using (part or all of) one of the following suggestions for naming the dog agility park and playground located at Boomerang Oval.

Continuation of the animal theme

- Dingo Park
- Jinani Park – Jinani being the Martu Wangka word for go on foot, walk
- Jarntu Park – Jarntu being the Martu word for dog
- Wanyja Park – Wanyja being the Nyiyaparli work for dog
-

A War Dog Theme

- Digger Park
- Gunner Park
- Horrie Park – Horrie being the name given to a white terrier dog who adopted by the 2/1st Machine Gun Battalion in the Libyan desert in 1940. Horrie had

the uncanny ability of being able to warn diggers of the impending approach of German Stuka aircraft.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

- 2.4.3 Provide relevant and affordable community services
Responsible officer: MCW
Timing: 1-5 years

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

- 2.1 Health and recreation

- 2.1.3 Encourage high rates of participation in community activities and events
Responsible officer: MCW
Timing: 1 year

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council determine the name for the new dog agility park and playground at Boomerang Oval as _____.

9.2.9 CHANGE TO FEES AND CHARGES FOR CRECHE

File Ref: FIN-10-2
Responsible Officer: Ms Sian Appleton
 Deputy Chief Executive Officer
Author: Mrs Candice Porro
 Senior Finance Officer
Location/Address: Newman Recreation Centre
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek an amendment to the current Fees and Charges for crèche at the Newman Recreation Centre.

BACKGROUND

It was Newman Recreation Centre's intention to charge an entry fee of \$6.00 per child up to 90 minutes and a further \$6.00 per child for additional 90 minutes, and delete all other children entry fees. Visit Card books have now been implemented, therefore the need of additional children fees are no longer required. Current Fees and Charges are;

Crèche				
1 child	5.45	0.55	6.00	Up to 90 minutes
2 children	7.27	0.73	8.00	Up to 90 minutes
3 children	10.00	1.00	11.00	Up to 90 minutes
Additional Child - Over 3 Children	5.45	0.55	6.00	Up to 90 minutes
1 child	5.45	0.55	6.00	Additional minutes 90
2 children	7.27	0.73	8.00	Additional minutes 90
3 children	10.00	1.00	11.00	Additional minutes 90
Additional Child - Over 3 Children	5.45	0.55	6.00	Additional minutes 90
Visit Card - 5 x 90 minute sessions	25.00	2.50	27.50	
Visit Card - 10 x 90 minute sessions	48.18	4.82	53.00	
Visit Card - 20 x 90 minute sessions	90.91	9.09	100.00	

COMMENTS/OPTIONS/DISCUSSIONS

The Newman Recreation Centre compared fees and charges with Karratha Leisureplex and City of Subiaco. Both Recreation Centres offer Per Child only entry fees and visit cards.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

- 1. Delete crèche additional children entry fees and charge only \$6.00 per child (up to 90 minutes) with a further \$6.00 per child thereafter.**

Crèche					
1 child		5.45	0.55	6.00	Up to 90 minutes
1 child		5.45	0.55	6.00	Additional 90 minutes
Visit Card - 5 x 90 minute sessions		25.00	2.50	27.50	
Visit Card - 10 x 90 minute sessions		48.18	4.82	53.00	
Visit Card - 20 x 90 minute sessions		90.91	9.09	100.00	

- 2. Impose the new fees effective from the 1st September 2014.**
- 3. Provide notice of the adopted fees as advertised, pursuant to Section 6.19 of the *Local Government Act 1985*.**

9.2.10 DRAFT NEWMAN RECREATION PLAN

File Ref:	FIN-4-3
Attachments:	@leisure DRAFT REVISED PAGE 0808Newman Rec Masterplan 17 04 14.pdf ICR14 19308.pdf ICR14 19584 (1).pdf Submission Dept Communties 2 pdf
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Sian Appleton Deputy Chief Executive Officer
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

To update Council of public comments received from the Community following the recent advertising of the draft Newman Recreation Master Plan.

BACKGROUND

Council's strategic plans, including the Strategic Community Plan, have highlighted the need for investigations to ascertain what new recreational and sporting infrastructure would be required for a population increase to 15,000 by 2035.

The Shire engaged @Leisure Planners to prepare the Newman Recreation Master Plan. Following Council's endorsement of the draft Newman Recreation Master Plan, at the Council meeting held 23 May 2014 Council resolution 201309/291, the Shire advertised the document for public comment to be received within six weeks.

COMMENTS/OPTIONS/DISCUSSIONS

Three submissions of public comment were received on the draft Newman Recreation Master Plan from stakeholders, relating to the same issue. These submissions were received from the Director of the Newman Day Care Centre, the Newman Day Care Centre Committee and the Department of Communities with all parties expressing concern that the concept design for the proposed new facility incorporates the current Newman Day Care Centre site including the current building.

@Leisure Planners have reviewed the comments received submitted, and have prepared an amended draft Newman Recreation Centre Plan in line with these comments.

Council members are reminded that this is a living document, the concept of which may be adapted in line with changing population growth predictions and other external factors, and may involve further development prior to any implementation.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.1 Health and recreation

2.1.3 Encourage high rates of participation in community activities and events
Responsible officer: MCW
Timing: 1 year

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Review the public comments received in response to the recent advertisement of the draft Newman Recreation Master Plan.**
- 2. Review the amendments made to the draft Newman Recreation Master Plan prior to advertising for public comment.**
- 3. Endorse the amended Newman Recreation Master Plan as presented.**

9.2.11 COMMUNITY ASSISTANCE GRANTS - ROUND 1 - 2014-15

Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Sue Michoff Manager Community Wellbeing
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For council to consider and make decision on the Community Assistance Grant Funding Applications for Round 1 of the 2014/2015 financial year.

BACKGROUND

Community Assistance Grant applications can be made by clubs and community groups twice per year. Round One (1) opens on the 1st of July and closes on the 31st July and are assessed at the next scheduled Council Meeting. Round Two (2) opens on January 1st and closes on January 31st and are assessed at the next scheduled Council Meeting. Each application is eligible for a grant of up to \$5,000 in cash or in kind.

To be successful, an application must meet one or more of the following criteria:

- 1. Club/organisation development** e.g. governance and management strategies such as installation of accounting systems, hiring of consultants to prepare business and succession plans.
- 2. Hosting special events** associated with the club/organisation e.g. state championships, yearly interstate championships, promotion, marketing, venue equipment and/or hire.
- 3. Sporting club development** e.g. coaching courses, governance training and/or grant writing courses.
- 4. Beautification of facilities and/or premises** e.g. refurbishment and renovations of premises or facilities

An application must also meet the following terms and conditions:

- Have no outstanding debts (greater than 30 days) with the Shire of East Pilbara.
 - Have no outstanding acquittals from previous Community Assistance Grant applications.
 - Funds must be used for the purpose for which they were approved. Unspent funds are to be returned to the Shire at the conclusion of the activity / programme.
 - Funds must be utilised solely for the provision of benefits to residents within the Shire of East Pilbara.
-

- Shire of East Pilbara must be acknowledged during the course of the event and in any publications that arise as a result of the event/activities/ programs.
- Council grants will need to be at least matched by the organisation through an equivalent financial contribution or in kind support.

Further the following are ineligible to apply for the funding:

- State or Federal Government Agencies.
- Profit organisations.
- Fund raising events e.g. quiz nights, cake stalls, and raffles.
- Projects that are not community focussed.
- Organisations which have received Community Assistance Grant funding by the Shire of East Pilbara within the previous 2 years.

COMMENTS/OPTIONS/DISCUSSIONS

This round the Shire of East Pilbara received five (2) applications from community Groups and sporting clubs whom are all based in the East Pilbara. Only one (1) of the two (2) applicants met the outlined criterion, details are as follows;

Applicant	Met Criteria (Yes/No)	Description
Filipino Association of Newman	NO	Applicant received a Community Assistance Grant in Round 1 of 2013/2014 CAG
Newman Motorcycle Club	YES	Beautification of Facilities/Premises

Applications have been individually assessed to assist the decision making process.

Filipino Association of Newman

The Filipino Association of Newman was founded in 2010. The association has continuously supported community activities since this time and represents one of the largest migrant groups in the community. It aims to support Filipino's living in Newman to engage in wellbeing, recreational and social activities and to promote multicultural diversity within the town.

Activity the organisation is seeking funding for	Sports Festival, Fortescue Float Parade, Food Stall, Litter Collection, Halloween and Christmas Celebration			
Amount Requested \$ 5000	Total Budget \$5000			
Type of fund request	In kind <input checked="" type="checkbox"/>		Cash <input type="checkbox"/>	
Previous funding from Shire of East Pilbara	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If yes, amount received and Year	\$5000 Year: 13/14
Does Application meet funding criteria?	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>	Comments: FAN is ineligible to apply until	

			the 15/16 funding rounds. No matched contribution, total project cost is \$5000. No Budget supplied, limited evidence supplied.
Target Group of project outcome	70 Filipino residents of all ages residing in Newman		
Description of Project	Roll out of a number of activities within community events. 1) Sports Festival 2) Fortescue Float Parade 3) Fortescue Festival Food Stall 4) Newman Litter Collection 5) Halloween Celebration 6) Christmas Celebration		
Benefit to East Pilbara Community	Provides opportunity for Filipino residents to participate in wellbeing, physical fitness, educational and social and cultural events to promote the culture and understand multi-cultural diversity		
Acknowledgement of SOEP	SOEP will be acknowledged at the start and finish of each activity		

Newman Motorcycle Club

Newman Motorcycle Club has over 30 active riders aged 5 and up and incorporates juniors, families and seniors. Juniors remain the bulk of the riding group. They run 8 rounds per season as well as practise and coaching facilities. They are part of the North-West group and hold inter-club rounds twice per year, as well as travel to other inter-club competitions in the North-West Region. They provide a safe and controlled environment for a high risk sport.

Activity the organisation is seeking funding for	Stage 2 – Toilet and Shower Block			
Amount Requested \$ 5000	Total Budget \$10 000			
Type of fund request	In kind <input type="checkbox"/>		Cash <input checked="" type="checkbox"/>	
Funding sought from other organisations	YES <input type="checkbox"/>	NO <input checked="" type="checkbox"/>		
Previous funding from Shire of East Pilbara	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	If yes, amount received and Year	\$ 5000 Year: 08/09
Does Application meet funding criteria?	YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	Comments: see below	
<input checked="" type="checkbox"/>	Beautification of facilities and/or premises Eg. refurbishment and renovation of premises or facilities			
Target Group of	Senior and Junior Club Members, Officials, Newman			

project outcome	Community, North West Motocross round participants.
Description	Development of a new shower and toilet block with hot water. Upgrade and installation of toilets at the Newman Motocross site. Currently the club is using portaloos for all events and has no showering facilities.
Benefit to East Pilbara Community	Hosts regional events twice yearly and regular club events. Provides sport and recreational opportunities to local community. Shower and toilet facilities will be utilised by members, spectators and competitors.
Acknowledgement of SOEP	Signage on the toilet and shower building acknowledging the SOEP grant.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

6.6 COMMUNITY ASSISTANCE GRANTS

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.4 Diverse and inclusive communities

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

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

2.4.3 Provide relevant and affordable community services
Responsible officer: MCW
Timing: 1-5 years

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council:

- 1) Reject the Community Assistance Grant Application, to the value of \$5000, for the Filipino Association of Newman on grounds of ineligibility.**
- 2) Approve the Community Assistance Grant Application for Newman Motorcycle Club for \$5000 cash contribution to the Stage 2 – Toilet and Shower Block development.**

9.2.12 PUBLIC INTEREST DISCLOSURE

File Ref: LEG-1-10
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sue Mearns
Coordinator Governance
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to endorse the addition of Coordinator Executive Services to the list of Shire of East Pilbara Public Interest Disclosure Officers.

BACKGROUND

On the 27 June 2014, item 9.2.8, Council resolved;

THAT Council:

1. *Endorse the change of position name as the Public Interest Disclosure Officer from Deputy Chief Executive Officer to the following Public Interest Disclosure Officers – Coordinator Governance, Manager Community Safety and Manager Development Services - Building.*
2. *Council endorse the changes to the Public Interest Disclosure Guidelines as required to reflect changes.*

COMMENTS/OPTIONS/DISCUSSIONS

The Chief Executive Officer wants to add the position of Coordinator Executive Services to the list of Public Interest Disclosure Officers endorsed by Council at its June meeting being:

- Coordinator Governance
- Manager Development Services – Building
- Manager Community safety

The Public Interest Disclosure Guidelines 2014 will not need to be updated as there is no reference contained within the document to the employment functions of the Shires Public Interest Disclosure Officers.

STATUTORY IMPLICATIONS/REQUIREMENTS

Public Interest Disclosure Act 2003 – Part 5 Section 23

- (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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

That Council endorse the addition of Coordinator Executive Services to the list of Shire of East Pilbara Public Interest Disclosure Officers.

9.2.13 CREDITORS FOR PAYMENT

File Ref: FIN-10-2

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

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Candice Porro
Expenditure Finance Officer

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

Council endorsement of payment to creditors.

BACKGROUND

As per the attachment list, outlines payments made to creditors since the Council meeting on the 25 July 2014.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT24685-EFT24911	2,769,497.77
	Total	\$2,769,497.77
Cheque Payments	22998 – 23018	38,107.68
Manual Chq Payments	179 – 188	19,076.99
	Total	\$57,184.67
	GRAND TOTAL	<u>\$2,826,682.44</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
22999,23000

CANCELLED CHEQUES & EFTS
EFT24877, EFT24906

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government (Financial Management) Regulations 1996
Part 2 – General financial management
Reg 11

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

Local Government (Financial Management) Regulations 1996
Part 2 – General financial management
Reg 12

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

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY IMPLICATIONS

Nil.

PLAN FOR THE FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

Total expenses of \$2,826,682.44

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT24685-EFT24911	2,769,497.77
	Total	\$2,769,497.77
Cheque Payments	22998 – 23018	38,107.68
Manual Chq Payments	179 – 188	19,076.99
	Total	\$57,184.67
	GRAND TOTAL	<u>\$2,826,682.44</u>

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

9.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS - JULY 2014

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Director Technical and Development Services for July 2014 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
16 December 2011	13.5	SIGNS – RECOGNITION ON THE DESERT ROADS Cr Lang Coppin asked if it was possible to get plaques/signs about the history and stories of the desert roads e.g.: rabbit proof fence. People always stop to read on their travels and Shire of East Pilbara needs recognition for these roads.	DTDS	Nov 2013 - Cr Lang Coppin & DTDS travelled desert roads and recorded condition of windmills and marked points of interest for future tourist mapping. Officers to allocate resources to develop themes and seek funding	Pending
23 August 2013	13.3	WOODIE WOODIE AREA Cr Kevin Danks has asked if it was possible to have the correct names on the signs. Cr Kevin Danks will give the correct names. Director Technical and Development Services to follow up.	MTS-R	Most of existing names have been signed since the early 60s and changing now may cause confusion. Suggest install smaller signage at creek with correct name and leave existing in place	Dec 2014
24 April 2014	13.4	FIRE STATION NEWMAN RECLAIM WATER Cr Doug Stead has asked about reclaim water for the greening of the Newman Fire Station. Director Technical and Development Services to follow up.	DTDS	Written application by Newman Fire Station to SOEP. – Verbal Advise will be provided on process	August 2014
23 May 2014	13.1	CAPE KERAUDREN BOAT RAMP Cr Stephen Kiernan asked if the width of the boat ramp can be looked at, as it could be a hazard especially at night time. Director Technical and	DTDS	DTDS has inspected. A works request will be raised to carry out minor repairs to make safe	October 2014

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		Development Officer to follow up.			
27 th June 2014	13.2	RUBBISH BUILDING MATERIALS Cr Anita Grace asked if the building material between the Anglican Church and Pit Stop the land in the middle be cleaned up or removed. Mr Rick Miller, Director Technical and Development Services to follow up.	MDS-P MDS-B	Spoken to owners and have been advised to expect everything to be removed within 2-3 weeks	September 2014
27 th June 2014		ROCK WALL – RADIO HILL Cr Shane Carter asked if the rock wall up on Radio Hill can be completed as it was never finished. Mr Rick Miller, Director Technical and Development Services to follow up.	DTDS	A Works Request will be raised to repair existing damage. To complete wall staff are investigating where some rock can be sourced.	November 2014
25 July 2014	13.5	MARBLE BAR TOURIST ASSOCIATION SIGNS Cr Dean Hatwell said at the Marble Bar Tourist Association committee meetings the Tourist Signs is always on the agenda and is it possible to speak with the Marble Bar Tourist Association to clarify which signs can be put up for Tourists. Mr Rick Miller, Director Technical and Development Services to follow up.	MTS-R	Oliver has conveyed this information to MBTA verbally and in writing. We will now also prepare a report listing each individual sign	September 2014

**9.3.2 AFFIX THE COMMON SEAL TO MAINTENANCE AND SUPPORT
CONTRACTS – EXTENTION OF THE AIR BP LEASE**

File Ref: FAC 1-2(A)
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Leon Burger
Chief Operating Officer-Airports
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To inform Council that the Chief Executive Officer applied the common seal of the Shire of East Pilbara to the Air BP Lease extension at Newman Airport.

BACKGROUND

The extension of the Air BP lease at Newman Airport has been approved under the Land Administration Act. This extension secures the Air BP tenancy until 31 December 2016.

COMMENTS/OPTIONS/DISCUSSIONS

Air BP provides aviation refuelling services at Newman Airport. The lessor has extended the lease for a term of 5 years from 1 January 2012.

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

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council note the application of the common seal of the Shire of East Pilbara was affixed to the lease agreement between the Shire of East Pilbara and Air BP at Newman Airport.

9.3.3 NEWMAN TOWN CENTRE PARKING STRATEGY REVIEW

File Ref:	STR-4-2
Attachments:	NEWRV 2014-05-08 Transcore Traffic and Parking Strategy MkII.pdf
Responsible Officer:	Mr Rick Miller Director Technical and Development Services
Author:	Mr Adam Majid Manager Development Services - Planning
Location/Address:	Newman Town Centre
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

Council's consideration is requested for the receiving of and acceptance of the report named "Newman Town Centre Stage 3A and Town Square – Parking Strategy Review".

BACKGROUND

As part of the Newman Revitalisation Plan for the Town Centre, Landcorp engaged Transcore (traffic consultant) in 2009 to undertake traffic and parking counts to ascertain traffic volumes and parking demand within the vicinity of the town centre as well as the town centre core area. The information obtained throughout the initial study was contained in a traffic and parking report produced in May 2011. However, the 2011 report was never tabled at Council and served primarily as base information as part of the design phase for the town centre.

Additionally, the Shire raised concerns over the initial 2011 report on the basis that it was of the opinion that the timing of the ground study (13-14 December 2010) was too close to the Christmas period and may have impacted the numbers obtained from such surveys.

With the progression of the design phase for the Town Square, it became necessary to investigate the impacts of the proposed further works on the town core areas parking arrangements especially since the town square is to take up an area traditionally set aside for car parking. Accordingly, Landcorp requested Transcore to review the 2011 study and undertake new traffic and parking counts which include the following:

- 7 day traffic count commencing on 8 April 2014;
- Town core parking survey undertaken on Friday 11 and Saturday 12 April 2014.

COMMENTS/OPTIONS/DISCUSSIONS

Parking demand:

Following from the new counts and surveys, Transcore have prepared a new report specifically relating to the proposed development of the town square. In relation to parking demand, the following comparisons were provided between the 2009 and 2014 studies:

Table 1: Comparison of 2009 and 2014 Parking Surveys

		Whole town centre		Town centre core	
		Friday	Saturday	Friday	Saturday
November 2009	Capacity (spaces)	1249	1249	335	335
	Peak demand	305	308	176	232
	% Occupied	24%	25%	53%	69%
April 2014	Capacity (spaces)	1095	1095	289	289
	Peak demand	325	255	147	173
	% Occupied	30%	23%	51%	60%

As can be noted from the above table, in particular relation to the town centre core, there has been a reduction of only 46 car parking spaces since the redevelopment of the car parks and introduction of the new shopping centre east car park. Additionally, it is noted that parking demand on a Friday has remained relatively unchanged in terms of percentage occupied whereas there is a 9% decrease in Saturday occupancy.

Accordingly, it can be deemed that there is no longer a cause for concern in terms of the timing of the 2009 survey with regards to its proximity to the Christmas period.

Future parking demand:

In reviewing the above table with respect to the current number of car parking spaces available and subtracting out the approximate loss of bays as a direct result of the town square, it results in an approximate total of 193 bays remaining in the town core. However, the following numbers are those expected to be gained as a result of the new works in addition to the development of the new shopping centre:

- 18 bays off salmon way from the new shopping centre;
- 65 bays on the proposed south-west corner of the new main street for the new shopping centre;
- 67 bays off Newman drive (old railway quarters site) for the new shopping centre;
- 32 bays provided as embayment parking in the new/redesigned roads.

Accordingly, when combined it is estimated that there would be approximately 375 car parking bays provided in the town core upon completion of the town square development. This includes 26 on the north side of the square which are expected to be retained in the short term if development of a square proceeds. However, it could be reasonably expected that the area north of the square could be developed as a commercial site, or similar, in the long term in which case such bays would be lost. This would result in a future car parking capacity of approximately 349.

Based on the results of the study indicating a maximum use of car parking of 69% in 2009, the town core area would be well catered for upon the completion of all redevelopment works.

Traffic Counts:

The Shire provided traffic counters for a 7 day period commencing on 8 April 2014 and the results of such are as follows:

Road	Location	Dec 2010 Weekday 5-6pm (vph)	Dec 2010 Weekday (vpd)	Apr 2014 Weekday 5-6pm (vph)	April 2014 Weekday (vpd)
Newman Drive	North of Mindarra Drive	385	4052		
Mindarra Drive	West of Newman Drive	112	1811		
Newman Drive	South of Mindarra Drive	437	5101		
Kalgan Drive	East of Newman Drive	414	4707		
Newman Drive	South of Kalgan Drive	465	5041	416	4523
Iron Ore Parade	West of Newman Drive	n.a.	n.a.	203	2030
Newman Drive	West of Hilditch Avenue	447	4863	515	5459
Calcott Crescent	South	54	581		
Calcott Crescent	North	40	530		
Market Place	North of Newman Drive	407	3913	361	3630
Rogers Way (Nth)	East of Hilditch Avenue	63	721		
Rogers Way (Sth)	East of Hilditch Avenue	68	726	44	637
Hilditch Avenue	North of Newman Drive	178	2317	149	2286
Subtotal to compare 2010 and 2014 counts		1565	16860	1688	18565

The results indicate an increase in traffic of 10% for the four year period of 2010 to 2014 for total weekday traffic movements and an about 8% increase in traffic between the hours of 5-6pm for the same four year period.

Concluding Comments:

The traffic consultant concluded its report indicating that in relation to the proposed town square, it is recommended that the parking on the north side of such square be retained until such time that the new shopping centre development is completed. However, it would be realistic to think that generally the town square and the proposed new shopping centre would be constructed almost simultaneously however the town square would be completed prior to the shopping centre due to the technical requirements associated with commercial buildings.

Other comments were in relation to the car park on the eastern side of the existing shopping centre being severely underutilised. In considering the subject car park, it would also be realistic to think that with the development of the new town core roads and further parking reductions on the west side, that the east side would ultimately become more utilised as a result. The recommendation has been made to provide shade to the east side to further encourage the use of this car park.

Another observations not forming part of the study but rather as an independent view from the Shire's town planning section is the difficulty that some longer vehicles, particularly caravans, have in parking within the town core area. One possibility to alleviate this issue could be to use that portion of the Boomerang Oval reserve, set aside for a new civic centre, which is currently vacant land for the purposes of long vehicle parking in the short term. This space is still sufficiently close to existing retail outlets and allows tourists the opportunity to "*stretch their legs*" after sending extended periods of time on the road. It is also common for dogs to travel in caravans and accordingly this is opportune to dog exercise as Boomerang Oval is a designated dog exercise area.

Ultimately, the report indicates that the town core will be well catered for in relation to car parking once all works have been completed. On this basis, it is recommended that Council accept the report for use and guidance when making decisions in relation to further town centre works where parking needs to be considered.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.4 Land use and development control

3.4.1 Encourage the release of adequate amounts of housing, industrial and commercial land

Responsible officer: CEO

Timing: 1-5 years

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council receives and accepts the report prepared by Transcore titled "Newman Town Centre Stage 3A and Town Square – Parking Strategy Review" dated June 2014 for use in its future decision making in relation to parking and traffic generally within the Newman Town Centre.

**9.3.4 USE AND APPLICATION OF SHIRE SEAL - SECTION 70A NOTIFICATION
LOT 511 GREAT NORTHERN HIGHWAY**

File Ref: PLN-8-3-3
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Adam Majid
Manager Development Services - Planning
Location/Address: N/A
Name of Applicant: 511 GTN Pty Ltd
Author Disclosure of Interest: Nil

REPORT PURPOSE

Council's acknowledgement is required for use and application of the Shire seal on a 70A notification in respect of the subdivision of Lot 511 Great Northern Highway.

BACKGROUND

The Western Australian Planning Commission (WAPC) approved the subdivision of Lot 511 Great Northern Highway on 18 December 2012. As part of the approval, the applicant was required to undertake a strategic noise impact assessment due to the development being in close proximity to Great Northern Highway.

As a result of such study, there were a number of lots identified that could potentially be impacted by transport noise. Accordingly, a further condition was imposed (at the request of the Shire) requiring the registration of a notification pursuant to Section 70A of the Transfer of Land Act 1893 to be applied to those lots identified to be affected by transport noise.

The applicant has since complied with the conditions of subdivision approval and forwarded the required documentation to the Shire for signing and sealing.

COMMENTS/OPTIONS/DISCUSSIONS

The development is well progressed with the expectation that the applicant will have obtained practical completion around the end of August 2014. That being said, there was a requirement to have all necessary paperwork lodged and completed by the Shire. As the notification was compliant with the requirements of both the Shire and WAPC, it was accordingly submitted to the CEO and Deputy Shire President for endorsement.

STATUTORY IMPLICATIONS/REQUIREMENTS

Section 70A of the Transfer of Land Act 1893 (as amended) requires that where factors affect the use and enjoyment of land, that prospective purchasers need to be made aware of such factors.

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.

3.4 Land use and development control

3.4.1 Encourage the release of adequate amounts of housing, industrial and commercial land

Responsible officer: CEO

Timing: 1-5 years

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council acknowledges the use of the Shire Seal in the endorsement of a 70A Notification pursuant to Section 70A of the Transfer of Land Act 1893 in relation to residential development of Lot 511 Great Northern Highway with WAPC reference number of 146449.

- 10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL**
- 12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS**
- 13 GENERAL BUSINESS**
- 14 DATE OF NEXT MEETING**
26th September 2014, Marble Bar
- 15 CLOSURE**