

Unconfirmed copy of Minutes of
Meeting held on 22 August 2014 subject
to confirmation at meeting to be held
on 26 September 2014



SHIRE OF EAST PILBARA

These minutes were confirmed by the council
as a true and accurate record at the ordinary
council meeting held on 26 / 9 / 2014

Brigitte

EAST PILBARA SHIRE COUNCIL

MINUTES

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council was held,
in Council Chambers, Newman,
10.00 AM, FRIDAY, 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

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

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Lynne Craigie
Lang Coppin OAM
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

Mr Jason Pugh
Mr Alex Seed
Mr Robert Carruthers
Denam Bennetts

New Energy Corporation Pty Ltd
BHP Billiton Iron Ore
BHP Billiton Iron Ore
Department Parks and Wildlife by
telephone link.

2.2 APOLOGIES

Councillor Apologies

Doug Stead

Officer Apologies

Nil

2.3 LEAVE OF ABSENCE

Nil

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

4 PUBLIC QUESTION TIME

Nil

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

5.1 NEW ENERGY

Jason Pugh, General Manager from New Energy Corporation Pty Ltd provided a presentation on re-newable energy creating energy/power from waste to Council.

Cr Lynne Craigie thanked Mr Pugh for his presentation.

10:37 AM Mr J Pugh, left Chambers.

5.2 BHP BILLITON IRON ORE

Mr Alex Seed, Manager Community and Indigenous Affairs – Mining and Mr Robert Carruthers, Manager Government Relations, Corporate Affairs BHP Billiton Iron Ore, provided a presentation regarding the upgrading of Kurra Village.

10:49 AM Mr Rick Miller, entered Chambers

Cr Lynne Craigie thanked Mr Carruthers and Mr Seed for the presentation.

11:13 AM Mr R Carruthers and Mr A Seed, left Chambers.

11:13 AM Cr Lang Coppin, Cr Kevin Danks, Dean Hatwell and Mr Rick Miller left Chambers.

5.3 DEPARTMENT PARKS AND WILDLIFE

11:15 AM Cr Lang Coppin, Cr Kevin Danks, Dean Hatwell and Mr Rick Miller returned to the Chambers

Mr Deman Bennetts from the Department of Parks and Wildlife provided further information requested by Council on the Cape Keraudren Marine Park proposal via telephone conference.

6 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

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

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/15

MOVED: Cr Shane Carter

SECONDED: Cr Stephen Kiernan

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

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

7.2 PILBARA REGIONAL COUNCIL MINUTES 9TH JUNE 2014 AND 6TH AUGUST 2014

[Minutes 9th June 2014](#)

[Minutes 6th August 2014](#)

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/16

MOVED: Cr Anita Grace

SECONDED: Cr Gerry Parsons

THAT the minutes of the Ordinary Meeting of the Pilbara Regional Council held on 9th June 2014 and 6th August be received.

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

8 MEMBERS REPORT

8.1 ITEMS FOR RECOMMENDATION

Nil

8.2 ITEMS FOR INFORMATION

Cr Craig Hoyer attended;

- The WALGA Convention and Workshop
- Meeting with The Hon Tony Simpson - Wednesday 30th July 2014
- Fortescue Festival Ball - Friday 15th August

Cr Anita Grace attended;

- The WALGA Convention and Workshop
- Pilbara Regional Council Meeting
- Meeting with The Hon Tony Simpson
- Landcorp Workshop

Cr Gerry Parsons attended;

- The WALGA Convention and Workshop
- Newman Chamber of Commerce Meeting.
- Newman Neighbourhood Centre Meeting
- New View Meeting
- PRC Meeting
- Landcorp Workshop

Cr Shane Carter attended;

- The WALGA Convention and Workshop
- Meeting with The Hon Tony Simpson - Wednesday 30th July 2014
- Landcorp Workshop

Cr Lang Coppin attended;

- The WALGA Convention and Workshop
- Landcorp Workshop

Cr Kevin Danks attended;

- The WALGA Convention and Workshop
- Marble Bar Tourist Association
- Landcorp Workshop

Cr Dean Hatwell attended;

- The WALGA Convention and Workshop
- Marble Bar Race Club Meeting
- Landcorp Workshop

Cr Bidy Schill attended;

- The WALGA Convention and Workshop
- Nullagine Town Meeting
- Creating Communities Meeting
- Meeting with Millennium Minerals Mining

Cr Lynne Craigie attended;

- The WALGA Convention and Workshop
- Landcorp Workshop
- Ministerial Policy Forums
- Indigenous Funding Workshop
- Lord Mayor of Perth Reception
- Pilbara Regional Council Meeting x 2
- Pilbara Development Commission
- Pilbara Regional Council Audit and Risk
- WALGA AGM
- Horizon Power
- Meeting with R Cooper Hilditch Shops x 2
- Meetings with BHP Billiton
- Regional Development Australia Meeting
- WALGA Finance and Services Committee Meeting x 2
- Meeting with Brendan Grylls MLA
- Meeting with Minister Terry Redman MLA
- Meeting with Minister Mia Davies MLA
- Combined PCD/PRC/RDA meeting
- Meeting with IF Foundation
- Meeting with Alanah McTiernan
- Interview panel for Local Government Insurance Board farewell for John Phillips
- WALGA State Council Meeting
- WALGA State Budget briefing
- Mining Forum Policy Meeting
- PRC Staff Meeting

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/COUNCIL RESOLUTION: 201415/17

MOVED: Cr Shane Carter

SECONDED: Cr Gerry Parsons

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

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

To be actioned by Mr Allen Cooper, Chief Executive Officer

**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/COUNCIL RESOLUTION: 201415/18

MOVED: Cr Anita Grace

SECONDED: Cr Dean Hatwell

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.

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

To be actioned by Mr David Kular, Manager Human Resources

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

11:45 AM Ms Sian Appleton left Chambers.

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/COUNCIL RESOLUTION: 201415/19

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

THAT Council:

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

CARRIED

RECORD OF VOTE: 10 - 0

To be actioned by Ms Kylie Bergmann, Coordinator Executive Services

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/COUNCIL RESOLUTION: 201415/20

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

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

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

To be actioned by Ms Sue Mearns, Coordinator Governance.



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>

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.

COUNCIL RESOLUTION: 201415/21

MOVED: Cr Anita Grace

SECONDED: Cr Dean Hatwell

THAT Council DOES NOT support 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.

**CARRIED
RECORD OF VOTE: 8 - 2**

To be actioned by Mr Allen Cooper, Chief Executive Officer

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

An Interest was declared by Cr Anita Grace for Item No. 9.1.6

Nature of Interest: Conflict of Interest

Extent of Interest: Business Owner the business is situated in the Town Centre

11:53 AM Cr Anita Grace left Chambers.

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/COUNCIL RESOLUTION: 201415/22

MOVED: Cr Dean Hatwell

SECONDED: Cr Gerry Parsons

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.

CARRIED
RECORD OF VOTE: 9- 0

To be actioned by Mr Allen Cooper, Chief Executive Officer

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

11:54 AM Cr Anita Grace returned to the Chambers

*An Interest was declared by
Cr Lang Coppin, Cr Anita Grace and Cr Biddy Schill for Item No. 9.1.7
Nature of Interest: Financial
Extent of Interest: Shareholder excess of \$10,000*

*An Interest was declared by
Cr Lynne Craigie and Cr Gerry Parsons for Item No. 9.1.7
Nature of Interest: Financial
Extent of Interest: Husband is an Employee of BHP Billiton, Co-Owner of House Ownership
Scheme, and Shareholder excess of \$10,000*

*An Interest was declared by Cr Craig Hoyer and Cr Shane Carter for Item No. 9.1.7
Nature of Interest: Financial
Extent of Interest: Employee of BHP Billiton and Shareholder excess \$10,000*

An application was sent to the Department of Local Government and Communities asking for an exemption due to no quorum being available to consider the item because of the declarations made by the Councillors.

On the 21 August 2014, Council received a letter from the Department of Local Government and Communities to advise that in accordance with authority delegated by the Minister for Local Government, the Director General has approved the Shire's application under section 5.69(3) of the Local Government Act 1995 to allow disclosing members Cr Lynne Craigie, Cr Anita Grace, Cr Craig Hoyer, Cr Gerry Parsons, Biddy Schill, Cr Shane Carter and Cr Lang Coppin to fully participate in the discussion and decision making in relation to item 9.1.7 Kurra Village – Extension of Lease at the ordinary meeting of Council to be held on 22 August 2014.

(Attached is the letter from the Department of Local Government and Communities).



Government of **Western Australia**
Department of **Local Government and Communities**

Your Ref: OCR14-16096
Our Ref: FP1-7#02 E1427818

Mr Allen Cooper
Chief Executive Officer
Shire of East Pilbara
PMB 22
NEWMAN WA 6753

Dear Mr Cooper

I refer to your letter dated 19 August 2014 to the Hon Tony Simpson MLA, Minister for Local Government, in which you seek approval under section 5.69(3) of the *Local Government Act 1995* on behalf of Councillors Craigie, Parsons, Hoyer, Carter, Coppin, Schill and Grace to participate in item 9.1.7 "Kurra Village – Extension of Lease" that will come before Council on 22 August 2014.

The Director General has decided to exercise the delegated authority given by the Minister for Local Government and approve the application, subject to the following conditions:

1. *Approval for Councillors Craigie, Parsons, Hoyer, Carter, Coppin, Schill and Grace to participate in item 9.1.7 "Kurra Village – Extension of Lease" that will come before Council on 22 August 2014, is valid for deliberations on that item only.*
2. *Councillors Craigie, Parsons, Hoyer, Carter, Coppin, Schill and Grace shall declare the nature and extent of their interests at the Council meeting when item 9.1.7 is presented for consideration;*
3. *the CEO is to provide a copy of the Department's letter advising of the approval to Councillors Craigie, Parsons, Hoyer, Carter, Coppin, Schill and Grace;*
4. *the CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the meeting when the items are discussed; and*
5. *it should be noted that the above approval relates only to the interests declared by the Councillors on their Declaration Forms provided with the application. Should any other interests be relevant these will not be covered by the participation approval and the financial interest provisions of the Act would apply.*

Gerard Stephenson House
140 William Street Perth WA 6000
GPO Box R1290 Perth WA 6844

Tel: (08) 6551 8700 Fax: (08) 6552 1555 Freecall: 1800 626 511 (Country only)
Email: info@lga.wa.gov.au Website: www.lga.wa.gov.au

10/14

Should you require further information, please contact Mr David Baker, Senior Investigations Officer, on 6552 1509.

Yours sincerely



Jenni Law
DIRECTOR LOCAL GOVERNMENT REGULATION AND SUPPORT

21 August 2014

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 Carruthers, 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 Jimblebar 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.**

COUNCIL RESOLUTION: 201415/23

MOVED: Cr Lang Coppin

SECONDED: Cr Gerry Parsons

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 1600 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.**

**CARRIED
RECORD OF VOTE: 9 - 1**

Reason for Non Acceptance of Officer's Recommendation: Council considered that item 1 the village be set to a maximum size of 1600 rooms as an appropriate number.

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

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JULY 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

11:56 AM Ms Sian Appleton returned to the Chambers

11:56 AM Cr Lang Coppin left Chambers.

11:57 AM Cr Lang Coppin returned to the Chambers

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

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

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

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

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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/24

MOVED: Cr Gerry Parsons

SECONDED: Cr Anita Grace

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
14 March 2014	13.10	NEWMAN SKATE PARK Cr Gerry Parsons tabled a letter regarding the Shire if they could build a better skate park or if they cannot then want improvements could be done to make the skate park a better place for the community to use. The Chief Executive Officer stated the correspondence has been received and will be considered.	MCW	Meeting with Liam to be organised by MWC	On Going

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
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 assessed.	In Progress
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

CARRIED
RECORD OF VOTE: 10 - 0

Note Invitation for the Newman Club to attend meeting in October 2014.*

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

**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/COUNCIL RESOLUTION: 201415/25

MOVED: Cr Dean Hatwell

SECONDED: Cr Gerry Parsons

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 outgoing 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.

CARRIED
RECORD OF VOTE: 10 - 0

To be actioned by Ms Marisa Wolfenden, Coordinator Property Services

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/COUNCIL RESOLUTION: 201415/26

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

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.

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

To be actioned by Ms Dawn Brown, Asset and Procurement Officer

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/COUNCIL RESOLUTION: 201415/27

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

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.

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

To be actioned by Ms Dawn Brown, Asset and Procurement Officer

**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/COUNCIL RESOLUTION: 201415/28

MOVED: Cr Dean Hatwell

SECONDED: Cr Gerry Parsons

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 |

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

To be actioned by Ms Dawn Brown, Asset and Procurement Officer

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/COUNCIL RESOLUTION: 201415/29

MOVED: Cr Shane Carter

SECONDED: Cr Craig Hoyer

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

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

To be actioned by Ms Sue Mearns, Coordinator Governance

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 projects for completion under the 2012/13 CLGF funding.

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/COUNCIL RESOLUTION: 201415/30

MOVED: Cr Gerry Parsons

SECONDED: Cr Anita Grace

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

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

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

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/COUNCIL RESOLUTION: 201415/31

MOVED: Cr Dean Hatwell

SECONDED: Cr Gerry Parsons

THAT Council determine the name for the new dog Agility Park and Playground adjacent Boomerang Oval as Dingo Park.

**CARRIED
RECORD OF VOTE: 8 - 2**

To be actioned by Ms Sue Mearns, Coordinator Governance

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/COUNCIL RESOLUTION: 201415/32

MOVED: Cr Dean Hatwell

SECONDED: Cr Gerry Parsons

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*.

CARRIED
RECORD OF VOTE: 10 - 0

To be actioned by Ms Candice Porro, Senior Finance Officer

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 Communities 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

12:13 PM Mr Allen Cooper left Chambers.

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/COUNCIL RESOLUTION: 201415/33

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

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.**

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

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

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 project outcome	Senior and Junior Club Members, Officials, Newman 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/COUNCIL RESOLUTION: 201415/34

MOVED: Cr Shane Carter

SECONDED: Cr Dean Hatwell

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.**

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

To be actioned by Ms Sue Michoff, Manager Community Wellbeing

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/COUNCIL RESOLUTION: 201415/35

MOVED: Cr Craig Hoyer

SECONDED: Cr Dean Hatwell

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

CARRIED
RECORD OF VOTE: 10 - 0

To be actioned by Ms Sue Mearns, Coordinator Governance

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
Senior 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/COUNCIL RESOLUTION: 201415/36

MOVED: Cr Gerry Parsons

SECONDED: Cr Anita Grace

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>
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CARRIED
RECORD OF VOTE: 10 - 0

To be actioned by Ms Candice Porro, Senior Finance Officer

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

12:23 PM Ms Sian Appleton left Chambers.
12:25 PM Cr Allen Cooper returned to the Chambers
12:26 PM Cr Sian Appleton returned to the Chambers

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Section 2.7
The role of the council

(1) *The council –*

- (a) directs and controls the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

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

- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies.*

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/37

MOVED: Cr Gerry Parsons

SECONDED: Cr Shane Carter

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	13.6	STREET NUMBERING MARBLE BAR Cr Stephen Kiernan asked what was happening in regards to the street numbering in Marble Bar. Cr Dean Hatwell suggested reflective sticker numbers would suit and be held at the Marble Bar Office.	DTDS	Plates to be purchase by Shire and on sold with a 50% subsidy to residents in Marble Bar / Nullagine. Campaign to be developed to maximise usage.	In Progress
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.	DTDS	Written application by Newman Fire Station to SOEP. – Verbal Advise will be provided on process	August 2014

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		Director Technical and Development Services to follow up.			
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 Development Officer to follow up.	DTDS	DTDS has inspected. A works request will be raised to carry out minor repairs to make safe	October 2014
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

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

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

**9.3.2 AFFIX THE COMMON SEAL TO MAINTENANCE AND SUPPORT
CONTRACTS – EXTENSION 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

12:27 PM Cr Lang Coppin left Chambers.
12:28 PM Cr Lang Coppin returned to the Chambers
12:30 PM Meeting adjourned for Lunch
1:25 PM Meeting resumed, All Councillors and staff returned to Chambers.

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/COUNCIL RESOLUTION: 201415/38

MOVED: Cr Gerry Parsons

SECONDED: Cr Anita Grace

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.

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

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

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/COUNCIL RESOLUTION: 201415/39

MOVED: Cr Dean Hatwell

SECONDED: Cr Gerry Parsons

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.

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

To be actioned by Mr Adam Majid, Manager Development Services - Planning

**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/COUNCIL RESOLUTION: 201415/40

MOVED: Cr Craig Hoyer

SECONDED: Cr Biddy Schill

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.

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

To be actioned by Mr Adam Majid, Manager Development Services - Planning

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

**11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A
DECISION OF COUNCIL**

**11.1 AMENDED FORWARD CAPITAL WORKS PLAN BE ACCEPTED AS ITEM
11.1.1**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/41

MOVED: Cr Gerry Parsons

SECONDED: Cr Kevin Danks

**THAT the agenda report Amended Forward Capital Works Plan be accepted as
item 11.1.1**

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

11.1.1 AMENDED FORWARD CAPITAL WORKS PLAN

File Ref: STR-3-12
Attachments: [Capital Works Plan](#)
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 note the changes in the Forward Capital Works Plan 2012-2017 and endorse these changes owing to the reinstatement of the 2012/13 CLGF funding.

BACKGROUND

At the 26th October 2012 Council meeting Council endorsed the Forward Capital Works Plan 2012-2017.

The plan set out Capital projects for the next 5 years and where the projects would be funded from. The plan is due for update at the end of 2014.

Five projects in 2012/2013 were expected to be funded from the Country Local Government fund and were listed as such in the report. This funding was withdrawn and the projects did not take place due to budget restraints.

COMMENTS/OPTIONS/DISCUSSIONS

On the 5th June 2014 Council was informed that this funding had been reinstated. As such an updated Financial Assistance Agreement is currently being draw up with the Department of Regional Development. Part of this process requires the forward Capital Works Plan to be updated to reflect any changes in scope or budget for these projects.

The updated Forward Capital Works Plan is now submitted for Council approval with the following amendments:

Amendment to Building Program:

- Changes to page 31 –
 - 2012/13 CLGF funding removed \$580,000
 - 2014/15 CLGF funding added \$557,000
 - All future CLGF funding opportunities removed
- Figure changes to page 31 to reflect deletion of further CLGF opportunities
- Figure changes to page 35 to reflect change to project dates from 12/13 year to 14/15 year.

Amendment to Recreation Program:

- Changes to page 53 –
 - 2012/13 CLGF funding removed \$100,000
 - 2014/15 CLGF funding added \$160,000
 - All future CLGF funding opportunities removed
- Figure changes to page 58 to reflect change to project dates from 12/13 year to 14/15 year. Both budget and scope for this item have also been amended to reflect the demolition of the existing courts because of poor disrepair.
- Alterations also include Council's addition budget for this project.

Amendment to Other Infrastructure Program:

- Changes to page 61 –
 - 2012/13 CLGF funding removed \$300,000
 - 2014/15 CLGF funding added \$320,000
 - All future CLGF funding opportunities removed
- Figure changes to page 63 to reflect change to project dates from 12/13 year to 14/15 year. Also figures increase to reflect increase cost of project. Scope unaltered.
- Figures changed on page 64 to reflect change in project dates from 12/13 year to 14/15 year.

The complete update of the plan will take place near the end of the 2014 year as previously proposed.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.4 Diverse and inclusive communities

2.4.3 Provide relevant and affordable community services

Responsible officer: MCW

Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation. Both the income from the Country Local Government Fund 2011-2012 Individual allocation and the expenditure for the projects noted have been included in the 2014/15 budget.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/42

MOVED: Cr Gerry Parsons

SECONDED: Cr Kevin Danks

THAT Council note the changes to the Forward Capital Works Plan 2012-2017 and endorse the amended Forward Capital Works Plan

CARRIED BY ABSOLUTE MAJORITY

RECORD OF VOTE: 10 - 0

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

11.2 TENDER RFT 08-2013/2014 – DESIGN, SUPPLY AND INSTALLATION OF CLARIFIER TANK AND ASSOCIATED WORKS AT NEWMAN SEWAGE TREATMENT PLANT BE ACCEPTED AS ITEM 11.2.1

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/43

MOVED: Cr Gerry Parsons

SECONDED: Cr Kevin Danks

THAT the agenda report Tender RFT 08-2013/2014 – Design, Supply and Installation of Clarifier Tank and Associated Works at Newman Sewage Treatment Plant be accepted as item 11. 2.1

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

11.2.1 TENDER RFT 08-2013/2014 - DESIGN, SUPPLY AND INSTALLATION OF CLARIFIER TANK AND ASSOCIATED WORKS AT NEWMAN SEWAGE TREATMENT PLANT

File Ref: LEG
**Responsible Officer: Mr Rick Miller
Director Technical and Development Services**
**Author: Mr Rick Miller
Director Technical and Development Services**
Proposed Meeting Date: 22 August 2014
Location/Address: R45776 Windell Location 144 Newman WA
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to consider tenders for the Design, Supply and Installation of a Clarifier and Associated works at the Newman Sewage Treatment Plant and to seek approval for the Chief Executive Officer to apply the common seal of the Shire of east Pilbara to the Contract for the successful tenderer.

BACKGROUND

At the Shire of East Pilbara Ordinary Council Meeting held 19 April 2013 it was resolved:

That Council endorse the Newman Sewage Treatment Plant: Expansion Strategy for Town Population Growth to 18,000.

At the Shire of East Pilbara Ordinary Council Meeting held 25 October 2013 it was resolved:

That Council endorse the Shire of East Pilbara Asset Management Plan Wastewater Treatment Plant, Newman.

At the Shire of East Pilbara Ordinary Council Meeting held 31 January 2014 it was resolved:

That Council endorse the business case proposal for the Newman Wastewater Treatment Plant Upgrade and Expansion.

The Business Case Proposal has been developed by shire officers to identify funding sources and assist in the procurement of funds for the penultimate development of the facility to meet the aspirational population growth target of 15,000. Funding will be applied for as required.

The adopted budget for 2014/15 has included an allocated amount of \$2,000,000 for the subject clarifier and associated works.

It is proposed that the expansion and upgrade be carried out in a staged approach as follows.

<ul style="list-style-type: none">• Stage 1 (2014/2015) New Clarifier for Existing Plant, Earthworks to increase Emergency Storage, minor power upgrade and Ancillary works (Funding Secured)
<ul style="list-style-type: none">• Stage 2 (2014/2015) Refurbish the existing clarifier, land acquisition. Extra sludge drying bed, Fencing & Gates plus 2x2.5ML Emergency Lagoons and site office. (Subject to funding)
<ul style="list-style-type: none">• Stage 3 (2015/2016) Construction of a new plant control building and holding pond extension earthworks. (Subject to funding)
<ul style="list-style-type: none">• Stage 4 (2016/2018) Involves the construction, drainage and sealing of access road and carpark. Desludging area earthworks will also be carried out. (Subject to funding)
<ul style="list-style-type: none">• Stage 5 (2018/2020) Headwork's at rising main discharge, includes new penstocks, submersible pumps and pipework to storage and final lagoon. Hardstand for packaged plants, power supply upgrade, 250KL package plant and 50KL treated effluent storage tank. (Subject to funding)

The shire engaged the procurement consultancy service of WALGA to undertake the procurement of the subject works. The request for tenders was advertised in the West Australian and WALGA TenderLink e-Tendering Portal on 10 May 2014. The request for tenders closing date was the 30 May 2014. One conforming tender was received from Insitu Construction and Maintenance.

Evaluation and assessment of tender and seeking clarifications has taken additional time which now sees the tender put before Council for consideration.

COMMENTS/OPTIONS/DISCUSSIONS

The contract is for the design, supply, installation and commissioning of a 10.67 metre diameter mixed liquor settlement clarifier tank and associated inter-connecting pipe work and electrical works at Newman Sewage Treatment Plant.

The new clarifier will provide increased treatment capacity and provide the quality and quantity of recycled water for use at shire recreation and parks facilities and subdivisions.

The Newman Wastewater Treatment Plant (WwTP) is owned and operated by the Shire of East Pilbara (the Shire). The WwTP was constructed in 1981 and accepts raw sewage flows from the mainly residential areas, townsite mining camps and

commercial shopping centres within Newman Townsite. The maximum capacity of the WwTP is sufficient (but operating at near capacity) to serve the current population of Newman.

The current maximum capacity of the WwTP is about 1,500kL/day. The population of Newman in 2012 was approximately 9,000 and the plant currently treats approximately 1,400kL/day (Can vary from 1,000 to over 2,000kL/day) and consistently at or above 90% capacity which does lead to operational issues. The projected aspirational permanent population for Newman is 15,000 in the long term.

The plant accepts raw sewage flows from the residential, townsite mine camps and commercial shopping centre within Newman Townsite. Treated wastewater is discharged to a 6.6 Megalitre holding pond or 1 Megalitre onsite storage tank. Following chlorination, the disinfected effluent is discharged via a header tank and disposed of off-site by irrigation on the Shire's recreational facilities, various parks and gardens, high school playing field, various verges and the race course.

The Shire carried out extensive investigations and consultations with the manufacturer of the existing WwTP in order to select the most appropriate options for expanding the plant while providing flexibility to stage or change requirements depending on actual population growth

The tender evaluation assessed each submission against a set of qualitative criteria being; Experience and Personnel; Project Methodology; Risk Management and Local content. This was then considered in conjunction with the submitted price. As only one price was submitted the Shire's Environmental consultant carried out an independent cost estimate to ensure the proposal represented value for money.

Tenderer	Qualitative Score
In-Situ	57.75%

	Weighting	In-Situ
Experience and Personnel	30.00%	20.00%
Project Management	50.00%	25.42%
Risk Management	10.00%	5.67%
Local Content	10.00%	6.67%

Under this scoring regime a typical average score is expected to be 60% of which this is slightly below. This is explained by the panel having to seek further clarifications after the scoring had been locked in. Once the clarifications had been received the panel were satisfied that In situ Construction & Maintenance will have the ability to undertake and deliver the required services. The evaluation has demonstrated that it will be most advantageous for Council to proceed with the project and the recommendation will reflect this. Once awarded, shire officers will finalise negotiations in relation to scheduling of works etc.

STATUTORY IMPLICATIONS/REQUIREMENTS

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

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

10.12 PURCHASING AND TENDER PROCEDURES

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

- 2.1 Health and recreation
- 2.1.1 *Promote safe and healthy communities*
Responsible officer: MCW
Timing: 1-3 years

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 4 – Environmental – Planned Actions

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

- 4.2 Promote a sustainable environment
- 4.2.2 *Promote improved water management*
Responsible officer: DTDS
Timing: 1-3 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/44

MOVED: Cr Gerry Parsons

SECONDED: Cr Kevin Danks

THAT Council

- 1. Award Tender RFT 08-2013/2014 for the Design, Supply and Installation of Clarifier Tank and Associated Works at Newman Sewage Treatment Plant to Insitu Construction & Maintenance for the tendered price of \$1,633,150 exclusive GST: and;**
- 2. Approve the Chief Executive Officer applying the common seal of the Shire of East Pilbara to the contract between the Shire and Insitu Construction & Maintenance with respect to this tender.**

CARRIED

RECORD OF VOTE: 10 - 0

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

**11.3 NEWMAN AIRPORT RUNWAY AND TAXIWAY ALPHA MAJOR ASSET
RENEWAL WORKS BE ACCEPTED AS ITEM 11.3.1.**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/45

MOVED: Cr Gerry Parsons

SECONDED: Cr Kevin Danks

THAT the agenda report Newman Airport Runway and Taxiway Alpha Major Asset Renewal Works be accepted as item 11.3.1.

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

**11.3.1 NEWMAN AIRPORT RUNWAY AND TAXIWAY ALPHA MAJOR ASSET
RENEWAL WORKS**

File Ref: FAC 1-1
Attachments [Runway Site Plan](#)
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Leon Burger
Chief Operating Officer-Airports
Proposed Meeting Date: 22 August 2014
Location/Address: Newman Airport
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval to engage Downer EDI to implement a works plan through which the runway (including turning nodes) and Taxiway A have critical works undertaken involving the application of a 50-60mm AC14 asphalt overlay before December 2014.

BACKGROUND

In January 2012 an Aerodrome Technical Inspection (ATI) revealed spalding of the runway pavement surface. It was manifested in the exposure of what was identified as poor quality stone in the asphalt mixture aggregate. This type of stone tends to weather and break up when exposed to rain and sun. Pock marks where this stone actually broke out of the asphalt led to cracking and eventually failing of the asphalt. This in turn led to water penetration and, in two instances, softening of the basecourse. This phenomenon was localised in specific areas and local repairs where done, although the spalding become more apparent across the entire runway surface as the process of deterioration continued.

A number of consultants were engaged to identify the root cause of the problem, and to offer a remedial solution.

In November 2012 GHD was engaged to conduct the full investigation of the runway pavement condition. An initial visual inspection was conducted on 3 December 2012 and, following their findings and recommendations, they were commissioned to conduct a full intrusive and technical investigation. The outcome of this investigation was to provide the Shire of East Pilbara with a permanent remedial plan for the runway.

In September 2009 a complete asphalt overlay of the runway was conducted. This was required to strengthen the runway pavement to a Pavement Classification Number (PCN) that would support anticipated Code 4C (typically Boeing 737-800 and Airbus A320s) aircraft operations into Newman. The design used was based on an AC20 asphalt mix. Although this was a coarser mix that is generally used within the industry, it has been used successfully at other airports. Being of a relatively coarser texture, it did not require grooving of the surface to meet friction and cavity specification.

Based on pavement designs and mixture specifications provided by Airport Assist, Downer EDI was engaged as contractor for the asphalt overlay works. In brief, the Technical Specifications for "Newman Airport Asphalt Overlay" stated, inter alia, the following:

- All existing pavements were spray sealed, with the exception of the turning nodes.
- No further treatment of the existing asphalt sections is required on the RPT Taxiway A and apron.
- Asphalt placed on the runway had to be 20mm mix design, not less than 50mm compacted thickness.
- Asphalt placed on the shoulders had to be 10mm mix design.
- The asphalt had to comply inter alia with the particle distribution envelopes provided.
- A Hold Point had to be designated under the Contractor's Quality System on submission of the asphalt mix design. The asphalt mix design had to be submitted to the Consultant for Approval. No asphalt could be produced without the Consultant's written approval.
- The finished surface of the asphalt had to present a tightly bonded closed textured surface of uniform appearance, free of dragged areas, cracks, segregation and open textured patches.
- The Contractor was wholly responsible to obtain materials that would meet the individual requirements of the Specification.
- The Contractor had to design the asphalt mixture and undertake process control testing.
- The costs of all designs, sampling and testing, as well as additional tests requested by the Consultant had to be borne by the Contractor.
- All testing had to be conducted in accordance with current, relevant Australian Standards.
- **A number of tests, such as soundness, Los Angeles abrasion, friable particles, water absorption, etc. had to be conducted on the aggregates prior to its use in the asphalt mix.**

- The asphalt grading had to contain a 20 mm maximum nominal aggregate.
- The bituminous binder had to conform to the requirements for Class 320 Residual Bitumen.
- Manager Airport Services, being an employee of the Principal, was responsible for the supervision and programming of the Works under a Method of Work Plan (MOWP).
- The design Consultant, appointed by the Shire of East Pilbara, and responsible for the specifications is Airport Assist.

The specifications highlighted above become the focal point of subsequent investigations.

COMMENTS/OPTIONS/DISCUSSIONS

The initial visual inspection and report by GHD in December 2012 concluded the following:

- The asphalt surfacing is non-uniform in texture with large areas being coarse, open textured.
- The non-uniform texture areas are present throughout the runway surfacing, i.e. neither restricted to the trafficked area nor restricted to specific constructed sections.
- A large percentage of weathered aggregate, estimated at up to 30% of the coarse aggregate particles, is visible in the asphalt surfacing. Some of the aggregate is soft and crumbles easily under the turning action of a screw driver.
- Numerous holes are evident in the asphalt surfacing where some of the coarse aggregates presumably disintegrated and were completely eroded from the asphalt matrix.
- There is no evidence of the approved asphalt job mixture design or quality control test results to confirm that the asphalt produced and constructed, conforms to the specified mix design.
- The coarse open texture in the asphalt surfacing is a construction defect caused by one or a combination of the following construction related processes:
 - Inaccurate mixing proportions during manufacturing of the asphalt;
 - Segregation in the asphalt during transporting or placing the asphalt;
 - Placing and compaction of cold asphalt.
- The non-uniform surface texture would have been visible during construction. The contractor should not have continued with the construction of the asphalt with such a large variability in the surface texture.

GHD further recommended a full investigation, including geotechnical evaluations and pavement sampling, and was thus engaged.

Discussions with Downer regarding the initial findings culminated in a meeting between Downer representatives, the shire executive and airport management on 7 January 2013. Following this meeting, Downer proposed (on a without admission and without prejudice basis) a proportionate contribution towards the cost of rectification of 50% - 50% between the shire and Downer. This was based on a

remedial program to remove the centre 10 meters of the overlay (50mm of AC20 asphalt) with an approved AC14 asphalt mix. However, the full results of the scope of investigation was still forthcoming, and in his response to their proposal dated 8 May 2013 the CEO stated that the shire does not accept that it is responsible for any cost contribution towards the remedial action, and that Downer is 100% liable for the subsequent pavement failures due to the quality of works were carried under the Downer contract. No formal response has been received to date.

The pavement investigation by GHD underwent a number of variations as new evidence became available, culminating in a full base-course and PCN investigation. A number of interim reports were received, with a final report dated 4 April 2014. GHD proposed a number of remedial programs based on essentially **engineering and long term maintenance risk assessments**. In their final report they condensed this into three options:

- Lowest Risk: Full width and length removal of the AC20 50mm overlay and replacement with a suitable mix product, followed by a full length and width 60mm AC14 grooved overlay. Not only was this option considered to unacceptable in terms of the risk of operational loss of the runway for some period of time, but prohibitive in terms of cost.
- Medium Risk: A subset of the above, but only the centre 18-meter wide section to be removed and reinstated and overlaid. Although a 40% reduction in costs would be achieved, the operational risk was still assessed as being unacceptable.
- High Risk:
 - Identification and removal of areas of DGA 20 that are degraded and in poor condition.
 - Carry out patch repairs by replacing the degraded asphalt with new DGA 20.
 - Application of a 7mm C170 bituminous chip seal.
 - Application of 60 mm of a polymer modified DGA 14 wearing course.
 - Grooving the full surface of the runway to ensure regulatory skid resistance and cavity depth specifications are met.

With an acceptable medium and long term maintenance cost, but with greatly reduce operational risk and initial costs, this last option has been accepted as preferred option. In the additional extra 50 - 60mm of elevation of the runway surface resulting from this (and any of the other) options, it will be required to overlay taxiway A immediately, and eventually the RPT apron, according.

Aerodrome Management Systems was engage to provide engineering designs and specifications to effect this option. Downer has been re-engaged in negotiations for the remedial actions required to achieve the required outcome. Downer is contributing \$900,000.00 (GST Excl) without prejudice and subject to award of Stage 2 & 3.

Their full quote includes:

- | | |
|--|----------------|
| • Supply and apply 7mm C170 bitumen seal | \$ 432,165.00 |
| • Supply and lay DG14 C320 asphalt | \$2,901,075.00 |
-

• Grooving		\$ 482,925.00
• Mobilisation		\$ 250,000.00
• Site prep		\$ 50,125.00
• Downer Contribution	-	<u>\$ 900,000.00</u>
	Sub-total:	\$3,216,290.00

Additional costs in support of these works include:

• Works Safety Officers – outsourced		\$ 23,000.00
• Reinstatement of runway and taxiway linemarkings		\$ 65,000.00
• Survey and setting out		\$ 3,504.00
• Skid resistance and sand patch testing		\$ 10,000.00
• Backfilling shoulders – earthworks		<u>\$ 90,350.00</u>
	Sub-total:	\$ 191,854.00
	Total:	\$3,408,144.00
	+GST	<u>\$ 340,814.00</u>
	Total GST Incl	\$3,748,958.00

STATUTORY IMPLICATIONS/REQUIREMENTS

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

POLICY IMPLICATIONS

10.12 PURCHASING AND TENDER PROCEDURES

Downer EDI is on the WALGA preferred supplier panel and is therefore exempt from having to go to tender.

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.

3.3.1 *Ensure well managed and equitable provision of community infrastructure*
Responsible officer: MBA
Timing: 1-5 years

3.3.3 *Provide infrastructure to support economic development*
Responsible officer: DCEO
Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/46

MOVED: Cr Lang Coppin

SECONDED: Cr Gerry Parsons

THAT Council authorises the CEO to engage Downer EDI as primary contractor for the runway and taxiway overlay and authorises the expenditure up to \$4 million ex GST to complete the project and all associated works.

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

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

12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

Nil

13 GENERAL BUSINESS

13.1 RADIO HILL BBQ LIGHT

Cr Gerry Parsons said the BBQ light is out at Radio Hill if it can be fixed.

Director Technical and Development Services to follow up.

13.2 CREATING COMMUNITIES – MULTIPURPOSE COMPLEX

Cr Bidy Schill asked regarding the multipurpose complex is to be used as a multipurpose not just for evacuation centre as in the Creating Communities report.

Deputy Chief Executive Officer advised the report is still being undertaken.

13.3 DOG CONTROL NULLAGINE

Cr Bidy Schill asked again regarding dog control in Nullagine as dogs are roaming the streets.

Mr Rick Miller replied the Rangers are attending Nullagine more frequently and are trying to speak with the elder of the community but every time the rangers are in Nullagine the elder is not.

Director Technical and Development Services to follow up.

13.4 LOCAL LAW – DOG CONTROL

Cr Bidy Schill asked if the local law regarding the dog exercising areas will be brought up again at Council as the clarification was incorrect.

Mr Rick Miller, Director Technical and Development Services said it will be brought up at the next Council meeting in September.

13.5 FIREBREAK

Cr Bidy Schill said this has be brought up at previous Council meeting regarding firebreaks as yet this has not been done.

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

13.6 BYPASS ROAD TO LIA

Cr Shane Carter asked if there was any update regarding the bypass road from Northwest Highway to the LIA.

Mr Rick Miller replied yes they are waiting on the costing, design and also the issue of land access.

13.7 AGRICULTURE – CATTLE

Cr Lang Coppin commented the state of agriculture is on the up and looking good at the moment and is becoming the replacement for the mining boom for Australia.

13.8 PIONEER CEMETERY MARBLE BAR

Cr Kevin Danks note the Marble Bar Pioneer Cemetery requires cleaning up.

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

13.9 CATTLE – MARBE BAR SPORTING COMPLEX

Cr Dean Hatwell asked if the Shire can notify Limestone Station as the cattle are getting in at the Marble Bar Sporting Complex, and also people are not closing the gate.

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

13.10 CIVIC CENTRE – MARBLE BAR

Cr Dean Hatwell said the power at the Civic Centre is tripping out constantly and requires looking at as there was an event which the people plugged in two toasters tripping out the power.

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

13.11 WARRALONG ROAD

Cr Dean Hatwell asked if the Warralong Road can be graded.

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

13.12 STAN AND ELLA HILDITCH STATUE

Cr Lynne Craigie asked when is the completion of Stan and Ella Hilditch statue will be finished.

Mr Rick Miller, Director Technical and Development Services said this is scheduled to be completed by the end of September 2014.

13.13 STREET LIGHTING

Cr Lynne Craigie asked if it was possible to send the Councillors the forms for street lighting.

Mr Allen Cooper, Chief Executive Officer to follow up.

13.14 WALGA TRAINING

Cr Lynne Craigie asked about the On Line Training Corporate Framework by WALGA as this can be purchased on disk.

Mr Allen Cooper, Chief Executive Officer to follow up.

13.15 FORTESCUE FESTIVAL

Cr Lynne Craigie asked can we establish a working group to help the Lions Club to review the activities and events for the Fortescue Festival.

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

14 DATE OF NEXT MEETING

26th September 2014, Marble Bar

15 CLOSURE

2:46 PM