



EAST PILBARA SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council will be held,
in Council Chambers, Newman,
10.00 AM, FRIDAY, 22 JULY, 2016.

Allen Cooper
CHIEF EXECUTIVE OFFICER



DISCLAIMER

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

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

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

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

WRITTEN CONFIRMATION

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

Signed: _____
Allen Cooper
Chief Executive Officer

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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
Biddy Schill
Dean Hatwell

Shire President
Deputy Shire President

Officers

Mr Allen Cooper
Ms Sian Appleton
Mr Rick Miller

Mrs Sheryl Pobrica

Chief Executive Officer
Deputy Chief Executive Officer
Director Technical and Development
Services
Executive Services Administration Officer

Public Gallery

2.2 APOLOGIES

Councillor Apologies

Michael Kitchin
John Jakobson

Officer Apologies

Nil

2.3 LEAVE OF ABSENCE

Cr Jay Ahmedi

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES 24 JUNE 2016

[Minutes June 24 2016 Council.DOCX](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of Council held on 24 June 2016, be confirmed as a true and correct record of proceedings.

7.2 CONFIRMATION OF SPECIAL MINUTES 5 JULY 2016

[Special Meeting Minutes July 5, 2016](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Special Meeting of Council held on 5 July 2016, be confirmed as a true and correct record of proceedings.

7.3 PILBARA REGIONAL COUNCIL MINUTES – 16 JUNE 2016

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Pilbara Regional Council Meeting held on 16 June 2016, be accepted.

8 MEMBERS REPORT

8.1 ITEMS FOR RECOMMENDATION

8.1.1 2016 WA TOURISM CONFERENCE

| | |
|--------------------------------|--|
| File Ref: | CLR-5-2 |
| Member: | Cr Lang Coppin Councillor |
| Author: | Mrs Kylie Bergmann Coordinator Executive Services |
| Location/Address: | N/A |
| Name of Applicant: | N/A |
| Author Disclosure of Interest: | Nil |

REPORT PURPOSE

To determine if Council wishes to send a representative to the 2016 WA Tourism Conference.

BACKGROUND

The 2016 WA Tourism Conference will take place at the Perth Convention and Exhibition Centre from 8-10 August 2016.

The WA Tourism Conference is an opportunity for representatives to network and learn how to improve tourism in our region.

The Conference program is **attached** and occurs the week following the WALGA Conference.

COMMENTS/OPTIONS/DISCUSSIONS

2015 was the first WA Tourism Conference to be held.

If Council determines to send a representative, Council should bear in mind that we have Councillors who sit on tourism related Committees:

| | |
|--|---|
| Newman Visitors Centre Management Committee | Cr Shane Carter Cr John Jakobson (Proxy) |
| Marble Bar Tourist Assoc. | Cr Dean Hatwell Cr Lang Coppin (Proxy) |

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.

3.1 Business diversification and promotion

3.1.3 Encourage tourism
Responsible officer: DCEO
Timing: 1-5 years

FINANCIAL IMPLICATIONS

Cost of the Full conference is \$495 for members and \$795 for non-members, plus flights and accommodation.

The cost of this conference can be covered in the proposed budget for 2016/17 budget. Costs of this conference would come from account number GL#41007 for Conference and Seminar Expenses.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council nominate Cr _____ and Cr _____ to attend the 2016 WA Tourism Conference.

8.2 ITEMS FOR INFORMATION

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JUNE 2016

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

The status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of 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.

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

Responsible officer: DCEO

Timing: As appropriate

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Chief Executive Officer for June 2016 be received.

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | RESPONSIBLE OFFICER | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|-----------------------------|----------------|--|----------------------------|--|----------------------------------|
| 29 January 2016 | 9.1.2 | WA LOCAL GOVERNMENT ASSOCIATION (WALGA) TRADE EXHIBITION AND CONVENTION 2016 | CEO | Accommodation Booked | In Progress |
| 27 th May 2016 | | NEWMAN HOSPITAL: Invite WACS to come and do a presentation. Can we have a Council rep on the Advisory Board? Need community engagement. | CEO | Letter Sent 13.06.2016 Awaiting response. | In Progress |
| 27 th May 2016 | | ORTHODONTIST SERVICE IN NEWMAN Cr Gerry Parsons asked if there is anything we can do about orthodontist service in Newman as current dentist is leaving? Mr Allen Cooper to follow up. | CEO | Letter sent 13.06.2016 Awaiting response. | In Progress |
| 27 th May 2016 | | CAPE KERAUDREN Cr Shane Carter commented that he had recently visited Cape Keraudren and received some bad comments from other campers regarding the operation of the Cape. Mr Allen Cooper commented that he is currently undertaking a review of operations at Cape Keraudren. | CEO | | In Progress |

**9.1.2 AFFIXING COMMON SEAL TO EMPLOYMENT CONTRACT - MANAGER
DEVELOPMENT SERVICES - BUILDING**

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

REPORT PURPOSE

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

BACKGROUND

The employment contract of Mr David Evrett, Manager Development Services – Building, will be extended by a three year term from 31 July 2016 to 30 July 2019.

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

Nil.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr David Everett, Manager Development Services – Building, for a three year term, from 31 July 2016 to 30 July 2019.

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - JUNE 2016

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

The status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of 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.

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

Responsible officer: DCEO

Timing: As appropriate

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Deputy Chief Executive Officer for June 2016 be received.

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | DIRECTORATE | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|-----------------------------|----------------|---|--------------------|---|----------------------------------|
| 11 December 2015 | 12.12 | MARBLE BAR AQUATIC CENTRE CCTV Cr Michael Kitchin asked if the Marble Bar Aquatic Centre could get CCTV especially for the toddler's pool, so when the staff member is serving at the kiosk they can still easily monitor the area. Deputy Chief Executive Officer to follow up | DCEO | Scope re-written and will go out for pricing as an RFT | In Progress |
| 27 th May 2016 | | MARBLE BAR CIVIC CENTRE Cr Dean Hatwell commented that they have no crockery & cutlery. Ms Sian Appleton replied that we do not have this in Newman either. We hire from Mainstreet. But nowhere to hire from in Marble Bar? Ms Sian Appleton to follow up. | DCEO | Marble Bar officers noted that there is limited storage space and hiring equipment will cause issues with cleaning. | Completed |
| 27 th May 2016 | 13.5 | LIGHTING IN GALLOP HALL Cr Bidy Schill commented that there is little lighting in Gallop Hall. Ms Sian Appleton to follow up. | DCEO | Lights installed | Completed |
| 24 th June 2016 | 13.7 | TENDERS FOR AUCTION Cr Dean Hatwell commented that he had looked on the Shire website and did not see the tender advert for the disposal of gym equipment in Nullagine. Ms Sian Appleton to follow up where it is put on the website. | DCEO | All surplus equipment tenders entered onto website. Area called Additional tenders, quotes and EOI's | Completed |
| 24 th June 2016 | 13.8 | TENNIS COURTS IN MARBLE BAR Cr Michael Kitchin commented that it appears that the tennis courts are not to regulation size. Ms Sian Appleton to follow up. | DCEO | The courts are the correct size. The net posts are closer to the edge of the court than outlined in the Dept Sport & Rec guidelines. The steel wire on the top chord of the net will need to be trimmed back to suit the poles. | Completed |

9.2.2 AFFIXING COMMON SEAL TO MOU BETWEEN THE NEWMAN VISITORS CENTRE INCORPORATED & SHIRE OF EAST PILBARA

| | |
|---------------------------------------|--|
| Attachments: | <u>Memorandum of Understanding NVC</u> |
| Responsible Officer: | Ms Sian Appleton Deputy Chief Executive Officer |
| Author: | Mr Pip Parsonson Manager Community Wellbeing |
| Location/Address: | N/A |
| Name of Applicant: | N/A |
| Author Disclosure of Interest: | Nil |

REPORT PURPOSE

To seek Council approval to apply the common seal of the Shire of East Pilbara to the Newman Visitor Centre Memorandum of Understanding and Funding Agreement for the provision of visitor and new resident services for an amount of \$90,000 + GST of \$9,000 for a total amount of \$99,000 per annum.

BACKGROUND

The Shire of East Pilbara had a previous Memorandum of Understanding and Funding Agreement with the Newman Visitors Centre, which officially expired on the 30th June 2016.

Conditions and terms of the expired Memorandum of Understanding and Funding Agreement have been honoured whilst a review of the document was recently undertaken by both parties.

COMMENTS/OPTIONS/DISCUSSIONS

At the expiry of the 2015-2016 Memorandum of Understanding both parties met, to better understand the requirements of each party and to devise a new Memorandum of Understanding that is now two (2) year term.

The proposed new MOU incorporates most elements of the previous MOU. The main changes are,

- Removal of the provision, "Act as a booking agent for Integrity Coachlines and Greyhounds Buses" and replaced with "Act as a booking agent for transport operators when feasible";
- Removal of "...with indication given to how the SOEP funding is allocated." From "Supply a copy of the Annual budget (financial year) for the association,";
- Removal of "Collate and distribute new resident kits as necessary" As the NVC does not believe they are adequately resourced to undertake this task and that other agencies in town may be more appropriate distributors. (The Shire now runs two Welcome to Newman events annually where new residents' kits are distributed).

As a result of the joint review of the expired document the following areas of the document have been updated:

Specifics of the Agreement:

- a) This Agreement is valid 24 months, commencing 1st July 2016 and expiring 30 June 2018.
- b) The specified annual funding fee is \$90,000 (+GST) per annum will be paid by The Shire of East Pilbara for services rendered by Newman Visitors Centre Inc. as outlined in the agreement.

Purpose of the Agreement:

The Newman Visitor Centre Inc. and the Shire of East Pilbara hereby agree to work together to:

- Promote the Newman / East Pilbara region as a tourist destination,
- Provide visitor and new resident services, information and attractions,
- Identify ways to continue to develop the range of services that can be provided by the Newman Visitor Centre,
- Facilitate the development of proposals for projects between the two organisations, including exploring possibilities for grants and other forms of funding,
- Progress the relevant strategic directions of SOEP's Economic Development and Tourism Strategy and the SOEP Arts and Cultural Strategy.

Funding and Financial Responsibilities:

The Shire of East Pilbara agrees to provide financial support to the value of \$90,000 (+ GST) annually pro rata to NVC. This financial support is to be paid in quarterly instalments to the Newman Visitor Centre Inc. by electronic funds transfer, upon presentation of a tax invoice.

For payment to be released, the previous quarterly reconciliation and monthly reports must have been lodged with SOEP by the due date.

This funding arrangement will be subject to a bi-annual review three (3) months prior to the anniversary of the execution of this MOU. The funding allocation will be reviewed bi-annually in accordance with Consumer Pricing Index and SOEP Budget Allocations.

Payment and Reporting Schedule 2016– 2017

| | Annual Dates | Monthly Activity Reports Due for submission to SOEP | Quarterly Payment Released by SOEP |
|-------------------------|------------------------|--|---|
| 1 st Quarter | 01/07/2016 – 30/9/2016 | 12th August 2016 14 th October 2016 | 29th July 2016 |
| 2 nd Quarter | 1/10/2016 – 31/12/2016 | 11 th November 2016 9 th December 2016 13 th January 2017 | 30 th September 2016 |
| 3 rd Quarter | 1/1/2017 – 31/3/2017 | 10 th February 2017 10 th March 2017 14 th April 2017 | 23 rd December 2016 |
| 4 th Quarter | 1/4/2017 – 30/6/2017 | 12 th May 2017 9 th June 2017 14 th July 2017 | 31 st March 2017 |

Payment and Reporting Schedule 2017 – 2018

| | Annual Dates | Monthly Activity Reports Due for submission to SOEP | Quarterly Payment Released by SOEP |
|-------------------------|---------------------------|--|---|
| 1 st Quarter | 01/07/2017 – 30/9/2017 | 11 th August 2017 8 th September 2017 13 th October 2017 | 30 th June 2017 |
| 2 nd Quarter | 1/10/2017 – 31/12/2017 | 10 th November 2017 8 th December 2017 12 th January 2018 | 29 th September 2017 |
| 3 rd Quarter | 1/1/2018 – 31/3/2018 | 9 th February 2018 9 th March 2018 13 th April 2018 | 22 nd December 2017 |
| 4 th Quarter | 1/4/2018 – 30/6/2018 | 11 th May 2018 8 th June 2018 13 th July 2018 | 31 st March 2018 |

Reporting:

NVC Reporting requirements are as follows:

- a) NVC will provide the Shire of East Pilbara with monthly financial reconciliation reports of funds spent in accordance with the NVC Annual budget supplied by NVC
- b) Monthly Activity Reports will be submitted to SOEP by NVC
- c) NVC to provide SOEP a copy of the NVC's Audited Financial Statements for the Association by 31st December each year

Report due dates are outlined in the Payment and Reporting Schedule.

A Monthly Activity Report template for will be supplied by SOEP to NVC.

To accomplish the purpose and objective set forth in the MOU, partners will meet at least once per quarter to discuss progress and reports.

Nature of the Collaboration:

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

- a) Operate a Visitor Centre at Lot 1419 Newman Drive, NEWMAN with the minimum operating hours:
 - Summer Months: Monday - Friday 8:30am to 4:30pm. Weekends: 9.00am – 12.30pm
 - Winter Months: Monday – Sunday 8.30am - 4:30pm.
 - Public Holidays: 9.00am – 12.30pm
- b) Welcome visitors to Shire of East Pilbara with excellent customer service and comfortable premises
- c) Create a positive impression through comprehensive advice on the facilities and services available within the Shire of East Pilbara and surrounds
- d) Encourage visitors to stay longer by providing information about things to see and do in the East Pilbara and surrounds
- e) To provide a high quality and professional information service to visitors, intended visitors and new residents to the Shire of East Pilbara through the following services:
 1. Information on accommodation properties and car hire;
 2. Accommodation and tour booking services;
 3. Maps and directions for the local area;
 4. Information on nearby National Parks and wildlife;

5. Information on road conditions and advice on where to locate up to date road condition reports;
 6. Information on local facilities and amenities, such as medical services, service stations, food outlets, supermarkets, public transport, government agencies etc.;
 7. Collate and distribute new resident kits as necessary;
 8. Information on events, functions and attractions within the region;
 9. Promote and build strong relationships with local businesses;
 10. Retail merchandise, souvenirs, local arts and crafts;
 11. Maintain the NVC website and link to WA Tourism website
 12. Act as a booking agent for Integrity Coachlines and Greyhounds Buses; and
 13. Facilitate the Mt Whaleback Mine Tour in conjunction with BHP Billiton Iron Ore.
- e) Increase support for tourism in the town through raising awareness of the tourism industry's direct and indirect benefits
 - g) To operate within the terms and conditions of the Constitution of the Newman Visitors Centre Inc.
 - h) To ensure the Shire of East Pilbara is accorded full paid membership status of the NVC.
 - i) Provide reports in line with the reporting schedule.
 - j) Supply a copy of the Annual budget (financial year) for the association.

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

- a) Provide funding of \$90,000 p.a. to the Newman Visitor Centre Inc. payable in (quarterly) instalments via electronic funds transfer.
- c) Support marketing opportunities identified through the Newman Visitor Centre Inc.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

- 1.1 Efficient and effective local government
- 1.1.1 Ethical, accountable and transparent decision-making

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

Expenditure associated with this MOU agreement will be costed the existing general ledger 131011 Newman Visitor Centre Support.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council approve the application of the common seal of the Shire of East Pilbara to the updated Newman Visitor Centre Inc. Memorandum of Understanding and Funding Agreement for the provision of visitor and new resident services for an amount of \$180,000 + GST of \$18,000 for a total amount of \$198,000 for a two year period.

9.2.3 AFFIXING THE COMMON SEAL TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE NULLAGINE COMMUNITY RESOURCE CENTRE AND THE SHIRE OF EAST PILBARA

Attachments: [Nullagine CRC MOU.docx](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mr Pip Parsonson
Manager Community Wellbeing
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval of the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Nullagine Community Resource Centre Memorandum of Understanding for the provision of library and other services for an amount of \$76,667 + GST of \$7,666 for a total amount of \$84, for a 23 month term.

BACKGROUND

The Shire of East Pilbara had a previous Memorandum of Understanding, (MOU) and Funding Agreement with the Nullagine Community Resource Centre, (NCRC), which officially expired on the 31st October 2014. An amendment to the MOU was adopted by Council and is dated 11th July 2014.

Conditions and terms of the expired Memorandum of Understanding and Funding Agreement, including the amendment have been honoured whilst a review of the document was recently undertaken by both parties.

At its May 2015 meeting Council resolved to.

“... approve the application of the common seal of the Shire of East Pilbara to the updated Nullagine CRC Memorandum of Understanding and Funding Agreement for the provision of library services for an amount of \$80,000 + GST of \$8,000 for a total amount of \$88,000 for a twenty four month period.” (Item 9.2.6).

The endorsed MOU was never signed due to concerns the NCRC Management Committee had regarding some of its provisions. The Management Committee had not been involved in the earlier review and re-drafting of the MOU as that had occurred at staff level only.

Although negotiations then stalled for some considerable period of time both the NCRC and the Shire continued operating under the principles of the MOU in good faith ensuring continuity of service of the Nullagine Library.

COMMENTS/OPTIONS/DISCUSSIONS

The Shire has no administrative, shop front or supervisory capacity in Nullagine and the previous MOU with NCRC has provided the capacity for library, and to a limited degree, other shire administrative functions to take place in the town.

The proposed new MOU incorporates most elements of the MOU endorsed by the Council in May 2015. The main changes are,

- Removal of the provision for administration of the SoEP Newman airport resident parking scheme.
- Removal of the provision for administration of the Nullagine gym key and payment processing.
- An increase from \$30 an hour to \$55 an hour as a cleaning fee in instances where hirers have left the hall in a poor state of cleanliness.
- The addition of a provision that states that the NCRC takes no responsibility for the security of the Gallop hall or Library when being used by Shire staff.

There is a small variation in the amount to be paid to NCRC as the term of this MOU is for 23 months as opposed to the previous 24 month period. This represents an adjustment so that the terms of the new MOU fits into standard financial year quarters.

As a result of the joint review of the expired document the following areas of the document have been updated:

Specifics of the Agreement:

- a) This Agreement is valid for 23 months, commencing 1st August 2016 and expiring at close of business 30th June 2018.
- b) The specified annual funding fee is \$44,000 (inclusive of GST) per annum will be paid by The Shire of East Pilbara for services rendered by Nullagine Community Resource Centre Inc. as outlined in the agreement.

Purpose of the Agreement:

The Nullagine Community Resource Centre Inc. and the Shire of East Pilbara hereby agree to work together to:

- Operate the Nullagine Community Library in accordance with the Activity Agreement issued by the State Library of Western Australia and the Town of Port Hedland.
- Identify ways to continue to develop the range of services that can be provided by the Nullagine Community Resource Centre and the Nullagine Library. Facilitate the development of joint proposals for projects between the two organisations, including exploring possibilities for grants and other forms of funding.

Funding and Financial Responsibilities:

The Shire of East Pilbara agrees to provide financial support to the value of \$44,000 (GST inclusive) annually pro rata to NCRC. This financial support is to be paid in quarterly instalments to the NCRC by electronic funds transfer, upon presentation of a tax invoice.

For payment to be released the previous quarterly reconciliation and monthly reports must have been lodged with SOEP.

The SOEP also agrees to pay NCRC a \$55 per hour cleaning fee when both parties agree that the Gallop Hall requires a high-quality clean after being hired.

This funding arrangement will be subject to an annual review three (3) months prior to the anniversary of the execution of this MOU. The funding allocation will be reviewed bi-annually in accordance with Consumer Pricing Index and SOEP budget allocations.

Payment and Reporting Schedule 2016– 2017

| | Annual Dates | Monthly Activity Reports Due for submission to SOEP | Quarterly Payment Released by SOEP | Quarterly Reconciliation Due for submission to SOEP |
|-------------------------|------------------------|--|--|--|
| 1 st Period | 01/08/2016 – 30/9/2016 | 9 th September 2016 14 th October 2016 | 29 th July 2016 2 month pro-rata payment | 28 th October 2016 |
| 2 nd Quarter | 1/10/2016 – 31/12/2016 | 11 th November 2016 9 th December 2016 13 th January 2017 | 30 th September 2016 | 27 th January 2017 |
| 3 rd Quarter | 1/1/2017 – 31/3/2017 | 10 th February 2017 10 th March 2017 14 th April 2017 | 23 rd December 2016 | 29 th April 2017 |
| 4 th Quarter | 1/4/2017 – 30/6/2017 | 12 th May 2017 9 th June 2017 14 th July 2017 | 31 st March 2017 | 29 th July 2017 |

Payment and Reporting Schedule 2017 – 2018

| | Annual Dates | Monthly Activity Reports Due for submission to SOEP | Quarterly Payment Released by SOEP | Quarterly Reconciliation Due for submission to SOEP |
|-------------------------|------------------------|---|---|--|
| 1 st Quarter | 01/07/2017 – 30/9/2017 | 11 th August 2017 8 th September 2017 13 th October 2017 | 30 th June 2017 | 27 th October 2017 |
| 2 nd Quarter | 1/10/2017 – 31/12/2017 | 10 th November 2017 8 th December 2017 | 29 th September 2017 | 26 th January 2018 |

| | | | | |
|-------------------------|----------------------|--|--------------------------------|-----------------------------|
| | | 12 th January 2018 | | |
| 3 rd Quarter | 1/1/2018 – 31/3/2018 | 9 th February 2018 9 th March 2018 13 th April 2018 | 22 nd December 2017 | 27 th April 2018 |
| 4 th Quarter | 1/4/2018 – 30/6/2018 | 11 th May 2018 8 th June 2018 13 th July 2018 | 31 st March 2018 | 27 th July 2018 |

Reporting:

NCRC Reporting requirements are as follows:

- a) NCRC will provide the SOEP with quarterly reconciliation reports of funds spent in accordance with the NCRC annual budget supplied by NCRC
- b) Monthly Activity Reports will be submitted to SOEP by NCRC
- c) NCRC to provide SOEP a copy of the NCRC's Audited Financial Statements for the Association by 31st September each year

Report due dates are outlined in the Payment and Reporting Schedule.

A Monthly Activity Report template for will be supplied by SOEP to NCRC.

To accomplish the purpose and objective set forth in the MOU, partners will meet at least once per quarter to discuss progress and reports.

Nature of the Collaboration:

Under the terms of this agreement Nullagine Community Resource Centre Inc. will:

- a) Operate the Nullagine Public Library at Gallop Rd, Nullagine Monday to Friday for a minimum of 25 hours per week
- b) Provide a high quality and professional library and information service to visitors and intending visitors to Nullagine
- c) Encourage users of the Library to visit frequently and/or stay longer by providing updates on the activities and services provided by the State Library of Western Australia
- d) In partnership with SOEP coordinate and run cultural events aimed at promoting active community use of the Library
- e) Allow SOEP to appoint an ex-officio Shire representative to be on the Nullagine Community Resource Centre Committee of Management
- f) Explore opportunities for income generation for the Nullagine Public Library
- g) Explore opportunities for community development projects within the township of Nullagine
- h) Operate within the terms and conditions of the Constitution of the Nullagine Community Resource Centre Inc.
- i) Provide reports in line with the reporting schedule
- j) Supply a copy of the Annual budget (financial year) for the association that indicates how the SOEP funding is allocated
- k) Supply an asset list of library resources and conduct a half yearly asset review
- l) Report any Library building maintenance issues to SOEP

- m) Provide administrative services for the booking of the Shire of East Pilbara Public facility Gallop Hall, located in Nullagine
- n) Provide cleaning services to Gallop Hall in line with the hire and conditions of use of the facility
- o) ensure that Nullagine Library staff hold current Working With Children Card and National Police Clearance
- p) Not take any responsibility for any damage or loss of stock or equipment when the Nullagine Library or Gallop Hall are being used by the Shire to run events or activities until such a time as when the keys are returned to the responsible Nullagine CRC Officer

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

- a) Provide funding of \$44,000 p.a. to the Nullagine Community Resource Centre Inc. payable in (quarterly) instalments via electronic funds transfer
- b) Maintain a Community Wellbeing Strategic Plan that will guide the development of Library Services within the East Pilbara
- c) Maintain an activity agreement with the State Library of Western Australia and the Town of Port Hedland for regional Library activities for the East Pilbara
- d) Support marketing opportunities and projects identified through the NCRC
- e) Provide and maintain the buildings of Nullagine Public Library, Gallop Hall and the Gym
- f) Reimburse NCRC at the rate of \$55 per hour plus GST for cleaning services of Gallop Hall in line with the hire and conditions of use of the facility

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.
Account number 111378 budget \$45,000.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council approve the application of the common seal of the Shire of East Pilbara to the updated Nullagine CRC Memorandum of Understanding and Funding Agreement for the provision of library services for an amount of \$76,667 + GST of \$7,666 for a total amount of \$84,333 for a twenty three month period.

9.2.4 FREEDOM OF INFORMATION 2016

File Ref: LEG-9-3-1-1
Attachments: [Freedom of Information 2016](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Abbie Watts
Coordinator Administration Services
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Councils endorsement of the Freedom of Information Statement 2016 in accordance with Part 5 of the *Freedom of Information Act 1992*.

BACKGROUND

It is a compliance requirement of the *Freedom of Information Act 1992* that Council accept an up to date Freedom of Information Statement every twelve months.

COMMENTS/OPTIONS/DISCUSSIONS

The Freedom of Information Statement has recently been updated and is attached for Councils approval.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 5 - Administration (Division 7 - Access to information) 5.91. Interpretation (pg 185)

Part 5 - Administration (Division 7 - Access to information) 5.92. Access to information by council, committee members (pg 185)

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the Freedom of Information Statement 2016 in accordance with Part 5 of the *Freedom of Information Act 1992*.

9.2.5 FINANCIAL STATEMENTS - JUNE 2016

Attachments: [June 2016 Financial Statements.pdf](#)
[June 2016 Variance Report.doc](#)
[June 2016 Asset Variance Report.doc](#)

Responsible Officer: Mr Andries Gertenbach
Manager Corporate Services

Author: Mrs Candice Porro
Senior Finance Officer

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

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

BACKGROUND

The attached 13-page report details the financial activities of the Council for the period 1 June 2016 to 30 June 2016 of the 2015/2016 financial year –

There are 4 sections of the monthly report:

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

COMMENTS/OPTIONS/DISCUSSIONS

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

Reportable variations in accordance with accounting policies are as follows:

STATUTORY IMPLICATIONS/REQUIREMENTS

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

“The financial report is to –

- (a) be prepared and presented in the manner and form prescribed; and*
- (b) contain the prescribed information.”*

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

“A Local Government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22 (1)(d), for that month in the following detail –

- (a) annual budget estimates ...*
- (b) budget estimates to the end of the month to which the statement relates;*
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;*
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) the net current assets at the end of the month to which the statement relates.”*

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY

Complies with Council's Accounting Policies as per the current Policy Manual.

PLAN FOR FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

That the monthly financial statements for the period 1 June 2016 to 30 June 2016 of the 2015/2016 financial year as presented be received.

9.2.6 CREDITORS FOR PAYMENT

File Ref: FIN-02
Attachments: [Schedule of Accounts Chq.pdf](#)
[Schedule of Accounts EFT.pdf](#)
[Schedule of Accounts Manual Cheque pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Jeanette Bessell
Finance Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

Council endorsement of payment to creditors.

BACKGROUND

As per the attachment list, outlines payments made to creditors since the Council meeting on the 24th June 2016.

COMMENTS/OPTIONS/DISCUSSIONS

| FUND | VOUCHER | AMOUNT |
|------------------------|--------------------|------------------------------|
| EFT Payments | EFT#33692 - #34192 | \$2,957,047.94 |
| | Total | \$2,957,047.94 |
| Cheque Payments | CHQ#24065 - #24102 | \$50,800.76 |
| Manual Cheque Payments | CHQ# 270 - #271 | \$18,264.09 |
| | Total | \$69,064.85 |
| | GRAND TOTAL | <u>\$3,026,112.79</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

CHQ#'s 24084 and 24805

CANCELLED CHEQUES & EFTS

EFT#'s 33789, 33914, 33966 and 33966

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 \$3,026,112.79

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the payments:

| FUND | VOUCHER | AMOUNT |
|------------------------|--------------------|-------------------------------|
| EFT Payments | EFT#33692 - #34192 | \$2,957,047.94 |
| | Total | \$2,957,047.94 |
| Cheque Payments | CHQ#24065 - #24102 | \$50,800.76 |
| Manual Cheque Payments | CHQ# 270 - #271 | \$18,264.09 |
| | Total | \$69,064.85 |
| | GRAND TOTAL | <u>\$3,0261,112.79</u> |

9.2.7 COUNCIL BUDGET 2016 2017

File Ref: FIN-23-10
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sian Appleton
Deputy Chief Executive Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To adopt Council's budget for the 2016/2017 year.

BACKGROUND

Council is required to adopt its budget for 2016/2017 by the 31st August 2016. The draft budget (under separate cover) has been compiled with regard to Council's strategic documents, resolutions of Council over the last 12 months and input from Councillors and Council Officers.

COMMENTS/OPTIONS/DISCUSSIONS

Council must adopt the budget by the 31st August 2016, or seek an extension from the Minister for Local Government.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

6.2. Local government to prepare annual budget

(1) *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

** Absolute majority required.*

Local Government (Financial Management) Regulations 1996

Part 3 — Annual budget — s. 6.2

22. Form and content of annual budget (Act s. 6.2(1))

(1) *The annual budget of a local government is to be in a form that includes the following —*

(a) *an income statement;*

(b) *a cash flow statement;*

[(c) *deleted*]

(d) *a rate setting statement showing details of —*

(i) *the revenue and expenditure that have been taken into account to determine the budget deficiency; and*

(ii) *the total amount of the general rates to be imposed; and*

(iii) *any deficit or surplus remaining after the imposition of the general rates;*

- (e) *in relation to the rates proposed to be imposed by the local government, the information set forth in regulation 23;*
 - (f) *in relation to the service charges proposed to be imposed by the local government, the information set forth in regulation 24;*
 - (g) *in relation to the fees and charges proposed to be imposed by the local government, whether under the Act or under any other written law, the information set forth in regulation 25;*
 - (h) *in relation to —*
 - (i) *any discount or other incentive proposed to be granted for early payment of any amount of money; or*
 - (ii) *the proposed waiver or grant of a concession in relation to any amount of money; or*
 - (iii) *the proposed writing off of any amount of money,*
the information set forth in regulation 26;
 - (i) *notes containing the information set forth in regulation 27 and such other supporting notes, tables and other information as the local government considers will assist in the interpretation of the annual budget.*
- (2) *The financial information disclosed in the annual budget, other than the cash flow statement, is to be compiled on an accrual accounting basis.*

POLICY IMPLICATIONS

3.3 Budget Preparation

3.5 Budget Management – Capital Acquisitions

STRATEGIC COMMUNITY PLAN

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

1.1.2 Continued strong financial management

Responsible officer: DCEO

FINANCIAL IMPLICATIONS

To allow for the Council’s financial operations for the 2016/2017 financial year.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council

- 1. Adopt the 2016/2017 draft budget as presented;**
- 2. Adopt the schedule of rates, sewerage rates, fees and charges and rubbish, as detailed.**

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

9.3.1 DIRECTOR TECHNICAL & DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS - JUNE 2016

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

The status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of 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.

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

Responsible officer: DCEO

Timing: As appropriate

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Director Technical & Development Services for June 2016 be received.

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

22 JULY, 2016

| 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 | MDS-P | Refer to Information Bulletin | In Progress |
| 28 September 2012 | 13.4 | NEW ROAD LINKED TO LIGHT INDUSTRIAL AREA (LIA) – newman - Cr Shane | MDS-P | Refer to Information Bulletin | In Progress |
| 28 August 2015 | 13.8 | CARAWINE GORGE Cr Lang Coppin | MDS-P | Refer to Information Bulletin | In Progress |
| 23 October 2015 | 14.3 | DUST MONITORING NEWMAN Cr Craig Hoyer asked is there difference in licence for dust monitoring in Newman from Port Hedland as lately the dust levels in Newman have raised. | MDS-H | Correspondence has been received from the Department of Environment Regulation that they are prepared to meet with the shire to discuss the items raised. MDS-H will confirm that a presentation to Council at the 10am 22 July OCM would be appreciated. MDS-H to make arrangements. | August 2016 |
| 11 December 2015 | 12.8 | CARAVAN & TRUCK PARKING NEWMAN Cr Jay Ahmedi commented on the space next to the Boomerang Oval being a good place for trucks and travellers with caravans to park. | DTDS | Total town centre street signage to be reviewed Signage has been selected and waiting on revised quote due to changes to sign sizing. | August 2016 |
| 11 March 2016 | 13.1 | PARKING SIGNS FOR CARPARK NEXT TO POST OFFICE NEWMAN Cr Jay Ahmedi asked if parking signs could be put up at the carpark next to the Post Office to indicate limited time parking. | DTDS | Sometime limiting signage will be purchased and installed. | August 2016 |
| 11 March 2016 | 13.9 | NEWMAN TOWN CENTRE Cr John Jakobson asked if there were any maps for where the signs will be erected around the Town Centre as many | DTDS | Mr Rick Miller, commented that this is an area is currently under investigation. | August 2016 |

| COUNCIL MEETING DATE | ITEM NO | COUNCIL RESOLUTION | DIRECTORATE | ACTION TAKEN/ STATUS | ESTIMATED COMPLETION DATE |
|-----------------------------|----------------|---|--------------------|---|----------------------------------|
| | | tourists are confused on e.g.: parking for caravans and entry. | | | |
| 27 th May 2016 | 13.9 | CAPE KERAUDREN Cr Lang Coppin commented that he has a book that lists Cape Keraudren as free camping. Also on an App. | DTDS | Staff investigated and couldn't location information. Will request Cr Coppin provide information to officers to follow up. | August 2016 |
| 27 th May 2016 | 13.7 | BBQ AT NULLAGINE LOOKOUT Cr Bidy Schill commented that the BBQ at the Nullagine lookout is not working. Ms Sian Appleton to follow up. | MTS-R TSAO | Signage to be placed at lookout advising of limitations. Existing BBQ in main park is budgeted for replacement in 2016/17 subject to approval. | July 2016 |
| 24 th June 2016 | 13.3 | SCHOOL ZONES – ROAD COLOURING Cr Lynne Craigie asked about the possibility of colouring the road surface in school zones? E.g. red. | DTDS MTS-N | Cr Lynne Craigie to confirm if issues has been raised any particular schools? Costings to be confirmed for further consideration. | July 2016 |
| 24 th June 2016 | 13.10 | Cr Lang Coppin commented that he had received comments from some tourists that the signage around and into the towns of Marble Bar and Nullagine was poor. Mr Rick Miller to follow up. | MDS-P MTS-O | Request Cr Coppin provide more specific details to follow up. MDS-P to forward comment to PRC and Tourist WA. MTS-R to check condition of existing signage. | August 2016 |

9.3.2 REQUEST FOR COMMENTS: DEPARTMENT OF RACING GAMING AND LIQUOR: (WARRALONG RESTRICTED AREA) REGULATIONS 2013: PROPOSED EXTENSION OF DECLARATION PERIOD AND THE AREA OF LAND THAT IS TO BECOME A RESTRICTED AREA UNDER SECTION 175 LIQUOR CONTROL ACT 1988

| | |
|---------------------------------------|---|
| Attachments: | Letter Department of Racing Gaming and Liquor Current Regs Warralong Restrictions SOEP Community Prevention Plan 2016-2018 A SOEP Community Prevention Plan 2016-2018 B |
| Responsible Officer: | Mr Rick Miller Director Technical and Development Services |
| Author: | Mr Edmore Masaka Manager Development Services - Health |
| Location/Address: | N/A |
| Name of Applicant: | N/A |
| Author Disclosure of Interest: | Nil |

REPORT PURPOSE

The purpose of this report is to present to Council for consideration a request for comments from the Department of Racing, Gaming and Liquor about the proposal to extend the declaration period as well as the geographical boundary of the Warralong Restricted Area under Section 175 of the Liquor Control Act 1988.

BACKGROUND

On 21 September 2013, the Liquor Control (Warralong Restricted Area) Regulations 2013 came into operation for a period of three years. These regulations are bound to expire on 20 September 2016.

In comments to the Department of Racing Gaming and Liquor, Marble Bar police have raised concerns that some members of the Warralong Community are circumventing this restriction by consuming liquor outside the restricted area along the northern section of Goldsworthy Road and driving back into the community while under the influence of alcohol.

The Director of Racing, Gaming and Liquor is therefore seeking local government comments regarding extending the declaration period for a further 3 years of the existing areas. They also wish to add the northern section of Goldsworthy Road between the 20km circle edge and the Great Northern Highway for a width of 1km each side of the road centreline.

COMMENTS/OPTIONS/DISCUSSIONS

Similar requests have been received regarding liquor restrictions in several Aboriginal communities in the Shire. Several concerns regarding the impact of such

restrictions on Newman and the towns of Nullagine and Marble Bar have previously been raised with the Director of Racing Gaming and Liquor namely that;

- Extending this restriction will not address the underlying issues of drug and alcohol abuse within the communities covered by such restrictions as evidenced by the numerous cases of sly grogging that happen in communities where these restrictions are already in force.
- These restrictions tend to encourage harmful levels of binge drinking whilst visiting other communities within the Shire of East Pilbara, in particular Newman
- A lack of suitable accommodation for visitors coming into the town sites in search of alcohol also leaves many local residents vulnerable to crime, in particular alcohol induced violence. There is no access in Newman to hostels or camping facilities meaning that Newman based Aboriginal families are forced to house relatives who travel from outlying communities to Newman. Overcrowding, both short and long term, has well documented environmental health and child welfare risks, with the shire officers already having to grapple with this challenge.

Whilst the extension of the declaration period has the potential to reinforce the gains already made by the imposition of these restrictions, it can also be argued that intending members of the community may still be able to continue the practice of consuming alcohol outside the restricted areas and then drive back into the community while under the influence of alcohol.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

The Shire of East Pilbara Community Safety and Crime Prevention plan 2014-2016 – Refer to No: 4, 5, & 6.3 highlighted for your information.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.3 Engaged community

1.3.1 Increase community awareness

Responsible officer: MCW

Timing: 1 year

Goal 2 – Social – Planned Actions

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

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

- 2.1.2 Encourage active lifestyles
Responsible officer: MCW
Timing: 1-3 years

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

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council

- 1. Supports extending the declaration period of the *Liquor Control (Warralong Restricted Area) Regulations 2013* for a further 3 years;**
- 2. Supports maintaining a 20 kilometre radius measured from the centre of the Warralong basketball court;**
- 3. Request the Minister engage with other Ministers to develop alternative strategies to support awareness programs for communities and empowering community leaders to be more self-regulating (e.g. Community Police);**
- 4. Request the Minister in developing alternative strategies take into account the wider impact on other communities and consider the following Shire of East Pilbara concerns:**
 - Extending restrictions will not address the underlying issues of drug and alcohol abuse within the communities covered by such restrictions as evidenced by the numerous cases of sly grogging that happen in communities where these restrictions are already in force.**
 - The restrictions can tend to encourage harmful levels of binge drinking whilst visiting other communities within the Shire of East Pilbara, in particular Newman.**
 - A lack of suitable accommodation for visitors coming into the town sites in search of alcohol also leaves many local residents vulnerable to crime, in particular alcohol induced violence. There is no access in Newman to hostels or camping facilities meaning that Newman based Aboriginal families are forced to house relatives who travel from outlying communities to Newman. Overcrowding, both short and long term, has well documented environmental health and child welfare risks.**

- 10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**
- 11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL**
- 12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS**
- 13 GENERAL BUSINESS**
- 14 DATE OF NEXT MEETING**
26 August 2016, Newman
- 15 CLOSURE**