



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, Marble Bar,
10.00 AM, FRIDAY, 22 JUNE 2012.

Allen Cooper
CHIEF EXECUTIVE OFFICER

THE HEART
OF THE
PILBARA



DISCLAIMER

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

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

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

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

WRITTEN CONFIRMATION

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

Signed: _____
Allen Cooper
Chief Executive Officer

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Cr Lynne Craigie
Cr Lang Coppin
Cr Shane Carter
Cr Gerry Parsons
Cr Doug Stead
Cr Darren Bennetts
Cr Kevin Danks
Cr Stephen Kiernan
Cr Lang Coppin

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

Cr Anita Grace
Cr Sue Owen

Officer Apologies

Nil

2.3 LEAVE OF ABSENCE

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

[Minutes May 25 2012 Council.DOC](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of Council held on 25 May 2012, be confirmed as a true and correct record of proceedings.

8 MEMBERS REPORT

8.1 ITEMS FOR RECOMMENDATION

8.2 ITEMS FOR INFORMATION

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS FOR MAY 2012

File No: CLR 4-5
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mrs 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

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.2 Improve Community Engagement

3.2.1 Encourage community participation in the decision making processes undertaken by the Shire

Continuing role

How funded – Municipal Funds

Responsible Directorate – Executive

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Chief Executive Officer report for May 2012 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
27 April 2012	12.1.1	ANNUAL PERFORMANCE REVIEW APPRAISAL- CHIEF EXECUTIVE OFFICER	CEO	With Shire President	
25 May 2012	13.5	BHP BILLITON – MATCH GIVING PROGRAM Cr Doug Stead would like to acknowledge BHP Billiton for their Match Giving Program as BHP Billiton donate a lot to the Newman Community from their employees this shows how many people working for BHP Billiton volunteer their time to help others and BHP should be recognised with a letter. Executive Services to follow up.	CEO		

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

**9.2.1 DUPUTY CHIEF EXECUTIVE OFFICER - STATUS OF COUNCIL
DECISIONS FOR MAY 2012**

File No: CLR 4-5
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs 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

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.2 Improve Community Engagement

- 3.2.1 Encourage community participation in the decision making processes undertaken by the Shire
Continuing role
How funded – Municipal Funds
Responsible Directorate – Executive

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Deputy Chief Executive Officer report for May 2012 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
22 July 2011	11.1.1	TENDER 10/2010-2011 DESIGN, SUPPLY AND DELIVERY OF MODULAR TYPE HOUSING	MBA	Awaiting utility connection	July 2012
3 February 2012	9.1.5	EXPRESSION OF INTEREST - NULLAGINE CARAVAN PARK LEASE	CPS		On Going
11 March 2011	13.2	<p>PIPUNYA PROPERTY Cr Stephen Kiernan asked if a letter can be sent to the Government regarding a property previously owned by Pipunya Community, the old post office on Francis Street, Marble Bar as people are breaking into and destroying the property which contains asbestos, this is a danger to the community, also the grass around the property requires cutting, as snakes like this type of environment. The property should be demolished as it is a danger to people's lives but who is responsible for this property?</p> <p>Deputy Chief Executive Officer to follow up.</p>	DCEO	Letter written to the Department of Indigenous Affairs and Indigenous Coordination Centre Received letter saying DIA waiting for the winding up of Pipunya Corporation and will follow up once notified.	Department of Commerce had a meeting 13 th March 2012 in Marble Bar still waiting for outcome
25 May 2012	9.2.6	OFFICIAL OPENING FOR ROYALTIES FOR REGIONS PROJECTS	DCEO	Being Organised	

**9.2.2 AFFIX COMMON SEAL TO VARIATION AGREEMENT FOR
MAINTENANCE OF INDIGENOUS LANGUAGES AND RECORDS
BETWEEN THE SHIRE OF EAST PILBARA AND THE COMMONWEALTH
OF AUSTRALIA**

File No: ADM-14-9
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Megan Barham
Coordinator Martumili Artists
Location/Address: Martumili Artists
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To inform Council that the Chief Executive Officer applied the common seal of the Shire of East Pilbara to the variation of agreement between the Shire of East Pilbara and the Commonwealth of Australia represented by the Department of Families, Housing Community Services and Indigenous Affairs have entered into the Standard Funding agreement dated 10th September 2010.

BACKGROUND

The background information to this agreement is as follows:

This variation agreement is between the Commonwealth of Australia presented by the Department of Families, Housing, Community services and Indigenous Affairs and the Shire of East Pilbara. The variation agreement amount is for \$8,500.00 for Sustainability, Environment, Water and Population and Communities for the Review and training of documentation methods at Martumili for Maintenance of Indigenous Languages and Records.

COMMENTS/OPTIONS/DISCUSSIONS

This is for the variation to Review and training of documentation methods at Martumili.

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.

PLAN FOR FUTURE OF THE DISTRICT

Goal 2 - Community Enrichment

To enrich our cultural, social and recreational lifestyles

2.5 Cultural

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council note the application of the common seal of the Shire of East Pilbara was affixed to the variation funding agreement between Shire of East Pilbara and the Commonwealth Australia for the funding amount of \$8,500.00

9.2.3 INTRODUCTION OF PAYABLE BOND FOR USE OF ANY COUNCIL OWNED FACILITY

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Sharon Walsh
Manager Community Wellbeing

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council endorsement of the introduction of a \$2,000 bond payable by all commercial entities who uses any facility owned by the Shire of East Pilbara.

BACKGROUND

In May 2011, a \$2,000 payable bond was introduced as part of the stipulations of hiring the Rugby Oval. In February 2012, this bond was extended to include any oval and/or green space in Newman. The introduction of these bonds now permits the Shire to charge any user of these facilities, the cost to repair, replace and/or labour costs, if incurred by the Shire, through any misuse or neglect of any ovals by the user at conclusion of any event.

COMMENTS/OPTIONS/DISCUSSIONS

There is a noticeable increase in the number of new facilities owned by the Shire of East Pilbara. These facilities are offered for hire to commercial entities and it is important that these new and existing Council assets be protected from misuse or neglect. Furthermore, conditions of hire need to ensure if any facility sustains damage, it is the responsibility of the user to incur the costs of the associated repair and/or replacement should this be required.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 2 - Community Enrichment

To enrich our cultural, social and recreational lifestyles

2.4 Recreational

2.4.3 Develop and implement events and programs that promote a healthy lifestyle and wellbeing
Continuing role

How funded – Municipal Funds and funding opportunities
Responsible Directorate – Community Engagement

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Absolute

OFFICER'S RECOMMENDATION

THAT Council

- 1. Impose a \$2,000 bond payable by all commercial entities who use a Council owned facility within the Shire of East Pilbara.**
- 2. Charge any commercial user the repair, replacement and/or labour costs associated from any misuse or neglect of a hired facility, from the bond money payable.**
- 3. Impose the bond effective from 22 July 2012.**
- 4. Provide notice of the adopted bond fee as advertised, pursuant to Section 6.19 Local Government Act 1995.**

9.2.4 ANNUAL REVIEW - CODE OF CONDUCT 2012

File No: LEG-2-5
Attachments: [Code of Conduct 2011.doc](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Tina Wilson
Coordinator Administration Services
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to review and adopt an up to date Code of Conduct.

BACKGROUND

The Code of Conduct is a requirement of the *Local Government Act 1995*, section 5.103. The legislative requirement to conduct an annual review of the Code of Conduct, as per the *Local Government Act 1995*, section 5.103(2), has since been repealed. However, keeping in line with Council's policy to review policies and procedures annually, the decision to review the Code of Conduct will remain.

COMMENTS/OPTIONS/DISCUSSIONS

There have been several minor amendments to the Code of Conduct of a spelling or grammatical nature. These amendments have been "tracked" and are in the attached Code of Conduct document.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Part 5 - Administration (Division 9 - Conduct of certain officials) 5.103. Codes of conduct (pg 193)

Local Government (Rules of Conduct) Regulations 2007

Local Government (Administration) Regulations 1996
Regulation 34B and 34C

POLICY IMPLICATIONS

Nil.

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.1 Representation

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council adopt the Code of Conduct 2012 as presented.

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9.2.5 FINANCIAL MANAGEMENT REVIEW

File No: FIN- 21-1
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 consider and accept the Financial Management Review conducted by UHY Haines Norton.

BACKGROUND

The Chief Executive Officer is required to undertake a review of the financial management systems and procedures for the local government at least once every four years.

This report was completed by UHY Haines Norton and is attached.

COMMENTS/OPTIONS/DISCUSSIONS

The review was completed for the period 1 July 2011 to 31 March 2012. The conclusion of the Independent Reviewer's report reads:

"Based on our work described in this report which is not an audit, nothing has come to our attention to indicate the Shire of Eat Pilbara has not established and maintained, in all material aspects, appropriate and effective financial management systems and procedures during the period 1 July 2011 to 31 March 2012."

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government (Financial Management) Regulations 1996 paragraph 5 (2) states:-

The Chief Executive Officer is to:

(c) undertake reviews of the appropriateness and effectiveness of the financial management systems and procedures of the Local Government regularly (and not less than once in every 4 financial years) and report to the Local government the results of these reviews.

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.1 Financial Stability

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council consider and accept the Financial Management Review conducted by UHY Haines Norton as presented in the accordance with paragraph 5(2) of the Local Government (Financial Management) regulation 1996.

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9.2.6 FREEDOM OF INFORMATION STATEMENT

File No: LEG-9-3-1
Attachments: [Freedom of Information 2012.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Tina Wilson
System Support Records Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council's approval for the acceptance of the Freedom of Information Statement 2012 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 12 months.

COMMENTS/OPTIONS/DISCUSSIONS

The Freedom of Information Statement has recently been updated and is attached for Council's approval.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 5 – Administration (Division 7 - Access to information) 5.97. Freedom of Information Act 1992 not affected (pg 198)

Freedom of Information Act (1992): Part 5 – Publication of information about agencies - . Publication of information statements.

- (1) *An agency (other than a Minister or an exempt agency) has to cause an up to date information statement about the agency to be published in a manner approved by the Minister administering this Act-*
- (a) *Within 12 months after the commencement of the Act; and*
 - (b) *At subsequent intervals of not more than 12 months*

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 – Community Leadership

To Provide Sound Leadership and Strong Representation

3.4 Maintaining a High Standard of Governance

- 3.4.1 Ensure compliance with relevant Statutes and Statutory authorities
A greater than 90% compliance achievement in the annual compliance audit
How funded – Municipal Funds
Responsible Directorate – Whole of Organisation

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council approve the Freedom of Information Statement 2012 in accordance with Part 5 of the Freedom of Information Act 1992.

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9.2.7 CREDITORS FOR PAYMENT

File No: FIN 10-2
Attachments: [schedule of accounts eft.pdf](#)
[schedule of accounts chq.pdf](#)
[schedule of accounts written chq.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Candice Giblett
Expenditure Finance Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

Council endorsement of payment to creditors.

BACKGROUND

As per the attachment list, outlines payments made to creditors since the Council meeting on the 25th May 2012.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT15221-EFT15499	3,598,780.61
	Total	\$3,598,780.61
Cheque Payments	21299-21431	491,937.04
Written Cheque Payments	8-12	49,306.75
	Total	\$541,243.79
	GRAND TOTAL	<u>\$4,140,024.40</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

10,

CANCELLED CHEQUES & EFTS

EFT15463, EFT15479

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 \$4,140.024.40

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT15221-EFT15499	3,598,780.61
	Total	\$3,598,780.61
Cheque Payments	21299-21431	491,937.04
Written Cheque Payments	8-12	49,306.75
	Total	\$541,243.79
	GRAND TOTAL	\$4,140,024.40

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9.3 DIRECTOR TECHNICAL SERVICES

**9.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES COUNCIL
DECISIONS FOR MAY 2012**

Responsible Officer: Mr Rick Miller
Director Technical & Development Services

Author: Mrs 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

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.2 Improve Community Engagement

3.2.1 Encourage community participation in the decision making processes undertaken by the Shire

Continuing role

How funded – Municipal Funds

Responsible Directorate – Executive

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Director Technical and Development Services report for May 2012 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
28 January 2011	9.1.11	PROPOSED TOWN PLANNING SCHEME NO 4 – ADMENDMENT NO 14	MDS-P	With WAPC for Final Approval	On Going
28 January 2011	9.3.3	TRAVEL AND BUSINESS ACCOMMODATION – NEWMAN AIRPORT	MAS	Awaiting response from State Land Office	TBA
16 December 2011	9.3.3	REFINE THE USE OF AIRPORT LAND	MAS	Forwarded to Legal Council for Action	
16 December 2011	9.1.9	PLANNING APPLICATION FOR PROPOSED CLOSURE OF A PORTION OF ROAD RESERVE BOUNDED BY LOTS 1 & 2 AND 1315 NEWMAN DRIVE AND LOT 1316 MACKAY STREET	MDS-P	Forwarded to DRDL for approval – applicant advised	July 2012
16 December 2011	13.2	WELSH DRIVE Cr Doug Stead has asked if Council can revisit the speed zone through Newman from 60kms to 50kms eg: Welsh Drive, due to increased heavy vehicle traffic. Very dangerous as it is a road that children use to cross going to school. Technical Services Administration Officer to follow up.	TSAO	Still Awaiting on Response	July 2012
16 December 2011	13.5	SIGNS – RECONGITION 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 eg: rabbit proof fence. People always stop to read on their travels and Shire of East Pilbara needs recognition for these roads. Technical Services to follow up.	TSAO	MTS-R and CEO	On Going
16 December 2011	13.3	CAPE KERAUDREN Cr Stephen Kiernan said the fencing needs repairing to stop cattle	MBA	To be proposed in the 2012/2013 budget	

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		entering the cape, and if council can put a well down as at the moment it is situated on Pardoo station. Cr Stephen Kiernan also asked if it was possible to put a bag limit for fishing. Eg: baby octopus, fish, crabs and shell fish limit. Executive Services to follow up.			
23 March 2012	13.11	MARBLE BAR TOWN SPLIT WHEN FLOODING CR STEPHEN KIERNAN SAID WHEN THERE IS A SIGNIFICANT AMOUNT OF RAIN, THE TOWN OF MARBLE BAR SPLITS INTO TWO BECAUSE THE CREEK CUTS THE TOWN. THIS CAUSES A PROBLEM WITH LEMC AND HOW TO GET THE RESIDENTS TO SHELTERS. COORDINATOR RANGER AND EMERGENCY SERVICES TO FOLLOW UP.	CRES	This should be addressed through MB LEMC to find/seek suitable solutions and request to SOEP to implement.	On Going
23 March 2012	9.1.10	PROPOSED ROAD CLOSURE OF ROAD BOUND BY LOTS 1, 2 & 1315 NEWMAN DRIVE AND LOT 1346 MACKAY STREET, NEWMAN	MDS-P	Forward to DRDL for approval – applicant advised	July 2012
23 March 2012	9.3.2	DOMESTIC REFUSE COLLECTION NEWMAN, CHANGE OF SERVICE PROVIDER	TASO	Deed still to be signed Discussing Contract with SOEP and TPI	July 2012
27 April 2012	11.3.1	TENDER 09_2011/12 PROVISIONS OF ROAD SWEEPING SERVICES, NEWMAN	DTDS	To be Retendered	
25 May 2012	9.3.4	TENDER 09_2011/12 PROVISIONS OF ROAD SWEEPING SERVICES, NEWMAN			

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
27 April 2012	9.1.7	POWER TO LEASE - RESERVE 44274 & 40409	MDS-P	Forwarded to DRDL for approval	July 2012
27 April 2012	13.5	PARKING WHELSH DRIVE Cr Doug Stead asked if it is possible to get proper car parking across from the Tyre Shop on Welsh Drive as the verge is becoming congested with people parking. Technical Services to review.	MTS-R	Vehicles parked on the verge are as a result of insufficient space being made available by businesses for their clients. Lots appear to be used as storage space for old vehicle/equipment and businesses are using the vacant verge as parking for vehicles to be serviced. Construction of a dedicated parking area will be considered within the 12/13 budget process	On Going
27 April 2012	13.10	TREE PLANTING FOR MAIN ENTRANCE - NULLAGINE Cr Darren Bennetts asked if trees can be planted at the main entrance into Nullagine. Technical Services to follow up.	MTS-R	This area is within the Main Roads Reserve and as such will require approval from Main Roads. Approval and or comment have been requested from Main Roads to plant trees within the road reserve	On Going
25 May 2012	11.2.1	LINFOX REQUEST TO ACQUIRE/LEASE PORTION OF LOT 36 KOONDRA LOCATION (OPPOSITE AIRPORT)	MDS-P	With Solicitor to follow up with RDL	On Going
25 May 2012	11.3.1	EXCISION OF PORTION OF RESERVE 41654 BEING LOT 511 KURRA STREET, NEWMAN	MDS-P	With RDL for actioning and approval	July 2012
25 May 2012	13.3	WELSH DRIVE Cr Shane Carter said from Mia Mia to Klondyke Place the road has double white lines, as BHP have the bus stop and when the	DTDS		

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		bus stops people go over the white line and going into the path of oncoming traffic. Is it possible for the Shire to clarify the legality of crossing the double white lines. Director Technical and Development Services to follow up.			

9.3.2 RFT 12-2011/12 PROVISION OF STREET LITTER, NEWMAN

Responsible Officer: Mr Rick Miller
Director Technical & Development Services

Author: Ms Racquel Langoulant
Technical Services Administration Officer

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

To consider the submission of Tenders for the supply of Litter Control Services within the Newman town site and to award a contract for a period of two years.

BACKGROUND

Council currently contract out this service to Transpacific Cleanaway. They were awarded the contract in 2007 for a value of \$170,716 (ex GST) based on services for 33.5 hours/week at a rate of \$98/hour. The contract expires on 30 June 2012.

The litter control services involves removing all litter, and emptying any public litter bins as required in the following areas:

- (a) Newman Town Centre
- (b) Newman Town Streets
- (c) Newman Pathways
- (d) Boomerang Oval
- (e) Other Sports Ovals / Parks
- (f) Ophthalmia Dam
- (g) Public Litter Bins

Council engaged the WA Local Government Associations Procurement Consultancy Services to carry out the tender process.

The tender was advertised in the Western Australian on Wednesday 2nd May 2012, in the tender section with tenders closing at 3pm on the Thursday 17 May 2012.

Thirteen suppliers registered to receive the tender documents.

One tender submission was received from Transpacific Cleanaway.

COMMENTS/OPTIONS/DISCUSSIONS

Due to continued growth within the Newman Townsite, an increase in hours to control the street litter was considered necessary to meet the communities expected level of service. The individual areas were assessed and this saw a need to increase the weekly hours from 33.5 to 57.5 hours for the current contract. This was mainly in the areas for Newman Streets and the recreation areas (ovals).

A detailed breakdown of the specific requirements covered by the contract is as follows:

(a) Litter Disposal

The Contractor shall dispose of all litter collected to an approved facility.

(b) Newman Town Centre

The Newman Town centre area is comprised of, the Boulevard Shopping Centre complex including car park, The Post Office Mall and taxi rank, Pitstop Deli car park and Kiripirna Park (Rear of Aquatic Centre).

The Contractor shall undertake litter control Services in the Newman Town

Centre including removal of all broken glass and dead bird / animal

carcasses; Removal of any other litter that may be reasonably collected in a manual fashion; Completely empty any litter bins; and conduct a monthly clean out of litter bins.

The frequency of litter control Services in the Town Centre shall be;

Frequency of service: Monday – Saturday.

All litter bins shall be emptied completely.

(c) Newman Town Streets

The Newman Town streets requiring litter control Services include; Forrest Avenue, Fortescue Avenue, Newman Drive, Hilditch Avenue, Mindarra Drive, Kalgan Drive, Welsh Drive and streets in East Newman Streets including Nimingarra Drive, Armstrong Way, Kurrajong Crescent, Nardoo Loop, Kurrawan Way, Turro Place and Corunna Way.

The Contractor shall undertake litter control Services in the Newman Town

Streets as follows; Removal of all broken glass and dead bird / animal carcasses on roadways and verges; Removal of any other litter that may be reasonably collected in a manual fashion.

The frequency of litter control Services in the Town Centre shall be;

Frequency of service: Monday – Friday

(d) Pathways

All current and any future pathways located in the townsite of Newman require litter control Services to be undertaken by the Contractor.

Approximately 20 kilometres of pathways require litter control Services.

The Contractor shall undertake litter control Services in the Newman

Pathways as follows; Removal of all broken glass and dead bird / animal carcasses on the edges and area adjacent to the cycle way network; Removal of any other litter that may be reasonably collected in a manual fashion.

The frequency of litter control Services in the Town Centre shall be;

Frequency of service: Weekly Basis

Pathways are located on Kalgan Drive, Newman Drive, Welsh Drive and Whaleback Drive.

(e) Boomerang Oval

Litter control Services at Boomerang Oval requires Contractors to remove all litter including but not limited to, broken glass and dead bird / animal carcasses. All litter bins on fence line must be emptied and carry out a monthly clean out.

The frequency of litter control Services at Boomerang Oval shall be;

Frequency of service: Monday – Friday

All litter bins shall be emptied completely.

(f) Capricorn Sporting Complex

Litter control Services at Capricorn Sporting Complex requires Contractors to remove all litter including but not limited to, broken glass and dead bird / animal carcasses. All litter bins surrounding the sporting fields and courts must be emptied and carry out a monthly clean out.

The frequency of litter control Services at the Capricorn Sporting Complex shall be;

Frequency of service: Monday – Saturday

All litter bins shall be emptied completely.

(g) Newman Town Parks

The Newman Town parks streets requiring litter control Services include, Hilditch Avenue Park, Wilara Street Park, Ethel Creek Park, Forrest Avenue Park, Boorthanna Park, Nardoo Loop Park, Miners Promise Reserve, Skate Park, and Daniels Drive greenspace.

The Contractor shall undertake litter control Services in the Newman Town Parks as follows;

Removal of all broken glass and dead bird / animal carcasses; Removal of any other litter that may be reasonably collected in a manual fashion, and conduct a monthly clean out of litter bins.

The frequency of litter control Services at the Newman Town Parks shall be;

Frequency of service: Monday – Saturday

All litter bins shall be emptied completely.

(h) Ophthalmia Dam and Town Cemetery

Litter control Services are required at the picnic area of Ophthalmia Dam and the Town Cemetery.

These Services shall include but not limited to; Removal of all broken glass and dead bird / animal carcasses; Removal of any other litter that may be reasonably collected in a manual fashion, and conduct a monthly clean out of litter bins.

The frequency of litter control Services at the Ophthalmia Dam and the Town

Cemetery shall be;

Hours of Service Per Week: 2 Hours

All litter bins shall be emptied completely.

(i) Various Litter Bins

Various litter bins located throughout the Neman Townsite are required to be emptied including Radio Hill Lookout, Recreation Centre, Shire Office, St.

John Ambulance, Tourist Centre, Tourist Information Bay, and Trotman

Avenue walk way. A monthly cleanout of bins is required. All litter bins must be emptied completely.

The Contractor shall report to the Principal any litter bin repairs or replacements required when conducting the Requirements of this part.

The frequency of litter control Services for various litter bins shall be;

Frequency of service: Weekly

The specific areas as listed above, does demonstrate the additional workload and hours that is required to maintain the areas to community expectations. The original contract was awarded in 2007 at a rate of \$98.00(ex GST)/hour. The new tender offers the above services at a new rate of \$107.50(ex GST)/hour which represents an increase of about 10% over 4 years which covers CPI over this period.

Transpacific have submitted a tender price of \$321,425 (ex GST) per annum to supply the specified services. Given this and that any additional directed works will be at the same rate of \$107.50, officers will be recommending to accept the tender based on the specified hours and supplied rates.

Below is summary of the WALGA recommendation report. The company scored well except in the demonstrated experience and capacity but upon further investigation shire officers determined that this was more the way of WALGA specific scoring rather than an actual reflection on the tenderer. Shire Officers will discuss changes to this section for future tenders to clarify what needs to be submitted.

WALGA recommendation report provides the following information:

Description	Weighting	Transpacific Cleanaway
Demonstrated Experience and Capacity	25%	6.88% (27.50)
Key Personnel and Subcontractors	30%	16.00% (53.33)
Plant and Equipment	30%	16.50% (55.00)
Local employ	15%	12.00% (80.00)
	TOTAL	51.38%

The WALGA evaluation Panel recommends the appointment of Transpacific Cleanaway PTY Ltd, ABN79 000 164 938 to conduct the litter control services for the Shire of East Pilbara.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

FINANCIAL IMPLICATIONS

The 2012/13 shire budget will need to include an allocation to cover the annual cost of the contract. Current annual cost is approximately \$160,000 on Account No# 101040.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council award RFT 12-2011/12 Provision of Street litter Services to Transpacific Cleanaway at the tendered price of \$321,425 (Ex GST) per annum for a period of two years, beginning 1 July 2012, until 30 June 2014.

**9.3.3 CONSIDERATION OF ADDITIONAL AGENCY SUBMISSIONS - TOWN
PLANNING SCHEME NO. 4 AMENDMENT 14**

File No: PLN-2-2-14
Attachments: [A14 Submissions.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 further consideration is required for two (2) additional agency responses relating to the rezoning of the Newman Town Centre area.

BACKGROUND

Council at its meeting of 26 August 2011 resolved as follows:

THAT Council

- 1. In pursuance to section 75 of the Planning and Development Act 2005 (as amended) and regulation 25 of the Town Planning Regulations 1967 (as amended) amend the Shire of East Pilbara Town Planning Scheme No 4 by adopting Town Planning Scheme Amendment No 14 and amend the Shire of East Pilbara Town Planning Scheme No 4 by rezoning land within the Newman Town Centre Revitalisation area, loosely bound by Newman Drive, Hilditch Drive and Mindarra Drive to 'Town Centre', in accordance with the provisions outlined in the Shire of East Pilbara's Local Planning Policy No. 5, as detailed on the attached plan.*
- 2. Amend the Scheme Map and Legend accordingly.*
- 3. To forward a copy of the sealed amendment documents to the Western Australian Planning Commission for final approval*

For reasons unknown, this was not conveyed to the Western Australian Planning Commission (WAPC) until such time that the new permanent Planner was employed and discovered such discrepancy. Additionally, it was noted that there was insufficient agency consultation undertaken as noted by the Shire Planner and WAPC. It was then agreed that WAPC would request the additional agency referrals which has now been completed and as such, requires Council's consideration of such comments.

COMMENTS/OPTIONS/DISCUSSIONS

WAPC requested further comments from both Water Corporation and Department of Sport and Recreation. The following table indicates the comments made by such agencies and appropriate responses to such comments.

Agency	Comment	Response
Water Corporation	<ol style="list-style-type: none"> 1. No objections to the proposal; 2. There are various owners and operators of infrastructure and headwork's in Newman therefore requiring a coordinated approach to planning for the future of such infrastructure and service sources; 3. Water supply capability review was undertaken in 2011 which concluded that some assets are constrained to meet future demands and forward planning needs to be undertaken to address such issues; 4. Previous ownership of water assets has meant anomalies in service provision and protection. Land tenures and service realignments would need to be detailed and undertaken during subdivision stages. 	<ol style="list-style-type: none"> 1. Noted; 2. Noted. As Council operates the Waste Water Treatment Plant it would engage with other agencies and service providers when planning for the future expansion of Newman with particular regards to population numbers. As it stands, the current Plant can meet the demands and more of the planned Town Centre; 3. As per comment above, Council's treatment plant has been designed for future growth demands. It will however play an important planning role when planning for future population demands. 4. The development of the Newman Town centre will include the realignment of services into the road reserves to meet general codes and practices.
Sport and Recreation	<ol style="list-style-type: none"> 1. Reluctant to support rezoning of recreations reserves to Town Centre; 2. Anticipates there will be improved facilities realised through the Newman Revitalisation project and therefore sees such as a benefit to the community as a whole; 3. Information provided by the Shire indicates that long term plans are in place for the protection and provision of recreational spaces for the expected population growth; 4. Sport and Recreation offers it support but encourages the Shire to enhance the pedestrian experience and provide quality green spaces. 	<ol style="list-style-type: none"> 1. Noted. However, the redevelopment of Boomerang oval currently taking place will result in a more useable and attractive high quality open space. 2. Noted and agreed. The revitalisation project will generate better use of the town centre and open space is very much included in the plan; 3. The Shire has previously prepare the Capricorn Sporting Complex Masterplan which has been designed to meet the future demands of the town in a centralised location; 4. Noted. The Town Centre project improves walkability and enjoyment of open spaces through the provision of landscape design.

As indicated in the above table, both agencies are supportive of the proposed rezoning in order to facilitate the Newman Revitalisation Plan which is adopted by Council as a Local Planning Policy. Additionally, it has been endorsed by both the Department of Regional Development and Lands and Department of Planning incorporating WAPC. It is therefore recommended that Council accept the comments received and responses offered and advise WAPC accordingly to further progress the assessment of such Scheme Amendment.

Full copies of each submission are attached for reference.

STATUTORY IMPLICATIONS/REQUIREMENTS

Acceptance of agency comments is a requirement of the Town Planning Regulations 1967.

POLICY IMPLICATIONS

Newman Revitalisation Plan

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

- 1.6.3 Work with State Government Agencies and potential developers to ensure diversity and affordability in built product
Ongoing – Lobbying/Advocacy role
Responsible Directorate – Executive and Development and Regulatory Services

- 1.6.2 Work with State Government Agencies and potential developers to ensure availability, diversity and affordability of land
Ongoing – Lobbying/Advocacy role
How funded – Municipal Funds
Responsible Directorate – Executive and Development and Regulatory Services

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Accepts the comments received from Water Corporation and Department of Sport and Recreation in addition to those responses provided for in the Council report;**
- 2. Advises the Western Australian Planning Commission accordingly and provides a copy of Council's report and requests that the Western Australian Planning Commission further progresses final approval of proposed Town Planning Scheme Amendment No. 14 as given final adoption by Council on 26 August 2011.**

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**9.3.4 PROPOSED GROUPED DWELLING - LOT 793 BOORTHANNA
CRESCENT, NEWMAN**

File No: A400650
Attachments: [Lot 793 Boorthanna.pdf](#)
Responsible Officer: Mr Rick Miller
Director Technical & Development
Author: Mr Adam Majid
Manager Development Services - Planning
Location/Address: 11 Boorthanna Crescent, Newman
Name of Applicant: McGrath Homes
Author Disclosure of Interest: Nil

REPORT PURPOSE

Council's consideration is required for a proposed grouped dwelling development outside of the Interim Residential Development Policy area.

BACKGROUND

An application has been received which proposes the development of one (1) additional dwelling on the subject lot. The existing dwelling is to be retained therefore resulting in a total of two (2) grouped dwellings. The subject lot has an area of 731m² and is zoned Residential with a Residential Density Coding of R-15/40.

COMMENTS/OPTIONS/DISCUSSIONS

The proposal is located outside of the Interim Residential Development Policy area which stipulates certain areas of the Residential zoned land within the Newman Townsite which can be developed to the higher R40 density coding. It is noted that Council has previously approved such developments outside of the Policy area. However, it is still a requirement that developments outside of the Policy area achieve the objectives of the Policy to ensure that development is consistent throughout Newman.

Where approval is sought for development above the base R15 coding, the proposal must respond to the following Policy objectives:

- Enhancement of the existing streetscape;
- A high quality of built form;
- Passive surveillance of the public realm (both streets and open space); and
- Integration of development at the higher density code with adjoining development at the base density code.

In relation to the proposed development and after assessment of the submitted plans, it is deemed that the proposal is consistent with the Policy and achieves the above mentioned objectives. The proposal is consistent with the Residential Design Codes with regards to acceptable development.

In conjunction with an application for a Building Permit, the applicant will need to provide further information relating to landscaping, vehicle crossovers and the proposed colours and textures of the proposed new dwelling. It is suggested that these issues be stipulated by way of conditions imposed on the development.

Given the proposal generally complies with the Residential Design Codes and Residential Development Policy, in addition to the fact that previous applications have been approved for similar developments on the subject street, it is recommended that the application be given conditional approval.

STATUTORY IMPLICATIONS/REQUIREMENTS

The applicant/owner will have a right of review to the State Administrative Tribunal should they feel aggrieved by Council's decision.

POLICY IMPLICATIONS

Interim Residential Development Policy.

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.6 Planning for Land

1.6.3 Work with State Government Agencies and potential developers to ensure diversity and affordability in built product
Ongoing – Lobbying/Advocacy role
Responsible Directorate – Executive and Development and Regulatory Services

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council approves the proposed Grouped Dwelling development at Lot 793 Boorthanna Crescent, Newman subject to the following conditions:

- 1. Development shall be in accordance with the approved plans unless conditioned otherwise;**
- 2. The dwelling to be retained on site shall be brought up to an acceptable external appearance and standard similar to the proposed new dwelling and/or to the satisfaction of the Manager Development Services – Planning;**
- 3. Prior to the commencement of the development, details of the proposed colours and textures of the dwelling(s) shall be submitted and approved by the Manager Development Services – Planning;**
- 4. Each dwelling shall be provided with a vehicular crossover and such crossover being constructed in accordance with Council's crossover policy and to the satisfaction of the Shire of East Pilbara. All portions of crossover's within the road reserve shall not have an aggregate width of more than nine (9) metres;**
- 5. The applicant shall submit prior to or in conjunction with the Building Permit application a Landscaping Plan for the internal areas of the subject property in addition to the road verge in accordance with Council's policy relating to "Development of Road Verges in Residential Areas", and such plan being approved by the Manager Development Services – Planning. The landscaping for both the internal and verge areas proposed in such Landscaping Plan shall be fully installed and completed prior to occupancy and satisfactorily maintained thereafter;**
- 6. Fencing on the front boundary shall not be installed and any fencing forward of the building line on either side boundary shall be reduced to 750mm in height.**

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**9.3.5 PROPOSED CLOSURE OF PORTION OF MOONDOOROW STREET ROAD
RESERVE ADJOINING LOTS 1326 & 1322, NEWMAN**

File No: A408940
Attachments: [Moondoorow Road Closure.pdf](#)
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Adam Majid
Manager Development Services - Planning
Location/Address: Moondoorow Street, Newman
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

Council's consideration is required for the proposed closure of a portion of Moondoorow Street road reserve adjoining lots 1326 and 1322 Moondoorow Street, Newman.

BACKGROUND

Currently there is a proposal requested by the Shire being investigated by State Land Services for the purposes of amalgamating a portion of lot 1322 Hilditch Avenue (Youth Centre) into lot 1326 (Reserve 38706) to facilitate the future construction of additional community housing for Newman. Part of this proposal also includes the amalgamation of the portion of the subject road reserve to be incorporated into the proposed community housing lot which will give additional area allowing for the higher yield of dwellings.

COMMENTS/OPTIONS/DISCUSSIONS

Lot 1326 (Reserve 38706) was originally used for the purposes of a Child Health Centre, however, this particular use is no longer required at this site resulting in the land to be available for alternative purposes. The Shire has since requested that the purpose of the Reserve be changed to allow Community Housing which was approved. The Shire is now in a position to proceed with the subdivision(s) to create the larger lots to accommodate such proposed community housing.

The subject portion of road reserve is currently used as a car park. The proposed closure is not perceived to alter the parking arrangements of the existing Youth Centre at lot 1322 as there will still be a significant portion remaining for use as parking.

As the proposal is for the facilitation of new community housing for the betterment of the community, it is recommended that Council support such closure and undertake the relevant requirements as required by Section 58 of the Land Administration Act 1997.

STATUTORY IMPLICATIONS/REQUIREMENTS

Land Administration Act 1997 – Section 58

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.6 Planning for Land

1.6.2 Work with State Government Agencies and potential developers to ensure availability, diversity and affordability of land
Ongoing – Lobbying/Advocacy role
How funded – Municipal Funds
Responsible Directorate – Executive and Development and Regulatory Services

1.6.3 Work with State Government Agencies and potential developers to ensure diversity and affordability in built product
Ongoing – Lobbying/Advocacy role
Responsible Directorate – Executive and Development and Regulatory Services

FINANCIAL IMPLICATIONS

No financial resource impact.

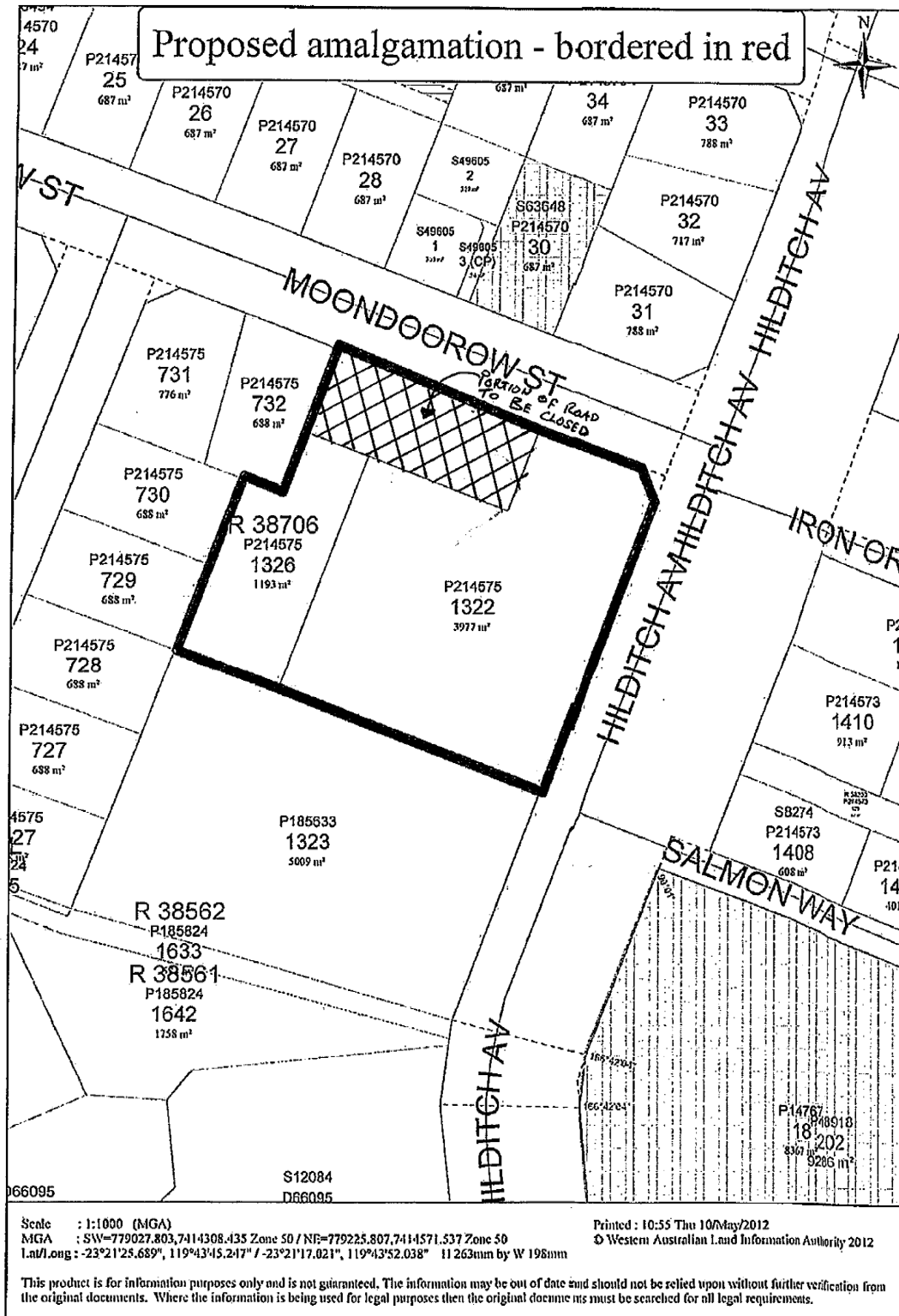
VOTING REQUIREMENTS

Simple

OFFICER'S RECOMMENDATION

THAT Council resolves to:

- 1. Initiate the closure of the portion of the Moondoorow Street road reserve adjoining lots 1322 and 1326 Moondoorow Street, Newman in accordance with Section 58 of the Land Administration Act 1997;**
- 2. Cause the proposed closure to be advertised in a newspaper circulating within the district inviting public comment for a designated period of time being not less than 35 days in accordance with Section 58 of the Land Administration Act 1997; and**
- 3. Notify service authorities and/or their agents of the proposed closure and invite comments from such authorities/agents accordingly.**



- 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**
27th July 2012
- 15 CLOSURE**