



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, 24 APRIL, 2015.

Allen Cooper
CHIEF EXECUTIVE OFFICER

THE HEART
OF THE
PILBARA



DISCLAIMER

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

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

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

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

WRITTEN CONFIRMATION

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

Signed: _____
Allen Cooper
Chief Executive Officer

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Lynne Craigie
Lang Coppin OAM
Anita Grace
Shane Carter
Gerry Parsons
Kevin Danks
Dean Hatwell
Biddy Schill
Stephen Kiernan

Shire President
Deputy Shire President

Officers

Mr Allen Cooper
Ms Sian Appleton
Mr Rick Miller

Mrs Sheryl Pobrica

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

Public Gallery

2.2 APOLOGIES

Councillor Apologies

Craig Hoyer

Officer Apologies

Nil

2.3 LEAVE OF ABSENCE

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

5.1 PILBARA REGIONAL YOUTH SERVICES

Mr Ray Wiley, General Manager, Pilbara Regional Youth Services, Department of Corrective Services will providing Council and update on the services.

5.2 HILDITCH (OLD) SHOPPING CENTRE

Mr Ron Cooper will be providing a presentation regarding Hilditch Shopping Centre.

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

[Minutes March 06 2015 Council.docx](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of Council held on 6 March 2015, be confirmed as a true and correct record of proceedings with the follow amendment.

OCM06032015 Item 11.2.1 Airport Aviation Fees and Charges – Overall Review, the draft copy was accidentally inserted into the minutes, and requires to be deleted and the correct report that submitted to Council on the 6th March 2015 to be inserted.

~~DELETE the draft report as below that was incorrectly inserted in the council minutes 6th march 2015~~

~~11.2.1 AIRPORT AVIATION FEES AND CHARGES – OVERALL REVIEW~~

~~File Ref: FIN-23-10
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Leon Burger
Manager Airport Services

Proposed Meeting Date: 6 March 2015
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil~~

~~REPORT PURPOSE~~

~~To seek Council's approval for the review of airport Aviation Fees and Charges (A-F&C) for implementation from 1 July 2015.~~

~~BACKGROUND~~

~~The A-F&C approved for FY2009/10 for the use of Newman Airport has remained unchanged to the present, with the exception of combining the scheduled services Landing and Terminal Co-user Fees effective 26 October 2012 (COUNCIL RESOLUTION: 201213/205).~~

~~Even this rationalisation of the two fees did not constitute any increase in costs to the airlines.~~

~~The logic behind keeping A-F&C constant for a period of five years was to provide both airlines and the shire with a stable operating cost and income base upon which business plans can be developed. However, this period has now expired and in the interest of sound financial and business practices it is necessary to review these F&C.~~

~~The logic behind the policies applicable to specific A-F&C will require review in terms of their current applicability and industry norms.~~

~~DISCUSSION~~

~~FY 2014-15 A-F&C~~

~~The following A-F&C are current for Newman Airport (GST Inc).~~

Function 12 – Transport FY2014-15	-	-
Aerodromes	-	-

Landing Fees	-	-
All landing aircraft 10,000kg MTOW and above	20.65	Per 1,000 Kg Pro-Rata
All landing aircraft 5,000 – 10,000kg MTOW	14.14	Per 1,000 Kg Pro-Rata
All landing aircraft up to 5,000kg MTOW	10.99	Per 1,000 Kg Pro-Rata
Aircraft exempted from Landing Fees	Free	As Approved By The CEO
Set Fee per RPT Landing	453.20	Includes all scheduled flights
Minimum monthly charge per invoice	11.00	-
-	-	-
Apron Parking Fees	-	-
All aircraft up to 5,000kg MTOW	8.56	Per date or part thereof
All aircraft > 5,000kg MTOW	2.44	Per 1,000 kg Pro-Rata, Per Date or part thereof
-	-	-
Passenger Service Charge	-	-
Departing	21.02	Per passenger
Arriving	21.02	Per passenger
Children Under 12 years of age	Free	-
Transit Passengers	Free	-
-	-	-
Screening Fees	-	-
Departing Passengers Over 2 years of age	9.23	All RPT Flights to be screened. All Non-RPT flights of MTOW>20,000 kgs to be screened

Price Index Comparisons

According to the latest Department of Statistics data the Average Perth CPI from September 2009 until September 2014 has been 2.7%/annum. This equates to a compound price index rise over this five-year period of 14.25%.

In a document released by the Department of Regional Development and Lands – Regional Price Index 2011 – the All Groups Price index for the Pilbara as compared to Perth is 137.1%, and for Newman specific 137.9%. Some significant indicators for Newman that directly affects our Business Plans are the Transport index of 114.8%, and Insurance at 392.4%.

The above document does not address the costs of services such as maintenance, materials and construction. However, in the WA State Aviation Strategy released by the Department of Transport in 2014, it acknowledges that both CAPEX and OPEX costs of maintaining and expanding airport infrastructure in Regional WA is as high as 250-300% of that in capital cities. Whereas this is not expected to change significantly over the next few years for regional airport operators, airlines have been capitalising on the significant changes in the AUD/US\$ exchange rates and lower fuel prices.

It therefore stands to reason that an overall review of A-F&C is required to ensure that future financial demands can be met in terms of airport Operational, Asset Management and supporting Business Plans. Where specific policies apply to individual F&C they should be addressed individually, while a percentage fee increase to all F&C should be implemented.

In view of the fact that no F&C increases have been implemented for the past six years, a general increase of 5% applicable to all A-F&C is considered to be

reasonable. It will furthermore be prudent in future to adjust airport F&C annually by at least the current Perth CPI, including other external factors impacting on the Business Plans.

Set Fee per Scheduled Landing

Until 2010 the largest aircraft to be operated into Newman were the QantasLink B717 and F100 aircraft at 50 tonnes and 44 tonnes respective MTOW (Maximum Take-off Weight), and the Virgin operated E190 aircraft at 48 tonnes. However, in 2009 this airport was only serviced by F100 aircraft. Calculated at the per-tonnage rate, the landing fee for such an aircraft should therefore be \$ 1032.50 (GST Incl). When compared to the fixed RPT Landing Fees in 2009 of \$ 412.00, this equates to 45.35% of the per-tonnage fee, or a fee discounted at 54.65%.

With the introduction of larger B738 aircraft in March 2011, and the A320 in September 2012, the per-tonnage comparison against the applicable set fees changed considerably. The comparison is against the set RPT fee FY2009/10 of \$ 374.55 + \$ 37.45 GST = \$ 412.00 (GST Incl).

<u>Aircraft</u>	<u>MTOW</u>	<u>Rate/t</u>	<u>Normal Fee</u>	<u>Set RPT Rate</u>	<u>Discounted Rate</u>
B738	77t	20.65	\$ 1,589.82	\$ 412.00	74.09%
A320	78t	20.65	\$ 1,610.70	\$ 412.00	74.42%

Post September 2012 the terminal co-user fees were rolled into the set RPT Landing Fees. Even when compared to that apparent increase in landing fees, the percentages do not change significantly (GST Incl).

<u>Aircraft</u>	<u>MTOW</u>	<u>Rate/t</u>	<u>Normal Fee</u>	<u>Set RPT Rate</u>	<u>Discounted Rate</u>
B738	77t	20.65	\$ 1,589.82	\$ 453.20.00	71.49%
A320	78t	20.65	\$ 1,610.70	\$ 453.20.00	71.86%

Due to the restrictions of having only three RPT (Regular Public Transport) parking bays, the introduction of larger capacity aircraft, coupled to the introduction of a slot system in July 2012, partially solved apron congestion resulting from the abnormal increases in both aircraft movements and passenger numbers between FYE 2010 and FYE 2013. The increased revenue from these streams somewhat offset the fact that no adjustments to A-F&C were implemented.

However, the increases in aircraft MTOW have had a significant impact on the airport infrastructure, especially the runways, taxiways and RPT Apron. Since January 2012 in excess of AUD10M has been spent on improving, upgrading and maintaining the operational infrastructure.

The historic rationale to apply a fixed RPT Landing Fee of about a 50% discount rate is understandable when only aircraft of 40-50t MTOW serviced Newman. However, the introduction of the heavier aircraft, their effect on the manoeuvre surfaces and the effective discount rate of 74% can no longer be accommodated. It should also be

noted that other regional airports within the Pilbara do not offer a reduced rate to scheduled operators.

Due to the significant differences between the various aircraft MTOW, a single figure will not be appropriate. It would be simpler and more applicable to apply a reduced per tonnage rate to scheduled flights that will still provide airlines with some benefits, but also close the discount gap that has developed. A standard 40% reduction in the per-tonnage rate, coupled to the abolishment of the Terminal Co-user fee, will provide such a state and will be easy to administer through AvData.

Even at the discount rate of 40%, a net increase in income of 50% can be expected.

SCHEDULED LANDING FEES COMPARISON (GST Incl)

Aircraft Type	Jul-14	Set RPT Fee/Landing	Income	Jul-15	MTOW - Tonnes	Fee/t	Fee/Landing	Income @ Normal Rates	Airlines Discounted @ 40%
-	-	-	-	-	-	-	-	-	-
F100	1	\$453.20	\$453.20	6	44	\$19.7	\$867.24	\$5,203.44	\$3,122.06
B717	8	\$453.20	\$3,625.60	14	50	\$19.7	\$985.50	\$13,797.00	\$8,278.20
E190	4	\$453.20	\$1,812.80	3	48	\$19.7	\$946.08	\$2,838.24	\$1,702.94
B737	35	\$453.20	\$15,862.00	24	77	\$19.7	\$1,517.67	\$36,424.08	\$21,854.45
A320	4	\$453.20	\$1,812.80	0	78	\$19.7	\$1,537.38	\$0.00	\$0.00
Charters	-	-	-	1	44	\$19.7	\$867.24	\$867.24	\$520.34
-	-	-	-	-	-	-	-	-	-
TOTAL/Week	52	-	\$23,566.40	48	-	-	-	\$59,130.00	\$35,478.00
-	-	-	-	-	-	-	-	-	-
Annualized	-	-	\$1,225,452.80	-	-	-	-	\$3,074,760.00	\$1,844,856.00
-	-	-	-	-	-	-	-	-	-
-	-	-	-	Increase Income – Landing Fees				\$619,403.20	50.54%
-	-	-	-	-	-	-	-	-	-

Passenger Service Charge (PSC)

The Passenger Service Charges revenue stream constitutes the bulk of the aviation income stream. It applies to all arriving and departing passengers, with the exception of transit passengers and children below the age of 12. The exception of transit passengers are an industry norm, and at Newman applies primarily to passengers disembarking during technical stops, where Newman is not their initial point of departure or final destination by air.

However, the industry norm is for all passengers above the age of 2 years of age to be charged PSC, or a discounted rate for passenger between 2 and 12 years of 50%. The shire's approved screening F&C applies to all departing passengers above the age of 2 years.

It will therefore be in line with the industry norm and screening F&C to reduce the age for PSC from 12 to 2 years of age.

Excluding Screening Fees which are budget neutral, PSC constitutes 89.15% of current A-F&C. Excluding the interest on reserves, A-F&C constitutes 90.24% of overall airport income (FY2014/15 budget). Based on the passenger numbers forecast for FY2014/15 of 420,000 passengers as compared to actual numbers, a reduction of 8.76% is currently forecasted. In terms of loss of income this equates to \$703,248. As there is no evidence to date that the decline in passenger numbers will stabilise or recover, the trend is expected to continue.

The introduction of a 5% increase to these fees (as discussed above) will recover some of the lost revenue due to the decline in passenger numbers.

The five-year forecast below is a comparison to the forecast Aviation Income for FY2014/15, and based on the following assumptions:

- No increase per annum in aircraft movements or passengers numbers for the first three years, and thereafter a 3%/annum increase.
- An annual adjustment of A-F&C of a Perth CPI of 2.5%.
- Screening fees are adjusted annually by the CPI as per the services agreement.

	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
-	-	0.00%	0.00%	0.00%	3.00%	3.00%
Aircraft Movements	3,000	2,704	2,704	2,704	2,785	2,869
Passenger Numbers	385,000	385,000	385,000	385,000	396,550	408,447
-	-	0%	0%	0%	3%	3%
-	-	-	-	-	-	-
Passenger Service Fees	\$8,092,700	\$8,496,950	\$8,709,374	\$8,709,374	\$8,970,655	\$9,239,775
Landing Fees - RPT Aircraft	\$1,225,453	\$3,047,408	\$3,123,593	\$3,123,593	\$3,217,301	\$3,313,820
Landing & Parking Fees - GA	\$54,000	\$54,000	\$55,350	\$56,734	\$58,152	\$59,606
Screening	\$1,757,600	\$1,757,600	\$1,801,540	\$1,846,579	\$1,892,743	\$1,940,062
Aviation F&C	\$11,129,753	\$13,355,958	\$13,689,857	\$13,736,279	\$14,138,851	\$14,553,262

The introduction of a 5% increase to these fees (as discussed above) will recover some of the lost revenue due to the decline in passenger numbers.

Screening Fees

Screening Fees were approved by Council on 31 January 2014 (**RESOLUTION: 201314/211**).

Comparative screening costs based on these factors are:

FY 2014/15		FY 2015/16	
Operating, equipment & site lease costs	\$ 301,651.42	Operating, equipment & site lease costs	\$ 308,596.91
Total Staffing Contract Costs	\$ 1,687,379.15	Total Staffing Contract Costs	\$ 1,448,987.30
Total Recoverable Security Screening Costs	\$ 1,989,030.57	Total Recoverable Security Screening Costs	\$ 1,757,584.21
Annual Departing passengers	237,000	Annual Departing passengers	192,500
Total Annualised passenger charge (Excl)	\$ 8.39	Total Annualised passenger charge (Excl)	\$ 9.13
GST	0.84	GST	.91
Total Annualised passenger charge (GST Incl)	\$ 9.23	Total Annualised passenger charge (GST Incl)	\$ 10.04

Whereas Total Recoverable Screening Costs have decreased by 14.1%, the outgoing passenger numbers have decreased by 18.78%. The latter is therefore the primary driver of the overall increase of 8.78% in the cost per passenger for screening services at Newman.

New Route Incentive

In April 2012 Council approved the New Route Incentive: **RESOLUTION: 201112/268**

In the interest of still attracting new routes into/out of Newman, this concession should be maintained. The variation being the change of age limit of passengers to which PSC applies.

Resident Air Services Operators

Five different companies (mainly within the General Aviation category) currently use Newman Airport as base of operations. These companies are charged at the standard A-F&C rates.

Across the industry it is standard practice to provide resident operators with concessionary rates, mainly due to their frequency of use. Different models can be devised and implemented, but the most commonly used are flat monthly/annual rates — irrespective of the number of landings — vs a percentage concession against standard rates.

The first option is dependent on an operator having a finite and definable fleet of aircraft. In the second option a discount rate is simply applied to an account issued against standard rates to the specific operator — irrespective of which company aircraft is involved.

At Newman Airport only one operator actually has a defined number of aircraft. Others often exchange aircraft from other basis, or fly aircraft in as required for maintenance. This category of operators is difficult to monitor, and will therefore not be practical within Option One.

~~In adopting Option Two, AvData can be instructed to apply a discount rate to their invoices. An applicable discount rate should be similar to that offered to scheduled service; 40%.~~

~~Airside Escorting~~

~~Airside vehicle access is regulated through the Office of Transport Security (OTS) regulations and the Newman Airport Transport Security Plan (TSP). An Authority to Drive Airside (ADA) is issued to drivers and vehicles that qualify in terms of these regulations and plans. These are generally limited to:~~

- ~~• Operators that have the requirement to drive airside in the execution of their daily duties, and are in possession of a valid security clearance card.~~
- ~~• Identified vehicles that are to be used during such tasks.~~

~~Examples of operators/vehicles that qualify for ADAs are (but not limited to):~~

- ~~• Airport management staff and vehicles.~~
- ~~• NWS staff and vehicles.~~
- ~~• Resident air operators staff and vehicles; limited to demonstrated requirements.~~

~~However, it regularly occurs that visiting aircraft (General Aviation) require baggage and freight to be transported airside by vehicle. In such an event an Aerodrome Reporting Officer (ARO) has to escort such a vehicle airside. During normal operating hours such a duty requires an ARO to be diverted from his/her daily duties to perform escort duties. However, after hours it requires a call-out of the duty ARO for escort duties.~~

~~Duty AROs are compensated for afterhour's works at the shire approved overtime rates. If escort services are required it therefore has a direct financial implication to this shire; whether during or outside normal working hours. As such services are not generally required by the majority of visiting aircraft, it cannot be categorised as being covered by other A-F&C such as landing and parking fees. It is customer specific.~~

~~Other airports within the Pilbara do charge airside escort fees. The shire has no historic fees within this category. However, under Function 14 – Private Works, an hourly labour rate of \$ 75.90 + \$ 7.59 GST = \$83.59 has been adopted.~~

~~Adopting a similar rate rounded up to \$81.82 + \$8.18 GST = \$90.00 per hour, billed at a minimum first 30 minutes and thereafter at 15 minute increments, will enable the shire to recover the costs associated with airside escort duties.~~

~~Notice to Airlines~~

~~**Resolution 201314/211** regarding Screening F&C also states that these F&C will be reviewed by the shire in February of each year for implementation from the start of a new FY. In order for airlines to incorporate any A-F&C changes into their ticketing~~

price structures, they require a 90 day notification of such changes. If changes in Screening F&C are to be incorporated into ticket pricings, then it stands to reason that any other A-F&C changes should be done likewise.

In order to meet this timeline it is therefore vital that the proposed changes to A-F&C be approved by Council ahead of the standard F&C and budget approvals processes based on:

6 March 2015 Council adopt A-F&C for FY 2015/16

31 March 2015 FY 2015/16 A-F&C distributed to airlines and published on website

April – June 2015 90-day window for airlines to adjust ticket pricing.

CONCLUSION

Restructuring Newman Airport Aviation Fees and Charges based on the above therefore results in (GST Inc):

Function 12 – Transport FY2015-16	-	-
Aerodromes	-	-
Landing Fees	-	-
All landing aircraft 10,000kg MTOW and above	21.68	Per 1,000 Kg Pro-Rata
All landing aircraft 5,000 – 10,000kg MTOW	14.85	Per 1,000 Kg Pro-Rata
All landing aircraft up to 5,000kg MTOW	11.54	Per 1,000 Kg Pro-Rata
Aircraft exempted from Landing Fees	Free	As Approved By The CEO
Scheduled Services	60%	Of the per tonnage rate
Resident Operators	60%	Of the per tonnage rate
New Route Concession		Full landing/parking fees applicable
Minimum monthly charge per invoice	11.00	-
-	-	-
Apron Parking Fees	-	-
All aircraft up to 5,000kg MTOW	8.99	Per date or part thereof
All aircraft > 5,000kg MTOW	2.56	Per 1,000 kg Pro-Rata, Per Date or part thereof
Scheduled Services	60%	Of the per tonnage rate
Resident Operators	60%	Of the per tonnage rate
Airside Escort Duties	90.00	Per hour: minimum charge 30 minutes with 15 minute increments
-	-	-
Passenger Service Charge	-	-
Departing	22.07	Per passenger
Arriving	22.07	Per passenger
New Route Concession	11.00	Per passenger
Children Under 2 years of age	Free	-
Transit Passengers	Free	-
-	-	-
Screening Fees	-	-
Departing Passengers Over 2 years of age	10.04	All RPT Flights to be screened. All Non-RPT flights of MTOW>20,000 kgs to be screened

By comparison with a neighbouring airport within the Pilbara, and assuming a 70 t MTOW aircraft with a 160 seat capacity and 100% load factor, the figures would be:

	Newman (FY15/16)	Karratha (FY 14/15)
Landing	\$ 910.56	\$ 2,884.00
Parking	\$ 179.20	\$ 189.00
PSC	\$ 7,062.40	\$ 5,001.60
Screening	\$ 1,606.40	\$ 1,849.60
Totals:	\$ 9,758.56	\$ 9,924.20

POLICY IMPLICATIONS

3.4 BUDGET AMENDMENTS

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.2 Asset Management

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/187

MOVED: Cr Shane Carter

SECONDED: Cr Anita Grace

That Council:

- * Approves the reviewed and amendments to Newman Airport Aviation Fees and Charges for implementation effective 01 July 2015 as set out below.**

Function 12 – Transport FY2015-16	-	-
Aerodromes	-	-
Landing Fees	-	-
All landing aircraft 10,000kg MTOW and above	21.68	Per 1,000 Kg Pro-Rata
All landing aircraft 5,000 - 10,000kg MTOW	14.85	Per 1,000 Kg Pro-Rata
All landing aircraft up to 5,000kg MTOW	11.54	Per 1,000 Kg Pro-Rata
Aircraft exempted from Landing Fees	Free	As Approved By The CEO
Scheduled Services	60%	Of the per tonnage rate
Resident Operators	60%	Of the per tonnage rate

New Route Concession		Full landing/parking fees applicable
Minimum monthly charge per invoice	11.00	-
-	-	-
Apron Parking Fees	-	-
All aircraft up to 5,000kg MTOW	8.99	Per date or part thereof
All aircraft > 5,000kg MTOW	2.56	Per 1,000 kg Pro-Rata, per date or part thereof
Scheduled Services	60%	Of the per tonnage rate
Resident Operators	60%	Of the per tonnage rate
Airside Escort Duties	90.00	Per hour: minimum charge 30 minutes with 15 minute increments
-	-	-
Passenger Service Charge	-	-
Departing	22.07	Per passenger
Arriving	22.07	Per passenger
New Route Concession	11.00	Per passenger
Children Under 2 years of age	Free	-
Transit Passengers	Free	-
-	-	-
Screening Fees	-	-
Departing Passengers Over 2 years of age	10.04	All RPT Flights to be screened. All Non-RPT flights of MTOW>20,000 kgs to be screened

- ~~That Aviation Fees and Charges be reviewed annually by at least the current Perth CPI, including other external factors impacting on the Business Plans, effective 1 July of the applicable FY.~~
- ~~That notice of the adopted fees be advertised pursuant to section 6.19 Local Government Act 1995.~~
- ~~That such fees and charges be included in Council's FY2015/16 budget.~~

CARRIED
RECORD OF VOTE: 11 - 0

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

INSERT the correct report below submitted to Council on the 6th March 2015.

11.2.1 AIRPORT AVIATION FEES AND CHARGES – OVERALL REVIEW

File Ref: FIN-23-10
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Leon Burger
Chief Operating Officer Airports
Proposed Meeting Date: 6 March 2015
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council's approval for the amended airport Aviation Fees and Charges (A-F&C) for implementation from 1 July 2015.

BACKGROUND

The A-F&C approved for Financial Year (FY) 2009/10 for the use of Newman Airport has remained unchanged to the present, with the exception of combining the scheduled services Landing- and Terminal Co-user Fees effective 26 October 2012 (**COUNCIL RESOLUTION: 201213/205**).

Even this rationalisation of the two fees did not constitute any increase in costs to the airlines.

The logic behind keeping A-F&C constant for a period of five years was to provide both airlines and the shire with a stable operating cost and income base upon which business plans could be developed. However, this period has now expired and in the interest of sound financial and business practices it is necessary to review these F&C.

The logic behind the policies applicable to specific A-F&C will require review in terms of their current applicability and industry norms.

DISCUSSION

FY 2014-15 A-F&C

The following A-F&C are current for Newman Airport (GST Inc).

Function 12 – Transport FY2014-15		
Aerodromes		
Landing Fees		
All landing aircraft 10,000kg MTOW and above	20.65	Per 1,000 Kg Pro-Rata
All landing aircraft 5,000 - 10,000kg MTOW	14.14	Per 1,000 Kg Pro-Rata
All landing aircraft up to 5,000kg MTOW	10.99	Per 1,000 Kg Pro-Rata
Aircraft exempted from Landing Fees	Free	As Approved By The CEO
Set Fee per RPT Landing	453.20	Includes all scheduled flights
Minimum monthly charge per invoice	11.00	
Apron Parking Fees		
All aircraft up to 5,000kg MTOW	8.56	Per date or part thereof
All aircraft > 5,000kg MTOW	2.44	Per 1,000 kg Pro-Rata, Per Date or part thereof
Passenger Service Charge		
Departing	21.02	Per passenger
Arriving	21.02	Per passenger
Children Under 12 years of age	Free	
Transit Passengers	Free	
Screening Fees		
Departing Passengers Over 2 years of age	9.23	All RPT Flights to be screened. All Non-RPT flights of MTOW>20,000 kgs to be screened

Price Index Comparisons

According to the latest Department of Statistics data the Average Perth CPI from September 2009 until September 2014 has been 2.7%/annum. This equates to a compound price index rise over this five-year period of 14.25%.

In a document released by the Department of Regional Development and Lands – Regional Price Index 2011 – the All Groups Price index for the Pilbara as compared to Perth is 137.1%, and for Newman specific 137.9%. Some significant indicators for Newman that directly affects our Business Plans are the Transport index of 114.8%, and Insurance at 392.4%.

The above document does not address the costs of services such as maintenance, materials and construction. However, in the WA State Aviation Strategy released by the Department of Transport in 2014, it acknowledges that both CAPEX and OPEX costs of maintaining and expanding airport infrastructure in Regional WA is as high as 250-300% of that in capital cities. Whereas this is not expected to change significantly over the next few years for regional airport operators, airlines have been capitalising on the significant changes in the AUD/US\$ exchange rates and lower fuel prices.

It therefore stands to reason that an overall review of A-F&C is required to ensure that future financial demands can be met in terms of airport Operational, Asset Management and supporting Business Plans. Where specific policies apply to

individual F&C they should be addressed individually, while a percentage fee increase to all F&C should be implemented.

In view of the fact that no F&C increases have been implemented for the past six years, a general increase of 7% applicable to all A-F&C is considered to be reasonable. It will furthermore be prudent in future to adjust airport F&C annually by at least the current Perth CPI, including other external factors impacting on the Business Plans.

Set Fee per Scheduled Landing

Until 2010 the largest aircraft to be operated into Newman were the QantasLink B717 and F100 aircraft at 50 tonnes and 44 tonnes respective MTOW (Maximum Take-off Weight), and the Virgin operated E190 aircraft at 48 tonnes. However, in 2009 this airport was only serviced by F100 aircraft.

Calculated at the per-tonnage rate, the landing fee for such an aircraft should therefore be \$ 1032.50 (GST Incl). When compared to the fixed RPT Landing Fees in 2009 of \$ 412.00, this equates to 45.35% of the per-tonnage fee, or a fee discounted at 54.65%.

With the introduction of larger B738 aircraft in March 2011, and the A320 in September 2012, the per-tonnage comparison against the applicable set fees changed considerably. The comparison is against the set RPT fee FY2009/10 of \$374.55 + \$ 37.45 GST = \$ 412.00 (GST Incl).

<u>Aircraft</u>	<u>MTOW</u>	<u>Rate/t</u>	<u>Normal Fee</u>	<u>Set RPT Rate</u>	<u>Discounted Rate</u>
B738	77t	20.65	\$ 1,589.82	\$ 412.00	74.09%
A320	78t	20.65	\$ 1,610.70	\$ 412.00	74.42%

Post September 2012 the terminal co-user fees were rolled into the set RPT Landing Fees. Even when compared to that apparent increase in landing fees, the percentages do not change significantly (GST Incl).

<u>Aircraft</u>	<u>MTOW</u>	<u>Rate/t</u>	<u>Normal Fee</u>	<u>Set RPT Rate</u>	<u>Discounted Rate</u>
B738	77t	20.65	\$ 1,589.82	\$ 453.20.00	71.49%
A320	78t	20.65	\$ 1,610.70	\$ 453.20.00	71.86%

Due to the restrictions of having only three RPT (Regular Public Transport) parking bays, the introduction of larger capacity aircraft, coupled to the introduction of a slot system in July 2012, partially solved apron congestion resulting from the abnormal increases in both aircraft movements and passenger numbers between FYE 2010 and FYE 2013. The increased revenue from these streams somewhat offset the fact that no adjustments to A-F&C were implemented.

However, the increases in aircraft MTOW have had a significant impact on the airport infrastructure, especially the runways, taxiways and RPT Apron. Since January 2012 in excess of \$10 million has been spent on improving, upgrading and maintaining the operational infrastructure.

The historic rationale to apply a fixed RPT Landing Fee of about a 50% discount rate is understandable when only aircraft of 40-50t MTOW serviced Newman. However, the introduction of the heavier aircraft, their effect on the manoeuvre surfaces (runway, taxiway & aprons) and the effective discount rate of 74% can no longer be accommodated. It should also be noted that other regional airports within the Pilbara do not offer a reduced rate to scheduled operators.

Due to the significant differences between the various aircraft MTOW, a single figure will not be appropriate. It would be simpler and more applicable to apply a reduced per tonnage rate to scheduled flights that will still provide airlines with some benefits, but also close the discount gap that has developed. A standard 35% reduction in the per-tonnage rate, coupled to the abolishment of the Terminal Co-user fee, will provide such a state and will be easy to administer through AvData.

Even at the discount rate of 35%, a net increase in income of at least 50% can be expected.

SCHEDULED LANDING FEES COMPARISON

Aircraft Type	Jul-14	Set RPT Fee/ Landing	Income	Jul-15	MTOW - Tonnes	Fee/t	Fee/ Landing	Income @ Normal Rates	Airlines Discounted @ 35%
F100	1	\$453.20	\$453.20	6	44	\$20.09	\$883.96	\$5,303.76	\$3,447.60
B717	8	\$453.20	\$3,625.60	14	50	\$20.09	\$1,004.50	\$14,063.00	\$9,141.36
E190	4	\$453.20	\$1,812.80	3	48	\$20.09	\$964.32	\$2,892.96	\$1,880.51
B737	35	\$453.20	\$15,862.00	24	77	\$20.09	\$1,546.93	\$37,126.32	\$24,133.20
A320	4	\$453.20	\$1,812.80	0	78	\$20.09	\$1,567.02	\$0.00	\$0.00
Charters				1	44	\$20.09	\$883.96	\$883.96	\$574.60
TOTAL/ Week	52		\$23,566.40	48				\$60,270.00	\$39,177.27
Annualized			\$1,225,452.80					\$2,892,960.00	\$1,880,508.96
								\$655,056.16	53%

Passenger Service Charge (PSC)

The Passenger Service Charges revenue stream constitutes the bulk of the aviation income stream. It applies to all arriving and departing passengers, with the exception of transit passengers and children below the age of 12. The exception of transit passengers are an industry norm, and at Newman applies primarily to passengers disembarking during technical stops, where Newman is not their initial point of departure or final destination by air.

However, the industry norm is for all passengers above the age of 2 years of age to be charged PSC, or a discounted rate for passenger between 2 and 12 years of 50%. The shire's approved screening F&C applies to all departing passengers above the age of 2 years.

It will therefore be in line with the industry norm and screening F&C to reduce the age for PSC from 12 to 2 years of age.

Excluding Screening Fees which are budget neutral, PSC constitutes 89.15% of current A-F&C. Excluding the interest on reserves, A-F&C constitutes 90.24% of overall airport income (FY2014/15 budget). Based on the passenger numbers forecast for FY2014/15 of 420,000 passengers as compared to actual numbers, a reduction of 8.76% is currently forecasted. In terms of loss of income this equates to \$703,248. As there is no evidence to date that the decline in passenger numbers will stabilise or recover, the trend is expected to continue.

The introduction of a 7% increase to these fees (as discussed above) will recover some of the lost revenue due to the decline in passenger numbers.

The five-year forecast below is a comparison to the forecast Aviation Income for FY2014/15, and based on the following assumptions:

- No increase per annum in aircraft movements or passengers numbers for the first three years, and thereafter a 3%/annum increase.
- An annual adjustment of A-F&C of a Perth CPI of 2.5%.
- Screening fees are adjusted annually by the CPI as per the services agreement.

INDICATIVE COSTINGS ONLY	FY 14/15	FY 15/16	FY 16/17	FY 17/18	FY 18/19	FY 19/20
		0.00%	0.00%	0.00%	3.00%	3.00%
Aircraft Movements	3,000	2,704	2,704	2,704	2,785	2,869
Passenger Numbers	385,000	385,000	385,000	385,000	396,550	408,447
		0%	0%	0%	3%	3%
Passenger Service Fees	\$8,092,700	\$8,496,950	\$8,709,374	\$8,709,374	\$8,970,655	\$9,239,775
Landing Fees - RPT Aircraft	\$1,225,453	\$3,047,408	\$3,123,593	\$3,123,593	\$3,217,301	\$3,313,820
Landing & Parking Fees - GA	\$54,000	\$54,000	\$55,350	\$56,734	\$58,152	\$59,606
Screening	\$1,757,600	\$1,757,600	\$1,801,540	\$1,846,579	\$1,892,743	\$1,940,062
Aviation F&C	\$11,129,753	\$13,355,958	\$13,689,857	\$13,736,279	\$14,138,851	\$14,553,262

The introduction of a 7% increase to these fees (as discussed above) will recover some of the lost revenue due to the decline in passenger numbers.

Screening Fees

Screening Fees were approved by Council on 31 January 2014 (**RESOLUTION: 201314/211**).

Comparative screening costs based on these factors are:

FY 2014/15		FY 2015/16	
Operating, equipment & site lease costs	\$ 301,651.42	Operating, equipment & site lease costs	\$ 308,596.91
Total Staffing Contract Costs	\$ 1,687,379.15	Total Staffing Contract Costs	\$ 1,448,987.30
Total Recoverable Security Screening Costs	\$ 1,989,030.57	Total Recoverable Security Screening Costs	\$ 1,757,584.21
Annual Departing passengers	237,000	Annual Departing passengers	192,500
Total Annualised passenger charge (Excl)	\$ 8.39	Total Annualised passenger charge (Excl)	\$ 9.13
GST	0.84	GST	.91
Total Annualised passenger charge (GST Incl)	\$ 9.23	Total Annualised passenger charge (GST Incl)	\$ 10.04

Whereas Total Recoverable Screening Costs have decreased by 14.1%, the outgoing passenger numbers have decreased by 18.78 %. The latter is therefore the primary driver of the overall increase of 8.78% in the cost per passenger for screening services at Newman.

New Route Incentive

In April 2012 Council approved the New Route Incentive: **RESOLUTION: 201112/268**

In the interest of still attracting new routes into/out of Newman, this concession should be maintained. The variation being the change of age limit of passengers to which PSC applies.

Resident Air Services Operators

Five different companies (mainly within the General Aviation category) currently use Newman Airport as base of operations. These companies are charged at the standard A-F&C rates.

Across the industry it is standard practice to provide resident operators with concessionary rates, mainly due to their frequency of use. Different models can be devised and implemented, but the most commonly used are flat monthly/annual rates – irrespective of the number of landings – vs a percentage concession against standard rates.

The first option is dependent on an operator having a finite and definable fleet of aircraft. In the second option a discount rate is simply applied to an account issued against standard rates to the specific operator – irrespective of which company aircraft is involved.

At Newman Airport only one operator actually has a defined number of aircraft. Others often exchange aircraft from other basis, or fly aircraft in as required for maintenance. This category of operators is difficult to monitor, and will therefore not be practical within Option One.

In adopting Option Two, AvData can be instructed to apply a discount rate to their invoices. An applicable discount rate should be similar to that offered to scheduled service; 35%.

Airside Escorting

Airside vehicle access is regulated through the Office of Transport Security (OTS) regulations and the Newman Airport Transport Security Plan (TSP). An Authority to Drive Airside (ADA) is issued to drivers and vehicles that qualify in terms of these regulations and plans. These are generally limited to:

- Operators that have the requirement to drive airside in the execution of their daily duties, and are in possession of a valid security clearance card.
- Identified vehicles that are to be used during such tasks.

Examples of operators/vehicles that qualify for ADAs are (but not limited to):

- Airport management staff and vehicles.
- NWAS staff and vehicles.
- Resident air operators staff and vehicles; limited to demonstrated requirements.

However, it regularly occurs that visiting aircraft (General Aviation) require baggage and freight to be transported airside by vehicle. In such an event an Aerodrome Reporting Officer (ARO) has to escort such a vehicle airside. During normal operating hours such a duty requires an ARO to be diverted from his/her daily duties to perform escort duties. However, after hours it requires a call-out of the duty ARO for escort duties.

Duty AROs are compensated for afterhour's works at the shire approved overtime rates. If escort services are required it therefore has a direct financial implication to this shire; whether during or outside normal working hours. As such services are not generally required by the majority of visiting aircraft, it cannot be categorised as being covered by other A-F&C such as landing and parking fees. It is customer specific.

Other airports within the Pilbara do charge airside escort fees. The shire has no historic fees within this category. However, under Function 14 – Private Works, an hourly labour rate of \$ 75.90 + \$ 7.59 GST = \$83.59 has been adopted.

Adopting a similar rate rounded up to \$81.82 + \$8.18 GST = \$90.00 per hour, billed at a minimum first 30 minutes and thereafter at 15 minute increments, will enable the shire to recover the costs associated with airside escort duties. If performed by an officer not on duty and/or on the weekend, normal overtime multipliers would apply to the standard hourly rate.

Notice to Airlines

Resolution 201314/211 regarding Screening F&C also states that these F&C will be reviewed by the shire in February of each year for implementation from the start of a new FY. In order for airlines to incorporate any A-F&C changes into their ticketing price structures, they require a 90 day notification of such changes. If changes in Screening F&C are to be incorporated into ticket pricings, then it stands to reason that any other A-F&C changes should be done likewise.

In order to meet this timeline it is therefore vital that the proposed changes to A-F&C be approved by Council ahead of the standard F&C and budget approvals processes based on:

- 6 March 2015 Council adopt A-F&C for FY 2015/16
- 31 March 2015 FY 2015/16 A-F&C distributed to airlines and published on website
- April – June 2015 90-day window for airlines to adjust ticket pricing.

CONCLUSION

Restructuring Newman Airport Aviation Fees and Charges based on the above therefore results in (GST Inc):

Function 12 – Transport FY2015-16		
Aerodromes		
Landing Fees		
All landing aircraft 10,000kg MTOW and above	22.10	Per 1,000 Kg Pro-Rata
All landing aircraft 5,000 - 10,000kg MTOW	15.13	Per 1,000 Kg Pro-Rata
All landing aircraft up to 5,000kg MTOW	11.76	Per 1,000 Kg Pro-Rata
Aircraft exempted from Landing Fees	Free	As Approved By The CEO
Scheduled Services Discount	35%	Off the per tonnage rate
Resident Operators Discount	35%	Off the per tonnage rate
New Route Concession	35%	Off the per tonnage rate
Minimum monthly charge per invoice	11.00	
Apron Parking Fees		
All aircraft up to 5,000kg MTOW	9.16	Per date or part thereof
All aircraft > 5,000kg MTOW	2.61	Per 1,000 kg Pro-Rata, Per Day or part thereof
Scheduled Services Discount	35%	Off the per tonnage rate
Resident Operators Discount	35%	Off the per tonnage rate
New Route Concession	35%	Off the per tonnage rate
Airside Escort Duties Standard Rate (If not on duty and weekend O/T rate multiplier applies)	90.00	Per hour: minimum charge 30 minutes with 15 minute increments
Passenger Service Charge		
Departing	22.49	Per passenger
Arriving	22.49	Per passenger
New Route Concession	11.00	Per passenger

Children Under 2 years of age	Free	
Transit Passengers	Free	
Screening Fees		
Departing Passengers Over 2 years of age	10.04	All RPT Flights to be screened. All Non-RPT flights of MTOW>20,000 kgs to be screened

By comparison with a neighbouring airport within the Pilbara, and assuming a 70 t MTOW aircraft with a 160 seat capacity and 100% load factor, the figures would be:

	Newman (FY15/16)	Karratha (FY 14/15)
Landing	\$ 1,005.35	\$ 2,884.00
Parking	\$ 118.79	\$ 189.00
PSC	\$ 7,197.25	\$ 5,001.60
Screening	<u>\$ 1,606.40</u>	<u>\$ 1,849.60</u>
Totals:	\$ 9,927.28	\$ 9,924.20

POLICY IMPLICATIONS

3.4 BUDGET AMENDMENTS

PLAN FOR FUTURE OF THE DISTRICT

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.2 Asset Management

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201415/187

MOVED: Cr Shane Carter

SECONDED: Cr Anita Grace

That Council:

- **Approves the reviewed and amendments to Newman Airport Aviation Fees and Charges for implementation effective 01 July 2015 as set out below.**

Function 12 – Transport FY2015-16		
Aerodromes		
Landing Fees		
All landing aircraft 10,000kg MTOW and above	22.10	Per 1,000 Kg Pro-Rata

All landing aircraft 5,000 - 10,000kg MTOW	15.13	Per 1,000 Kg Pro-Rata
All landing aircraft up to 5,000kg MTOW	11.76	Per 1,000 Kg Pro-Rata
Aircraft exempted from Landing Fees	Free	As Approved By The CEO
Scheduled Services Discount	35%	Off the per tonnage rate
Resident Operators Discount	35%	Off the per tonnage rate
New Route Concession	35%	Off the per tonnage rate
Minimum monthly charge per invoice	11.00	
Apron Parking Fees		
All aircraft up to 5,000kg MTOW	9.16	Per date or part thereof
All aircraft > 5,000kg MTOW	2.61	Per 1,000 kg Pro-Rata, Per Day or part thereof
Scheduled Services Discount	35%	Off the per tonnage rate
Resident Operators Discount	35%	Off the per tonnage rate
New Route Concession	35%	Off the per tonnage rate
Airside Escort Duties Standard Rate (If not on duty and weekend O/T rate multiplier applies)	90.00	Per hour: minimum charge 30 minutes with 15 minute increments
Passenger Service Charge		
Departing	22.49	Per passenger
Arriving	22.49	Per passenger
New Route Concession	11.00	Per passenger
Children Under 2 years of age	Free	
Transit Passengers	Free	
Screening Fees		
Departing Passengers Over 2 years of age	10.04	All RPT Flights to be screened. All Non-RPT flights of MTOW>20,000 kgs to be screened

- That Aviation Fees and Charges be reviewed annually by at least the current Perth CPI, including other external factors impacting on the Business Plans, effective 1 July of the applicable FY.
- That notice of the adopted fees be advertised pursuant to section 6.19 Local Government Act 1995.
- That such fees and charges be included in Council's FY2015/16 budget.

**CARRIED
RECORD OF VOTE: 11 - 0**

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

7.2 PILBARA REGIONAL COUNCIL MINUTES 24TH FEBRUARY 2015

[PRC Council Minutes 24.02.2015](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of the Pilbara Regional Council held on 24th February 2015, be received.

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 - MARCH 2015

File Ref: 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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Chief Executive Officer for March 2015 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
12 December 2014	9.1.4	WA LOCAL GOVERNMENT TRADE EXHIBITION AND CONVENTION 2015	ESAO	Accommodation has been booked need to confirm who will be attending for flights	In Progress
6 March 2015	9.1.5	JOINT KIMBERLEY, PILBARA AND NORTHERN TERRITORY FORUM 2015 - DARWIN 2-4 MAY 2015	ESAO	Accommodation, registration and flights booked	Completed
6 March 2015	13.1	ADSL MARBLE BAR Cr Stephen Kiernan asked the Shire to continue to follow up with Telstra regarding ADSL in Marble Bar. Mr Allen Cooper, Chief Executive Officer to follow up.	CEO		

9.1.2 RESIGNATION CR DOUG STEAD

File Ref: CLR 2-5
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr Allen Cooper
Chief Executive Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

That Council confirm the holding of the South Ward extra ordinary election to be held over to the ordinary Election Day in October 2015.

BACKGROUND

Cr Douglas John Stead (South Ward) advised that he was resigning from Council effective from the 16th March, 2015.

Cr Stead was a Councillor for the South Ward for a combined total of 11 years and has retired, and moved from the area.

Following the resignation approval was sought from the WA Electoral Commissioner in accordance with the Local Government Act 1995 to hold over the extra ordinary election required to fill the vacancy until the ordinary election to be held on the third Saturday in October 2015 (17/10/2015).

Approval to defer the vacancy was received on the 31st March 2015.

COMMENTS/OPTIONS/DISCUSSIONS

Nil

STATUTORY IMPLICATIONS/REQUIREMENTS

LGA 4.16 (4) of Local Government Act 1995.

Division 6 — Postponement and consolidation of elections

4.16. Postponement of elections to allow consolidation

- (1) This section modifies the operation of sections 4.8, 4.9 and 4.10 in relation to the holding of extraordinary elections.
 - (2) If a member's office becomes vacant under section 2.32 (otherwise than by resignation) on or after the third Saturday in July in an election year and long enough before the ordinary elections day in that year to allow the electoral requirements to be complied with, any poll needed for the extraordinary election to fill the vacancy is to be held on that ordinary elections day.
-

- (3) In the case of a member's office becoming vacant under section 2.32 by resignation, if —
- (a) the resignation takes effect, or is to take effect, on or after the third Saturday in July in an election year but not later than one month after the ordinary elections day in that year; and
 - (b) the CEO receives notice of the resignation long enough before that ordinary elections day to allow the electoral requirements to be complied with,

any poll needed for the extraordinary election to fill the vacancy is to be held on that ordinary elections day.

- (4) If a member's office becomes vacant under section 2.32 —
- (a) after the third Saturday in January in an election year; but
 - (b) before the third Saturday in July in that election year,

the council may, with the approval of the Electoral Commissioner, fix the ordinary elections day in that election year as the day for holding any poll needed for the extraordinary election to fill that vacancy.

[Section 4.16 amended by No. 66 of 2006 s. 7; No. 2 of 2012 s. 11.]

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Nil

FINANCIAL IMPLICATIONS

Will be conducted in the 2015/2016 financial year.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

- 1. Confirm that the extra ordinary election for a vacancy in the South Ward be held over to the 2015 ordinary election to held on the 17th October 2015.**
- 2. Thank Cr Stead for his contribution to Council and the Community.**

**9.1.3 AFFIXING COMMON SEAL TO EMPLOYMENT CONTRACT - MANAGER
ASSETS AND PROCUREMENT**

File Ref: ADM-1-1
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr David Kular
Manager Human Resources
Location/Address: Shire of East Pilbara
Name of Applicant: Ben Lewis
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 Assets & Procurement.

BACKGROUND

Council recently employed Mr Ben Lewis, Manager Assets & Procurement, for a three year contract term, expiring on 6th April 2018.

COMMENTS/OPTIONS/DISCUSSIONS

Nil

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Policy:
Council's Policy Manual

EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3
Date 27th June 2003

Objective:
To allow for the proper execution of documents.

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

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.2 Employment opportunities

3.2.1 Promote a variety of choice in local employment

Responsible officer: DCEO

Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr Ben Lewis, Manager Assets & Procurement for a term of three years, expiring on 6th April 2018.

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

**9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS
- MARCH 2015**

File Ref: 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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Deputy Chief Executive Officer for March 2015 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
26 September 2014	13.8	AMENITIES AT RADIO HILL Cr Lynne Craigie asked if we can investigate further amenities at Radio Hill including a toilet, improved lighting and a water fountain.	DCEO MAP	Will need to be considered at 2015/2016 budget	July 2015
24 October 2014	13.1	SPORTING COMPLEX MARBLE BAR FIVE YEAR PLAN Cr Dean Hatwell asked if the electrical works can be included in the five year plan for the sporting complex. Ms Sian Appleton, Deputy Chief Executive Officer answered yes this will be included in the five year plan as appropriate.	DCEO	Still being completed	June 2015
24 October 2014	13.2	MARBLE BAR AQUATIC CENTRE Cr Stephen Kiernan asked if the Marble Bar Pool could get some table, chairs and shade in the grass area. Ms Sian Appleton replied yes a work order will be raised for the request.	MAP	Have sought permission from education department who will contribute \$20k – Toddler Shade and chair on order	June 2015
12 December 2014	11.1.1	TENDER 2014-15 RFT10 - CRIB ROOMS & AMENITIES MARBLE BAR & NULLAGINE DEPOTS	MAP	In Agenda	April 2015
12 December 2014	13.5	RADIO SERVICES IN NULLAGINE Cr Bidy Schill asked what channels are operating in Nullagine as it is only the ABC, she thought there were more channels operating. Deputy Chief Executive Officer to follow up.	DCEO	Resolved	April 2015

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

24 APRIL, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
12 December 2014	13.8	<p>FLUSHING TOILET AT DINGO PARK Cr Lynne Craigie asked if a flushing toilet could be put in the facility of Dingo Park as people refuse to use the Boomerang Oval public toilets under the grandstand. Ms Sian Appleton, Deputy Chief Executive Officer to follow up.</p>	DCEO	Completed - on a six months trial period	April 2015
30 January 2015	13.7	<p>MARBLE BAR AQUATIC CENTRE CONTRACT BETWEEN DEPARTMENT OF EDUCATION AND SHIRE OF EAST PILBARA Cr Dean Hatwell commented the contract between the Department of Education and the Shire of East Pilbara for the Marble Bar Aquatic Centre is due to expire this year and what is happening. Ms Sian Appleton replied yes the contract is due to expire 16th June 2015 and staff will be discussing the agreement with the Department of Education.</p>	DCEO	In consultation with Education Department	June 2015
30 January 2015	13.11	<p>REST STOP NULLAGINE Cr Bidy Schill raised a number of issues with the new rest stop in Nullagine. Deputy Chief Executive Officer to follow up</p>	DCEO	CBS issued PO to convert back to wet system & Replace doors at Council cost	In Progress
6 March 2015	9.2.13	<p>DISABILITY ACCESS AND INCLUSION PLAN 2015 - 2019</p>	MCW	Out for Public Comment	May 2015
6 March 2015	9.2.14	<p>AWARD OF TENDER - RFT 02-2014/15 - RSL MEMORIAL STAGE 2 WORKS (MARBLE BAR)</p>	CBS	Works being undertaken from May 2015	June 2015
6 March 2015	13.5	<p>CAPE KERAUDREN Cr Shane Carter said he went to the Cape recently and the water bore was constantly running and when he asked the Ranger why it was on, he mentioned it was to stop the cows entering the ranger's station area. He then asked is it possible to get fencing around the Ranger's house and also is it possible to get showers installed at the Cape.</p>	DCEO	Ranger turned off bore. Report being completed	August 2015

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

24 APRIL, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		Ms Sian Appleton, Deputy Chief Executive Officer replied this is already in the Cape Keraudren report and the infrastructure is in the budget for works to be completed.			
6 March 2015	13.6	CAPE KERAUDREN ENTRANCE Cr Shane Carter asked if it was possible to get a sign put up at the Cape, at the pay toll advising patrons what their entrance fee covers. Coordinator Building Services to follow up.	CBS	Being Organised	
6 March 2015	13.8	NULLAGINE BANNERS Cr Bidy Schill asked when is Nullagine going to get banners for the banner poles as she has been asked where the banners are. Ms Sian Appleton, Deputy Chief Executive Officer replied the banners have been ordered.	DCEO	Completed	April 2015
6 March 2015	13.9	NULLAGINE GYM Cr Bidy Schill asked if there was an alternative to the pub holding the key to the gym as people cannot use the gym while pub is closed and also people are using the gym without paying. Ms Sian Appleton said they are looking into this with different options eg: CRC Nullagine holding the key and taking payments for the use of the gym.	DCEO	All SoEP unattended fitness centres are currently being assessed.	April 2015
6 March 2015	13.14	NEWMAN NETBALL COURTS Cr Gerry Parsons said the Newman Netball Courts require urgent repairs as the Newman Netball Association competition starts very soon and Newman will be hosting the 2015 Pilbara Championships. Ms Sian Appleton, Deputy Chief Executive Officer to follow up.	DCEO	Works completed with the exception of the sewerage pit. A comprehensive report is being prepared.	May 2015
6 March 2015	13.16	NEWMAN AQUATIC CENTRE WATER PLAY AREA Cr Lynne Craigie asked what	DCEO	Report for Council	April 2015

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

24 APRIL, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		is happening with the water play area. Ms Sian Appleton, Deputy Chief Executive Officer replied that an audit has been conducted and we are waiting on the report.			

9.2.2 AFFIXING THE COMMON SEAL TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE NEWMAN VISITOR CENTRE INCORPORATED AND THE SHIRE OF EAST PILBARA

Attachments:	Memorandum Of Understanding NVC SOEP.doc
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 2014.

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

COMMENTS/OPTIONS/DISCUSSIONS

At the expiry of the 2013-2014 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.

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 2014 and expiring 30 June 2016.*
- 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 2012-2015 and the SOEP Arts and Cultural Strategy 2011-2015.*

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.

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 2014 – 2015

	Annual Dates	Monthly Activity Reports Due for submission to SOEP	Quarterly Payment Released by SOEP	Quarterly Reconciliation Due for submission to SOEP
<i>1st Quarter</i>	<i>01/07/2014 – 30/09/2014</i>	<i>10th August 2014 10th September 2014 10th October 2014</i>	<i>15th August 2014</i>	<i>31st October 2014</i>
<i>2nd Quarter</i>	<i>1/10/2014 – 31/12/2014</i>	<i>10th November 2014 10th December 2014 10th January 2015</i>	<i>14th November 2014</i>	<i>31st January 2015</i>
<i>3rd Quarter</i>	<i>1/1/2015 – 31/03/2015</i>	<i>10th February 2015 10th March 2015 10th April 2015</i>	<i>13th February 2015</i>	<i>30th April 2015</i>
<i>4th Quarter</i>	<i>1/4/2015 – 30/06/2015</i>	<i>10th May 2015 10th June 2015 10th July 2015</i>	<i>15th May 2015</i>	<i>31st July 2015</i>

Payment and Reporting Schedule 2015 – 2016

	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	01/07/2015 – 30/09/2015	10 th August 2015 10 th September 2015 10 th October 2015	14th August 2015	31st October 2015
2 nd Quarter	1/10/2015 – 31/12/2015	10 th November 2015 10 th December 2015 10 th January 2016	13th November 2015	31st January 2016
3 rd Quarter	1/1/2016 – 31/03/2016	10 th February 2016 10 th March 2016 10 th April 2016	12th February 2016	30th April 2016
4 th Quarter	1/4/2016 – 30/06/2016	10 th May 2016 10 th June 2016 10 th July 2016	13th May 2016	31st July 2016

Reporting:

NVC Reporting requirements are as follows:

- a) NVC will provide the Shire of East Pilbara with quarterly 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, with indication given to how the SOEP funding is allocated.*

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
Responsible officer: DCEO
Timing: As appropriate

Goal 2 – Social – Planned Actions

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

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

Expenditure associated with this MOU agreement will be costed the existing general ledger 131011 Newman Tourist Bureau 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 Incorporated 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 ACCEPTANCE OF 2013-2014 ANNUAL REPORT

File Ref:	FIN-5-2
Attachments:	2013 - 2014 Shire of East Pilbara Annual Report - Draft.pdf
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Emma Whakaruru Coordinator Administration Services
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

To present the 2013-2014 Annual Report to Council

BACKGROUND

The Annual Report is included under separate cover.

COMMENTS/OPTIONS/DISCUSSIONS

Under the Local Government Act it is necessary to produce an Annual Report and to conduct an Annual Electors Meeting. The Annual Electors Meeting will be advertised in accordance with Local Government Act 1995.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 5 - Administration (Division 2 - Council meetings, committees and their meetings and electors' meetings) (Subdivision 4 - Electors' meetings) 5.27. Electors' general meetings (pg 145)

Part 5 - Administration (Division 5 - Annual reports and planning) 5.53. Annual reports (pg 159)

Part 5 - Administration (Division 5 - Annual reports and planning) 5.54. Acceptance of annual reports (pg 160)

Part 5 - Administration (Division 5 - Annual reports and planning) 5.55. Notice of annual reports (pg 160)

Part 5 - Administration (Division 5 - Annual reports and planning) 5.56. Planning for the future (pg 160)

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
 - 1.1.2 Continued strong financial management
Responsible officer: DCEO
Timing: 1 year
 - 1.1.3 Effective business management
Responsible officer: DCEO
Timing: 1-3 years

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council accept the 2013/2014 Annual Report as presented.

9.2.4 ADOPTION OF PROPOSED FEES AND CHARGES 2015/16

File Ref:	FIN 12-1
Attachments:	Fees and Charges 2015-16 work sheet.xlsx
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mrs Candice Porro Expenditure Finance Officer
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

To seek Council endorsement of the proposed fees and charges to apply for the budget year 2015/16 as per copy attached.

BACKGROUND

Section 6.16 of the Local Government Act, 1995, enables Council to charge for any service that it provides. The schedule, as tabled, of proposed fees and charges is submitted for in-principle adoption only at this stage and will assist in the preparation of the 2015/16 budget. Formal adoption of next year's fees and charges will be included as part of the budget adoption process.

COMMENTS/OPTIONS/DISCUSSIONS

The Schedule of Fees and Charges is under a separate cover.
The Schedule is in two sections as follows;

1. Rates and Sanitation Fees and Charges, which will be advised for the budget adoption meeting.
2. Proposed Fees and Charges for adoption with the annual budget.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

PLAN FOR FUTURE OF THE DISTRICT

Nil

FINANCIAL IMPLICATIONS

To be advised in the 2015/16 budget.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council;

- 1. Approval in principle to be given to the proposed Schedule of Fees a and Charges;**
- 2. Such fees and charges be included in Council's draft 2015/16 budget.**

9.2.5 AMENDMENT TO STAFF ELECTRICITY SUBSIDY

Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mrs Marisa Wolfenden Coordinator Property Services
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

To request Council to approve amendments to the Staff Electricity Subsidy, given to employees who reside in Shire owned or managed housing.

BACKGROUND

A report has been presented to the Executive Services with the proposed new policy for Electricity Subsidies for staff residing in Shire of East Pilbara owned or managed dwellings.

Current Policy

The current Electricity Subsidy (*copy over page*) is for employees who occupy Council owned or managed residences with fully ducted refrigerated or evaporative air-conditioning, for which a separate meter has been fitted, to be subsidized as follows:

- To a maximum of 18,000 units per subsidy period.
- Subsidy period is from 1st September – 30th April.
- The subsidy is calculated on a daily basis to a maximum of 75 units per day.
- Unused subsidies will be credited to the next account provided it is within the subsidy period.
- Usage above 75 units per day is to be paid for by the tenant.
- Subsidies will not be carried forward to the following year (financial).
- Subsidies will not be transferred from one tenant to another.

All other employees in Council owned or managed residences will be subsidized as follows:-

- To a maximum of 12,000 units per year.
 - Subsidy period is from 1st July – 30th June.
 - The subsidy will be calculated on a daily basis to a maximum of 66 units per day.
 - Unused subsidies will be credited towards the next account provided it is within the subsidy period.
-

- The tenant will be required to pay for a minimum of 2,700 units per year.
- The tenant will be charged these units on a daily basis of 8 units per day.
- Electricity above 66 units per day is to be paid for by the tenant.
- Subsidies will not be carried forward to the following year (financial).
- Subsidies will not be transferred from one tenant to another.

The request for amendment to this Policy is primarily due to the fact that presently BHPBIO are making changes to household electricity meters in Newman from two meters (*one for the airconditioner usage and another for the domestic power usage*) to one meter that is for both airconditioner and domestic power usage.

Once the household dual meters have been changed to the single meter it is impossible to calculate how many units were used for airconditioning only. As such, at present those Newman properties that are now on a single meter are being calculated in the same manner as those in Marble Bar and Nullagine, in that they are charged for the first 8 units per billing period (with a subsidy applicable all year round), and they are receiving a subsidy of 32.88 per day (12,000 per financial year).

The households in Newman that remain on the dual electrical meters are receiving a subsidy of 75 units per day for 241 days of the year (18,000 per financial year).

The requested amendment to the electricity subsidy will see a reduction in the total number of units to be subsidized for those in Newman that have the dual meters, to bring the yearly allowance more in line with those with the single meters.

The other amendment the Policy is to allow for the electricity subsidy to be allocated against both airconditioning usage and domestic power usage.

The benefits to staff will be that if they reduce their carbon footprint with respect to their airconditioning usage, and the unused subsidy units are put towards their domestic power usage, they would see an overall reduced power invoice, and they could in turn be outlaying minimal amounts of money for their power consumption.

Whilst the subsidy the Shire will provide will be reduced, the tenants who are prepared to be careful with their electricity usage will benefit greater, in that they may in fact only receive an invoice for the supply charge. For those with single meters, this would be all year round, and those with dual meters would continue to be for part of the year only, and therefore would be responsible for 100% of their power usage for the period 1st May to 31st August.

The Shire of East Pilbara has also installed Renewable Energy Systems (Solar) to the majority of the residential properties in Marble Bar and Nullagine, The current subsidy units will remain at 12,000 units per year for Marble Bar and Nullagine with the exception of two residential properties in Marble Bar that do not have Solar which will be entitled to the 18,000 units or the revised units of 15,000.

Horizon Power have indicated at this time they are unable to accept any further applications for Renewable Energy System (Solar), therefore this needs to be monitored for when they become available.



2.8 Electricity Subsidies

Responsible Directorate	Executive Services
Responsible Officer	Manager Assets & Procurement
File Number	ADM 11-8

Objective

To determine what subsidies shall be provided for electricity for employees in Council owned accommodation.

Policy

Employees who occupy Council owned or managed residences with fully ducted refrigerated or evaporative air-conditioning, for which a separate metre has been fitted, will be subsidised as follows:-

- To a maximum of 18,000 units per subsidy period.
- Subsidy period is from 1 September – 30 April.
- The subsidy will be calculated on a daily basis to a maximum of 75 units per day.
- Unused subsidies will be credited to the next account provided it is within the subsidy period.
- Usage above 75 units per day is to be paid for by the tenant.
- Subsidies will not be carried forward to the following year.
- Subsidies will not be transferred from one tenant to another.

All other employees in Council owned or managed residences will be subsidised as follows:-

- To a maximum of 12,000 units per year.
- Subsidy period is from 1 July – 30 June.
- The subsidy will be calculated on a daily basis to a maximum of 66 units per day.
- Unused subsidies will be credited towards the next account provided it is within the subsidy period.
- The tenant will be required to pay for a minimum of 2700 units per year.
- The tenant will be charged these units on a daily basis of 8 units per day.
- Electricity above 66 units per day is to be paid for by the tenant.



- Subsidies will not be carried forward to the following year.
Subsidies will not be transferred from one tenant to another.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date		Item No	
Next Review			

COMMENTS/OPTIONS/DISCUSSIONS

The Shire has undertaken some investigation into how the proposed change will affect tenants and below are some of the initial findings:

Comparison	Details
1	Reduce to 12,000 units (49.79 per day 1st Sept to 30th April) - tenant still responsible for own power
2	Reduce to 12,000 units (49.79 per day 1st Sept to 30th April) - subsidy applied to both power/aircon usage
3	Reduce to 12,000 units (32.88 per day x 365 days) - subsidy applied to both power/aircon usage
4	Reduce to 15,000 units (62.24 per day 1st Sept to 30th April) - subsidy applied to both power/aircon usage
5	Reduce to 15,000 units (41.10 per day x 365 days) - subsidy applied to both power/aircon usage
6	Current subsidy - subsidy applied to both power/aircon usage

Below are calculations based over a year for several SoEP properties, each comparison shows the actual costs borne by the tenant and the subsidy amount the Shire provided, and what those calculations would be for that year with the above comparisons.

The two properties below with blacked out areas, are single meter properties, and therefore calculations were only completed for those comparisons that related to a subsidy of 12,000 units.

Property Address		Actuals	Total 1	Total 2	Total 3	Total 4	Total 5	Total 6
Newman								
1 Ella Street	Tenant Total	\$2,082.59	\$2,662.83	\$2,662.83	\$3,737.54	\$2,050.04	\$3,199.39	\$2,390.02
	SoEP Total	\$4,242.81	\$2,285.32	\$2,285.32	\$2,287.30	\$2,898.11	\$2,825.45	\$4,359.38
1 Koolyoo Street	Tenant Total	\$808.05	\$1,532.97	\$1,341.40	\$1,863.57	\$862.18	\$1,503.80	\$666.74
	SoEP Total	\$3,370.95	\$2,646.02	\$2,837.58	\$2,315.42	\$3,316.81	\$2,675.18	\$3,512.25
14 Mullgunbah Avenue	Tenant Total	\$1,441.00	\$1,233.01	\$394.67	\$306.72	\$304.79	\$135.94	\$304.79
	SoEP Total	\$518.34	\$518.34	\$1,356.68	\$1,444.63	\$1,442.20	\$1,615.40	\$1,442.20
15 Brown Street	Tenant Total	\$1,060.37	\$1,451.34	\$1,405.80	\$1,831.62	\$696.26	\$1,363.16	\$333.14
	SoEP Total	\$3,183.01	\$2,792.04	\$2,837.58	\$2,409.75	\$3,547.12	\$2,878.22	\$3,910.24
20A Marilanna Street	Tenant Total	\$778.03			\$112.61		\$112.61	\$112.61
	SoEP Total	\$394.24			\$1,059.66		\$1,059.66	\$1,059.65
30 Yalbaree Street	Tenant Total	\$1,267.32	\$1,267.32	\$729.10	\$1,199.58	\$315.19	\$738.86	\$315.19
	SoEP Total	\$2,213.70	\$2,213.70	\$2,751.91	\$2,281.43	\$3,165.83	\$2,742.16	\$3,165.83
31 Jabberup Cres	Tenant Total	\$554.01	\$1,095.21	\$1,095.21	\$1,621.54	\$382.74	\$1,115.12	\$38.51
	SoEP Total	\$3,390.50	\$2,849.31	\$2,849.31	\$2,322.97	\$3,561.78	\$2,829.39	\$3,906.00
52A Wilara Street	Tenant Total	\$1,938.68	\$2,079.48	\$2,044.72	\$2,096.66	\$1,335.18	\$1,582.31	\$607.98
	SoEP Total	\$2,954.58	\$2,802.82	\$2,837.58	\$2,785.64	\$3,547.12	\$3,299.99	\$4,274.33
Marble Bar								
Lot 6 (62B)Bohemia Street	Tenant Total	\$3,379.07			\$1,837.38		\$1,285.98	\$1,837.38
	SoEP Total	\$2,715.52			\$2,821.13		\$3,372.53	\$2,821.13

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

2.8 ELECTRICITY SUBSIDIES

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

1.2 Foster a great place to work

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

Goal 4 – Environmental – Planned Actions

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

4.1 Reduce the Shire’s ecological footprint

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council approve amendments to the Staff Electricity Subsidy, so the subsidy given to employees who reside in Shire owned or managed residence will now be as follows:

Marble Bar and Nullagine - Annual

Solar	12,000 units per year - (3kw or greater) 32.88 units per day for billing cycle (3kw or greater)
No Solar	15,000 units per year 41.10 units per day for billing cycle (this includes those with 1.5kw solar).

Newman – 1st September to 30th April

Solar	12,000 units per year - (3kw or greater) 49.79 units per day for billing cycle
No Solar	15,000 units per year 62.24 units per day for billing cycle (this includes those with 1.5kw solar).

Credits carried forward within the financial year only

9.2.6 CAPE KERAUDREN ACCESS FOR THE NGARLA PEOPLE

File Ref: A139135
Attachments: [Ngarla People's request.pdf](#)
[NNDA.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sian Appleton
Deputy Chief Executive Officer
Location/Address: A139135
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to formulate a position on access to Cape Keraudren by the Ngarla People.

BACKGROUND

On the 16th March 2015 Council received an email from Maclean Legal regarding Access to Cape Keraudren for the Ngarla People. This email is attached.

COMMENTS/OPTIONS/DISCUSSIONS

Although Native Title has been extinguished over Cape Keraudren the Ngarla People have substantial interests in this area and surrounds. Council are aware of this and have consulted previously with the Ngarla People in regard to Cape Keraudren issues.

A map is attached showing Native Title Determination around this area.

The request from Maclean Legal regards free entry into Cape Keraudren for the Ngarla People. Currently the fees and charges for entry to Cape Keraudren are established under s. 6.16(2)(a) and (3) of the Local Government Act.

The broader community can benefit by traditional owners maintaining not only their traditional rights but also their traditional obligations and connection to country and therefore a waive of fees can be determined under these circumstances.

It should be noted that this could create management challenges such as establishing whether individuals who present at the site are in fact traditional owners.

STATUTORY IMPLICATIONS/REQUIREMENTS

6.16. Imposition of fees and charges

- (1) A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
- (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;

- (3) Fees and charges are to be imposed when adopting the annual budget but may be —

- (a) imposed* during a financial year; and
(b) amended* from time to time during a financial year.

** Absolute majority required.*

POLICY IMPLICATIONS

8.4 ABORIGINAL AFFAIRS POLICY

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.4 Diverse and inclusive communities

2.4.1 Promote diverse, harmonious and caring communities

Responsible officer: MCW

Timing: 1-3 years

FINANCIAL IMPLICATIONS

There will be a small reduction in potential income which is difficult to predict.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council formulate a position that the Ngarla People receive free entry to Cape Keraudren based on their traditional obligations to country.

9.2.7 EVENTS STRATEGY FOR PUBLIC COMMENT

File Ref:	REC-22-8
Attachments:	East Pilbara draft Events Strategy V7.doc
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mr David Goodwin Manager Recreation and Events
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to approve the Events Strategy Report for advertising for Public comment.

BACKGROUND

The Shire of East Pilbara (SoEP) recognises the importance of social, cultural, and recreational events as a means of ensuring that the East Pilbara communities are given the opportunity to participate in a diverse range of vibrant and stimulating events and community based activities.

This strategy contains a number of elements including the vision the Council has for events in the Shire, The Council's roles and responsibilities, the requirement for selection and evaluation criteria, as well as a number of strategies and actions.

The consultation process to date for the development of this strategy involved holding public workshops in Newman and Marble Bar, with workshops also held for Councillors and Shire staff. In addition meetings were held with key stakeholders in the Pilbara and in Perth.

The vision is to create a viable, strategically balanced calendar of events that will support community connectedness, attract visitors, and deliver social, economic, environment and community outcomes. This is a shared Shire and community vision that captures the needs of a vibrant and diverse community while at the same time delivering on the Shire's governance standards and linking to the Shire's desired strategic outcomes across a number of areas.

There are four suggested strategic outcomes that any decision pertaining to the support of events in the Shire should align with. Support can rely on a single outcome or all of them. These strategic outcomes are:

SOCIAL OUTCOMES - organisational skills, community connectedness, volunteering, group viability, education, exposure to experiences not locally available

ECONOMIC OUTCOMES - visitor spend, local spend, group income, employment creation.

ENVIRONMENTAL OUTCOMES - fit with natural environment, meet health and safety requirements, low impact on environment.

CULTURAL OUTCOMES - broadens exposure to multiculturalism, connects the community to music and the arts, exposure of Aboriginal culture and supports Aboriginal reconciliation

COMMENTS/OPTIONS/DISCUSSIONS

The adoption of the Events Strategy will be of benefit not only to Newman, but to the whole of the Shire of East Pilbara.

Public comments on this document are to be encouraged over a three week period through the display of public notices in all three towns, on the Shire website, and an advert in the North West Telegraph.

As Council receives written comments regarding this document amendment may be made to the text of the document prior to endorsement of the document by Council at a subsequent meeting.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.3 Engaged community

1.3.1 Increase community awareness

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the Events Strategy Report for advertising for Public comment.

9.2.8 REPORT ON THE 2015 COMMUNITY SURVEY

Attachments:	AEC Report East Pilbara Community Satisfaction Survey 20150227.pdf
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 provide to Council a summary of the findings of the 2015 Shire of East Pilbara Community Survey

BACKGROUND

AEC Group was contracted in December 2014 to undertake the Shire's annual community survey.

The following background and comments/options/discussions information is quoted directly from the AEC Community Survey Report.

“The primary objective of the Community Survey is to measure the community's perceptions and attitudes of the Shire and of the services provided by the Shire.

The issues that the research addresses include customers' perceptions and attitudes toward:

- Overall satisfaction with the Shire's performance.
- Importance of the services and facilities provided.
- Expectation of the Shire.
- Identify problems or areas of concern.

COMMENTS/OPTIONS/DISCUSSIONS

Quantitative surveys were undertaken with residents of the Shire over a five week period in January/February 2015. Computer Aided Telephone Interviewing (CATI) surveys were administered with residents using random sampling from a residential database utilising commercial database providers.

The community was invited to participate in the survey via an open weblink supplied by AEC. The Shire made the weblink available via social media sites (i.e. Facebook etc.) to promote the survey and increase participation by the general community. The weblink was managed and hosted by AEC and was available for survey submission between 19th January and 20th February 2015.

A total of 298 surveys were collected yielding statistically valid results, with a confidence interval of +/- 5.61 at a 95% confidence level.

Key Findings

The Shire as a Place to Live

Approximately two-thirds (66%) of respondents indicate the Shire is an *excellent* or a *good place to live*. This compares with 72% of respondents in 2012 and 75% of respondents in 2011 who indicated the Shire is an *excellent* or a *good place to live*.

The perception of the Shire as a *place to live* fluctuates over time with the 2015 results the lowest since 2008. However, it should be noted that the drop in results from 72% noted in 2012 to 66% in 2015 is not one that is statistically significant.

When comparing *life in the Shire* to the same time in the previous year, 47% of respondents view *life in the Shire* is the *same* as it was in the previous year. Although 24% of respondents indicate *life in the Shire* is *better*, 28% feel *life in the Shire* is now *worse* compared to the same time in the previous year. This is significantly higher than the 2012 (15% higher) results.

Furthermore, 9 in 10 respondents indicate the services, facilities and activities/events provided by the Council *meets their needs*.

Two in five respondents (44%) are long-term residents who have been living in the Shire for *more than five years* and more than half of respondents indicate they are *likely* to be residing in the Shire *in 3 years' time* (55%).

End of work contract and/or job related reasons (30%) as well as *relocation* (8%) were nominated as main reasons for not residing in the Shire in the future amongst respondents who are *unlikely* to be residing in the Shire *in 3 years' time*.

Council Communication

Overall, half of respondents (50%) find Council's *communication* regarding services, facilities and activities/events *effective* including 15% who suggest *communication* by Council is *very effective* and 35% who find the *communication somewhat effective*.

The most commonly mentioned *sources of current information* regarding services, and activities/events include *Facebook* (36%) followed by *word of mouth* (28%) and the *Shire building/library notice boards* (24%). Furthermore, significantly higher proportion of respondents nominate *Facebook* as the *current source of information* in 2015 (36%) compared with 2012 (3%).

Facebook (43%) is also nominated as the *most preferred method for receiving information* from the Shire. Additionally, respondents *prefer to receive information personally by phone/fax/email/letter* (36%) and through *letterbox leaflets* (34%).

Council Run Community Events

Fortescue Festival recorded the highest awareness with all respondents surveyed being *aware* of the festival either on an *aided and/or unaided* basis. Additionally, approximately 9 in 10 respondents are *aware* of the *Bloody Slow Cup* (92%) and the *Fusion Festival* (89%).

When compared with 2012, significantly more respondents mentioned being *aware* of the *Fortescue Festival*, the *Fusion Festival*, and of the *Lighting of the Christmas Tree*.

Comparatively, *awareness* for the *Australia Day Fireworks*, the *National Youth Week* and the *Newman Skate Park Competition* decreased in 2015.

Comparing events attended with the awareness of the event, the *Bloody Slow Cup* (61%) and the *Fortescue Festival* (60%) are nearly equal and have the highest conversion rate³ followed by the *Fusion Festival*.

Satisfaction with the events is high with approximately 8 of 10 respondents attending more than one council events report being *satisfied* with the *overall quality of the event*. *Not having enough time/working* (44%) and *distance* (36%) are key reasons identified by respondents who have not attended any council run community events.

Preferences for the timing of the Newman Queen's Birthday Public Holiday was largely split with two in five respondents (38%) suggesting the holiday to *remain after the Fortescue Festival Weekend*, 26% indicating the holiday should be *changed so it is held after the Bloody Slow Cup rugby weekend* and one-third (33%) of respondents having *no opinion or preference* for when the holiday should be held.

Council Services & Facilities

Overall Satisfaction

Approximately 3 in 5 respondents are *satisfied* with the Shire's *overall performance*. This includes 13% of respondents who are *very satisfied* and 46% of respondents who are *satisfied* with the Shire's *overall performance*.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

6.9 ANNUAL COMMUNITY SURVEY

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
 - 1.3.2 Excellence in customer service
Responsible officer: MFA
Timing: 1-3 years
 - 1.3.3 Implement civic engagement projects
Responsible officer: MCW
Timing: 1-3 years

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council note the report on the 2015 Annual Community Survey.

**9.2.9 TO REPORT ON THE CONDITION OF THE WATER PLAYGROUND AT
THE NEWMAN AQUATIC CENTRE, COMMENT ON ITS COMPLIANCE
AND CONSIDER OPTIONS FOR ITS FUTURE**

File Ref: REC-21-1
Attachments: [Newman Aquatic Centre Compliance Report.docx](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mr David Goodwin
Manager Recreation and Events
Location/Address: Newman Aquatic Centre
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

This report presents options for the future of the Water Playground at Newman Aquatic Centre and recommends that Council supports a proposal to source funding to undertake a feasibility study, prepare a business case and the preparation of initial design plans and costings to redevelop the area into a family leisure and program pool.

BACKGROUND

On the 11th March 2006 Council advertised the tender for the Newman Aquatic Centre Water Playground with tenders closing on the 7th April 2006. One tender was received and at the Council meeting of 5th May 2006 Council resolved to reject that tender and delegate authority to appoint subcontractors for the construction at a cost not to exceed \$653,000.

The Water Playground was installed over an older 25 metre pool shell which was filled in and a concrete pad laid over where the Water Park now stands by a local contractor.

Initially when opened the Water Playground was connected to the existing toddler's pool circulation and filtration system and due to problems with chemical balancing and compliance, in 2009, a tender was advertised for the playground to be converted to its own circulation system. Since these works were completed a number of issues have been raised by the Department of Health with regards to the facility's compliance with Western Australian Department of Health Guidelines.

Recently the facility has been used only as a dry playground due to a number of operational and non-compliance issues.

In January 2015 Mr Geoff Ninnis from Geoff Ninnis Fong and Partners was requested to compile a report on the current status of the Water Playground and provide some options and recommendations for its future. During this process it was ascertained that currently the Water Playground does not have any approval for use

from the Western Australian Department of Health. In order to apply for approval for use a number of issues would require rectification prior to any application to the WA Health Department for future usage. (See Ninnes Fong and partners report dated 3rd February 2015 page 2 section A at Appendix 1)

Ninnes Fong and partners were at the same time requested to provide comment and recommendations regarding the current status of the vinyl liner in the 50 metre pool which having been installed in 2001 is now nearing the end of its useful life. Upon examining the liner Ninnes Fong and Partners are of the opinion that the best option for 50 metre pool should be to tile it which would give a lifespan of approximately 30 years. (See Ninnes Fong and partners report dated 3rd February 2015 page 4, section C at Appendix 1)

COMMENTS/OPTIONS/DISCUSSIONS

This report considers 3 options:

- Do nothing
- Upgrade the existing water playground
- Rebuild a family leisure pool on the existing site and tile the 50m pool

The do nothing option will clearly result in increasing community discontent and leave the playground operating as a dry facility. As the facility components deteriorate there will be an eventual complete loss of service once the life of the major components is exceeded. If the Council is to continue to provide aquatic facilities to the community, a do nothing option is no more than delaying of the inevitable cost of rectification or a new build.

To upgrade the existing playground in an attempt to meet Western Australian Health Department guidelines and enable the facility to be in use again is possible with an estimated preliminary budget of \$150,500 (Perth price). (See item B.3 page 4 on attached report from Ninnes Fong). This option is not conclusive and there may be other unknowns and costs associated with degradation of existing pipework and other factors the cost of which are unknown until the works begin. Once the works are completed an application could be submitted for approval to the Western Australian Health Department and if approved the park could become operational again.

Geoff Ninnes Fong and partners suggest that Council consider removing the Water Playground completely rather than attempt to upgrade the existing facility. It is suggested that Council consider building a leisure pool which encapsulates the current toddler's pool and extends throughout the footprint of the Water playground and beyond. This development (similar to recent builds in Karratha and Port Hedland) would provide much needed additional space for families with young children. The new facility could incorporate water features and internal spa's, bubble beds for small children and fine spray features and water jets. It could also include a beach entry with a gradual slope to deeper water of approximately 1metre to 1.2 metre to facilitate swimming lessons. It is also proposed that any new leisure pool be heated, (solar) possibly with a retractable shade structure and could include a 25 metre section for winter lap swimming. This would mean that the 50 metre pool could potentially be shut down during the winter months. Swimming lessons and fitness classes could be run comfortably all year in the new heated facility with an expected

increase in patronage and therefore income, potentially reducing the operational costs of the centre in the long term.

If sufficient funds were available the new build project could also incorporate tiling of the 50metre pool as recommended by Ninnes Fong.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

The Shire of East Pilbara Strategic Community Plan identifies one of the Shire's key responsibilities as the provision and maintenance of recreation facilities and public open spaces such as parks, sports fields and courts, swimming pools, sport and recreation centre's.

The following planned actions are identified in the plan

2.1.1 Promote safe and healthy communities

2.1.2 Encourage active lifestyles

The Shire of East Pilbara's Newman Recreation Master plan identifies one of the Shire's key facility development priorities as a refurbished aquatic centre and provision of a program pool. The plan states on page 26 item 5.1.2

"Refurbishment of the existing swimming pool and provision of a program pool, permanent shade structure, solar heating and associated facilities, on the existing centre site. The current facility requires: refurbishment to the pool deck, tank and services upgrade accessibility, and to meet current building requirements, improved temperature control to extend the season and provision of a program pool. This will provide for markets not well serviced for example older adults, learn to swim, program users and people with a disability. Additionally a small amount of leisure water and water play features would be desirable"

STRATEGIC COMMUNITY PLAN

Nil

FINANCIAL IMPLICATIONS

There is currently no budget allocation for this project

Indicative costing by Ninnes Fong and partners suggests the following budget would be required and the officer suggests that some funding would need to be sourced externally to support the project.

Budget estimates (Perth Prices) as supplied by Ninnes Fong and partners are;

Leisure Pool budget \$840,000+GST

Children's Pool Budget \$330,000+GST

The following is the estimate to tile the 50m pool (Perth prices).

\$382,500 + GST

Total estimated cost is \$1, 552.500 +GST

It is suggested that with cost escalations for Newman of 65% and other contingencies and price rises into FY16/17 together with an allowance for the installation of solar heating that Council consider a total budget of approximately \$3 million for a project of this type.

VOTING REQUIREMENTS

Absolute majority

OFFICER'S RECOMMENDATION

THAT Council

- 1. Endorses a proposal for officers to source funding to undertake a feasibility study, prepare a business case and the preparation of initial design plans and costing to redevelop the Water playground at the Newman Aquatic Centre into a family leisure and program pool.**
- 2. Endorses a proposal to include the refurbishment of the 50metre pool in the project.**

9.2.10 REQUEST FOR REDUCTION IN RATE INCREASE

File Ref:	FIN-22-1
Attachments:	Mining Tenement - Dept LG.pdf Mining Tenement - Landgate.pdf Mining Tenement - Encounter.pdf
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Sian Appleton Deputy Chief Executive Officer
Location/Address:	A202658 & A202657
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to consider a reduction in rates for two exploration licences registered to Encounter Resources as per their request.

BACKGROUND

The Department of Mines and Petroleum have introduced a new rental policy on exploration licences as follow:

1. Non Graticular Exploration Licences increase by 236% after 7 years,
2. Graticular Exploration Licences increase by 53% after 3 years, 111% after 5 years, 300% after 7 years.

As Unimproved Value (UV) of tenements is based on rentals - a further formula is then applied by Landgate - this has meant an increase in the UV rate and subsequently the rate amount charged by the Shire of East Pilbara for properties that have been captured by this new policy.

COMMENTS/OPTIONS/DISCUSSIONS

This change in policy has led to several phone calls of complaint to this office of which only one has resulted in a formal request for a reduction in their rate bill. This was received by Encounter Resources Limited and their correspondence is attached for your information.

Also attached are letters from Landgate and the Department of Local Government explaining this change in policy. The letter from Minister Simpson's includes a possible solution that suggests that clients write to the relevant Local Government "*requesting consideration of a differential category that applies to exploration land use rather than a blanket category for all mining activity.*" As you will be aware the Shire of East Pilbara currently use land use as a basis for our differential rates and already differentiate between working and non-working mines.

The below figures show of our current tenements rated under the exploration leases land use:

Current Tenement on Exploration Licences 867

Current formal requests for reduced rates with regard to this query 1

It therefore does not seem plausible for us to reduce our rate in the dollar for our exploration tenements. Also it should be noted that we have no way of distinguishing how long these mining tenements have been held without researching each assessment with the Department and there may be others who will be affected over the upcoming years.

ENCOUNTERS RESOURCES FINANCIAL RATE STATEMENT FOR EXISTING LEASES

A202658 - 2835PROPERTIES RateTrn					
Date	Type	Ref	Amount	Balance	Description
31/01/2015	SU	SC JAN	28.36	9115.35	Surcharge
31/12/2014	SU	SC December	10.78	9086.99	Surcharge
21/11/2014	JT	INSTAL	85.74	9076.21	Journal
21/11/2014	JT	ADFEE	10.00	8990.47	Journal
10/09/2014	AA	rates	0.00	8980.47	Allocation
09/08/2014	RA	RV	-2896.94	8980.47	Rate
09/08/2014	RI	RV	11877.41	11877.41	Interim Rate
04/09/2014	RC	63770	-3243.51	0.00	Receipts
28/07/2014	RB	BILLING	3243.51	3243.51	BILLING 14
07/11/2013	RC	55008	-54.43	0.00	Receipts
09/08/2013	RA	RV	-2758.15	54.43	Ref : VALUE
09/08/2013	RI	RV	2812.58	2812.58	Ref : VALUE
04/10/2013	RC	53574	-3088.11	0.00	Receipts
23/08/2013	RB	BILLING	3088.11	3088.11	BILLING 13 14

A202657 - 2835PROPERTIES RateTrn					
Date	Type	Ref	Amount	Balance	Description
31/01/2015	SU	SC JAN	28.36	9115.35	Surcharge
31/12/2014	SU	SC December	10.78	9086.99	Surcharge
21/11/2014	JT	INSTAL	85.74	9076.21	Journal
21/11/2014	JT	ADFEE	10.00	8990.47	Journal
10/09/2014	AA	rates	0.00	8980.47	Allocation Adjustment
09/08/2014	RA	RV	-2896.94	8980.47	Rate Adjustment
09/08/2014	RI	RV	11877.41	11877.41	Interim Rate
04/09/2014	RC	63770	-3243.51	0.00	Receipts
28/07/2014	RB	BILLING	3243.51	3243.51	BILLING 14
07/11/2013	RC	55008	-54.43	0.00	Receipts
09/08/2013	RA	RV	-2758.15	54.43	Ref : VALUE CHANGES M2013/9
09/08/2013	RI	RV	2812.58	2812.58	Ref : VALUE CHANGES M2013/9
04/10/2013	RC	53574	-3088.11	0.00	Receipts
23/08/2013	RB	BILLING	3088.11	3088.11	BILLING 13 14

Both of Encounter Resources tenements have increased by \$8,940.47 each. This calculates to an approximate 280% increase on their initial rate debt.

The increase in the rates was not anticipated by us and therefore has not been allowed for in the budget. Encounter Resources has requested Council consider a reduction in this increase.

“Encounter Resources considers this Interim Rate Adjustment unreasonable, unjustified, inequitable, without basis and unjust...”

The unexpected 300% increase in local government rates would lead to damaging inequitable outcome for Encounter Resources. If applied across the board the expected cost to the company will be over \$40,000 this year. This is not a cost that a company that is already operating at a loss can absorb. Exploration companies do not generate profits and rely on currently depressed equity markets to fund their operations...”

Under the Local Government Act (1995) it is impossible for us to differentiate between exploration leases because of age held therefore the only way we can reduce the rate impost is under the Local Government Act section 6.12(c). This provision has previously been used when increases in rates have been substantial.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 6 - Financial management (Division 4 - General financial provisions)

6.12. Power to defer, grant discounts, waive or write off debts (pg 217)

- (1) *Subject to subsection (2) and any other written law, a local government may –*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) *waive or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money,*

which is owed to the local government.

** Absolute majority required.*

- (2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*

The increase of rates for both tenements is as follows:

A202658	Original Rate	\$3,243.51
	New Rate	\$12,223.98
	This is approximately a 280% increase.	

A202657	Original Rate	\$3,243.51
	New Rate	\$12,223.98
	This is approximately a 280% increase.	

It is therefore suggested that Council consider phasing in the valuation based on not more than a 100% increase per year. This would mean writing off \$5,736.96 per assessment for the 2014/15 year, a total of \$11,473.92

Alternatively, the rates raised remain the same, and the company is liable to pay the full amount.

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
 - 1.1.2 Continued strong financial management
Responsible officer: DCEO
Timing: 1 year

FINANCIAL IMPLICATIONS

There will be a reduction of potential income by \$11,473.92. This amount has not been allowed for in the budget.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council write off \$5,736.96 on tenement A 202657 and 202658 (a total of \$11,473.92), being the amount charged on their rate assessment that is over 100% their original debt for the 14/15 year.

9.2.11 SUNDRY DEBTORS WRITE OFF – SHERPA KIDS

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

REPORT PURPOSE

To seek Council approval to write off uncollectible debt to the value of \$6,650

BACKGROUND

As per table below, outlines invoice details and ongoing correspondence with supplier.

COMMENTS/OPTIONS/DISCUSSIONS

Name	Invoice	Amount	Details
Sherpa Kids	61273	600.00	Bus Hire 02/12/13-20/12/13
Sherpa Kids	61281	5500.00	Rec Centre Facility Hire 14/10/13-20/12/13
Sherpa Kids	60131	550.00	Rec Centre Facility Hire 06/05/13-05/07/13 (Originally raised as \$4,950, Sherpa paid off, with only \$550 remaining as outstanding)

Invoices with a total of \$30,050 was raised to Sherpa Kids between 25/09/13 to 13/01/14 for Rec Centre Facility Hire, including kitchen and bus hire. Of this, \$23,400 was paid.

From discussion with Lynda Lewis, previous Director of Sherpa Kids the following was ascertained on 08/04/15:

- Their research had shown that a minimum number of children per day would be 20. Sherpa Kids were not aware of the 4/4 BHP Roster, therefore daily numbers were very low.
 - Their understanding was free use of the kitchen area at the Rec Centre (of which they were invoiced).
 - Their understanding was the use of bus would be free of charge (of which they were invoiced).
 - Total costs associated with staff, accommodation and living (in Newman's peak period) meant costs were excessive.
-

- Funding for the program was withdrawn.
- Access to correspondence between Sherpa Kids, SoEP and BHP is no longer available due to management changes.

It was expressed that they simply are unable to contribute any more funds towards this outstanding amount of \$6,650.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 6 Financial management
Division 4 General financial provisions

6.12. Power to defer, grant discounts, waive or write off debts

(1) Subject to subsection (2) and any other written law, a local government may —

- (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money;
- (b) waive or grant concessions in relation to any amount of money; or
- (c) write off any amount of money,

which is owed to the local government.

** Absolute majority required.*

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY

Nil.

PLAN FOR FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

Reduction in Sundry Debtors totalling \$6,650. A balance of \$14,990.91 remains in account 41177 has been allowed in the budget for Bad/Doubtful Debts.

VOTING REQUIREMENTS

Absolute

OFFICER'S RECOMMENDATION

THAT the Sundry Debtors listed below be written off:

Name Invoice Amount Details

Name	Invoice	Amount	Details
Sherpa Kids	61273	600.00	Bus Hire 02/12/13-20/12/13
Sherpa Kids	61281	5,500	Rec Centre Facility Hire 14/10/13-20/12/13
Sherpa Kids	60131	550	Rec Centre Facility Hire 06/05/13-05/07/13 (Originally raised as \$4,950, Sherpa paid off, with only \$550 remaining as outstanding)

9.2.12 MONTHLY FINANCIAL STATEMENTS - FEBRUARY 2015

Attachments:	Feb 2015 Variance Report.doc February 2015 Monthly Financial Statements.pdf
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
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 12-page report details the financial activities of the Council for the period 1st February 2015 to 28th February 2015 of the 2014/2015 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 1st February 2015 to 28th February 2015 of the 2014/2015 financial year as presented be received.

9.2.13 CREDITORS FOR PAYMENT

File Ref: FIN10-2

Attachments: [Schedule of Accounts_Cheque.pdf](#)
[Schedule of Accounts EFT.pdf](#)
[Schedule of Accounts Manual Chq.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 06/03/15

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT27292 – EFT28167	10,270,568.31
	Total	\$10,270,568.31
Cheque Payments	CHQ23385 – CHQ23512	391,570.61
Manual Cheque Payments	CHQ223 – CHQ229	43,632.61
	Total	\$435,203.22
	GRAND TOTAL	<u>\$10,705,771.53</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

CHQ23405 and CHQ23409

CANCELLED CHEQUES & EFTS

EFT27429, EFT27571, EFT27647, EFT27993, EFT27995 and EFT28053.

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 \$10,705,771.53

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT27292 – EFT28167	10,270,568.31
	Total	\$10,270,568.31
Cheque Payments	CHQ23385 – CHQ23512	391,570.61
Manual Cheque Payments	CHQ223 – CHQ229	43,632.61
	Total	\$435,203.22
	GRAND TOTAL	<u>\$10,705,771.53</u>

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

**9.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF
COUNCIL DECISIONS - MARCH 2015**

File Ref: CLR 4-5
Responsible Officer: Mr Rick Miller
Director Technical and 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

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Director Technical and Development Services for March 2015 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
16 December 2011	13.5	SIGNS – RECOGNITION ON THE DESERT ROADS Cr Lang Coppin asked if it was possible to get plaques/signs about the history and stories of the desert roads e.g.: rabbit proof fence. People always stop to read on their travels and Shire of East Pilbara needs recognition for these roads.	DTDS CEO DCEO	Nov 2013 - Cr Lang Coppin & DTDS travelled desert roads and marked points of interest for future tourist mapping. Executive to allocate resources to develop themes and seek funding	Pending
23 May 2014	13.1	CAPE KERAUDREN BOAT RAMP Cr Stephen Kiernan asked if the width of the boat ramp can be looked at, as it could be a hazard especially at night time. Director Technical and Development Officer to follow up.	MTS-R	Concrete works to ramp scheduled for April 2015	April 2015
27 th June 2014	13.5	ROCK WALL – RADIO HILL Cr Shane Carter asked if the rock wall up on Radio Hill can be completed as it was never finished. Mr Rick Miller, Director Technical and Development Services to follow up.	MTS-N	Works in Progress expect completed end of April	April 2015
26 September 2014	13.1	DOG AGILITY PARK Cr Anita Grace asked if we can investigate water being installed at the dog agility park in Newman.	MTS-N MDS-H	Sample testing of design to meet health requirements is almost complete.	May 2015

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

24 APRIL, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
26 September 2014	13.5	AIRPORT RESIDENCE CARDS Cr Bidy Schill asked if the Newman Airport residence cards can be sent to residents in towns outside of Newman, with their rates receipt. Mr Rick Miller, Director Technical & Development Services, to investigate.	COOA	Cards will be available from MB Shire Office. We intend to store some at the CRC Nullagine but still working through logistics. Airport staff will liaise with offices and put procedures in place	Complete
12 December 2014	13.4	SOLAR LIGHTING – NULLAGINE TOWN PARK Cr Bidy Schill asked if there could be solar lighting install at the town park as she attended the Christmas Tree Lighting no lighting available and it was very dark. Director Technical and Development Services to follow up.	DTDS MTS-R	Has been listed for 2015/16 budget for consideration	Complete
12 December 2014	13.6	NULLAGINE RUBBISH TIP Cr Bidy Schill said there was a sign at the rubbish tip stating NO oil, batteries and tyres to be left at the Nullagine Rubbish Tip. What are the residents of Nullagine supposed to do with these? Mr Rick Miller, replied that it is illegal to dispose of oil, batteries and tyres at the Nullagine tip and suggests the residents keep these until they are heading towards Newman or Port Hedland, as these refuse tips have the correct disposal for such items.	DTDS	Currently rewriting new tip license to accommodate requested changes. Will require DER approval	May 2015
30 January 2015	13.5	MARBLE BAR HOUSE NUMBERING Cr Dean Hatwell asked for an update regarding the house numbers.	DTDS TSAO	A brochure to advertise the street numbers being developed	May 2015
6 March 2015	13.3	MARBLE BAR & NULLAGINE AIRSTIPS Cr Lang Coppin asked why there is a need to change the status of the Marble Bar and Nullagine Airstrips as long as it passes for the Flying Doctors to land and take off. Mr Rick Miller, Director Technical and Development Officer to follow up.	DTDS	Legislation is expected to change where there will be no category of "Registered Airfields". An ALA restricts aircraft to 9 seat capacity and no NOTAM can be issued. A full report will be provided to Council before any binding decisions are made	Complete

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

24 APRIL, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
6 March 2015	13.4	<p>MAIN ROADS FENCING FROM MARBLE BAR AND PORT HEDLAND Cr Kevin Danks asked if the fencing that Main Roads WA is going to construct along the main road from Marble Bar to Port Hedland for cattle and wild life, is it going to be on the existing fence line or will it be placed somewhere else and who will be responsible for the ongoing maintenance.</p>	DTDS	Information detailed in the April 2015 Information Bulletin.	Completed
6 March 2015	13.7	<p>NULLAGINE FOOTBRIDGE Cr Bidy Schill asked who is responsible to repair the footbridge from town to Irrudjundji Community as it is lifting.</p>	DTDS MTS-R	The footbridge is located in road reserve; under control of the Shire. A works request has been raised bridge inspected and repaired.	May 2015
6 March 2015	13.10	<p>NULLAGINE AIRSTRIP Cr Bidy Schill asked who is responsible for monitoring the condition of the Nullagine Airstrip and advise weather condition. Mr Rick Miller, Director Technical and Development Services replied it is the responsibility to the pilot to land or not. He will follow up as maybe the Airport Reporting Officer at the mine site nearby may be able to do an inspection.</p>	COOA	The Millennium duty ARO is 1 st contact; 2 nd contact is the Shire (Harvey), 3 rd contact Airport. The clinic as the last resort. RFDS has all these numbers. Shire will remind RFDS to advise pilots of relevant contacts.	Complete
6 March 2015	13.11	<p>NULLAGINE CAUSEWAY Cr Bidy Schill asked if lighting and a path can be installed on the Nullagine Causeway. Mr Rick Miller, Director Technical and Development Services to follow up as it could be the responsibility of Main Roads WA.</p>	MTS-R	MRWA advise that the low pedestrian volumes do not warrant a path or lights	Complete
6 March 2015	13.13	<p>NEWMAN NEIGHBOURHOOD CENTRE BINGO Cr Gerry Parsons asked what is the reason for the Newman Neighbourhood Centre as they cannot obtain a Bingo permit. Is it possible to follow up and explain the legislation and planning requirements?</p>	MDS-P	As it is a commercial enterprise (gambling) it is inconsistent with the objectives of a residential zone and it is not permitted. There are other areas that can be used [Boomerang Oval, Newman Club	Complete

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

24 APRIL, 2015

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
				etc].	
6 March 2015	13.15	TAXI STAND – TOWN CENTRE Cr Anita Grace asked if the taxi stand can be moved as she felt it is in the wrong location. Sometimes there are many people waiting and they sit on the road causing more problems with commuters walking and driving. Mr Rick Miller, Director Technical and Development Services to follow up.	DTDS	Investigation in Progress	May 2015

**9.3.2 AFFIX COMMON SEAL TO THE LEASE TRANSFER DEED - MT NEWMAN
MICROLIGHTS PARTNERSHIP CHANGE**

File Ref: A701063
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Leon Burger
Chief Operating Officer-Airports
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval for the Common Seal to be affixed to the Lease Transfer Deed between the Shire of East Pilbara and Mt Newman Microlights, through which joint ownership of Mt Newman Microlights is transferred by L & J McNamara Pty Ltd to sole ownership by S Handley Pty Ltd, trading as Mt Newman Microlights, with respect to Lease Area 9 at Newman Airport.

BACKGROUND

On 24 April 2014 Council approved the Transfer of Deed between the Shire of East Pilbara and Linkforce Engineering Pty Ltd for Lease Area 9 to L & J McNamara Pty Ltd & S Handley Pty Ltd, trading as Mt Newman Microlights.

Council Resolution 201415/258 dated 24 April 2014 refers.

COMMENTS/OPTIONS/DISCUSSIONS

On 8 February 2015 L&J McNamara Pty Ltd advised that they wish to transfer their share in Mt Newman Microlights to sole ownership by S Handley Pty Ltd. This required a Transfer of Deed and approval by State Lands.

Ministerial approval for this Transfer of Deed was issued on 18 February 2015.

The conditions of the lease as was approved by Council in April 2014 remain unchanged.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

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

Power/Duty/Authorisation Delegated:

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

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

Authority for exercise of Power/Duty/Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law

Date of Delegation _____

Delegator (Shire President) _____

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2013

Objective

To allow for the proper execution of documents.

Policy

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

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.3 Provide adequate community infrastructure

3.3.3 Provide infrastructure to support economic development

Responsible officer: DCEO

Timing: 1-5 years

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council approves the Common Seal to be affixed to the Lease Transfer Deed between the Shire of East Pilbara and Mt Newman Microlights, through which joint ownership of Mt Newman Microlights is transferred by L & J McNamara Pty Ltd to sole ownership by S Handley Pty Ltd, trading as Mt Newman Microlights, with respect to Lease Area 9 at Newman Airport with effect from 27 February 2015.



Government of Western Australia
Department of Lands

Regional and Metro Services

Your ref: RJF/LMC EAST6280-9093909
Our ref: 02657-1967-09RO Job No150366
Enquiries: Jan Pruyn Ph. 6552 4585, Fax: 65524413
Email: jan.pruyn@lands.wa.gov.au

18 February 2015

CORRS CHAMBERS WESTGARTH
GPO BOX 9925
PERTH WA 6001

Att: Philip Wilson Partner

Dear Philip

**MINISTERS CONSENT FOR LEASE TRANSFER DEED OVER PORTION
RESERVE 44774 NEWMAN AIRPORT (Area 9)**

**BETWEEN: SHIRE OF EAST PILBARA, L & J McNAMARA PTY LTD AND C & S
HANDLEY PTY LTD**

I refer to your email dated 17th February 2015 regarding the above.

Pursuant to a delegation by the Hon Minister for Lands under section 9 of the *Land Administration Act 1997* (LAA), **in principle** consent of the Hon Minister is granted under section 18 of the LAA to the above mentioned lease transfer deed.

Please submit executed copies of the lease transfer deed documents for endorsement of formal minister's consent.

Yours sincerely

A handwritten signature in blue ink, appearing to be 'J. Pruyn'.

**JAN PRUYN
SENIOR STATE LAND OFFICER
PILBARA TEAM**

150366inprinciple consent

**9.3.3 DRAFT LOCAL PLANNING STRATEGY - ENDORSEMENT FOR
MINISTERIAL APPROVAL TO ADVERTISE**

File Ref:	PLN-3-1
Responsible Officer:	Mr Rick Miller Director Technical and Development Services
Author:	Mr Adam Majid Manager Development Services - Planning
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

Council's consideration is required to consider the Draft Local Planning Strategy in order to seek endorsement from the Minister for Planning for consent to advertise for public comment.

BACKGROUND

Council awarded the tender to Hames Sharley to prepare the Local Planning Strategy (LPS) at its meeting held on 19 April 2013. Since that time, the review and development of the project has progressed which has included the following key tasks:

- Literature review and development of background report;
- Stakeholder consultation; and
- Preparation of draft LPS.

Under the Local Planning Manual, as prepared by the Department of Planning, a Local Planning Strategy consists of two distinct parts. The first is the background report (referred to as Part 2 in the manual) which contains all the necessary background information required to prepare a strategic vision. That is, it assesses all existing infrastructure and literature (state and local) and establishes gaps in such information. This was completed in conjunction with the Shire's town planning section and utility providers.

After establishing the baseline information from above, this then enabled the development of Part 1 which is the strategic plan. It is this component upon which the future land use planning decisions such as zoning is based upon.

Again, Part 1 has been prepared in conjunction with the Shire's town planning section and also included an intensive stakeholder consultation with both private and public entities. This has enabled the development of strategies which are in keeping with parties such as Landcorp, BHP Billiton, Pilbara Development Commission, Department of Housing, Regional Development and the like.

The input from stakeholders has been successful to identify strategic gaps and to better align the draft LPS with state based policy as required. After completing the

review of the stakeholder comments, the draft LPS was completed and was made available to all Councillors in February 2015 to make comment.

COMMENTS/OPTIONS/DISCUSSIONS

As previously mentioned, Part 2 of the LPS is actually prepared first as this document purely deals with the background information and it is not essential to be read in conjunction with Part 1. Part 2 outlines all the existing features of the Shire and includes:

- Natural environment characteristics;
- Housing;
- Population;
- Economy;
- Tourism;
- Recreation and open space;
- Transport; and
- Infrastructure.

Another major part of Part 2 is the literature review which assess and draws out the main concepts from all existing strategic documents and includes the State Planning Policy, Economic Development and Tourism and Newman Revitalisation Plan amongst various others.

The purpose of examining all of the existing features and documents is to then identify opportunities and constraints to enable strategic land use planning to grow the shire for a period of 10-15 years.

Based on the information from Part 2, Part 1 identifies a base vision, accompanied by distinct goals and supported by a range of strategies in order to achieve the goals and therefore bringing the vision to fruition.

The vision has been generated from the broad concepts of the Shire's Strategic Community Plan and consists of the following:

- Diverse;
- Cohesive;
- Responsive;
- Liveable;
- Connected; and
- Attractive.

The above trunk visions are supported by a numerous number of goals which are embedded throughout the draft LPS and generally come from one of the following broad concepts:

- Economic Diversification;
- Affordable Living;
- Social and Community;
- Environment and Water; and
- Infrastructure and Technology.

Finally, Part 1 provides numerous strategies covering a range of topics to achieve the visions and goals referred to above. The topics and some key strategies are:

- Population and Housing:

- Housing strategy;
 - Population forecasting.
- Economic Diversification:
 - Transport and logistics hub;
 - Newman Airport Enterprise Zone;
 - Agriculture.
- Tourism and Visitors:
 - Cultural heritage trails;
 - Facility investment for Marble Bar and Nullagine;
 - Reviewing Cape Keraudren.
- Retail and Commercial:
 - Develop a retail needs assessment;
 - Diversity of lots sizes i.e. Airport development;
 - Home Based Business policy.
- Recreation and Open Space:
 - Lobby for better access to National Parks;
 - Consider developing a new recreation precinct(s).
- Community Facilities:
 - Newman health precinct;
 - Education precinct(s);
 - Civic presence;
 - Develop new funding opportunities.
- Environment:
 - Mine dewatering;
 - Review surface water and develop strategies to better plan and preserve;
 - Environmental planning policy to preserve natural vegetation.
- Transport:
 - Newman Airport upgrades;
 - Freight and logistics development to support Newman Airport;
 - Lobby for Marble Bar Road upgrades;
 - Newman industrial highway link;
- Infrastructure:
 - Align shire growth with utility providers;
 - Review and implement upgrades to Newman WWTP;
 - Renewable energy policy;
 - Lobby for increased communications.
- Rural Land Use, Subdivision and Development:
 - Agriculture;
 - Utilise maximum R-Coding where possible.
- Heritage, Urban Design and Character:
 - Public Art Policy;
 - Integrating Aboriginal art into new facilities;
 - Streetscapes including landscaping;
 - Develop housing typologies reflective of location and climate.

The draft LPS also provides a spatial strategy map for the Newman townsite which directs the way in which the town should develop over the next 10-15 years. The plan is based primarily on the Newman Revitalisation Plan as well as picking up other concepts from the array of Council strategic documents.

As the LPS is still in a Draft format, it is expected that change will occur to certain sections and wording of strategies; as is the case already with a number of changes proposed as a result of internal reviews. However, it is important to now release the Draft to obtain wider public comment as well as further industry and agency comments.

In terms of compliance, it is the belief of the Shire's town planning section that the draft LPS is compliant with guidelines set out by the Department of Planning.

Therefore, it is requested that Council permit the submission of the Draft LPS to the Minister for Planning in order to seek endorsement from the Minister to advertise.

STATUTORY IMPLICATIONS/REQUIREMENTS

The Town Planning Regulations 1967 (as amended) outline the process for preparing a Local Planning Strategy and seeking endorsement from the Minister to publicly advertise draft Local Planning Strategies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.4 Land use and development control

3.4.2 Plan well for the future development of the Shire
Responsible officer: CEO
Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council pursuant to Regulation 12A of the Town Planning Regulations 1967 (as amended) forward the Draft Shire of East Pilbara Local Planning Strategy to the Commission and request Ministerial endorsement of such Draft Local Planning Strategy for the purposes of public advertisement.

9.3.4 NEWMAN TOWN CENTRE CROWN LAND ACTIONS

File Ref:	A417555, A417557
Responsible Officer:	Mr Rick Miller Director Technical and Development Services
Author:	Mr Adam Majid Manager Development Services - Planning
Location/Address:	Newman Town Centre
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

Council's consideration is required in relation to necessary actions involving Crown Land for the purposes of facilitating development of the Newman Town Centre.

BACKGROUND

Council at its meeting held on 22 August 2014 resolved to agree in principle to the development of a Town Square consistent with the adopted vision as provided for in the Newman Revitalisation Plan.

Further to the above, Council resolved at its September 2014 meeting to provide for the road widening of Lee Lane which required the excision of 862m² from Reserve 38771 which is the current Car Parking Reserve.

With the further progression of detailed designs of the Town Square and recent announcements made in conjunction with Landcorp regarding the progression of such, it is now essential to allocate the required land.

There is also a requirement to provide for new power infrastructure currently being constructed on Reserve 38788 being the Aquatic Centre site.

COMMENTS/OPTIONS/DISCUSSIONS

Reserve 38771, which is the current Car Parking Reserve, has a total area 7319m². To facilitate the further development of the Town Centre, the following is proposed:

- Excise a total of 3361m² from the Car Parking Reserve to create a new Reserve for the Town Square;
- Of the proposed new area above, it is currently proposed that approximately 2438m² will be utilised by the development of the Town Square leaving a balance of 923m²;
- This also results in the remainder of the current Car Parking Reserve having a proposed new area of 3958m².

The rationale behind creating the proposed new area is to allow room to move in terms of size should there be a requirement for additional infrastructure or facilities associated with the proposed Town Square.

Furthermore, if the balance of the proposed new Reserve is not utilised by the Town Square, it allows the continuation of that remaining 923m² to continue to be used in conjunction with the remainder of the Car Parking Reserve.

In requesting management orders for the proposed new Reserve, it is suggested that Council seek multiple Reserve purposes to allow the further development of the site without the need to seek additional purposes should Council so desire. It is therefore recommended that Council seek the creation of the new Reserve as proposed for the purposes of 'Park', 'Civic' and 'Cultural' purposes.

Construction has commenced on a new transformer required in relation to servicing the various sites within the Town Centre. As it is being constructed on the Aquatic Centre Reserve, it is necessary that such area be excised from the Reserve. Landcorp's consulting surveyor has discussed this requirement with Department of Lands whom have advised that they will accept the transformer being incorporated into the Iron Ore Parade Road Reserve.

Accordingly, Council will need to resolve to have an area of 43m² excised from the Aquatic Centre Reserve for the purposes of a road widening of Iron Ore Parade.

STATUTORY IMPLICATIONS/REQUIREMENTS

Land Administration Act 1997.

POLICY IMPLICATIONS

Nil.

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.4 Land use and development control

3.4.2 Plan well for the future development of the Shire
Responsible officer: CEO
Timing: 1-5 years

FINANCIAL IMPLICATIONS

No financial resource impact.

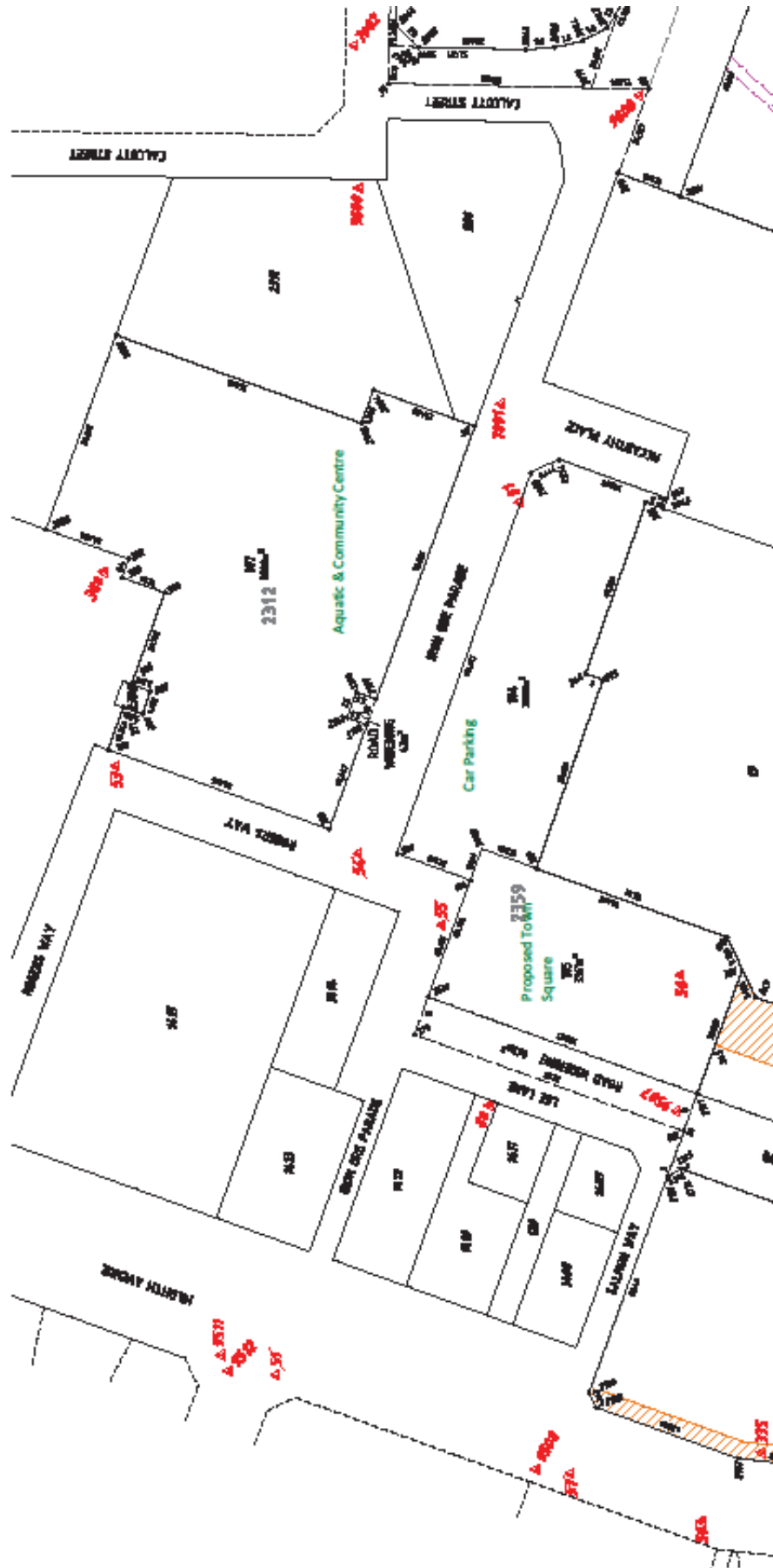
VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Relinquish management orders of Reserve 38771 Car Parking Reserve;**
- 2. Request the Minister for Lands to excise 3361m² from Reserve 38771, as shown on the attached plan, to create a new Reserve for the purposes of 'Park', 'Civic' and 'Cultural' purposes and advise that Council accepts new management orders accordingly;**
- 3. Request the Minister for Lands to issue new management orders for the remaining 3958m² of Reserve 38771, as shown on the attached plan, for the purpose of 'Car Parking' and advise that Council accepts such new management orders;**
- 4. Relinquish management orders of Reserve 38788 Aquatic and Community Centre and request the Minister for Lands to excise an area of 43m² for the purposes of Road Widening of Iron Ore Parade as shown on the attached plan;**
- 5. Request the Minister for Lands to issue new management orders for the amended area of Reserve 38788, as shown on the attached plan, for the purpose of 'Aquatic and Community Centre' and advise that Council accepts such new management orders.**



- 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**
22 May 2015, Newman
- 15 CLOSURE**