

Unconfirmed copy of Minutes of Meeting held on 24 September 2021 subject to confirmation at meeting to be held on 22 October 2021



EAST PILBARA SHIRE COUNCIL

MINUTES

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council was held,
in Council Chambers, Marble Bar,
10.05am **FRIDAY, 24 SEPTEMBER 2021.**

Steven Harding
CHIEF EXECUTIVE OFFICER



DISCLAIMER

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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: _____
Steven Harding
Chief Executive Officer

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President (Presiding Member) declared the meeting open at 10.05am and welcomed the Elected Members and Staff and acknowledged the Nyamal People, Nyiyaparli and Martu peoples being the traditional custodians of the lands across which we all meet.

We also pay our respects to Elders, both past, present and emerging.

2 RECORD OF ATTENDANCES / APOLOGIES/LEAVE ABSENCE

2.1 ATTENDANCES

Councillors

Cr Anthony Middleton	Shire President
Cr Geraldine Parsons	Deputy Shire President
Cr Anita Grace	Councillor
Cr Holly Pleming	Councillor
Cr Karen Lockyer	Councillor
Cr Langtree Coppin OAM	Councillor
Cr Stacey Smith	Councillor
Cr Adrienne Mortimer	Councillor
Cr Wendy McWhirter-Brooks	Councillor

Officers in attendance

Mr Steven Harding	Chief Executive Officer
Vic Etherington	Acting Executive Manager Commercial Services
Ms Emma Landers	Executive Manager Customer & Community Services
Mr Ian Hamilton	Acting Executive Manager Infrastructure Services
Mr Steve Leeson	Executive Manager Corporate and Customer Services

Public Gallery

Ms Annmarie Kiernan
Mr Phillip Nowland

2.2 APOLOGIES

Councillor Apologies

Nil

Officer Apologies

Nil

2.3 LEAVE OF ABSENCE

Nil

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Councillor Langtree Coppin had previously submitted the following questions:

1. Have FMG received approval for the 2 temporary camps they have built on Shire land, on which they should be paying rates?

Response from Shire Administration:

The Shire received two applications for mining camps.

The first camp is located on Marble Bar Road at 20.765075782 S 119.419657960 E. This camp is owned by IB Operations Pty Ltd (FMGL) and contains 356 beds and associated infrastructure.

The Shire has issued an approval.

The second camp (is a rapid camp, with all buildings on trailers). This temporary camp is located on Shay Gap Road 800535 E 7758290 N. This camp is owned by FMG and contains some 100 beds and associated infrastructure.

The Shire has issued an approval.

This second camp on Shay Gap Road has recently submitted plans with the Shire for an additional 200 Beds and further infrastructure. These additional works will be inspected by the Shire on Friday 1 October 2021, whilst fees have been paid an approval has yet to be issued.

2. Have FMG applied for a miscellaneous license for the water pipelines they are running through the Shire for approximately 150kms and are they ratable?

Response from Shire Administration:

Construction activities commenced on the Iron Bridge Raw Water Pipeline during Aug 2021. Three temporary construction camps are proposed along the Pipelines route (Marble Bar Road, Shay Gap Road and Canning Basin Bore field).

Main Roads WA authorisation was required for the road crossing and applications for the construction of camp waste water treatment plants have been received by the Shire. These applications are being assessed by the Department of Health.

Landgate has been approached towards a valuation, although the officer responsible for this type of infrastructure, is currently away on leave.

3. Did the previous Manager Infrastructure Services Rural have any conversations with FMG in relation to FMG maintaining the road from Shay Gap to Pardoo roadhouse in view of their heavy usage?

Response from Shire Administration:

To the best of our knowledge, we are not aware of any discussions taking place.

4 PUBLIC QUESTION TIME

- 4.1 Mr Phillip Nowland

Spoke on behalf of the Pilbara Prospectors Association in relation to the substantial rates increase for the 21/22 fiscal year and asked the Council for concessionary consideration.

Response from Shire Administration

The CEO advised the request would be taken on notice and a response will be provided to Mr Nowland.

- 4.2 Question from Ms Annmarie Kiernan from the Marble Bar Tourist Association. Ms Potter opened with thanking the Council for their time and provided updated statistics of visitors to the region.

Ms Potter then proceeded to raise her concerns regarding a map produced by the Shire of East Pilbara to which Ms Potter was of the opinion contained errors and inconsistencies. She advised the Council that the map in its current context would not be distributed to visitors.

Ms Potter also spoke to inadequate signage for tourist/visitor purposes in the region.

Response from Shire Administration

The CEO advised Ms Kiernan that her concerns with the map would be addressed and she would be contacted by the relevant Shire Officer for a discussion and suitable resolution.

The CEO further advised in relation to the signage issue, the Shire had provided signage in the region, to which he has been made aware there have been instances whereby some of the signage has been removed. Ms Potter was advised that the Shire would investigate ways to anchor signage in a more effective manner and would be in contact with the Marble Bar Tourist Association in due course.

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

- 5.1 A presentation for Councillor Gerry Parsons which acknowledged her time and contributions as a Councillor for the Shire of East Pilbara

6 APPLICATIONS FOR LEAVE OF ABSENCE

None received at the Council Meeting of 24 September 2021.

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

[Minutes August 27 2021 Council.DOCX](#)

Amendment to Minutes of Ordinary Council Meeting 27 August 2021

Cr Wendy McWhirter-Brooks requested an amendment to the Minutes of 27 August 2021 as follows:

- Phone meeting with **Anthony** Anderson **DMIRS**
- Attended Pilbara Country Zone meeting via teleconference

Minutes updated accordingly.

COUNCIL RESOLUTION

(Resolution No: 202021/257)

Moved: Cr McWhirter-Brooks

Seconded: Cr Parsons

THAT the Minutes of the Ordinary Meeting of Council held on 27 August 2021, be confirmed as a true and correct record of proceedings.

**CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0**

For: Shire President, Deputy Shire President, Councillors Fleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

8 MEMBERS REPORTS

Shire Present Anthony Middleton

Newman VFRS Dinner
NCCI Business Awards
CEO Performance Reviews
Ratepayer phone calls
Radio Interviews

Pool Opening
Citizenship Ceremony
North West defence alliance meeting
Mayor and Presidents Forum
Local Government Week
Reconciliation Session
LGIS Meeting

Cr Holly Fleming

Chris McNamara Tourism Meeting
CEO Performance Review
Creating Communities Childcare meeting
NCCI Chamber Awards
Visitor Centre Meeting
Local Government Week

Cr Lou Lockyer

Pool Opening – Newman
NCCI Business Awards
WALGA Conference 2021 – Perth
Aboriginal Reconciliation Forum
CEO Performance Review
Audit Committee Meeting

Cr Gerry Parsons

NCCI Business Excellence Awards
NCCI AGM

Cr Stacy Smith

Martu Youth Festival,
Up4It Ricky Grace,
Citizenship Ceremony Nullagine.

8.1 ITEMS FOR RECOMMENDATION

Cr Stacey Smith

Advised she had been approached by a local publican in relation to the Shire sponsoring an event. This venue had hosted an event of this nature prior and it had been very successful.

Administration Response

The CEO advised that the venue should put a proposal in writing the Shire's Events Team for assessment by Council.

8.2 ITEMS FOR INFORMATION

Cr Anita Grace

Cr Grace raised the issue of the lack of a full time veterinarian in the region. She advised that BHP with some shire funding had a part time resource but would like to begin a conversation with BHP based around the engagement of a full time vet.

Administration Response

The CEO advised that contact will be made by the Shire to BHP to clarify their arrangements in this regard and an email will be sent to Councillors.

Cr Wendy McWhirter-Brooks

- Advised that she was very happy with the progress being made with the new Shire website.
- Advised that the City of Albany had extended an approval for a bird hive.
- Received an update from the Acting Executive Manager Infrastructure services of in relation to Wullingine? Road.

Cr Stacey Smith

- Advised she had been in contact with the Department of Communities in relation to the demolition or removal of 'Blue House', further advised she has been advocating for this with the Department for a significant period of time.

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 AFFIXING COMMON SEAL UNDER DELEGATED AUTHORITY

Responsible Officer: Mr Steven Harding
Chief Executive Officer

Author: Mr Steve Leeson
Executive Manager Corporate Services

Proposed Meeting Date: 24 September 2021

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: 202021/258)

Moved: Cr Parsons

Seconded: Cr Fleming

That Council note the application of the common seal of the Shire of East Pilbara to the following document:

Document	Details	Parties
Land Purchase	Lot 500 Stojic Road	Gibson R Settlements

CARRIED UNANIMOUSLY

RECORD OF VOTE 9/0

For: Shire President, Deputy Shire President, Councillors Fleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

REPORT PURPOSE

This report is to advise Council of the documents that have had the Shire of East Pilbara common seal affixed under delegated authority since the last Council meeting on the 27th August 2021.

BACKGROUND

There have been eight (8) documents having the Shire's common seal affixed under delegated authority since the last Council meeting.

COMMENTS/OPTIONS/DISCUSSIONS

Document	Details	Parties
Land Purchase	Lot 500 Stojic Road	Gibson R Settlements

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995, Part 9, Division 3, s9.49A Execution of Documents

Division 4 Local government employees

Section 5.42

Delegation of some powers and duties to Chief Executive Officer

(1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43.

* *Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

The Policy states the following:

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.

Given the circumstances that have occurred, there is a requirement for a Council Resolution number to be recorded in the common seal register in accordance with the Policy, hence the need for Council to resolve to approve the application of the common seal to the above agreements.

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.1 Enhance governance capability to deliver sustainable outcomes, roads and buildings

RISK MANAGEMENT CONSIDERATIONS

Should Council not be informed of the documents that have had the Common Seal affixed under delegated authority, the Shire will fail to abide by Council's Execution of Documents Policy which clearly states that *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 deal was applied.*

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

9.1.2 STATUS OF COUNCIL DECISIONS

Attachments: [Council Resolutions Register - 31 Aug.pdf](#)
Responsible Officer: Mr Steven Harding
Chief Executive Officer
Author: Mr Steve Leeson
Director Corporate and Customer Services
Proposed Meeting Date: 24 September 2021
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: 202021/259)

Moved: Cr Parsons
Seconded: Cr Lockyer

THAT the “Status of Council Decisions” Report for the month of August 2021 be received.

**CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0**

For: Shire President, Deputy Shire President, Councillors Fleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

The status list of Council decisions is included as an attachment to this report.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Part 2 Constitution of local government

Division 2 Local Governments and Councils of Local Governments

Section 2.7

- (1) The Council:
 - (a) Governs 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

As applicable

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.1 Enhance governance capability to deliver sustainable outcomes, roads and buildings

RISK MANAGEMENT CONSIDERATIONS

In order to remain transparent and to facilitate timely and appropriate decision-making it is necessary that actions items be reviewed at each Council meeting.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

9.2 DIRECTOR CORPORATE AND CUSTOMER SERVICES

9.2.1 CREDITORS FOR PAYMENT

File No: FIN-23-9
Attachments: [Cheque Payments.pdf](#)
[Direct Payments.pdf](#)
[EFT Payments.pdf](#)
[Mastercard.pdf](#)
Responsible Officer: Mr Steve Leeson
Executive Manager Corporate Services
Author: Ms Sian Appleton
Senior Finance Officer
Proposed Meeting Date: 27 August 2021
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: 202021/260)

Moved: Cr McWhirter-Brooks

Seconded: Cr Coppin

That Council endorse the following payments:

EFT Payments	EFT58235 – EFT59619	\$3,398,057.15
MasterCard	See attachment	\$12,948.04
	Total	\$3,411,005.19
Cheque Payments	25161 – 25169	\$39,528.55
Superannuation	DD15193.1 – DD15310.25	\$178,651.21
	Total	\$218,179.76
	GRAND TOTAL	<u>\$3,629,184.95</u>

CARRIED UNANIMOUSLY

RECORD OF VOTE 9/0

For: Shire President, Deputy Shire President, Councillors Fleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

REPORT PURPOSE

For Council to endorse the payment of creditors.

BACKGROUND

Pursuant to Regulation 13 of the Regulations, a list of payments made from the Municipal and Trust accounts is required to be presented to Council on a periodic basis.

These details are included as Appendices 1, 2 and 3.

In accordance with Regulation 12 of the Regulations, the Chief Executive Officer has delegated authority to make these payments.

The attached documents outlines payments made to creditors since the Ordinary Council Meeting held on the 23rd July 2021.

COMMENTS/OPTIONS/DISCUSSIONS

EFT Payments	EFT58235 – EFT59619	\$3,398,057.15
MasterCard	See attachment	\$12,948.04
	Total	\$3,411,005.19
Cheque Payments	25152 – 25158	\$39,528.55
Superannuation	DD15193.1 – DD15310.25	\$178,651.21
	Total	\$218,179.76
	GRAND TOTAL	<u>\$3,629,184.95</u>

Please note the Shire's accounts payable 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 in its entirety.

CANCELLED AND UNUSED CHEQUES:

CANCELLED CHEQUES & EFTS

Cheques – 25Nil

EFT's – EFT59110, 59131-32, 59292, 59349-50, 59486

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)

- (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.*

Local Government (Financial Management) Regulations 1996
Part 2 – General Financial Management
Reg. 13(1)

- (1) *If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared:*
 - (a) *The payee's name; and*
 - (b) *The amount of the payment; and*
 - (c) *The date of the payment; and*
 - (d) *Sufficient information to identify the transaction.*

POLICY IMPLICATIONS

3.12 Corporate Credit Card
3.14 Procurement and Tender Procedures Policy

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.1 Enhance governance capability to deliver sustainable outcomes, roads and buildings

RISK MANAGEMENT CONSIDERATIONS

Legislative - Medium

FINANCIAL IMPLICATIONS

Total expenses of \$3,629,184.95.

VOTING REQUIREMENTS

Simple.

9.2.2 MONTHLY FINANCIAL STATEMENTS AND INVESTMENT REPORT FOR PERIOD ENDING 31 JULY 2021 WITH BUDGET AMENDMENT

Attachments: [July 21 - Monthly Financial Statements.pdf](#)
[East Pilbara Aug 21.pdf](#)
[East Pilbara July 21.pdf](#)

Responsible Officer: Mr Steve Leeson
Executive Manager Corporate Services

Author: Mrs Lisa Davis
Manager Corporate Services

Proposed Meeting Date: 24 September 2021

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: 202021/261)

Moved: Cr Mortimer

Seconded: Cr Lockyer

That Council:

1. Accept the monthly financial statements for the period 1 July 2020 to 30 July 2021 of the 2021/2022 financial year as included in Attachment 1 be received, and
2. Pursuant to Section 6.8 of the Local Government Act 1995 approves an amendment to the Shire's 2021-2022 Annual Budget as per the following table:

Account	Description	Current Budget	Amendment	Revised Budget
32031	Rates Raised	\$13,283,400	-\$200,000	\$13,483,400
109003	Newman WWTP Upgrade Project	\$ NIL	\$200,000	\$ 200,000
TOTAL			\$0	

3. Endorse an amendment to the 2021/2021 Fees and Charges as follows:

Shire Of East Pilbara Schedule of Fees & Charges 2022/2022	GST Applic	21/22 Adopted Fee Incl GST	21/22 Amend Fee Incl GST	Description
Function 9 - Housing				
Shire Staff				

Rent - Furnished SPQ Unit – 1/2 bedroom - 1 bath)	No	100.00	140.00	Reinstate previous charge
Rent - Marble Bar - SPQ – (1/2 bedroom - 1 bath)	No	50.00	70.00	Reinstate previous charge

4. **Set and effect date for the new Fees and Charges to be 1st October 2021.**
5. **Provide notice of the adopted fees as advertised, pursuant to Section 6.19 of the Local Government Act 1995.**

**CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 9/0**

For: Shire President, Deputy Shire President, Councillors Pleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

REPORT PURPOSE

The Monthly Financial Statements provides details of the Shire of East Pilbara's (the Shire's) current year to date financial position in relation to the 2021-2022 Annual Budget, as maybe amended, including the reporting of material variances.

BACKGROUND

The reporting of monthly financial information is a requirement under Section 6.4 of the Local Government Act 1995 (Act) and Regulation 34 of the Local Government (Financial Management) Regulations 1996 (Regulations).

The attached report details the financial activities of the Shire for the period 1 July 2021 to 31 July 2021 of the current financial year.

There are 4 sections of the Monthly Report:

1. Monthly Health Checks and Summary Graphs;
2. Statutory Reports – Rate Setting Statement, Operating Statement, Cash Flow;
3. Various other Notes to give Council an overview of the Shire's current financial situation, including Material Variances for Programs and Nature and Type as per Council's adopted variance threshold limits of 10% or \$10,000 whichever is greater; and
4. A Capital Projects schedule detailing all expenditure.

Also attached is a copy of the Monthly Investments and Reserves report.

Any immediate annual budget considerations are also presented within the monthly financial report.

COMMENTS/OPTIONS/DISCUSSIONS

Material variances in the Shire's 2021-2022 annual budget are disclosed within the attachments.

Council Approval is required for proposed budget amendments as follows:

Newman WWTP Upgrade Project

GHD Contract No. TC 2020731

Water Corporation Contract No. TC2020796

Shire administration is seeking additional funding of \$200,000 to cover additional design costs that are required for the Newman WWTP Upgrade project.

Increases in current and expected future sewer flows into the Newman WWTP has resulted in the need for a larger capacity treatment plant to be designed. The Design Consultant currently working on the Newman WWTP Upgrade Design Contract (TC 2020731) will be required to draft an implementation Plan that identifies all the amendments to the current design that will be needed to enlarge its capacity.

The cost of this added design work is estimated at \$170,000 plus GST. Additionally, the Shire is also required to design and construct an Emergency Process System that can provide basic treatment of the raw sewer flows if the current plant fails before the new plant is commissioned. Due to the urgency and critical requirement for this Emergency Process System, Water Corporation (WC) have agreed to complete the design under our current WC Consultancy Agreement Contract (TC 2020796). The expected WC design cost is estimated at \$40,000.00.

2021-2022 Rating

The net initial rates strike as part of the annual budget has been higher than previously modelled, due to the ongoing process of receiving updated property valuations.

An additional circa \$200,000 has been levied to date. Whilst this would have been brought into the next formal budget review, it is recommended to be recognised to offset the unforeseen expenditure in relation to the Newman WWTP upgrade project.

2021-2022 Fees and Charges

The adopted fees and charges include rental amounts for staff housing. A change to single housing charge rates to a lower amount was made, which upon further review by management, has been considered and recommended for reversal. The previous 2020-2021 amounts are considered fair and equitable, in relation to other current amounts.

It is recommended to reinstate the previous charges as per the table below:

Shire Of East Pilbara Schedule of Fees & Charges 2022/2022	GST Applic	21/22 Adopted Fee Incl GST	21/22 Amend Fee Incl GST	Description
Function 9 - Housing				
Shire Staff				
Rent - Marble Bar - SPQ – (1/2 bedroom - 1 bath)	No	50.00	70.00	Reinstate previous charge
Rent - Furnished SPQ Unit – 1/2 bedroom - 1bath)	No	100.00	140.00	Reinstate previous charge

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.”*

Section 6.8 (1)(b)

*“Expenditure from municipal fund not included in annual budget is to be authorised in advance by resolution”. *Absolute majority required.*

POLICY IMPLICATIONS

3.1 Accounting Policies
3.5 Budget Management – Capital Acquisitions
3.9 Investments Policy

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

RISK MANAGEMENT CONSIDERATIONS

Legislative - Medium

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Absolute.

9.2.3 REVIEW OF CORPORATE SERVICES POLICIES

Attachments: [1.7 Councillor Allowances & Expenses v2.pdf](#)
Responsible Officer: Mr Steve Leeson
Executive Manager Corporate Services
Author: Mr Steve Leeson
Executive Manager Corporate Services
Proposed Meeting Date: 24 September 2021
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 202021/262)

Moved: Cr Lockyer
Seconded: Cr Parsons

That Council revises policy 1.7 Councillor Allowances & Expenses included as appendix 1.

**CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 9/0**

For: Shire President, Deputy Shire President, Councillors Pleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

REPORT PURPOSE

For Council to consider the further review of Corporate Services related policies.

BACKGROUND

A Local Government's Council adopts policies as prescribed under the Local Government Act 1995 (the Act) and other policies to establish Council's position, view and outcomes for a range of other matters as required in governing the district.

At the Ordinary Council Meeting of 28 May 2021, the first report of a progressive review of Corporate Services related polices was presented. The approach being undertaken is to:

- Rescind (Where the policy objectives are already within Local Government Act 1995, other legislation)
- Redirect (Where the policy objectives are a management procedure or process being the responsibility of the Chief Executive Officer (CEO))

- Review (Where the policy objectives are meeting current needs for Council to have an established position on a matter to which provide guidance to Shire process and procedures)
- Retain (Where no change is recommended to the current policy).

This is the fifth report of the progressive review of Corporate Services Policies.

The following table outlines the policies for consideration:

No.	Policy	Rescind	Redirect	Review	Retain
1.4	Citizenship Ceremonies Dress Code				X
1.6	Council Meetings – Dates & Times				X
1.7	Councillor Allowances & Expenses			X	

COMMENTS/OPTIONS/DISCUSSIONS

1.7 Councillor Allowances & Expenses Policy

Appendix 1

Date Adopted: 26 April 2019 (last reviewed 27 August 2021)

Recommendation: Review

Reason:

The previous revision was adopted on the proviso that the accommodation rate referenced at Part 2.1 (e) was further reviewed. The amount is used to determine the maximum reimbursable amount for the cost of a commercial airfare, when considered unfeasible to travel to meetings by private motor vehicle.

The current amount is:

x 2 nights (\$180/night) \$360.00

Based upon an online search of 3.5 – 4 star hotels in Perth, Saturday to Monday, a reasonable price per night is considered as \$250.

The calculation includes distance travelled “Perth to Newman return” although only one way kms were included. This has been increased from 956kms to 1194kms x2.

The amendment would increase the maximum permissible refundable amount for a commercial flight, from \$1,562.85 to \$3,077.56.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

POLICY IMPLICATIONS

Amendments and deletions to existing policies are recommended within this report.

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.1 Enhance governance capability to deliver sustainable outcomes, roads and buildings

RISK MANAGEMENT CONSIDERATIONS

Legislative - Medium

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

9.3 EM CUSTOMER & COMMUNITY SERVICES

**9.3.1 COMMUNITY SPORT AND RECREATION FACILITIES FUND - CLUB
NIGHT LIGHTS 2022/23 ROUND**

Responsible Officer: Ms Emma Landers
Director Community Services

Author: Paul Miller
Manager Recreation & Events

Proposed Meeting Date: 24 September 2021

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION (Resolution No: 202021/263)

Moved: Cr Parsons
Seconded: Cr Lockyer

That Council:

- 1. Endorse the Shire of East Pilbara Club Night Lights grant application**
- 2. Consider an allocation of a maximum of \$226,666 to the 2022/23 Capital Budget for full LED upgrade of sports lighting at Emu Oval, subject to the approval of the Club Night Lights grant application.**

**CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0**

For: Shire President, Deputy Shire President, Councillors Fleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

REPORT PURPOSE

For Council's consideration to endorse an application to the Department of Local Government Sport and Cultural Industries' (DLGSC) Club Night Lights 2022/23 Grant Funding Round, for the upgrade of Emu Oval floodlighting and allocate funds to deliver the project within the 2022/23 capital works budget.

BACKGROUND

The Club Night Lights Program administered by DLGSC provides financial assistance of up to one third, of the total estimated project cost to well-planned sports floodlighting infrastructure projects that will maintain or increase participation in sport and recreation with an emphasis on physical activity, through rational development of good quality, well-designed and well-utilised facilities.

Eligible projects that have a total project value between \$5,000.00 and \$500,000 are suitable for the 2022/23 annual round and projects with a total project value exceeding \$500,000 are suitable for the forward planning round. Projects may be eligible for a further development bonus, which is up to one-half of the project cost.

The development bonus is subject to evidence being provided that details regional/remote location, sustainability initiatives such as energy reduction or increased participation from new or existing participants.

Applications for the current funding round must be assessed and submitted to the Pilbara Office of DLGSC no later than 30 September 2021.

During October to December 2021, the applications will be evaluated and ranked by the Assessment Panel. Successful applications are announced following this assessment in January 2022, with funding expected to be available 1 July 2022 and the grant expended and acquitted by 15 June 2023.

There is one application for this round of funding being the Shire of East Pilbara application for the Emu Oval floodlighting upgrade.

COMMENTS/OPTIONS/DISCUSSIONS

Owned in freehold by the Shire of East Pilbara, Emu Oval (as shown at Attachment A) plays an important role in providing outdoor sporting, community and social facilities within the Capricorn Sporting Complex. The oval facilitates junior football, miniroos, tee ball, junior cricket, as well as practice nets for senior cricket.

The project will upgrade the existing lighting to enable sports such as cricket, tee ball and baseball to utilise this oval for evening match play or training. As these are traditional summer sports and the nature of our climate, having options for evening usage is essential for participation. The increase of night time sports on Emu Oval will see better distribution of sports across the ovals at the Capricorn Sporting Complex, relieving pressure off Goanna and Capricorn Ovals. Further, the upgrade of the lighting will assist Newman Cricket Association and Newman Junior Cricket Association to increase participation in junior and women competitions, as well as being able to utilise the cricket practice nets for evening training sessions. Currently the cricket practise nets can only be used during the day, which sees low utilisation due to the high temperatures in the afternoon.

In addition, Newman Tee ball Association is the highest engaged junior summer sport and are looking at extending their programming to include baseball. This would see an increase in membership needing more space to facilitate their sport. The upgrade in lighting would see one of their pitches being able to move to Emu oval further relieving the pressure off Capricorn oval during the summer period.

The project has been identified through the consultation for the East Pilbara Strategic Recreation Master Plan. The existing floodlighting on Emu Oval is currently only rated for large ball sports such as football and soccer. The utilisation rate on this oval is significantly lower than the other shire ovals due to not being able use it for the appropriate small ball sports for evening match play or training.

Throughout the East Pilbara Strategic Recreation Master Plan consultation, the local community identified the following priorities:

- Playing area / surface quality
- Provision of shade at sporting venues
- Lighting for training and competition
- Toilets and other amenities for event participants and spectators

The project scope includes two options:

Option 1:

Installation of two additional lighting poles and upgrading all current lighting fixtures to LED sports lighting system.

Option 2:

Installation of two additional lighting poles with LED light fixtures and retaining the current High Intensity Discharge (HID) sports lighting fixtures on existing poles.

The advantages of LED sports lighting over HID sports lighting include:

- LEDs have an extremely long lifespan relative to every other lighting technology, including HID. New LEDs can last 100,000 hours or more. The typical lifespan for an HID bulb, by comparison, is 10-25% as long at best (10,000 - 25,000 hours).
- LEDs are extremely energy efficient relative to every other commercially available lighting technology. There are several reasons for this to include the fact they waste very little energy in the form of infrared radiation (much different than most conventional lights to include HID), and they emit light directionally (over 180 degrees versus 360 degrees which means there are far fewer losses from the need to redirect or reflect light).
- System efficiency for HID lights is generally only 25% of the source efficiency, as compared to LED lights (whose system efficiency is closer to 50% of the source efficiency). The result is LEDs are a much more effective and high quality light. LED is very precise when comparing to HID, the intensity is much brighter.

As the cost of LED technology has lowered, it is now the favourable choice for sports lighting over HID, which until recently was the only choice for sports field lighting.

Assessment Summary:

As part of the Club Night Lights funding program application process, local governments are required to undertake an internal assessment of projects against key principles of facility provision.

The following is a summary of the criteria assessed for the Emu Oval floodlighting upgrade:

	Satisfactory	Unsatisfactory	Not relevant
Project justification	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Planned approach	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Community input	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Management planning	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Access and opportunity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Design	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Financial viability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Co-ordination	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Potential to increase Physical activity	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Sustainability	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

3.2 Asset Management

3.3 Budget Preparation

STRATEGIC COMMUNITY PLAN

3: Built Environment

Connected and accessible communities.

B1 Optimise places to live, work and enjoy.

B1.1 Improve local amenity.

B1.2 Provide and maintain open spaces for the community to recreate and connect.

B1.3 Maintain and facilitate community infrastructure and urban heritage, including roads and buildings.

2: Social

Harmonious communities sharing strong community connections.

S1 Promote and facilitate safe and healthy communities.

S1.1 Support healthy and safe lifestyle choices.

S1.2 Support local sporting clubs and community organisations

RISK MANAGEMENT CONSIDERATIONS

If the grant application is unsuccessful, the project will not be able to go ahead in the specified time frame. There would be an option to re-apply in future Club Night Light funding rounds.

FINANCIAL IMPLICATIONS

The Club Night Lights grant program provides financial assistance of up to one third, of the total estimated project cost. A development bonus can also be applied for with the grant then covering up to half of the total project costs.

The development bonus is subject to evidence being provided which details regional/remote location, sustainability initiatives such as energy reduction or increased participation from new or existing participants.

Total project cost for Option 1: full LED replacement: \$340,000 excl. GST

- Club Night Lights Grant (maximum one third) \$113,333
- Council 2022/23 contribution \$226,666

Total project cost for Option 1: full LED replacement: \$340,000 excl. GST

- Club Night Lights Grant (including development bonus) \$170,000
- Council 2022/23 contribution \$170,000

Total project cost for Option 2: retain HID \$225,000 excl. GST

- Club Night Lights Grant (maximum one third) \$75,000
- Council 2022/23 contribution \$150,000

Total project cost for Option 2: retain HID \$225,000 excl. GST

- Club Night Lights Grant (including development bonus) \$112,500
- Council 2022/23 contribution \$112,500

Budget allocation will be required as part of 2022/23 capital budget process.

VOTING REQUIREMENTS

Simple

9.4 EM COMMERCIAL SERVICES

**9.4.1 PROPOSED NEW LEASE OF OFFICE SPACE AT NEWMAN HOUSE –
TELETHON KIDS INSTITUTE**

Attachments: [Appendix 1 - Letter from Telethon Kids Institute](#)
Responsible Officer: Mr Ben Lewis
Executive Manager Commercial Services
Author: Ms Caitlin Lewis
Contracts & Leasing Admin Officer
Proposed Meeting Date: 24 September 2021
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 202021/264)

Moved: Cr Fleming
Seconded: Cr Grace

That Council:

- 1. Approves entering into an agreement with Telethon Kids Institute for office accommodation at Newman House, being offices 21, 22, 25 and reception 3 (West Wing), for a term of 6 months, commencing 1st October 2021 with an Option Term of 1 x 1 year.**
- 2. Approves affixing the Shire of East Pilbara common seal to the lease agreement between the Shire of East Pilbara and Telethon Kids Institute.**

**CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0**

For: Shire President, Deputy Shire President, Councillors Fleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

REPORT PURPOSE

To seek Council approval to enter into a new lease agreement with Telethon Kids Institute for office accommodation at Newman House for six (6) months with one (1) x one year option and to apply the common seal of the Shire of East Pilbara to the new lease agreement.

BACKGROUND

Founded in 1990, Telethon Kids Institute is a not-for-profit independent organisation based at the Perth Children's Hospital and is one of the largest and most successful medical research institutes in Australia.

With the goal to improve child health and wellbeing through research, Telethon Kids is looking to establish a base in Newman in order to work with both locals and rural communities to collect real data in real time. Securing office accommodation Newman House would allow them to do this.

Newman House primary use is for not for profit organisations, but the Access Eligibility and Space Allocation criteria are as follows:

Eligible Tenants

The Shire of East Pilbara commits itself to the principal goal of providing office accommodation to not for profit organisations, and such organisation shall be given preference over all other organisations.

Space allocation shall be made by the Shire of East Pilbara on the basis of first priority to be given to all NFP organisations. Should there be more NFP organisations seeking tenancy than the available spaces, then the SoEP shall have the discretion to select such tenants which it believes would be in the best interests of the people of Newman community, and taking into account the circumstances of the prospective tenant's accommodation issues.

Other organisations shall be offered tenancy agreements of not more than 12 month period. Such agreements can be extended if there are insufficient NFP organisations proposing to take up tenancy in the building.

COMMENTS/OPTIONS/DISCUSSIONS

Telethon Kids has expressed an interest in leasing the West Wing of Newman House, being offices 21, 22, 25 and Reception 3. This is highlighted in the map below.

With Telethon Kids leasing the West Wing, occupancy at Newman House will be at 84%.

The proposed terms of the lease will be as follows:

Term: Six (6) months commencing on 1st October 2021 and expiring on 31st March 2022

Further Terms: First Further Term

One (1) year commencing on 1st April 2022 and expiring on 31st March 2023

Rent:

At the full NGO rate of \$470 p/m², the annual rent of the West Wing (79m²) would begin at \$37,130.00 (GST exc) and increase by 3% yearly.

The total rent for the lease would be \$56,808.90 (GST exc) as shown in the table below.

West Wing	SQM	79		
3% annual rental increase	Rate	\$470.00		
	Total	\$37,130.00	12 months	
		\$18,565.00	6 months	
(Office Space) - Office 21, 22, 25 & Reception 3	3.0%			
	Yrly Fee	Yrly Fee	Monthly	Monthly
Periods - invoice annually	Gst Exc	Gst Inc	Fee Gst Exc	Fee Gst Inc
1 October 2021 - 31 March 2022 (6 MONTHS)	\$ 18,565.00	\$ 20,421.50	\$ 1,547.08	\$ 1,701.79
1 April 2022 - 31 March 2023 FIRST OPTION TERM	\$ 38,243.90	\$ 42,068.29	\$ 3,186.99	\$ 3,505.69
	\$ 56,808.90			

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 9 – Miscellaneous provisions (Division 3 – Documents) 9.49A. Execution of documents (pg. 320)

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

STRATEGIC COMMUNITY PLAN

2: Social

Harmonious communities sharing strong community connections.

S3 Advocate and partner to improve access to services.

S3.2 Continue to develop or advocate for new services or programs to meet unmet needs

RISK MANAGEMENT CONSIDERATIONS

Compliance - Low

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

None received at the Council Meeting of 24 September 2021.

11 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

None received at the Council Meeting of 24 September 2021.

12 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL

None received at the Council Meeting of 24 September 2021.

The two Public Gallery members, Ms Annmarie Kiernan and Mr Phillip Nowland were requested to leave the Council Chambers for the confidential part of the meeting.

13 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

COUNCIL RESOLUTION

Moved: Cr McWhirter-Brooks

Seconded: Cr Parsons

That the meeting go behind closed doors in accordance with 5.23{2} of the Local Government Act 1995.

CARRIED UNANIMOUSLY

RECORD OF VOTE 9/0

For: Shire President, Deputy Shire President, Councillors Fleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

The following items form the Shire of East Pilbara Confidential Agenda to be discussed behind closed doors:

13.1.1 CEO Performance Review;

13.1.2 Appointment of Shire Director Positions;

13.2.1 Award of Tender - rft 03-2021/22 - Airport Operations Management;

13.3.1 Approval to authorise Newman wwtp consultancy and design contract variation no.2 & design of emergency bypass;

13.4.1 Shire Staff Housing.

Shire Staff excited the Council Chamber for the discussion of Confidential Agenda items 13.1.1 and 13.1.2

13.1 CHIEF EXECUTIVE OFFICER

13.1.1 CEO PERFORMANCE REVIEW

Responsible Officer: Mr Steven Harding
Chief Executive Officer

Author: Ms Emma Landers
Acting Director Community Services

Proposed Meeting Date: 24 September 2021

REASONS FOR CONFIDENTIALITY

That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

- (a) A matter affecting an employee or employees.

COUNCIL RESOLUTION

(Resolution No: 265)

Moved: Cr Fleming
Seconded: Cr McWhirter-Brooks

That Council *DEFER item 13.1.1 Chief Executive Officer Performance Review to a special Council meeting to be scheduled for 4:00pm Tuesday 28th September 2021.

**CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0**

For: Shire President, Deputy Shire President, Councillors Fleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

***Reason:** Not all the Elected Members received the report prior to the OCM 24/9/2021.

13.1.2 APPOINTMENT OF SHIRE DIRECTORS POSITIONS

Responsible Officer: Mr Steven Harding
Chief Executive Officer

Author: Mr Steven Harding
Chief Executive Officer

Proposed Meeting Date: 24 September 2021

REASONS FOR CONFIDENTIALITY

That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

- (a) A matter affecting an employee or employees.

COUNCIL RESOLUTION / OFFICERS RECOMMENDATION

(Resolution No: 266)

Moved: Cr Parsons
Seconded: Cr Grace

THAT Council approves the recommendation 13.1.2. as contained within the Confidential Agenda of 24 September 2021.

**CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0**

For: Shire President, Deputy Shire President, Councillors Fleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

13.2 EM COMMERCIAL SERVICES

13.2.1 AWARD OF TENDER - RFT 03-2021/22 - AIRPORT OPERATIONS MANAGEMENT

File No: LEG-13-11-03
Responsible Officer: Mr Ben Lewis
Executive Manager Commercial Services
Author: Mr Ben Lewis
Executive Manager Commercial Services
Proposed Meeting Date: 24 September 2021

REASONS FOR CONFIDENTIALITY

That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

- (c) A contract entered into or which may be entered into by the Local Government and relates to matters to be discussed at the meeting.

COUNCIL RESOLUTION / OFFICERS RECOMMENDATION (Resolution No: 267)

Moved: Cr McWhirter-Brooks
Seconded: Cr Coppin

THAT Council approves the recommendation 13.2.1 as contained within the Confidential Agenda of 24 September 2021.

**CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 9/0**

For: Shire President, Deputy Shire President, Councillors Fleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

13.3 EM INFRASTRUCTURE SERVICES

13.3.1 APPROVAL TO AUTHORISE NEWMAN WWTP CONSULTANCY AND DESIGN CONTRACT VARIATION NO.2 & DESIGN OF EMERGENCY BYPASS

Responsible Officer: Mr Ian Hamilton
A/Executive Manager Infrastructure Services

Author: Mr Phillip Charley
Senior Project Manager

Proposed Meeting Date: 24th September 2021

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REASONS FOR CONFIDENTIALITY

That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

- (c) A contract entered into or which may be entered into by the Local Government and relates to matters to be discussed at the meeting.

COUNCIL RESOLUTION / OFFICERS RECOMMENDATION (Resolution No: 268)

Moved: Cr Coppin
Seconded: Cr McWhirter-Brooks

THAT Council approves the recommendation 13.3.1 as contained within the Confidential Agenda of 24 September 2021.

**CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 9/0**

For: Shire President, Deputy Shire President, Councillors Pleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

COUNCIL RESOLUTION
TO RESCIND COUNCIL RESOLUTION FOR DEFERAL OF ITEM 13.3.1

Moved: Cr Parsons
Seconded: Cr Pleming

That Council *RESCIND its decision to consider item 13.3.1 as contained within the Confidential Agenda 24 September 2021 for approval to authorise Newman wwtp consultancy and design contract variation No.2 & design of emergency bypass at a Special Council meeting to be scheduled for 4:00pm Tuesday 28th September 2021.

CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0

For: Shire President, Deputy Shire President, Councillors Pleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

***Reason:** It was agreed that as Mr Ian Hamilton, Acting Executive Manager Infrastructure Services would not be present for the Special Council Meeting scheduled for Tuesday 28th September 2021 he brief Council verbally at the meeting regarding the report. As result of this briefing Council concurred they received sufficient information to make a decision at the Ordinary Council Meeting of 24 September 2021.

COUNCIL RESOLUTION

Moved: Cr Parsons
Seconded: Cr McWhirter-Brooks

That Council *DEFER consideration of report 13.3.1 as contained within the Confidential Agenda 24 September 2021 for approval to authorise Newman wwtp consultancy and design contract variation No.2 & design of emergency bypass to a special Council meeting to be scheduled for 4:00pm Tuesday 28th September 2021.

CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0

For: Shire President, Deputy Shire President, Councillors Pleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

***Reason:** Not all the Elected Members received the report prior to the OCM 24/9/2021.

13.4 EXECUTIVE MANAGER CORPORATE AND CUSTOMER SERVICES

13.4.1 *SHIRE STAFF HOUSING

Responsible Officer: Mr Steve Leeson, Executive Manager
Infrastructure Services

Author: Mr Steve Leeson, Executive Manager
Infrastructure Services

Proposed Meeting Date: 24th September 2021

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REASONS FOR CONFIDENTIALITY

That in accordance with Section 5.23 (2) of the Local Government Act 1995 the meeting is closed to members of the public with the following aspect(s) of the Act being applicable to this matter:

- (c) A contract entered into or which may be entered into by the Local Government and relates to matters to be discussed at the meeting.
- (e) A matter that if disclosed would reveal, trade secrets, information of commercial value, information about the business, professional, commercial or financial affairs of a person.

COUNCIL RESOLUTION / OFFICERS RECOMMENDATION (Resolution No: 269)

Moved: Cr Parsons
Seconded: Cr Lockyer

THAT Council approves the recommendation 13.4.1 as contained within the Confidential Agenda of 24 September 2021.

**CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 9/0**

For: Shire President, Deputy Shire President, Councillors Pleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

** Report tabled at the meeting*

COUNCIL RESOLUTION

Moved: Cr Parsons

Seconded: Cr Lockyer

That the meeting come out from behind closed doors in accordance with 5.23{2} of the Local Government Act 1995.

CARRIED UNANIMOUSLY

RECORD OF VOTE 9/0

For: Shire President, Deputy Shire President, Councillors Fleming, Lockyer, Coppin, Mortimer, McWhirter-Brooks, Grace and Smith

Against: Nil

The meeting was reopened to the public at 12.25pm.

14 DATE OF NEXT MEETING

The next Ordinary Council Meeting of the Shire of East Pilbara is scheduled for 22 October 2021 at Newman Council Chambers

15 CLOSURE

The Ordinary Meeting of the Shire of East Pilbara for 24 September 2021 was declared closed by the Shire President at 12.25pm.