

Unconfirmed copy of Ordinary Minutes of Council Meeting held on 25 August 2023 subject to confirmation at Ordinary Council Meeting to be held on 29 September 2023



## **EAST PILBARA SHIRE COUNCIL**

# **MINUTES**

## **ORDINARY COUNCIL MEETING**

**NOTICE IS HEREBY GIVEN**

*that an*

ORDINARY Meeting of the Council

*was held in*

Gallop Hall, Nullagine at 10.30am Friday 25 August 2023

A handwritten signature in black ink, appearing to read "S. Harding", is written over a faint circular stamp.

**Steven Harding**  
**CHIEF EXECUTIVE OFFICER**



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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 and Presiding Member declared the Shire of East Pilbara Ordinary Council Meeting of 28 July 2023 open at 10.33am at Gallop Hall, Nullagine.

The President acknowledged the Traditional Owners of the land on which the Council met, the Palyku People, and their continuing connection to the land, waters and community. The Council paid its respects to all their Elders, past, present and emerging.

All present were requested to turn off and refrain from using their mobile phones for the duration of the meeting. Tablets and laptops were permitted for the purpose of accessing agenda items.

All present were also advised that the meeting was being audio recorded which can be accessed by members of the public and the media, and Council Members were reminded to refrain from making any defamatory statements.

## 2 ATTENDANCE BY INSTANTANEOUS COMMUNICATIONS

Requests to attend the meeting via a virtual platform (MS Teams) had been received from:

- Cr Peta Baer
- Cr Lou Lockyer

These requests was approved by the Shire President in accordance with regulation 14C of the *Local Government (Administration) Regulations 1996*.

## 3 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

### 3.1 ATTENDANCES

#### Councillors

Cr Anthony Middleton	Shire President
Cr Wendy McWhirter-Brooks	Deputy Shire President / Councillor
Cr Peta Baer	Councillor ( <i>MS Teams</i> )
Cr Langtree Coppin OAM	Councillor
Cr David Kular	Councillor
Cr Annabell Landy	Councillor ( <i>MS Teams</i> )
Cr Karen (Lou) Lockyer	Councillor
Cr Stacy Smith	Councillor

Officers

Steven Harding  
Paul Miller  
Cherie Delmage  
Vic Etherington  
Etienne Vorster  
Joshua Brown

Chief Executive Officer  
Acting Director Community Experience  
Acting Director Corporate Services  
Director Aviation and Regulatory Services  
Acting Director Infrastructure Services  
Manager Governance, Risk and  
Procurement  
Governance Administration Officer (*MS Teams*)  
Governance Administration Officer (*MS Teams*)

Sally Fry  
Tehsin Ali

Public Gallery

There were 18 community members in the gallery for this meeting.

**3.2 APOLOGIES**

Councillor Apologies

**Cr Adrienne Mortimer** on leave of absence.

**Cr Matthew Anick** on leave of absence

Officer Apologies

Nil

**3.3 LEAVE OF ABSENCE**

**Cr Adrienne Mortimer** was granted a Leave of Absence for the Ordinary Council Meeting of 25 August 2023 at the Ordinary Council Meeting held on 28 July 2023.

**Cr Matthew Anick** was granted a Leave of Absence for the Ordinary Council Meeting of 25 August 2023 at the Ordinary Council Meeting held on 24 February 2023.

**4 DISCLOSURES OF INTEREST**

Name	<b>Cr Peta Baer</b>
Item No and Title of Report	11.4.1 End of Year Community Event
Nature of Interest	Pursuant to section of 5.60A of the <i>Local Government Act 1995</i> , the nature of the interest is ' <b>Financial</b> '.
Interest Description	The organisation that Cr Baer is employed by will have a presence at this event in the form of a stall.
Action Taken	Cr Peta Baer will leave the Council Chamber and take no part in the discussion or vote for this item

## 5 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

The following questions was taken on notice from Cr Matthew Anick at the Ordinary Council Meeting of 28 July 2023.

Cr Matthew Anick

### 1. Can further details be provided on EFT 69507 for Spick and Span Commercial Property Maintenance Pty Ltd?

*The Acting Director Corporate Services provided the following response:*

<b>Spick &amp; Span</b>	<b>Total (incl GST)</b>		
Town Square Kitchen Cleaning	154	<b>Group 2</b>	<b>GST Exc \$</b>
Group 2 - Community Facilities Cleaning - March 2023	42,945	Aquatic Centre	3,987
Group 2 - Community Facilities Cleaning - April 2023	42,945	EP Art Centre - Martumilli	2,798
Cleaning Senior Sports Facility - kitchen, function hall, internal toilets & changerooms	308	Newman Library	2,588
Town Square Cleaning - 24 May 2023	154	Recreation Centre	3,217
Cleaning Senior Sports Facility - kitchen, function hall, internal toilets	231	Youth Centre	9,708
General cleaning, washing linen, making beds - 20E Marilanna x 3	426	Container Deposit Centre	3,427
General cleaning, washing linen, making beds - 19 Red Sands x 3	426	Newman Caravan park	588
General cleaning, washing linen, making beds - 14A Airport x 2	284		12,729
General cleaning, washing linen, making beds - 21B Bondini x 2	213		
General fortnightly cleaning - 12 Airport	284		
	<b>88,369</b>		



**2. Can further details be provided on Dick Tracey Contracting Pty Ltd payments?**

*The Acting Director Corporate Services provided the following response:*

<b>Dick Tracey Contracting</b>	<b>Total (incl GST) \$</b>
Landscape Maintenance Contract	12,754
Landscape Maintenance Contract	20,158
Landscape Maintenance Contract	9,500
Landscape Maintenance Contract	19,085
Supply & install new gates & fence - Marble Bar	65,945
Supply & erect fencing/gates - Ethel Creek Park	69,960
North Newman Reserve - Vegetation Maintenance	858
North Newman Reserve - Vegetation Maintenance	1,766
North Newman Reserve - Vegetation Maintenance	611
Newman Caravan Park - Vegetation Maintenance	330
Yurlu Caravan Park - Vegetation Maintenance	28
Newman Caravan Park - Vegetation Maintenance	193
Newman Netball Courts - Vegetation Maintenance	66
Newman Netball Courts - Vegetation Maintenance	420
Assemble rubbish bins	5,480
North East Newman Reserve - Vegetation Maintenance	1,001
Newman Airport Terminal - Vegetation Maintenance	14,014
Newman Airport Village - Vegetation Maintenance	22,550
Newman Airport Village - Vegetation Maintenance	6,600
Yurlu Caravan Park - Vegetation Maintenance	11,055
Various Locations - Vegetation Maintenance	1,184
Various Locations - Vegetation Maintenance	6,329
Newman Netball Courts - Vegetation Maintenance	11,000
Adhoc tree planting - East Newman	16,500
Tree Planting - East Newman Project	16,500
Install Newman street signs	10,890
Install guide signs - Newman	10,450
Construct shade shelter - Garden Pool Nullagine	10,890
North East Newman Reserve - Vegetation Maintenance	13,816
North East Newman Reserve - Vegetation Maintenance	11,352
Drainage Pit - Emu Oval	4,950

<b>Dick Tracey Contracting</b>	<b>Total (incl GST) \$</b>
North Newman Reserve - Vegetation Maintenance	24,000
North Newman Reserve - Vegetation Maintenance	9,240
Newman Airport Terminal - Vegetation Maintenance	10,560
Newman Airport Terminal - Vegetation Maintenance	6,600
Newman Airport Terminal - Vegetation Maintenance	7,150
Newman Airport Terminal - Vegetation Maintenance	7,920
Newman Airport Terminal - Vegetation Maintenance	770
Yurlu Caravan Park - Vegetation Maintenance	9,900
Yurlu Caravan Park - Vegetation Maintenance	10,560
Yurlu Caravan Park - Vegetation Maintenance	3,850
Install BBQ tables & chairs, bin surrounds - Ethel Creek park	10,890
Install street signs - Marble Bar	10,890
Construct shade shelter - Ethel Creek Park	10,890
	<b>499,453</b>

Councillors Middleton and Bear had questions regarding the services of Dick Tracy Consulting which were duly taken on notice by the administration.

## 6 PUBLIC QUESTION TIME

### Mr Stanley Watson

Requested a change in order of business for the Agenda for the meeting.

Suggested **Item 11.3.1** to be brought forward to the beginning of the Officer Report section of the Agenda to accommodate the majority of the public gallery which were assembled hear the decision of this item.

This request was approved by the Shire President and a change to the order of business was on the Ordinary Council Meeting agenda for 25 August 2023 was implemented.

### Mr Werner Schill Nullagine Resident)

*What is happening with the tarring of several roads in Nullagine? Cited lack of information forthcoming to residents.*

### Response from CEO:

The Shire has been in dialogue with Main Roads which has advised cost estimates to date are higher than anticipated and discussion around native title issues are stalling the commencement of this process. Assurances that Shire will continue to put pressure on Main Roads to move forward the improvements needed for these roads.

**Mr Heinrick Prokop**

*Roads in Nullagine not graded, in particular Woodie Woodie Road, requested answers as to why?*

**Response from CEO:**

Roads that were questioned are scheduled for grading. CEO will provide a detailed schedule which will provide dates for the grading of these roads.

**7 PETITIONS/DEPUTATIONS/PRESENTATIONS**

Ms Donna Shepard, CEO Creating Communities Australia in conjunction with:

- Mr Melvin Farmer
- Mr Murphy Williams
- Mr Stanley Watson
- Representatives from JYAC

presented a deputation to Council in support of the Item 11.3.1 - the East Newman Scheme Amendment and Precinct Structure Plan. All advocated for the benefits the community would receive from Council approving this initiative.

Particular emphasis was placed upon the improved welfares to the youth of the community this investment would inspire.

**8 APPLICATIONS FOR LEAVE OF ABSENCE**

No requests for leave of absence were received for this meeting.

**9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING**

**9.1 CONFIRMATION OF MINUTES**

[ORDINARY MINUTES JULY 28 2023 COUNCIL - FINAL.PDF](#)

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/ 123)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Lockyer

**That the Minutes of the Ordinary Meeting of Council held on 28 July 2023 as published on the Shire's website be confirmed as a true and correct record of proceedings.**

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** Nil

## 10 MEMBERS REPORTS

### 10.1 ITEMS FOR RECOMMENDATION

No items presented under this section from Elected Members.

### 10.2 ITEMS FOR INFORMATION

#### Cr McWhirter-Brooks

- Marble Bar CRC offering training on 6 October 2023. Training is open and will be held regularly going forward. Will be media advertised in the Mirage.
- 5 August 2023 in Marble Bar - attended with President and CEO, a funeral service for significant Community Elder and Wife who had passed.
- Attended Marble Bar CRC
- Pilbara County Zone
- Meeting with Rural Aid discussing community engagement in Marble Bar. Discussion around tourism promotion in the town.

#### Cr Lou Lockyer

- Cr Lockyer acknowledged that email requests sent to Administration were actioned and rectified in a timely and efficient manner by staff and maintenance teams to which she thanked all involved.

#### Cr Langtree Coppin

- Councillor Coppin attended the funeral, details of which are stated above.

#### Cr Peta Baer

- Lions Club, Port Hedland and Karratha. Can the Shire offer assistance to the Lions Club for annual events which have declined in numbers and patronage over the last few years.

Shire President confirmed there had been discussions around assistance to Lions Club events.

The CEO also commented that Shire is deliberating on how to assist further to elevate and assist with these community events going forward.

*Cr Stacey Smith left Chamber at 11.22am and returned at 11.23m. Cr Smith again left Chamber at 11.24am and returned at 11.29am.*

## 11 OFFICER'S REPORTS

*This below item was brought forward to the beginning of the 'Officer Report' section of the Agenda to accommodate the public gallery in attendance to hear the decision for this item. Change in order of business was approved by Shire President.*

### 11.3 DIRECTOR AVIATION AND REGULATORY SERVICES

#### 11.3.1 EAST NEWMAN SCHEME AMENDMENT AND PRECINCT STRUCTURE PLAN

<b>Attachments:</b>	<a href="#">Appendix 1 Draft ENPSP Amendment</a> <a href="#">Appendix 2 Explanatory Notes</a>
<b>Responsible Officer:</b>	<b>Vic Etherington</b> Director Aviation and Regulatory Services
<b>Author:</b>	<b>Malcolm Somers</b> Manager Strategic and Statutory Planning
<b>Proposed Meeting Date:</b>	<b>25 August 2023</b>
<b>Location/Address:</b>	<b>East Newman Precinct</b>
<b>Name of Applicants:</b>	<b>Karlka Niyaparli Aboriginal Corporation (KNAC), Jamukurnu Yapalikurnu Aboriginal Corporation (JYAC) and Puntukurnu Aboriginal Medical Services (PAMS)</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>

#### **COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/134)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Kular

**That Council resolves:**

##### **Scheme Amendment**

1. Pursuant to section 75 of the *Planning and Development Act 2005* to initiate Scheme Amendment No. 28 to the Shire of East Pilbara Local Planning Scheme No. 4 to:
  - a. Rezone the landholdings at R51522 (Lot 8004), P076940 (Lot 9002), R50086 (Lot 8005), R51523 (Lot 8011) from "Residential" to "Recreation" reserve, in addition to amending the scheme text to introduce structure planning provisions into LPS 4.
  - b. Amend the Scheme Maps accordingly.

2. Under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* consider that the proposed Scheme Amendment is a 'Standard' category.
3. Pursuant to sections 81 and 82 of the *Planning and Development Act 2005*, refer the Scheme Amendment to the Environmental Protection Authority for their information and advice.
4. Subject to a satisfactory response from the Environmental Protection Authority, proceed to Public Notice for 42 days.
5. Following the Public Notice period, return the Scheme Amendment proposal to Council with a Schedule of Submissions for further consideration of the proposal.

**Precinct Structure Plan**

6. To submit the East Newman Precinct Structure Plan to the WAPC for determination, with a recommendation for approval subject to the following modifications:
  - a. Removal of the proposed road through 29 McLennan Drive;
  - b. Clarification of the implementation obligations outlined in Part One, Section 1.4 of the ENPSP, including reducing Shire-led actions to standard public open space and road reserve maintenance;
  - c. Removal of the bough shelters from the ENPSP mapping;
  - d. Removal of any obligations relating to upgrades to the central park area;
  - e. Removal of the proposed Neighbourhood Centre;
  - f. Update the ENPSP mapping to reflect the allocation of exclusive and non-exclusive Native Title areas;
  - g. Provision of additional information on Pedestrian Access Ways;
  - h. Addressing DWER comments regarding 2D modelling; and
  - i. Updates to the Local Water Management Strategy and Traffic Impact Assessment.

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** Nil

## EXECUTIVE SUMMARY

The purpose of this report is for Council to consider submitting the advertised East Newman Precinct Structure Plan (ENPSP) to the Western Australian Planning Commission (WAPC) for determination as well as initiating the accompanying proposed Scheme Amendment No. 28.

The ENPSP seeks to provide a guide for the future subdivision and development of East Newman.

Scheme Amendment No. 28 seeks to rezone key landholdings to 'Recreation' reserve to reflect their current use, as well as incorporate structure planning enabling provisions into the Shire of East Pilbara Local Planning Scheme No. 4.

The ENPSP was advertised for a period of 42 days, with seven (7) submissions received. The application was also referred to State agencies for comment with the Department of Health, Water Corporation and Department of Water and Environmental Regulation providing responses.

Despite the Shire's view that most of the objectives of the ENPSP can be accommodated under the current planning framework, and concerns that several key issues have not been addressed by the applicant, the proposal is generally supported. However modifications to the ENPSP are required to be made before determination by the WAPC. These modifications primarily relate to previously raised issues such as clarifying implementation responsibilities, updates to technical reports and the removal of a proposed road.

It is recommended that the ENPSP be submitted to the WAPC for approval, along with a list of required modifications from the Shire. Furthermore, it is recommended that Scheme Amendment No. 28 be initiated and publicly advertised, following consideration by the Environmental Protection Authority.

## REPORT PURPOSE

For Council to consider:

- a) Initiating proposed Scheme Amendment No. 28 to the Shire of East Pilbara Local Planning Scheme No. 4 (LPS 4) to:
  - a. Rezone the landholdings at R51522 (Lot 8004), P076940 (Lot 9002), R50086 (Lot 8005), R51523 (Lot 8011) from "Residential" to "Recreation" reserve;
  - b. Amend the scheme text to introduce structure planning provisions into LPS 4.
- b) Submitting the advertised East Newman Precinct Structure Plan to the WAPC for determination along with a list of recommended modifications to be made.

A copy of the proposed Scheme Amendment Report is attached as **Appendix 1** and the advertised ENPSP is attached as **Appendix 2**.

## **BACKGROUND**

Creating Communities have submitted a Precinct Structure Plan and accompanying scheme amendment for East Newman. The application has been submitted on behalf of the Karlka Nyiyaparli Aboriginal Corporation (KNAC), Jamukurnu Yapalikurnu Aboriginal Corporation (JYAC) and Puntukurnu Aboriginal Medical Services (PAMS).

The East Newman precinct is generally bounded by Kalgan, Daniels and McLennan Drives and primarily zoned 'Residential (R15/40)' under LPS 4. The precinct predominantly accommodates single and grouped residential dwellings and areas of public open space.

The ENPSP seeks to improve the access to and quality of social housing in the area as well as access to community facilities and services. It seeks to improve residents' health, wellbeing and educational outcomes through investment into families, amenity and housing.

The revitalisation of East Newman was identified as a priority project by stakeholders of the Newman Futures project in 2020. In July 2020, Nyiyaparli and Martu signed an agreement, the "This is our Dream" Cultural Compact, inviting organisations and individuals to walk forward in a new way with Nyiyaparli and Martu to improve outcomes in Newman.

Creating Communities have advised that they have undertaken consultation with BHP and state government agencies on behalf of the proponents. Creating Communities has undertaken limited engagement with the Shire however most comment and feedback provided by the Shire pre and post lodgement has not been addressed by Creating Communities.

On 28 March 2022, the WAPC resolved to grant support for the applicant to prepare a Precinct Structure Plan over East Newman in accordance with clause 15 (c), Schedule 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

## **COMMENTS/OPTIONS/DISCUSSIONS**

### **DESCRIPTION OF APPLICATION**

The proposed ENPSP and accompanying scheme amendment was received by the Shire on 15 December 2022. The purpose of the ENPSP is to provide a guide for future development and subdivision of the area generally bounded by Kalgan, Daniels and McLennan Drives.

The ENPSP area covers approximately 73.31 hectares of land, which currently accommodates 623 dwellings. The ENPSP aims to increase the residential population from 1,682 people to 2,414 people, resulting in 894 dwellings.

The ENPSP is set out into two parts, comprising Part One – Implementation and Part Two - Explanatory Section. Part One sets out the objectives, staging and implementation responsibilities, as well as residential development requirements. Part Two provides the background and context to the ENPSP.

The ENPSP has a focus on "Community, Housing and Public Realm/Connectivity" and proposes the following initiatives:



- A Neighbourhood Centre comprising a convenience store, laundry, ablution facilities, a community services triage centre and space for other enterprises;
- PAMS short stay accommodation for those receiving medical treatment and an associated cultural and wellness space;
- A Martu and Nyiyaparli youth facility;
- JYAC youth hostel for young people living in Newman (already in place);
- EPIS assisted living complex (already in place);
- Upgrades to existing housing;
- Providing a greater variety of homes through a multi-generational home ownership precinct and culturally purpose fit housing;
- Built form controls to ensure housing design is climate responsive and appropriate to community needs;
- Identifying opportunities for redevelopment of housing;
- Improving the amenity and liveability of housing;
- Improved connections through the precinct;
- Culturally sensitive improvements to parks and public gathering spaces such as the central park, Miners Promise Park and the drainage reserve adjacent to Nimingarra Drive;
- Upgrades to streets, ensuring safety and comfort through landscaping and increased tree canopy;
- New road and pedestrian connections to improve access; and
- Planning and design of public areas and location of community facilities focused on key Nyiyaparli and Martu walking trails.

#### Statutory Planning Requirements

It is important to note that whilst the proposed ENPSP provides a guide to future development and subdivision, it does not compel any landowner to undertake any of the works envisaged in the ENPSP. For the objectives of the ENPSP to be met, it will require the involvement of the major land owners in the precinct (BHP and State Government agencies).

Furthermore, the Shire's role in the structure planning process is to advertise the proposal and provide comment and any proposed modifications to the WAPC. The WAPC are the determining authority and there is no requirement for any modifications to be made by the applicant before the proposal is forwarded to the WAPC.

Unlike a development application where the Shire would generally be the determining authority, the Shire has a statutory obligation to process the ENPSP in a timely manner and forward to the WAPC.

#### **ADVERTISING AND SUBMISSIONS**

The proposed ENPSP was required to be advertised in accordance with Part 4, clause 18 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The application was advertised for a period of 42 days, commencing on 24 May 2023 and concluding on 6 July 2023. Advertising occurred via a letter to the owners and occupiers of properties within the proposed ENPSP area, as well as a public notice displayed on the Shire's website, a printed copy for viewing at the Newman Administration Centre and a notice published in the North West Telegraph newspaper.

In addition, Creating Communities undertook a series of their own community engagements.

Three 'pop up' stalls were held at the Newman Boulevard Shopping Centre between 25 – 28 May 2023 as well as a Community BBQ at Miners Promise Park on 26 May 2023. A further two 'pop up' stalls were manned by Creating Communities on 28 and 29 June 2023.

At the conclusion of the advertising period, five (5) submissions in support of the application were received as well as one (1) objection. In addition, Creating Communities prepared submission forms for community members to complete. 38 forms expressing support for the proposal were collated and submitted by Creating Communities.

In addition to the public advertising, the application was referred to State agencies for comment, with the Department of Health, Water Corporation and Department of Water and Environmental Regulation responding. Relevant comments are provided below.

#### Department of Health

The Department of Health (DoH) provided a general response with no objection to the proposal, subject to all new development proposals being connected to reticulated sewerage. DoH also advised that they support the strategies and implementation of the proposed Landscape Plan.

#### Water Corporation

The Water Corporation expressed no objection to the proposal. They advised that water and wastewater services can be extended to serve the un-serviced portions of the Structure Plan Area. Extension of the network must be carried out by suitably qualified Engineering Consultants and Civil Contractors at the Developers expense.

#### Department of Water and Environmental Regulation

The Department of Water and Environmental Regulation (DWER) notes that:

- The Local Water Management Strategy (LWMS) uses the Golder and Associates Hydraulic Study of Newman (2013) to identify flood affected properties. The hydraulic study appears to show flooding on a predevelopment or transitional landscape.
- The northwest / west side of the precinct has been developed so this older 2D flood model does not represent the current flood response in this area. DWER is not aware of any complete 2D model that shows flood risk post development of this precinct and the area around it. Flood risk would be better informed by a 2D model of the current developed landscape.
- The Department supports the proposed water efficiency measures and reuse of treated wastewater for Public Open Space Irrigation (subject to appropriate irrigation management practices to protect water quality of the Newman Public Drinking Water Source Area). Confirmation of sufficient water supplies to support new development / redevelopment (both treated waste water for irrigation and potable) should be sought from the Water Corporation.

### Comments in Support

Submissions generally expressed support for the proposed ENPSP for the following reasons:

- Improved amenity and living conditions;
- Provision of social places and shops for people to visit;
- Improved community services and facilities;
- Help with those needing a short term place to stay when undergoing medical treatment;
- Upgrade of social housing;
- Culturally appropriate housing;
- Providing activities for youth;
- Improved safety;
- Redeveloped streets and upgrades to community spaces;
- Provision of a cultural and wellbeing space will help raise awareness and build relationships; and
- Combining delivery of services in one space provides economies of scale.

### Objection

One objection was received, relating to the proposed road shown from McLennan Drive to Callawa Way. If constructed, this would require the seven (7) existing grouped dwelling units, which are under different land ownerships at 29 McLennan Drive to be demolished. Concerns relating to the proposed road are addressed in the “Officers Assessment” section below.

The objection also set out concerns that if the ENPSP were approved, that the units would be subject to increased crime. It is noted that many of the objectives and principles contained within the ENPSP aim to reduce crime through a high quality of residential design, activation and Crime Prevention Through Environmental Design (CPTED) principles such as passive surveillance which would be applied to any new development.

### **INTERNAL REFERRALS**

The proposed ENPSP was referred to internal departments for technical comment. Relevant comments are outlined below.

### **OFFICER’S ASSESSMENT**

An assessment of the proposal against the applicable statutory and policy framework has been completed. Discussion on each of these key considerations is set out below.

#### Shire of East Pilbara Local Planning Scheme No. 4

It is proposed to amend LPS4 to incorporate provisions relating to structure plans, and to rezone key sites from ‘Residential (R15/40)’ to ‘Recreation’ reserve.

It is considered that the proposed scheme amendment is appropriate as the enabling provisions reflect those in contemporary Local Planning Schemes. Furthermore, the rezoning to ‘Reservation’ reserve will more accurately reflect the current use of these sites.

Where a development application or subdivision application is submitted, due regard shall be given to the ENPSP, however the relevant provisions of LPS4 will remain in place. The precinct is zoned 'Residential' with a density of R15/40, meaning that the base requirement for all residential development will be assessment at the R15 density.

Applications for density above R15 (up to R40) will be at the Shire's discretion, subject to the provision of reticulated sewer, a high quality of built form that meets the objectives of the ENPSP and addresses State Policy 7.0 – Design of the Built Environment Design Principles as well as additional design criteria set out in sections 2.3 and 2.5 of ENPSP Part 1.

#### Shire of East Pilbara Local Planning Strategy

The proposed application is consistent with the principles and objectives of the Shire of East Pilbara Local Planning Strategy (2021) which sets out a range of actions including requiring "*Precinct Planning in the East Newman residential area to improve amenity and liveability including formalising pedestrian access and streetscape improvements*". The proposed establishment of a Neighbourhood Centre is not consistent with the Local Planning Strategy (refer below).

#### Proposed Scheme Amendment

As the ENPSP has been advertised and will be forwarded to the WAPC, it is considered a seriously entertained proposal. As a result, it is appropriate to initiate the proposed scheme amendment for public advertising.

Part 5, Div 1 & 2 of the *Planning and Development (Local Planning Schemes) Regulations 2015* provides for the process to amend a local planning scheme. The process, at a minimum, includes requirements for Council to:

- i. Consider the type of scheme amendment proposed as either basic, standard or complex.
- ii. Consider if the proposal should proceed to advertising with or without modification or not at all.
- iii. Refer the matter to the WAPC for consent to advertise and the Environmental Protection Authority (EPA) for environmental consideration.
- iv. Give public notice for a minimum period of 42 days for a Standard amendment.
- v. Receive submissions on the proposal and acknowledge receipt of those submissions.
- vi. Re-consider the proposal and pass resolution following public notice to support the scheme amendment with or without modifications or not support the scheme amendment.
- vii. Submit the recommendation of Council to the DPLH for progression to final determination by the Minister for Planning.

The amendment is proposed as a 'Standard' Amendment under the provisions of the *Planning and Development (Local Planning Scheme) Regulations 2015* on the basis that it is considered to be:

- i. An amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
- ii. An amendment that is consistent with the local planning strategy for the scheme that has been endorsed by the Commission;

- iii. An amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones for all the types that are outlined in the plan;
- iv. An amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment; and
- v. An amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area.

On the basis of the above, it is considered appropriate for the Shire of East Pilbara to initiate the proposed amendment and progress the document to public advertising for the statutory 42 day period, following consideration by the EPA.

#### Required Modifications to East Newman Precinct Structure Plan

Several of the Shire's key comments have not been taken into account, either prior to lodgement of the ENPSP, during the assessment process or prior to advertising the proposal. For example, Creating Communities has been advised that the proposed structure plan was not necessarily required in order to achieve most of the objectives of the ENPSP.

Creating Communities have advised that the ENPSP seeks to introduce community uses to the precinct. However, several of the community facilities noted in the ENPSP are already operating, including the EPIS Assisted Living Complex and JYAC Student Hostel. Given that many of the activities sought by the proponents are already in place, it is questionable why the ENPSP is required.

In addition, there are many community uses that can be considered within the current 'Residential' zone, including but not limited to 'Child Day Care Centre', 'Infant Health Clinic', 'Educational Establishment' and 'Consulting Rooms'.

Furthermore, whilst a 'Shop' cannot be considered in the 'Residential' zone, other more discrete uses such as 'Local Shop' and 'Corner Shop' can be considered without the need for an overarching structure plan to be prepared. Should the owner of the lots identified as 'Neighbourhood Centre' wish to develop such uses, then a development application could be prepared and submitted.

The above notwithstanding, should the WAPC proceed with approving the proposal, then the below comments should be taken into consideration.

Following advertising of the Precinct Structure Plan, the local government must provide a report to the WAPC outlining the assessment of the proposal, any proposed modifications as well as a recommendation on the proposal. This is because there is no statutory requirement for the modifications to be made prior to submitting the structure plan to the WAPC.

Whilst the ENPSP is generally supported, there are some key matters that will require addressing by the applicant before the proposal is determined by the WAPC. These are summarised as follows.

Proposed Road through 29 McLennan Drive

As outlined above, an objection was received regarding the proposed road connection through 29 McLennan Drive, which comprises seven (7) units. Given the proposed road will impact upon a variety of different landowners, it is recommended that this road be removed. If the complex falls under a single ownership in the future, it would be possible to submit an amendment to the ENPSP.

Implementation Obligations

The majority of landholdings within the ENPSP area are privately owned. Therefore any change over time in line with the ENPSP vision will be privately led.

It is noted that most obligations reflect this, however there are a range of responsibilities related to “Public Realm and Connectivity Actions” outlined in Part One – Section 1.4 Staging of the ENPSP that are labelled “to be confirmed”.

These actions and responsibilities relate to a range of matters including additional landscaping, development of landscape guidelines, upgrades to streets, future lighting, additional shade, new road networks, establishment of cultural corridors and upgrades to public open space.

Whilst many of these actions would fall under the general responsibilities of the Shire, it is not appropriate that an expectation be established that the Shire would deliver all of these items based on an aspirational proposal by a third party. The Shire will undertake upgrades and maintenance based on our own programming but cannot be made to commit to activities that are well beyond this.

It will only create unreasonable expectations from the community and stakeholders that all the measures set out in this section will be undertaken by the Shire. At this time there are no plans to undertake actions such as the creation of new roads through private properties, nor any works to the central park area. No capital or ongoing maintenance funds for these actions have been included in the Shire’s Long Term Financial Plan.

Therefore, the implementation actions (particularly those labelled “to be confirmed”) are to be amended to be undertaken by the proponent and/or relevant landowner as well as reduce actions required by the Shire, noting that we will inherit standard public open space and road reserve maintenance.

Further emphasis shall also be placed on actions by the main landowners (BHP and Department of Communities) to commit to refurbishment and improvement of their properties, linked to timeframes.

Bough Shelters

A structure plan is intended to be a higher level document, providing guidance for the future development and subdivision of an area. It is noted that the application specifically shows the location of shelters (“bough shelters”) in drainage areas.

This is considered to be excessively detailed for the purposes of a structure plan and may create an expectation that such structures would be constructed and/or approved by the Shire.

It is requested that references to the bough shelters be removed from the ENPSP, including Figure 20.

Neighbourhood Centre

The ENPSP makes provision for a Neighbourhood Centre (originally termed “Village Centre”), which is proposed to accommodate a convenience store, laundry, ablution facilities, a community services triage centre and space for other enterprises. The Neighbourhood Centre is located on BHP owned land.

The Shire has previously advised the applicant that the proposed Neighbourhood Centre is not supported. This is because that the Shire’s strategic planning focuses on consolidating such uses within the Town Centre.

Firstly, WAPC State Planning Policy 4.2 – Activity Centres states that the establishment of neighbourhood and local centres are identified in the relevant local planning strategy. A Neighbourhood Centre in East Newman is not identified within the Shire of East Pilbara Local Planning Strategy (2021).

In addition, Part 3.3.1 (b) of the Local Planning Strategy seeks to “support new retail opportunities within the Town Centre as the priority location”. An assessment demonstrating the sustainability of a Neighbourhood Centre in East Newman has not been undertaken, and when requested, no information has been provided regarding any commitments or involvement in establishment of the proposed centre.

It is considered that a location in East Newman makes it less accessible for the wider community who do not reside in East Newman. It is also a duplication of resources which are difficult to attract and retain. Therefore it is recommended that the Neighbourhood Centre be removed from the ENPSP.

Native Title

The Shire has previously advised the applicant that the only exclusive native title lot in the ENPSP area is located along Armstrong Way. All other areas identified are non-exclusive native title. It is requested that the ENPSP be amended to appropriately reflect this.

Pedestrian Access Ways

It is acknowledged that Pedestrian Access Ways (PAWs) play a role in the pedestrian and cycle network, however they can also attract anti-social behaviour, contribute to adverse amenity impacts and require regular maintenance (particularly the central park).

The applicant has previously been requested to provide further information on what measures are proposed to ensure the PAWs achieve CPTED principles and it is recommended this information be provided prior to determination by the WAPC.

Central Park Area

The ENPSP proposes modifications to the existing central park area. It is not considered that the proposal will result in any improvements, and is reliant on surrounding properties developing in a manner to “activate” the park.

The design is not conducive to an area of amenity or activation and if the plan were prepared over a greenfield site, the proposed design would not be entertained.

As outlined above, the proposal will also create an expectation that the proposed works will be delivered by the Shire, which is not the case. Maintaining a park such as that proposed is cost prohibitive exercise, which the Shire does not have the funding or capacity to undertake.

Local Water Management Strategy – Appendix 1

It is noted that the drainage capacity has not been identified as increasing in the LWMS as a result of this proposal. Current drainage is insufficient, for example flooding occurs along Daniels Drive into the vacant land to the east of East Newman (heading towards Great Northern Highway and outside the boundary of the structure plan area).

In light of the above, the applicant has previously been requested to provide further information on the detail of any hydrology calculations taken. This will help ascertain whether the existing drainage structures will be able to cope with the increased runoff from increased impermeable surfaces.

Furthermore, Figure 6 of the LWMS is required to be updated as follows:

- Addition of dot point – “upgrade under road culverts to reduce risk of flooding”; and
- The wording “drainage flow paths and catchments maintained” and “main drain capacity to be maintained/improved with any drainage POS upgrades” are to be amended as vegetation in swales is not recommended as this slows the flow of water and increases risk of flooding.

It is requested that the above information (including DWER’s comments) be provided to assist with WAPC determination of the proposal.

Traffic Impact Assessment – Appendix 4

The applicant has previously been advised that Infrastructure Services disagrees with the analysis of key intersections along Kalgan Drive. This is because the Road Safety Audit (2019/20) recommends intersection upgrades.

It is requested that the above information be provided to assist with WAPC determination of the proposal.

Conclusion

The proposed East Newman Precinct Structure Plan and Scheme Amendment No. 28 are considered a positive initiative for the future development of East Newman. It is recommended that Council resolve to initiate Scheme Amendment No. 28 and submit the advertised East Newman Precinct Structure Plan to the WAPC for determination along with a list of recommended modifications to be made.

**STATUTORY IMPLICATIONS/REQUIREMENTS**

Council will determine this application in accordance with its powers under the *Planning and Development Act 2005* and the Shire of East Pilbara Local Planning Scheme No.4.

**POLICY IMPLICATIONS**

Nil.

**STRATEGIC COMMUNITY PLAN**

**3: Built Environment**

Connected and accessible communities.

B2 Plan for the future.

B2.1 Create liveable places through local area planning.



**5: Governance**

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

**RISK MANAGEMENT CONSIDERATIONS**

Council will be making a lawful discretionary decision in accordance with its powers under the *Planning and Development Act 2005*. There is no additional organisational risk caused by Council carrying out its powers in this manner.

**FINANCIAL IMPLICATIONS**

No financial resource impact. The cost of advertising the proposals is accommodated within the statutory planning fees.

**VOTING REQUIREMENTS**

Simple Majority.

# Shire of East Pilbara

## Local Planning Scheme No.4

### Amendment No.28

to implement the East Newman Precinct Structure Plan and  
set out the accompanying land use and development requirements

Item 14.3.1 Appendix 2

Planning and Development Act 2005

**RESOLUTION TO PREPARE AMENDMENT TO  
LOCAL PLANNING SCHEME**

Shire of East Pilbara

LOCAL PLANNING SCHEME NO.4

AMENDMENT NO.28

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act* 2005, amend the above Local Planning Scheme by:

1. Rezone the following landholdings (as shown on the amending map) on the scheme map:
  - 1.1 Rezone the landholdings at R 51522 (Lot 8004), P076940 (Lot 9002), R 50086 (Lot 8005), R 51523 (Lot 8011) from "Residential" to "Recreation" reserve.
2. Amend the scheme text as follows:
  - 2.1 Amend cl. 3.4 to insert a new subclause 3.4.3 as follows:

If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land —

    - (a) a structure plan;
    - (b) a local development plan.
  - 2.2 Insert new cl. 4.17 Additional site and development requirements for areas covered by structure plan or local development plan.
    - (1) Table 2 sets out the requirements relating to development that is included in structure plans and local development plans that apply in the scheme area.
    - (2) The specific development standards set out under this Clause and the associated Table 2 prevail to the extent of any inconsistencies with any other standard or provision of the Scheme.

The Table sets out requirements relating to development that are included in structure plans, activity centre plans and local development plans that apply in the Scheme area.

**Table 2 - Additional site and development requirements for areas covered by structure plan or local development plan.**

<b>No.</b>	<b>Description of land</b>	<b>Requirement</b>
1.	East Newman Precinct, as defined in the East Newman Precinct Structure Plan.	Development shall be generally consistent with the East Newman Precinct Structure Plan.

Item 11.3.1 Appendix 2

The amendment is 'Standard' under the provisions of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

- i. an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
- ii. an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- iii. an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;
- iv. an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- v. an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area;
- vi. any other amendment that is not a complex or basic amendment.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
(Chief Executive Officer)

Item 11.3.1 Appendix 2

## SCHEME AMENDMENT REPORT

### 1. INTRODUCTION

The purpose of Amendment No.28 to the Shire of East Pilbara Local Planning Scheme No.4 (LPS4) is to implement the East Newman Precinct Structure Plan (ENPSP) by introducing key development control provisions into LPS4 which are supplemented by the ENPSP provisions. It is intended that the LPS4 and ENPSP provisions will provide a flexible and coherent framework for future planning and development in the ENPSP area.

The Shire of East Pilbara's Local Planning Strategy identifies the need to prepare a Precinct Structure Plan in East Newman. East Newman is an existing urban area with many layers and complexities that require careful coordination. The preparation of a ENPSP has been formed by the East Newman Masterplan, with the vision and recommendations of the ENPSP adopting key findings from the Masterplan and consultation with key stakeholders, especially the proponents of the ENPSP. The formal integration of the ENPSP into the planning system will provide much needed clarity and guidance to the redevelopment options within East Newman. The precinct meets the requirements of a 'Residential / Mixed Use' Precinct as set out in SPP 7.2 – Precinct Design

This Amendment is intended to facilitate a new local planning framework driven by a new accompanying precinct structure plan (ENPSP), prepared in line with the requirements of draft SPP 4.2 and SPP 7.2. The accompanying ENPSP will guide future subdivision and development and will bring together the following elements that make up a centre: (i) urban ecology (ii) urban structure (iii) public realm (iv) movement (v) land use, and (vi) built form that responds to community expectations, forecast population growth, supports economic investment and employment self-sufficiency.

The Amendment is to be read in conjunction with the ENPSP (Appendix 1), which provides the rationale and a plan for the coordination of the future subdivision, zoning and development of the ENP, regarding such matters as land use, built form, movement and access, and public realm.

Item 11.3.3

## 1.1 AMENDMENT AREA

The proposed amendment relates to the area covered by the proposed ENPSP (Appendix 1), as shown on Figure 1.

The ENPSP area is located in the Newman Townsite, approximately 1km away from the Newman Town Centre. East Newman is characterised primarily by low density residential development, with a mixture of single and two storey dwellings.

The ENPSP comprises approximately 73.71 hectares and is generally bound by Daniels Drive (north and east), Kalgan Drive (south), and McLennan Drive (west).

The land to the east of Daniels Drive is not included as part of this amendment for the following reasons:

- Potential legal implications as the owners are unknown and currently in the hands of liquidators; and
- Current lot layout is inconsistent with the intent of the ENPSP. It may also need to be re-designed in the future, when there is certainty regarding the legal entity holding the land.

Also, a landholding on Armstrong Way with Native Title identification has been excluded from the ENPSP.



Figure 1: ENPSP - Site Plan

## 1.2 BACKGROUND

Housing is considered one of Newman's biggest challenges and is increasingly a focus for industry, government, Non-Government Organisations (NGOs) and community. A number of agencies are working in Newman and remote communities to address this issue.

A recent example of this cross-agency collaboration was the preparation of a Masterplan for East Newman – referred to as 'Home In East Newman'. In October 2020, Martu and Nyiyaparli leaders, BHP, Shire of East Pilbara, then then Western Desert Lands Aboriginal Corporation (WDLAC), Kanyirninpa Jukurrpa (KJ), Martumili, Pilbara Development Commission, Department of Communities C-Res, Newman Primary School, Newman Senior High School and Soap Bush Soap all came together as part of the 'master planning workshops'.

The Home in East Newman Masterplan is an integrated social, spatial and environmental plan formed to provide recommendations to revitalise the suburb of East Newman. Broadly it aims to address liveability, wellbeing, amenity, community safety and accessibility through the following strategic approaches. It reflects on the need to provide equitable access to quality housing as a top priority. Stakeholders engaged through the process noted the poor state of houses with many boarded up and unoccupied houses attracting vandalism. East Newman has an especially high proportion of damaged or unoccupied houses.

Stakeholders also note the wait list for public housing is long and there is a lack of appropriate housing or accommodation for people seeking aged care options. It has been identified that the WA Government will need to procure 73 houses by 2028 to accommodate an additional 365 Martu people in Newman to account for the growing population and increased housing demand.

The World Health Organisation Health and Housing Guidelines show the primacy of good housing in preventing disease, reducing crime, reducing poverty and increasing education along with quality of life.

The impact of substandard housing and lack of adequate housing is linked to a range of issues present in Newman, including the rates of indigenous incarceration, falling school attendance and achievement, disease and other health issues and rising inequality.

In response, the ENPSP seeks to produce a new planning framework and urban environment in the ENPSP area to provide the following key benefits:

- Reduced crime;
- Improved educational opportunities for children;
- Revision of housing design and increase in housing yield;
- Opportunity for increase in proportion of home ownership;
- Greater access to family and cultural services; and
- Spaces for cultural and community gathering.



## 2. PLANNING CONTEXT

For the purposes of this Amendment, this section focuses on the State and local planning frameworks relevant to the planning and development of the ENP and this amendment.

### 2.1 STATE AND REGIONAL PLANNING CONTEXT

This section focuses on those State planning level documents and instruments relevant to the planning and development of the ENP.

The Commission's State Planning Policy 1 (SPP 1) State Planning Framework Policy brings together existing State and regional policies, strategies, plans and guidelines within a central State Planning Framework. It sets the context for decision-making on land use and development in Western Australia. Relevant planning instruments (provisions) which comprise the State Planning Framework and include:

- *The Planning and Development Act 2005* (PD Act) and associated *Planning and Development (Local Planning Schemes) Regulations 2015* (LPS Regulations);
- State Planning Policies (SPPs);
- WAPC Operational policies; and
- WAPC Position statements.

#### LPS Regulations

The LPS Regulations were gazetted on 25 August 2015 and took effect on 19 October 2015, replacing the Town Planning Regulations 1967. The LPS Regulations set out the procedures by which local planning strategies, local planning schemes and amendments to local planning schemes must be prepared and adopted by local government, the WAPC and the Minister for Planning; and establish a Model Scheme Text (MST) for local planning schemes.

The LPS Regulations are a major implementation tool to facilitate the State's current planning reform agenda, affecting arrangements for local planning strategies, schemes and amendments. In addition to the MST, the LPS Regulations introduce a set of deemed provisions that form part of every local planning scheme in the State.

In 2021 the DPLH progressed changes to the LPS Regulations to implement Planning Reform initiatives. One of these amendments included the introduction of the term 'Precinct Structure Plan', and additional considerations prescribed in Clause 16 (1A).

#### State Planning Policy 7.0 - Design of the Built Environment

SPP 7.0 is the foundation of the Design WA initiative and became operational following publication in the Government Gazette on 24 May 2019.

It is the lead policy that elevates the importance of design quality across the whole built environment in Western Australia. It seeks to deliver the broad economic, environmental, social, and cultural benefits that derive from good design outcomes.

The policy includes 10 principles of good design, which are the foundation of the policy framework and are 'Context and Character, Landscape quality, Built form and scale, Functionality and build quality, Sustainability, Amenity, Legibility, Safety, Community and Amenity'. SPP 7.0 establishes the overarching framework for good design practice in planning and has directly informed preparation of SPP 7.2.

## State Planning Policy 7.2 - Precinct Design

SPP 7.2 was released in its final form in December 2020. The overall policy intent is to enable the ten principles of good design (identified in SPP 7.0) to be applied to precinct planning, ensuring that good design quality and built form outcomes can be achieved.

SPP 7.2 comprises two key parts:

- (1) **SPP 7.2: Precinct Design:** the lead policy to guide the preparation and evaluation of planning proposals for areas that require a high level of planning and design focus due to their complexity. It identifies how the policy can be applied, including guidance on desired objectives and outcomes.
- (2) **SPP 7.2: Precinct Design Guidelines:** is built upon the 10 Design Principles contained in SPP 7.0. It defines the different precinct types and identifies six design elements to guide precinct design.

Each design element is supported by objectives and design considerations which provide guidance on how to prepare a Precinct Structure Plan.

Under SPP 7.2, it is expected that East Newman would be classified as a 'Residential / Mixed Use Precinct' with a focus on:

- Enabling the provision of key community facilities in accordance with an identified community need.
- Enhancing urban amenity by detailing lot/building orientation and built form controls that support the future residential character of the precinct.
- Strengthening green networks through the enhancement of the urban tree canopy and improved interfaces between the public realm and private property.
- Ensuring street design supports safe access and movement, public transport use, walking and cycling.

The content and structure of the ENPSP is provided in accordance with the SPP 7.2 'Manner and Form' document.

## State Planning Policy 7.3 Residential Design Codes (Vols 1, 2 - Apartments) and Draft Medium Density Code (Vol 1)

The R-Codes control the design of most residential development throughout Western Australia. The R-Codes aim to address emerging design trends, promote sustainability, improve clarity and highlight assessment pathways to facilitate better outcomes for residents. They are also used for the assessment of residential subdivision proposals and should be read with Development Control Policy 2.2 Residential Subdivision for this purpose. The R-Codes are introduced by reference into a local scheme and it is a requirement for all residential development to comply with the R-Codes. The R-Codes outline standards for residential development in Western Australia; and, with the exception of precinct-specific circumstances (i.e. ENPSP), they form the basis for the design and assessment of most residential development in Western Australia.

The R-Codes are applied to the ENPSP in the following ways.

- R-Codes Volume 1 applies for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40.
- R-Codes Volume 2 applies for multiple dwellings in areas coded R40 or greater.

Modifications to the R-Codes are proposed to ensure delivery of climate and culturally appropriate housing, as identified in the ENPSP.

## WA Planning Reform

In August 2019, the State Government released its Action Plan for Reform of the Western Australian Planning System. The Better Planning, Better Places program outlines three goals for the modernisation of the planning system as follows:

- Planning creates great places for people;
- Planning is easier to understand and navigate;
- Planning systems are consistent and efficient.

Proposed amendments to the PD Act and supporting legislation is intended to support the State's economic recovery from COVID-19.

A program of major legislative, regulatory and policy changes is progressively being implemented to support Western Australia's COVID-19 economic recovery plans. This has included changes to the LPS Regulations to address further reform measures that will support development activity and job creation.

These amendments consist of over 100 proposals which will be delivered in separate tranches. The first tranche was approved by Parliament on 7 July 2020 and included 35 amendments which are designed to streamline development assessment processes. A second amendment to the Planning and Development (Local Planning Schemes) Regulations 2015 was undertaken in late 2020 and gazetted 18 Dec 2020.

## 2.2 LOCAL PLANNING CONTEXT

A review has been undertaken of the Shire of East Pilbara's current local planning framework, which comprises all strategic, statutory and policy planning documents which collectively outline the planning for the East Newman area and generally includes the Local Planning Strategy, a Local Planning Scheme No.4 (as well as deemed provisions), and other relevant Local Planning Policies.

### Shire of East Pilbara Local Planning Strategy

The Shire's Local Planning Strategy guides both land use and development over the next 15 years. It sets out strategic actions which have regard for many factors including demographics, economy, environment, liveability, local issues and opportunities. Consideration of such matters influences land supply, land use zones and reserve land across the Shire.

The Local Planning Strategy was endorsed by the WAPC on 26 July 2021, demonstrating that it is a recent document reflective of contemporary planning issues and opportunities.

Under the approved Local Planning Strategy, the following is identified for Newman:

- a) Facilitate development of Newman as the primary regional centre in the Shire for an estimated population of 10,400 persons by 2035.*
- b) Support outcomes that result in occupation of vacant mining housing or removal of derelict housing and support other compatible land uses other than residential on such land where appropriate.*

This includes six specific actions, those which are deemed relevant to the proposed East Newman Precinct Structure Plan are:

- 1. Liaise with mining companies to establish the level and capacity of mining owned housing stock and determine if the resource companies will need these dwellings for employees or if they would consider use by non-employees. (Short Term)*
- 2. Require Precinct Planning in the East Newman residential area to improve amenity and liveability including formalizing pedestrian access and streetscape improvements. (Short Term)*

The above actions were deemed to be necessary triggers for the preparation of the ENPSP and this supporting amendment.

## Shire of East Pilbara Local Planning Scheme No. 4 (LPS4)

LPS4 sets out the way in which land is to be used and developed within the Scheme area and classifies areas for land use and include provisions to coordinate infrastructure and development. LPS4 was gazetted on the 13 December 2005, meaning 16 years have passed since it was introduced, predating the LPS Regulations. 26 amendments to LPS4 have been initiated to keep the scheme current and facilitate land use and development within the scheme area. It is noted that in February 2019, LPS4 was amended for consistency with the LPS Regulations, by deleting clauses that were superseded by the Deemed Provisions.

It is noted that the Shire will likely be undertaking a review of LPS4 to assist with implementation of the recently endorsed Local Planning Strategy.

This amendment seeks to:

- Incorporate the model provisions of the *LPS Regulations* regarding implementation of structure plans;
- Rationalise existing land use with the Scheme's zoning.

As part of the preparation of this Amendment consideration has been given regarding consistency (and potential conflicts) of Scheme provisions to those development requirements set out in the ENPSP and accompanying design guidance. This Amendment seeks to streamline scheme provisions consistent with the approach in the model provisions in the *LPS Regulations*.

## Home in East Newman Masterplan

Whilst not a recognised planning document, the Home in East Newman Masterplan represents an important body of work for East Newman. Prepared with input from multiple stakeholders, the Master Plan incorporates a suite of documents which include:

- *Opportunities and Constraints* – Outlines several early considered opportunities and constraints for potential future planning, urban design, landscape, and architectural outcomes. Studies into land ownership, housing, and community infrastructure were also undertaken.
- *Vision and Principles* – presents an initial vision and principles for the development and planning approach for East Newman.
- *Housing Approaches* – establishes number of principles for the future development of housing in East Newman along with a number of approaches for future housing and refurbishment.
- *Landscape Strategy* – considers the landscape strategy for East Newman and is built on community, sustainable and climate responsive principles to achieve long-term outcomes.
- *Development Responses* – outlines the range of potential approaches that may be adopted to future planning and built form to realise improvements within East Newman.

### 3. PROPOSED SCHEME AMENDMENT

The purpose of Amendment No. 28 is to implement the ENPSP. Changes to LPS4 are required to allow the Precinct Structure Plan to be implemented. The final ENPSP will take effect upon the final gazettal of proposed Amendment No. 28 to LPS4.

#### 3.1 APPLICATION OF AMENDMENT PROVISIONS

The provisions of the proposed amendment apply to all development throughout the ENPSP area. A map of the area proposed to form the ENPSP area is at **Figure 1**.

The provisions of LPS4 are to be read in conjunction with the ENPSP. The ENPSP is consistent with the 'Manner and Form' guidelines and comprises:

- Part One: Implementation Section;
- Part Two: Explanatory Section; and
- Appendices.

The provisions of Part One of the ENPSP are to be given due regard in determining development applications. Part Two of the ENPSP functions as a strategic guide to the Scheme and may provide additional context for applying discretion for development in the precinct.

The ENPSP forms the principal planning and urban design guidance document for East Newman. Any proposed variations prepared for development applications for sites within the ENPSP boundaries will be required to be assessed against the design principles of relevant State Planning Policies and the objectives and development standards set out in the ENPSP. This is in addition to the planning considerations set out in the LPS4 and any other local planning policies.

Land use permissibility within the ENPSP shall be determined in accordance with the Zoning Table of LPS4 and the additional uses provided in P1 – Table 4 of the ENPSP.

#### 3.2 APPLICATION OF THE R-CODES

R-Codes Volume 1 applies for all single house(s) and grouped dwellings; and multiple dwellings in areas coded less than R40. Deemed-to-comply provisions of the R-Codes Volume 1 that are amended or replaced by the ENPSP are done so in accordance with Part 7 of that policy, and are as follows:

- Street Setback (sub-clauses 5.1.2);
- Lot boundary Setback (sub-clauses 5.1.3);
- Open Space Provision (sub-clause 5.1.5);
- Setback of Garages and Carports (sub-clauses 5.2.1);
- Street Surveillance (sub-clauses 5.2.3)
- Street Walls and Fences (sub-clauses 5.2.4)
- Outdoor Living Areas (sub-clauses 5.3.1);
- Landscaping (sub-clauses 5.3.2); and
- Stormwater Management (sub-clause 5.3.9)

R-Codes Volume 2 applies for multiple dwellings in areas coded R40 or greater; within mixed use development and activity centres. Acceptable Outcome provisions of the R-Codes Volume 2 that are amended or replaced by the ENPSP are done so in accordance with Part 1.2 of that policy, and are as follows:

- Section 2.3 - Street Setbacks
- Section 2.4 - Side and rear setbacks
- Section 3.2 - Orientation
- Section 3.6 - Public Domain Interface
- Section 4.1 - Solar and Daylight Access
- Section 4.2 - Natural Ventilation
- Section 4.12 - Landscape Design
- Section 4.16 - Water Management and Conservation

### 3.3 PROPOSED AMENDMENT

The proposed amendment includes the following changes to text and maps of the scheme:

1. Rezone the following landholdings (as shown on the amending map) on the scheme map:
  - 1.1 Rezone the landholdings at R 51522 (Lot 8004), P076940 (Lot 9002), R 50086 (Lot 8005), R 51523 (Lot 8011) from "Residential" to "Recreation" reserve.
2. Amend the scheme text as follows:
  - 2.1 Amend cl. 3.4 to insert a new subclause 3.4.3 as follows:

If the zoning table does not identify any permissible uses for land in a zone the local government may, in considering an application for development approval for land within the zone, have due regard to any of the following plans that apply to the land —

    - (a) a structure plan;
    - (b) a local development plan.
  - 2.2 Insert new cl. 4.17 Additional site and development requirements for areas covered by structure plan or local development plan.
    - (1) Table 2 sets out the requirements relating to development that is included in structure plans and local development plans that apply in the scheme area.
    - (2) The specific development standards set out under this Clause and the associated Table 2 prevail to the extent of any inconsistencies with any other standard or provision of the Scheme.

The Table sets out requirements relating to development that are included in structure plans, activity centre plans and local development plans that apply in the Scheme area.

**Table 2 - Additional site and development requirements for areas covered by structure plan or local development plan.**

<b>No.</b>	<b>Description of land</b>	<b>Requirement</b>
1.	East Newman Precinct, as defined in the East Newman Precinct Structure Plan.	Development shall be generally consistent with the East Newman Precinct Structure Plan.

Item 11.3.1 Appendix 2

## 4. PLANNING JUSTIFICATION

The ENPSP has been prepared to provide for identified community facility and service requirements, improve the design and cultural appropriateness of housing, and provide upgrades to public realm and streetscape, as identified through the Masterplan and subsequent consultation with the proponents on the ENPSP Karlka Nyiyaparli Aboriginal Corporation (KNAC) and Jamukurnu Yapalikurnu Aboriginal Corporation (JYAC) and Puntukurnu Aboriginal Medical Service (PAMS). An amendment to LPS4 is required to enable the implementation of the ENPSP

### 4.1 STAKEHOLDER ENGAGEMENT

The ENPSP has been informed by findings from the East Newman Masterplan, which was developed through a Steering Committee with representatives from BHP, Shire of East Pilbara and Department of Communities.

Whilst the Masterplan is not a recognised planning document, it established future renewal and improvement options for East Newman to deliver greater social housing, intergenerational housing options, an Aboriginal-managed hostel for Newman children engaged in school, a Wellness and Cultural Space, improvements to parks and a village centre.

Co-design workshops and other engagement initiatives in preparing the Masterplan and ENPSP has been facilitated by Creating Communities with KNAC and JYAC members and administration, PAMS, Department of Communities, BHP, Shire of East Pilbara and other community stakeholders. The total number of engagements/consultation to date, includes the following:

- 57 engagement initiatives were conducted (i.e., meetings and workshops)
- Over 330 instances of engagement with stakeholders and community members (this includes instances of recurring engagement with the same individual)
- Approximately 150 individuals were engaged, with approximately 60 of those individuals having recurring engagement in the project (anywhere from 1 repeat engagement, to approximately 10 repeat engagements for Steering Committee members)
- Findings, key elements and recommended actions from the Masterplan have been presented to the Shire of East Pilbara Council (December 2020).

### 4.3 EAST NEWMAN PRECINCT STRUCTURE PLAN (ENPSP)

#### ENPSP Vision

**STRONG  
CULTURE  
AND  
STRONG  
FAMILIES**

#### Community Facilities

- PAMS short stay accommodation and cultural & wellness space
- Nyiyaparli & Martu youth facility
- A village centre to accommodate a convenience store, laundry, ablution facilities, a community services triage centre, space for other enterprise
- Establishment of a Nyiyaparli and Martu facilities entity to support a local facilities management enterprise

#### Housing

- Multi-generational housing precincts
- Increased social housing / home ownership support
- Culturally sensitive housing
- Built form controls for housing to respond to climate
- Redevelopment opportunity to provide connection with the street and opportunity for passive surveillance
- Opportunity for construction trade programs



### Public Realm and Connectivity

- Culturally sensitive improvements to key areas of open space including the undeveloped Central Park, Train Park (Miners Promise Park) and the drainage reserve adjacent to Nimingarra Drive
- Provision of amenity in public realm, such as shade
- Streetscape upgrades
- New road and pedestrian connection
- Community care programs

### Defining the Precinct Boundary

SPP 7.2 provides guidance on how a precinct boundary should be defined, Appendix 2 (of SPP7.2) highlights a number of considerations. Those relevant to East Newman are summarised below:

- Higher Order Strategic Directions.
- Existing Land Use Pattern and Zoning.
- Existing Urban Structure.
- Existing Built Form Characteristics.
- Physical Characteristics / Features.
- Transport Infrastructure.
- Servicing Infrastructure.

The East Newman Precinct is a primarily existing low density residential area, a potential boundary can be readily defined based on the existing urban structure given its relative separation from other parts of Newman. The other primary driver of this potential precinct boundary is land ownership. Figure 2 illustrates the existing Master Plan boundary and how this relates to the land ownership profile. It demonstrates that BHP and the Department of Communities own approximately 30% of total land area and over 50% of the existing housing stock.

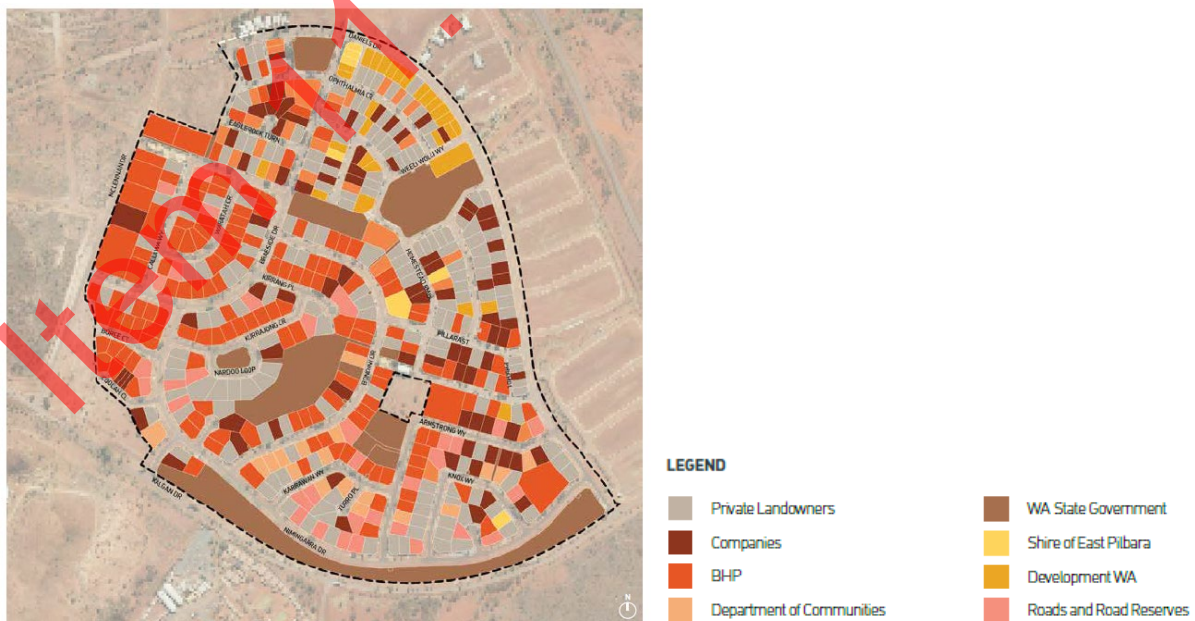


Figure 2: ENP Overall land ownership

#### **4.4 PLANNING JUSTIFICATION**

It is considered appropriate and justified for the Amendment No. 28 to be granted final approval on the following basis:

- The Amendment will facilitate the creation of a more contemporary planning instrument with greater consistency in both format/structure and terminology with the Deemed provisions and the Model Scheme Provisions and assist with the implementation of a new Precinct Structure Plan.
- Updated enabling provisions in LPS4 scheme text to ensure legible and coherent implementation of the ENPSP.
- Sets out the relationship status of the ENPSP with LPS4 and the local planning framework is clearly expressed and conforms with SPP 7.2 manner and form.

#### **4.5 AMENDMENT TYPE**

The amendment is 'Standard' under the provisions of the Planning and Development (Local Planning Schemes) Regulations 2015 for the following reason(s):

- i. an amendment relating to a zone or reserve that is consistent with the objectives identified in the scheme for that zone or reserve;
- ii. an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;
- iii. an amendment to the scheme map that is consistent with a structure plan or local development plan that has been approved under the scheme for the land to which the amendment relates if the scheme does not currently include zones of all the types that are outlined in the plan;
- iv. an amendment that would have minimal impact on land in the scheme area that is not the subject of the amendment;
- v. an amendment that does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
- vi. any other amendment that is not a complex or basic amendment.

## **5. CONCLUSION**

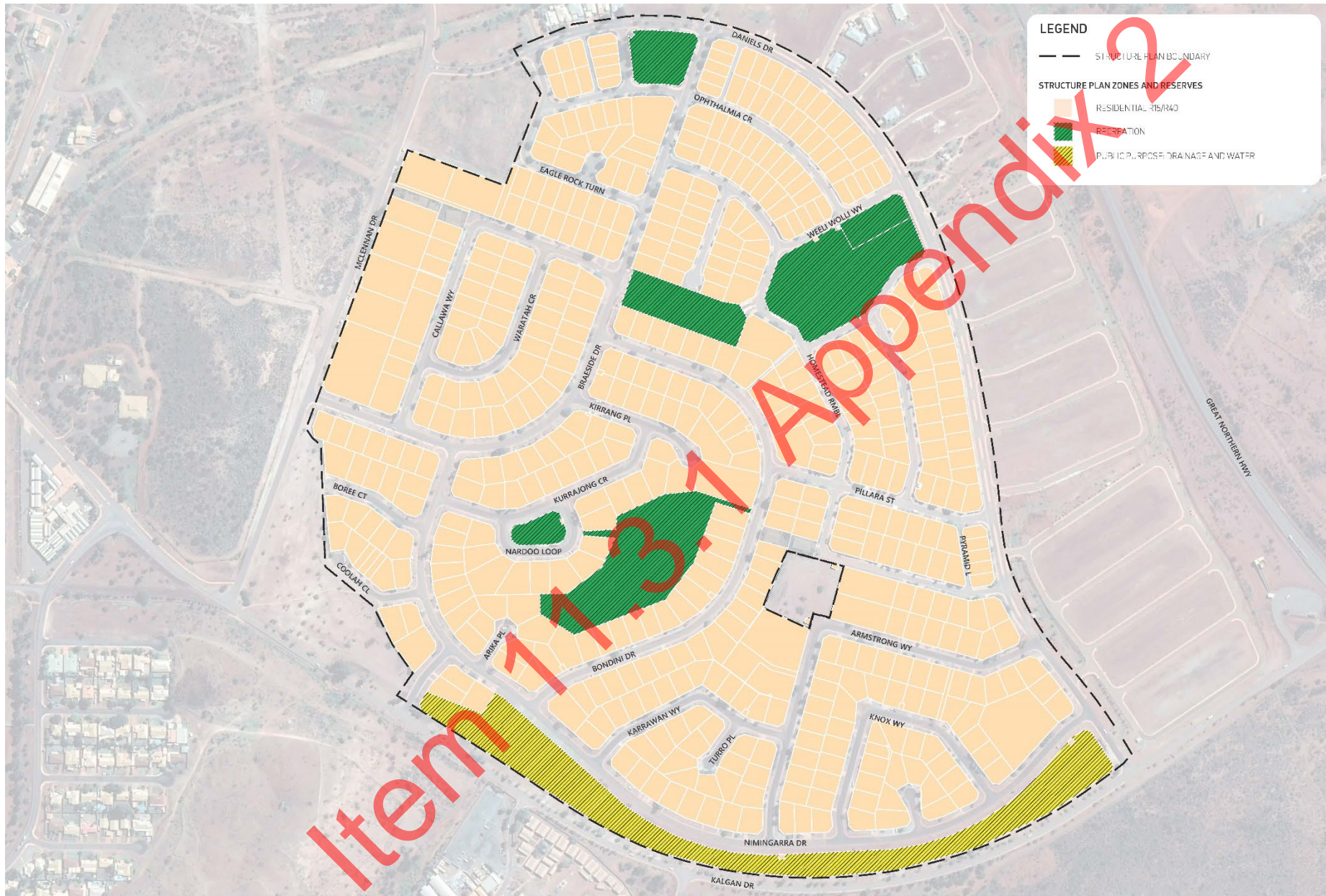
The Shire of East Pilbara requests that the Western Australian Planning Commission and the Minister for Planning favourably consider the proposals described in this report and grant final approval to Amendment No.28, considered to be a 'Standard' amendment for the purpose of the LPS Regulations.

### **APPENDICES**

Appendix 1 – *East Newman Precinct Structure Plan (ENPSP)*

Item 11.3.1 Appendix 2

# Appendix 1 – East Newman Precinct Structure Plan (ENPSP)



**LEGEND**

- STRUCTURE PLAN BOUNDARY
- RESIDENTIAL R55/R40
- RECREATION
- PUBLIC PURPOSE DRAINAGE AND WATER

Precinct Structure Plan Map  
EAST NEWMAN PRECINCT STRUCTURE PLAN

Status : Preliminary (not to be used for feasibility purposes)  
Paths : Project Address

Scale: 1:3,000 @ A2  
0 40  
© Hames Sharley



Project Number: 44576  
Revision: A  
Date: 25/10/2022

**Hames Sharley**

**Planning and Development Act 2005**

**RESOLUTION TO AMEND  
LOCAL PLANNING SCHEME**

Shire of East Pilbara

**LOCAL PLANNING SCHEME NO.4 -  
AMENDMENT NO.28**

Resolved that the Local Government pursuant to section 75 of the *Planning and Development Act 2005*, amend the above Local Planning Scheme by:

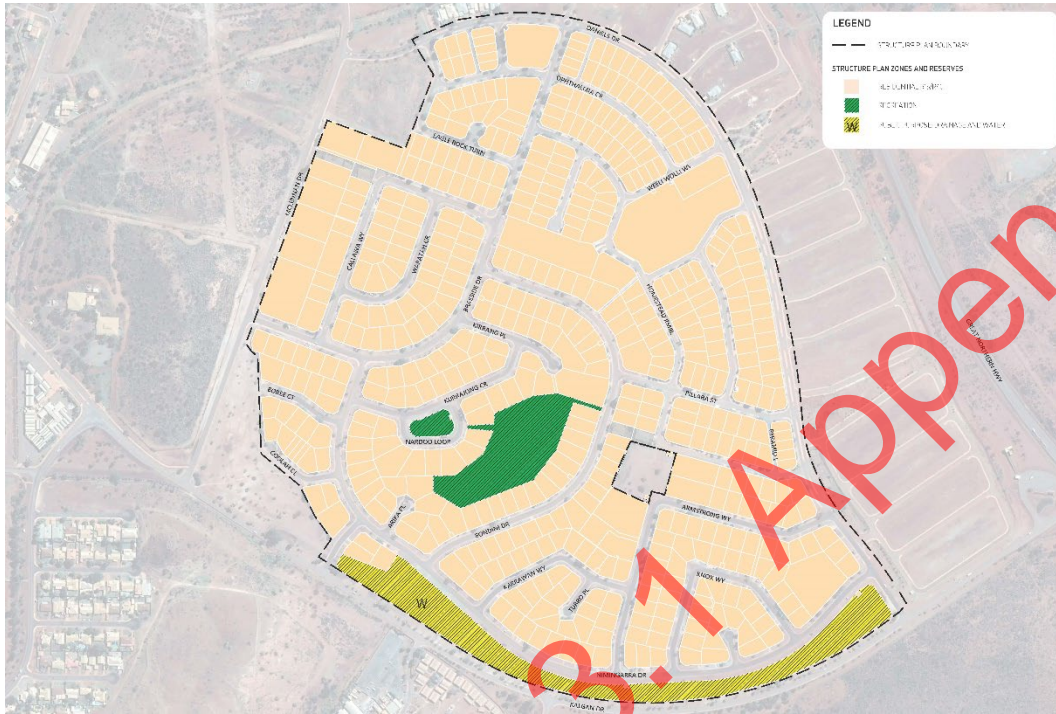
*[LIST COMPREHENSIVE DETAILS OF PROPOSED AMENDMENT AS IT WAS ADVERTISED.]*

DO NOT INCLUDE ANY MODIFICATIONS AS ADOPTED BY COUNCIL - TO BE INCLUDED IN SCHEDULE OF MODIFICATIONS AND NOT IN RESOLUTION]

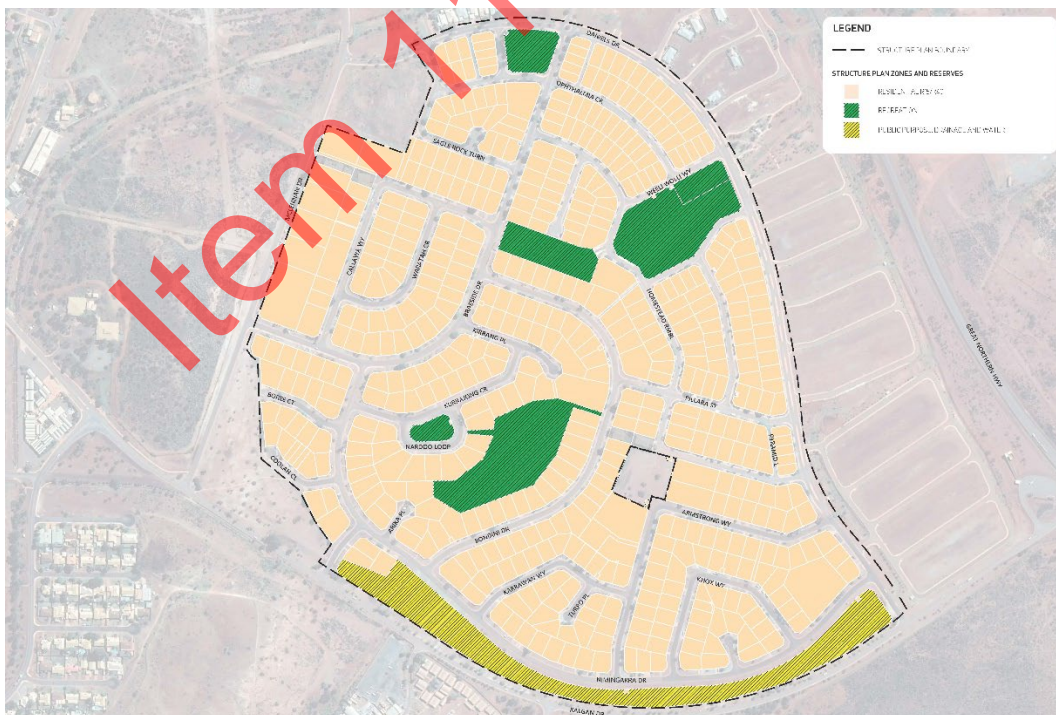
Item 11.3.1 Appendix 2

SCHEME AMENDMENT MAP  
Shire of East Pilbara  
Local Planning Scheme No. 4  
Amendment No. 28

EXISTING ZONING



PROPOSED ZONING



Item 17.3 Appendix 2

**COUNCIL ADOPTION**

This Complex Amendment was adopted by resolution of the Council of the Shire of East Pilbara at the Ordinary meeting of the Council held on the [ day ] day of [ month ], 20[ year ].

-

.....  
**MAYOR**

.....  
**CHIEF EXECUTIVE OFFICER**

**COUNCIL RESOLUTION TO ADVERTISE**

by resolution of the Council of the Shire of East Pilbara at the Ordinary meeting of the Council held on the [ day ] day of [ month ], 20[ year ], proceed to advertise this Amendment.

.....  
**MAYOR**

.....  
**CHIEF EXECUTIVE OFFICER**

**COUNCIL RECOMMENDATION**

This Amendment is recommended [for support/ not to be supported] by resolution of the Shire of East Pilbara at the Ordinary Meeting of the Council held on the [ number ] day of [ month ], 20[ year ] and the Common Seal of the [LOCAL GOVERNMENT] was hereunto affixed by the authority of a resolution of the Council in the presence of:

.....  
**MAYOR**

.....  
**CHIEF EXECUTIVE OFFICER**

**WAPC ENDORSEMENT (r.63)**

.....  
**DELEGATED under S.16 of the  
P&D ACT 2005**  
.....

**Date**

**APPROVAL GRANTED**

.....  
**MINISTER FOR PLANNING**  
.....

**Date**

Item 11.3.1 Appendix 2



Item 11.3.1 Appendix 1 Part 2

# PART TWO: EXPLANATORY SECTION

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# 01

## SITE AND CONTEXT ANALYSIS

# 1.1 GOVERNANCE CONTEXT

## 1.1.1 STATE PLANNING FRAMEWORK

Planning in the East Newman Precinct Structure Plan (ENPSP) area is guided by a range of documents including a range of strategies, State Planning Policies (SPP), and other key documents. Those relevant to the ENPSP are summarised in **P2 - Table 1**.

**P2 - Table 1: Local Planning Framework Summary**

DOCUMENT	OVERVIEW	RELEVANCE TO EAST NEWMAN
SPP 2.0 – Environment and Natural Resources Policy	SPP 2.0 is a broad sector policy and guides the protection, management, conservation and enhancement of the natural environment. The policy promotes responsible planning by integrating environment and natural resource management with broader land use planning and decision-making.  SPP 2.0 outlines general measures for matters such as water, air quality, soil and land quality, biodiversity, agricultural land and rangelands, basic raw materials, marine resources, landscapes and energy efficiency.	Integration of the natural environment into the ENPSP design where possible should be a key focus, particularly as the precinct is within a Threatened Ecological Community area.
Draft SPP 2.9 – Planning for Water	SPP 2.9 and the associated SPP 2.9 Planning for Water Guidelines outline how water resource management should be integrated into planning processes, such as the preparation of structure plans.  It recognises that planning should contribute to the protection and management of water resources through the implementation of policy measures that identify significant water resources, prevent the degradation of water quality and wetland vegetation, promote restoration and environmental repair and avoid incompatible land uses.  It also provides guidance on how future development can be better suited to addressing climate change, and protect public health by ensuring appropriate delivery of wastewater infrastructure.	Guidance is provided on the preparation of Local Water Management Reports which is a requirement of all precinct structure plans.  A Local Water Management Strategy has been included as part of the ENPSP, this is provided in <b>Appendix 1</b> .

Item 11.3.1

DOCUMENT	OVERVIEW	RELEVANCE TO EAST NEWMAN
SPP 3.7 – Planning in Bushfire Prone Areas	SPP 3.7 provides a framework in which to implement effective, risk-based land use planning and development outcomes to preserve life and reduce the impact of bushfire on property and infrastructure. The policy emphasises the need to identify and consider bushfire risks in decision-making at all stages of the planning and development process whilst achieving an appropriate balance between bushfire risk management measures, biodiversity conservation and environmental protection.  The policy applies to all land that has been designated as bushfire prone by the Fire and Emergency Services Commissioner as well as areas that may have not yet been designated as bushfire prone but is proposed to be developed in a way that introduces a bushfire hazard.  SPP 3.7 should be read in conjunction with the deemed provisions, Guidelines for Planning in Bushfire in Prone Areas and Australian Standard 3959: Construction of buildings in Bushfire Prone Areas.	It acts as a mechanism for initiating further assessment in the planning and building processes.  SPP 3.7 and the associated Guidelines for Planning in Bushfire in Prone Areas provide clear guidance for the role of structure plans. For the East Newman, this means that adequate provisions will be required in Part One to ensure that the risks associated with planning and development in bushfire prone areas is appropriately managed and mitigated.
SPP 5.4 – Road and Rail Noise	SPP 5.4 guides the performance-based approach for managing and mitigating transport noise associated with road and rail operations.  This policy applies where noise sensitive land uses are located within a specified distance of a transport corridor, new or major road or rail upgrades are proposed or where works propose an increase in rail capacity resulting in increased noise. The policy also sets out specific exemptions for where the policy requirements do not apply.  SPP 5.4 supports noise impacts being addressed as early as possible in the planning process for the purpose of avoiding land use conflict and achieving better land use planning outcomes. Considerations for decision-makers include ensuring that the community is protected from unreasonable levels of transport noise, whilst also ensuring the future operations of transport corridors.	A small number of lots along the precinct’s eastern boundary is within the 200m road and rail noise buffer area as a result of their proximity to the Great Northern Highway. The requirements of SPP 5.4 apply to these lots

DOCUMENT	OVERVIEW	RELEVANCE TO EAST NEWMAN
SPP 7.0 – Design of the Built Environment	<p>SPP 7.0 is a broad sector policy relevant to all local governments. The policy sets out the objectives, measures, principles and processes which apply to the design and assessment of built environment proposals through the planning system. It is intended to apply to activity precinct plans, structure plans, local development plans, subdivision, development and public works.</p> <p>The policy contains ten design principles which set out specific considerations for decision-makers when considering the above proposals. These include, context and character, landscape quality, built form and scale, functionality and build quality, sustainability, amenity, legibility, safety, community and aesthetics. The policy also encourages early and on-going discussion of design quality matters and the use of design review.</p>	<p>The SPP 7.0 ten principles of good design should be integrated into PSP development and design. This is demonstrated through the ENPSP's response to the Design Elements in <b>Section 04</b>.</p>
SPP 7.2 – Precinct Design	<p>SPP 7.2 provides guidance for precinct planning with the intent of achieving good planning and design outcomes for precincts within Western Australia. The policy recognises that there is a need to plan for a broader range of precinct-based contexts and conditions to achieve a balance between greenfield and infill development. Objectives of the policy include ensuring that precinct planning and design processes deliver good-quality built environment outcomes that provide social, economic and environmental benefit to those who use them.</p> <p>Precinct types include activity centres, station precincts, urban corridors, residential infill and heritage precincts. These areas are recognised as requiring a high-level of planning and design focus.</p>	<p>The ENPSP is to be prepared in accordance with SPP 7.2, identified as a 'Residential Precinct'.</p> <p>The PSP will outline land use, density and built form outcomes, movement and access arrangements, infrastructure, environmental assets and community facilities to facilitate future subdivision and development.</p> <p>This guidance will come primarily from the design elements identified in the SPP 7.2 Precinct Design Guidelines and be prepared in accordance with the Precinct Plan Manner and Form.</p>
SPP 7.3 – Residential Design Codes Volumes 1 and 2	<p>SPP 7.3 – Residential Design Codes Volume 1 and 2 provides the basis for the control of residential development throughout Western Australia for single houses, grouped dwellings and multiple dwellings. The purpose of the policy is to address emerging design trends, promote sustainability, improve clarity and highlight assessment pathways to facilitate better outcomes for residents. They are also used for the assessment of residential subdivision proposals.</p> <p>The policy outlines various objectives for residential development, planning governance and development process and sets out information and consultation requirements for development proposals. The policy also makes provision for aspects of specified design elements to be varied through the local planning framework.</p> <p>SPP 7.3 - Residential Design Codes Volume 1 and 2 should be read in conjunction with the supporting Guidelines.</p>	<p>The ENPSP should use SPP 7.3 as a reference document when creating built form controls. Using similar terminology will ensure consistency and certainty to development in the Precinct.</p> <p>SPP 7.3 outlines which elements can be varied by a local government endorsement and which require WAPC approval.</p>

### 1.1.2 LOCAL PLANNING FRAMEWORK

The Shire of East Pilbara's (SoEP) local planning framework and its relationship to the ENPSP is summarised in **P2 - Table 2**.

**P2 - Table 2: Local Planning Framework Summary**

DOCUMENT	OVERVIEW	RELEVANCE TO EAST NEWMAN
Shire of East Pilbara Local Planning Strategy	<p>The LPS will guide stakeholders including developers, community, government agencies, shire administration, Council and the Western Australian Planning Commission in land use planning decision making. Such land use planning includes proposed future scheme reviews and amendments, agency referrals, local planning policies, heritage protection, structure plans, local development plans, subdivision and development applications.</p>	<p>The LPS is underpinned, developed and informed by a set of core planning principles which apply to all townsites across the East Pilbara region and remote settlements. The purpose of the principles is to aid in delivery of sustained prosperity and improved liveability within the SoEP.</p> <p>The LPS also identifies specific actions which trigger the need to prepare a PSP:</p> <ul style="list-style-type: none"> <li>+ Liaise with mining companies to establish the level and capacity of mining owned housing stock and determine if the resource companies will need these dwellings for employees or if they would consider use by non-employees. (Short Term)</li> <li>+ Require Precinct Planning in the East Newman residential area to improve amenity and liveability including formalizing pedestrian access and streetscape improvements. (Short Term)</li> </ul>
Shire of East Pilbara Local Planning Scheme No. 4 (LPS 4)	<p>A Local Planning Scheme is a legal document that sets out policies and controls for how land in a particular local government area can be used and developed. It contains information about long term planning and strategies about how infrastructure and development will occur in the area.</p>	<p>The aims of the Scheme are to:</p> <ul style="list-style-type: none"> <li>+ To foster efficient, hospitable and aesthetic town centres to serve as residential, civic, cultural, recreational and commercial focal points for the surrounding region;</li> <li>+ To assist commercial, industrial and business development in order to maximise businesses and employment opportunities and to sustain and broaden the economic base;</li> <li>+ To accommodate infrastructure and townsite development for the beneficial exploration and mining of minerals within the SoEP;</li> <li>+ To support housing choice in townsites and neighbourhoods with community identity and high levels of amenity</li> <li>+ To support the conservation and wise use of natural resources including land, wetlands, flora, fauna and minerals;</li> <li>+ To conserve objects and places of natural, historic and cultural significance; and</li> <li>+ To protect routes and corridors for the effective transportation of people and goods with the region.</li> </ul>

DOCUMENT	OVERVIEW	RELEVANCE TO EAST NEWMAN
Newman Revitalisation Plan (NRP)	The NRP responds to the shared Pilbara Cities vision of State Government and the SoEP for the revitalisation and growth of Newman, and provides a guide for achieving this vision. The NRP proposes the transformation of Newman from a resource town into a subregional centre. It identifies the economic, social and town planning strategies required at different levels to drive population growth and make Newman a place of choice to work, visit, grow up, raise families and to age in place with dignity.	The NRP identifies East Newman as a key precinct to deliver low to medium density residential growth.
Local Planning Policy No. 1 - East Newman Master Plan (LPP1)	LPP1 aims to guide the development of the East Newman Master Plan area and provide guidance to the Council and others when consider applications for planning and other approvals.	It is proposed that LPP1 and Master Plan will be replaced by the ENPSP.
Local Planning Policy no. 8 - Residential Development Policy (LPP8)	LPP8 applies to land zoned residential R15/40 and provides guidance on the use of the higher density code to ensure Newman provides a range of housing types that cater to the demands of all household types. It identifies suitable locations for multiple dwellings, and provides additional built form requirements when developing at the R40 density.	Development controls and allocation of density will be reviewed through the PSP process.
Newman Futures Strategy	The Newman Futures project was initiated by BHP and the Shire of East Pilbara in 2019 to explore how innovation and new technologies could be harnessed to serve the public interest based on the following key principles: <ul style="list-style-type: none"> <li>+ Culture and country - Recognition and acknowledgement of different ways of seeing, interacting and being in the world</li> <li>+ Liveability and Well-being - Solid foundations for community and economic participation</li> <li>+ Education and Training - Equipping and reskilling people of all ages and demographics to participate in the economy</li> <li>+ Economy and Work - Uptake of innovation and technology across small to large and indigenous businesses</li> </ul>	Provides a list of actions and strategies for Newman, including the preparation of a PSP for East Newman.

Item 11.3.1 Appendix 1 Part 2

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## 1.2 COMMUNITY CONTEXT

The information below provides an overview of the demographics and community context of Newman and demonstrates the urgent need for improved amenity and access to quality housing to improve poor social, educational and health outcomes.

Assessing need in East Newman through the use of publicly-available datasets is difficult due to several factors including the significant net undercount of Aboriginal and Torres Strait Islander people recognised by the Australian Bureau of Statistics in the Post Enumeration Survey (over 17%) and the positioning of ABS statistical areas at the SA1 level, which makes it challenging to delineate between the different population cohorts in East Newman (see data quality statement for further information). As such, this data has been augmented by statistics, records and anecdotal feedback from stakeholder groups working in East Newman.

The challenges involved in demonstrating need and disadvantage in East Newman also speaks to the lack of government support, investment and inquiry in this disadvantaged regional part of W.A.<sup>1</sup>

### 1.2.1 PEOPLE

Newman is Nyiyaparli Country.

Many, many years ago Nyiyaparli asked Martu to look after Jigalong when they travelled from their desert lands.

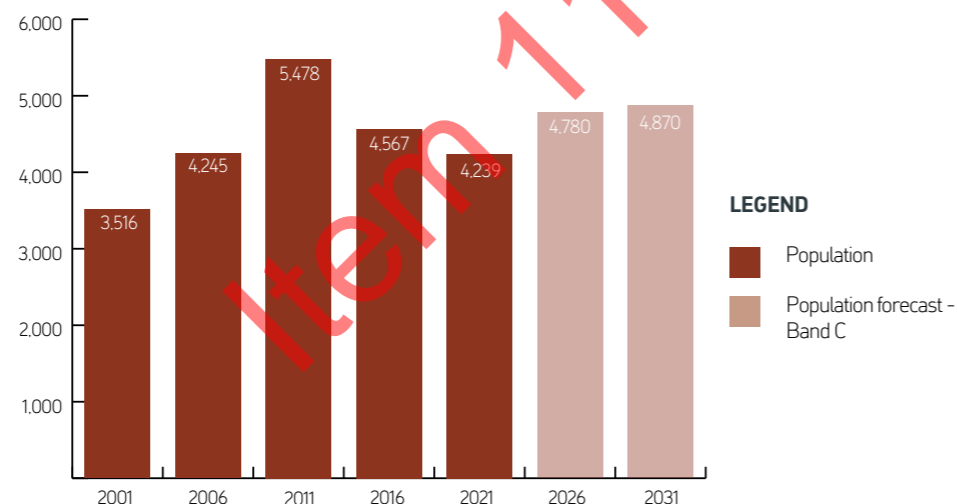
Nyiyaparli and Martu live with each other in Newman.

The ENPSP captures their vision for Strong Culture and Strong Family in East Newman to keep culture, language and families strong.

### POPULATION

Population figures in regional mining towns are heavily reliant on the fluctuations within the resource sector. As such, population increases, and decreases are often out of step with the rest of the State. The town of Newman experienced a 7% population decline between 2016 and 2021 which is consistent with the population decline of the broader Pilbara region (8%) **P2 - Figure 1**. Over the same period Western Australia as a State experienced an 8% growth.

As of 2021 there are 4,239 people living in Newman. Of these residents, just under one quarter (996 people) live in East Newman.



**P2 - Figure 1:** Newman Population

Source: 2021 ABS Census and WAPC Western Australia Tomorrow - Medium-Term Population Forecasts 2016 to 2031

<sup>1</sup> All data provided in this section is from the Australian Bureau of Statistics 2021 Census data unless otherwise indicated. 'East Newman' data represents three Statistical Area Level 1s covering the East Newman area (51002126809, 51002126806 & 51002126816), and 'Newman' data is drawn from 'Newman' Statistical Area Level 2 (510021268). 'Pilbara' data represents two Statistical Area Level 2s covering the Pilbara area (West Pilbara (51003) and East Pilbara (51002)).

### CULTURAL DIVERSITY

A defining characteristic of Newman is its cultural diversity, with 13% of residents (556 individuals) identifying as Aboriginal and Torres Strait Islanders. This is almost four times higher than the proportion of Aboriginal and Torres Strait Islander people across the rest of the State (3%).

Residents born in Australia account for 64% of the Newman population (slightly higher than the 62% across WA) with New Zealand (8%), Philippines (3%) and England (2%) accounting for the majority of overseas born residents.

According to the most recent Census data, there are 171 Aboriginal and Torres Strait Islander people living in East Newman, who make up 17% of the East Newman population. The proportion of Aboriginal and Torres Strait Islander people in East Newman is therefore higher than in the broader Newman community.

Estimates by the ABS in 2016 suggest that the Aboriginal and Torres Strait Islander population living in the Pilbara region will continue to increase over the next decade (Australian Bureau of Statistics, 2019). This could mean that across the region the Aboriginal and Torres Strait Islander population will increase by as many as 2,768 people between 2021 – 2031 (an increase of 21%). As Newman is a regional centre it is likely this overall increase in Aboriginal and Torres Strait Islander people will lead to a higher proportion of Aboriginal and Torres Strait Islander people living in Newman and East Newman.

### SEX, AGE AND LIFE STAGE

Newman has a relatively even split of males (52%) to females (48%) which differs from the Pilbara region which typically hosts a higher male population (56%) than female (44%).

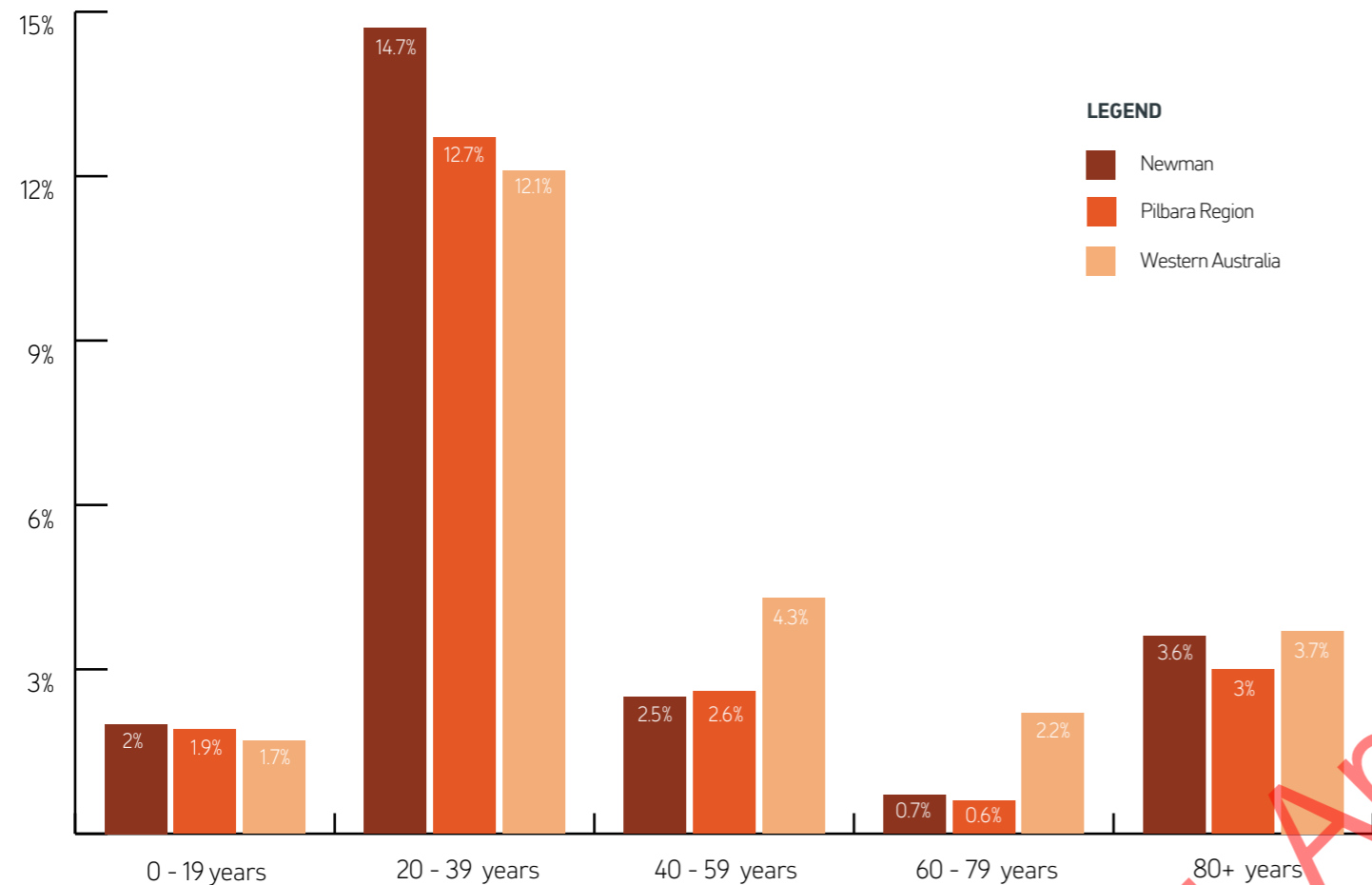
The median age in Newman is 31 which is slightly below that of the Pilbara region (33), and well below the WA median (38). As illustrated by **P2 - Figure 2**, within Newman there is a significantly higher percentage of residents in the 20-39 years age range than any other defined age ranges.

There is a significantly higher percentage of the Newman population currently aged 0-9 years (19.9%), in contrast to those aged 10-19 years (12.7%).

There are approximately 254 children under the age of 18 (approximately 135 female and 124 male) identifying as Aboriginal and Torres Strait Islanders in Newman. This represents 46% of all Aboriginal and Torres Strait Islander people in Newman, mirroring the generally lower age profile of Aboriginal and Torres Strait Islander people in Australia (due to a range of factors such as higher instances of chronic health conditions and premature death).

In addition, there has been a significant increase in the percentage of children who are considered vulnerable on one or more domains in Newman between 2015 and 2018 with an increase from 22% to 38%. This most likely indicates a decline in social and economic living conditions for 0-5 year old children in recent years (Australian Early Development Census, 2021).





P2 - Figure 2: Newman Population by age

Source: 2021 ABS Census and WAPC Western Australia Tomorrow - Medium-Term Population Forecasts 2016 to 2031

## EDUCATION & QUALIFICATIONS

The percentage of the population having completed year 12 or equivalent is lower in Newman (35.5%) and the Pilbara (33.5%) than that of the rest of WA (45.1%).

Newman faces significantly poorer educational outcomes in children as compared to the rest of the State. 40% of young children in the East Pilbara are classified as 'developmentally vulnerable' in at least one or more Early Development domain, compared to 20% across Western Australia (Australian Early Development Census, 2021).

Educational institutions in Newman and across the State are seeking to improve student attendance through supplementary engagement programs and educational reform (e.g.: NAPLAN). In spite of this, Aboriginal and Torres Strait Islander education outcomes in Newman continue to be held back by poor attendance and low retention rates, with only 20% of Aboriginal and Torres Strait Islander students attending Newman Senior High School 90% or more of the time (My School, 2022). This figure is also 20% for Aboriginal and Torres Strait Islander students attending Newman Primary School and is 26% for South Newman Primary School (My School, 2022).

## HEALTH

Health outcomes for residents in Newman, particularly for Aboriginal and Torres Strait Islander residents, continue to be of significant concern. Martu people, who make up the largest proportion of the Aboriginal and Torres Strait Islander population in Newman, experience very high levels of disadvantage in their health outcomes and find current health services challenging to navigate and access (Social Ventures Australia, 2021).

While the latest census figures demonstrate a lower rate of chronic health conditions in Newman than the Western Australian average, this is likely due to under-reporting as this data source relies on self-reporting. In 2016, PHIDU Social Health Atlas listed Newman as having the lowest median age of death in the country at 45 years, nearly half the median age of death for the rest of the country and substantially lower than areas with the next-lowest ages of death which were the APY Lands of South Australia (53 years) and Alice Springs (54 years) (Torrens University Australia, 2021).

This data is supported by a 2016 study by Social Ventures Australia, which used data from the Newman Women's Shelter to show that the median age of death for male Martu was 43.5 years and 37 years for female Martu (Social Ventures Australia, 2016). In 2020, the median age for Martu was updated to 39 years for both male and female. This is compared to Australia's median age of death of 78 years for males and 84 years for females (as of 2018).

There are significantly higher rates of substance abuse disorder amongst Aboriginal and Torres Strait Islander residents in Newman. Death and chronic illnesses amongst the Martu (including those in their 20s and 30s) as a consequence of substance use including alcohol abuse have had devastating impacts on the health system and on the Martu community in Newman (Kanyirrinpa Jukurpa, 2018).

## INCOMES

Median weekly household incomes in Newman are high at \$2,995, which is consistent with the Pilbara region (\$2,939), but well above the WA median (\$1,815). The median weekly personal income for Newman residents is \$1,624 which is also well above the WA average of \$848.

However, there is a significant income disparity between those on higher and lower incomes, and the high incomes of much of the population of Newman effectively masks the level of disadvantage that also exists. This is a common phenomenon in high-wealth areas and can lead to a, acute lack of targeted policies and support for disadvantaged pockets within the community.

Contrasting to the high incomes for residents of Newman overall, about 20% of Aboriginal and Torres Strait Islander residents are on an extremely low income (earning \$400 or less per week), which means Aboriginal and Torres Strait Islander people are almost twice as likely to be earning \$400 or less than others in Newman. Keeping in mind that there is a significant undercount in the numbers of Aboriginal and Torres Strait Islander people in Newman, this conservatively indicates there are about 70 Aboriginal and Torres Strait Islander individuals in Newman earning less than \$400 per week. The proportion of the Aboriginal and Torres Strait Islander population with negative / nil income (13% or around 50 individuals) is significantly higher than the rest of the Newman community (6%).

There is also a significant income disparity between residents of Newman and East Newman. This has more than doubled over the past 5 years, from a 6% wage gap in 2016 to a 21% gap in 2021, indicating an urgent need to address structural elements of disadvantage including housing in East Newman.

## EMPLOYMENT STATUS & INDUSTRY OF EMPLOYMENT

Employment within Newman is largely dominated by the mining industry (mostly Iron Ore) which employs 47% of the workforce, most commonly in Technician / Trade and Machinery Operator roles. In Newman, the unemployment rate is significantly lower (3%) when compared to the wider Pilbara region (13%) and the whole of WA (5%).

The rate of people in Newman who are unemployed or not in the labour force is 12.0%, whereas the reported rate of Aboriginal and Torres Strait Islander people in Newman who are unemployed or not in the labour force is 25.7%.

## SOCIO-ECONOMIC DISADVANTAGE

A significant proportion of East Newman residents have higher levels of social and economic disadvantage than residents of the broader Newman and Western Australian communities, although this is difficult to measure due to a range of complex statistical and reporting elements of Government and other publicly available data. While ABS Census data is the primary method of enumeration of the Australian population, a range of factors continue to hamper the ABS's attempts to accurately record the Aboriginal and Torres Strait Islander people in Australia. Below is one way of highlighting the need experienced by residents of East Newman using the ABS SEIFA indexes.

Australian Bureau of Statistics Socio-Economic Indexes (SEIFA)<sup>2</sup> provide summary measures derived from the Census and can help users understand the relative level of social and economic wellbeing of a community. SEIFA uses a broad definition of relative socio-economic disadvantage in terms of people's access to material and social resources and their ability to participate in society.

Social and economic data for Aboriginal and Torres Strait Islander people and other residents living in East Newman is significantly different, showing Aboriginal and Torres Strait Islander residents having poorer social and economic outcomes than other residents (whose social and economic wellbeing is similar to the broader Newman and West Australian populations).

Reports from stakeholders have indicated that there are many families in East Newman that have migrated from desert communities in recent years. The statistical data for these families is best shown by ABS data for the desert regions to the east of Newman from the 2016 census. Given this and the other issues with determining need in East Newman discussed throughout this document, considering 'all residents' collectively for East Newman does not provide an accurate representation of the East Newman community that is useful to decision-makers.

SEIFA ratings can assist in demonstrating the inequality between cohorts in East Newman. In 2016 Newman had a SEIFA Index score of 1011 (a score of 1000 is average across all Australian communities). However, the statistical areas of the desert regions east of Newman, Telfer and Gibson Desert North, had SEIFA index scores of 500 and 388 respectively. This makes them among the most disadvantaged communities in Australia. With families from these regions in East Newman exacerbating issues with a lack of quality housing, this indicates that whilst data for East Newman collectively may be average to below average, approximately 20-25% of families have extreme levels of social and economic disadvantage. This is likely a conservative figure and aligns with stakeholder feedback indicating the significant need in some sections of the East Newman community.

<sup>2</sup> Please note this discussion of SEIFA rankings relies on 2016 Census data as comparable 2021 figures will not be released until 2023

## CRIME

Crime has increase alarmingly in Newman in recent years, more than doubling from 894 offenses in 2016 / 17 to 1,857 in 2021 / 22. The majority of these crimes are property crimes (i.e. burglary) which have increased by four times since 2016 (Western Australian Police Force, 2022).

Reports from stakeholders in Newman suggest some of the most disadvantaged groups (i.e. young people who identify as Aboriginal and Torres Strait Islander) have been involved in these crimes because of a complex systemic factors such as wealth inequality, domestic and family violence, disenfranchisement and hunger.

## 1.2.2 HOUSING

WA is currently in the midst of a nation-wide trend of rising rental prices and low housing stock, particularly in locations heavily tied to the fluctuations of the mining sector (Waterson, 2021). The significant income disparity between the salaries of those working in the mining sector and other members of the community also make it hard for locals to compete in the housing market. Since the development of the Newman Futures Strategy in 2019, housing continues to be identified as one of Newman's biggest challenges and is increasingly a focus for industry, government, NGOs and community.

The highly transient nature of Aboriginal and Torres Strait Islander groups, including Martu, between remote communities and urban / regional centres is another reason it is challenging to obtain an accurate reflection of real population numbers in Newman and East Newman. A recent academic report also notes that assessing overcrowding through tools like ABS Census data is made more challenging by a tendency of householders themselves to be reluctant to self-report the true number of people actually living within their home for fear of the negative implications this could have for their tenancy (Dockery et al., 2021). As some social housing rental models are based on the number of people living in a house, residents may be reluctant to accurately report the number of people actually residing in a house to either the ABS or their housing provider for fear that rent would increase.

Despite these challenges, stakeholders working in East Newman have continued to point to high levels of overcrowding, a lack of housing stock and the dilapidated condition of much of the available housing as one of the primary factors in the enduring social disadvantage of East Newman residents. The World Health Organisation notes the impact of good housing on disease prevention, education accessibility, crime and poverty reduction, and improved quality of life (WHO, 2022). As such, overcrowded and substandard housing is directly linked to the rising inequality and a range of health, education and social issues present in Newman.

It is the aspiration of Nyiyaparli and Martu that there be:

- + 0% homelessness
- + 0% overcrowding
- + Culturally purpose-fit housing
- + Home ownership support
- + Multigenerational housing precincts

These aspirations are aligned to State Government priorities and commitments to ensure equitable access to quality housing. A Housing-first approach are reflected in recent State Government commitments, such as The National Plan to End Violence against Women and Children 2022-2032, Home Stretch WA and Western Australia's 10-Year Strategy on Homelessness 2020-2030 (see reference list for citations of these government strategies / initiatives). Significant funding has been recently invested into programs such as Target 120 and Home Stretch WA to reduce anti-social behaviour in the Pilbara, both programs require access to housing as a core component of their program design.

Through the development of the Master Plan and the ENPSP, access to culturally appropriate housing in East Newman continues to be raised as a priority. This aligns with State Government commitments to improving the wellbeing and reducing the levels of entrenched social disadvantage of Aboriginal and Torres Strait Islander people by securing stable housing that is culturally appropriate (see Department of Communities, 2020).

## DWELLINGS AND TENURE

The majority of the housing stock in Newman is made up of low density, separate houses (94% of all dwellings), with only 6% of dwellings to be considered medium density and no high density (REIWA, 2022). The East Newman area is reflective of these statistics with the majority of houses being single detached dwellings developed to the R15 density, and small number of lots using the higher R40 coding and developing grouped dwellings.

Engagement for the Newman Futures project and the East Newman Precinct Structure Plan identified the current housing conditions in East Newman as:

- + Poor state of housing with many boarded up, unoccupied and vandalised (particularly in East Newman).
- + Approximately half of all dwellings in East Newman are unoccupied (52%).
- + Overcrowding is often an issue with houses not having enough bedrooms for larger families.
- + Long waitlists for public housing.
- + Need for short-stay accommodation to enable young people to stay in town for education and for dialysis patients to receive treatments.

Renting is by far the most dominant tenure type in Newman (76.3%), particularly for Aboriginal and Torres Strait Islander people (81.3%), which is well above the WA average (27.3%). The proportion of the population who rent their home in East Newman ranges from 65 – 90% depending on the area. The large proportion of renters is due to the majority of housing stock being owned by mining companies (predominantly BHP) in addition to various government organisations and private owners.

## RESIDENTIAL PROPERTY DATA

As Newman is predominantly a mining town, the influence of the resource sector plays a huge role on housing demand and ultimately land prices. Over the longer term (ten-year) timeframe, Newman has experienced a 12% price decline in house sales (refer **P2 - Table 3**) declining at a quicker rate than the 2% decrease across regional WA. In 2011, the State was at the peak of a mining boom which saw property prices inflate drastically (particularly in regional centres), so some recovery in prices over the past decade is to be expected. Despite this overall decrease, the price of houses and units in Newman have surged over the past five years (17% and 16% growth respectively) with prices growing much faster than regional WA as a whole (3% and 0% respectively). In the past year alone, the median house price in Newman has increased 12% and the median unit price has increased by 37%.

Rentals have increased in price more significantly than house sales in Newman. Currently, the median price of rent is \$650 per week (refer **P2 - Table 4**), which has increased 13% in the past twelve months (REA Group, 2022). When viewed over the past five years, however, rental prices have increased a dramatic 81% from \$360 per week in 2017 to \$650 per week in 2022. The median price of renting a unit has also skyrocketed over the past five years, surging 76% from \$242 per week in 2017 to \$425 per week in 2022.

P2 - Table 3: Newman Residential Property Data - Sales

	2022 MEDIAN SALE PRICE		GROWTH RATE					
			1 Year		5 Years		10 years	
	Newman	Tom Price	Newman	Regional WA	Newman	Regional WA	Newman	Regional WA
<b>HOUSES</b>	\$337,500	\$450,000	27.4%	8.6%	16.1%	2.5%	-7%	0.7%
<b>UNITS</b>	\$175,000	\$355,000	59.8%	14.7%	15.5%	-0.6%	-8.2%	-2.1%
<b>LAND</b>	\$36,000	NA	-20%	0.6%	-7%	-0.6%	-24.2%	0.1%

Source: REIWA, based on settled sales as at 11 July 2022.

P2 - Table 4: Newman Residential Property Data - Rent

	2022 MEDIAN RENTS							
	2022 Q1				2022 Q2			
	Newman	Tom Price	Karratha	South Hedland	Newman	Tom Price	Karratha	South Hedland
<b>HOUSES</b>	\$650	\$1,800	\$280	\$685	\$725	\$1,550	\$280	\$663
<b>MULTI RES</b>	\$400	NA	\$440	\$525	\$488	NA	\$280	\$475

### HOUSING AFFORDABILITY & COST OF LIVING

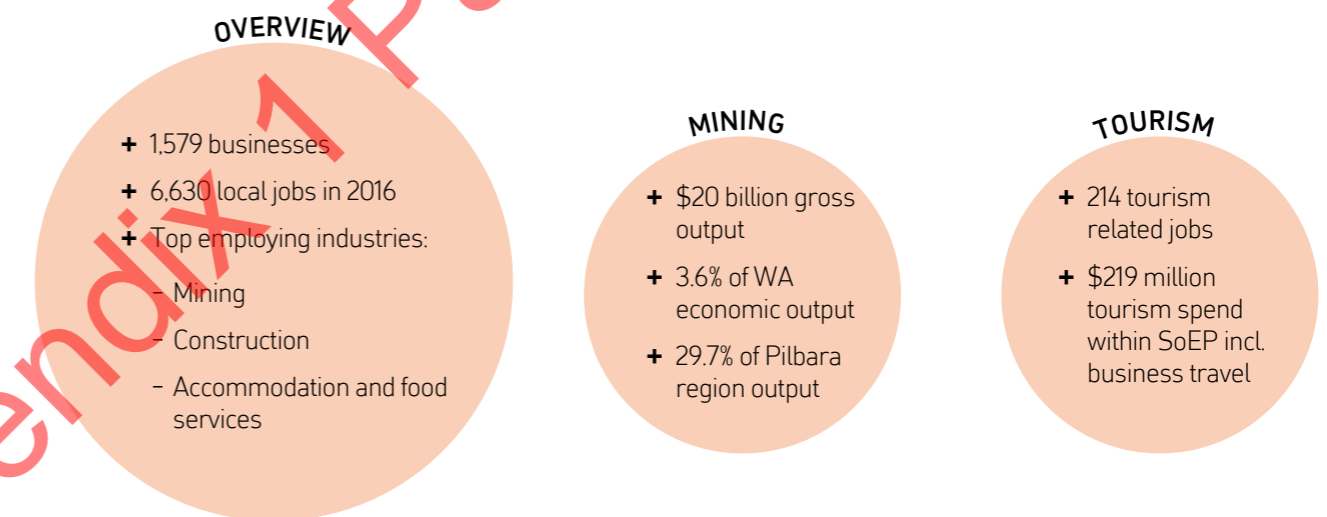
Aboriginal and Torres Strait Islander people in Newman are disproportionately affected by housing affordability and cost of living pressures. Bearing in mind the income figures detailed above, a conservative estimate would put well over 100 Aboriginal and Torres Strait Islander people earning between \$0 - \$400 per week in an environment where the median weekly rental price is \$650 and growing.

While property and power prices are less volatile in Western Australia than in the rest of Australia, there are currently a range of other cost of living pressures that are impacting on individuals and families in WA, particularly in regional areas.

The State Government's Regional Price Index (RPI), which contrasts pricing levels of a range of goods and services in regional locations to pricing levels in the Perth Metropolitan area, shows that the cost of housing in the Pilbara is currently higher than anywhere else in the State (Department of Primary Industries and Regional Development, 2021). These figures demonstrate an overall trend of increases in price and decreases in sale and rental availability of housing stock in Newman since 2016, leading to the current urgent need for investment in housing.

### 1.2.3 ECONOMY

The economy of Newman is largely driven by the mining sector where more than 30,000 mining related jobs (local and FIFO) are estimated within the SoEP. Mining within the SoEP produces half of Western Australia's iron ore and the total dollar value of commodities mined within the SoEP, represent over 20% of the Australian resource and energy exports market.



Source: Shire of East Pilbara Economic Development and Tourism Strategy 2021 - 2026

The Newman Futures Strategy launched in 2019 set out with the shared vision to build a sustainable and diverse economy that is inclusive to all. As part of the Newman Futures Strategy, a Social and Economic Snapshot was developed which identified the following limits to growth:

- + Provision of good housing and services does not meet demand.
- + Aboriginal and Torres Strait Islander people are the fastest growing demographic, and the broader population is becoming increasingly diverse.
- + For those who complete high school, education outcomes are good, however, fewer young people are participating in educational or employment pathways in Newman compared to Western Australia.
- + Income in Newman is higher than State averages but income disparities and reports of crime are increasing.
- + While Newman is growing, its population is transient and fluctuates with the rise and fall of industry.
- + The mining sector continues to dominate the economy and BHP has a significant footprint.
- + Cost of living is high and there are difficulties in attracting a skilled workforce.
- + While there is a sense of connectedness community contribution is impacted by transience and shift rosters.

## 1.2.4 SOCIAL INFRASTRUCTURE AND SERVICES

As part of the consultation process, the proponents (KNAC, JYAC and PAMS) and key stakeholders advised of the need for the following additional facilities, social infrastructure and services in East Newman.

### **PAMS SHORT STAY ACCOMMODATION AND CULTURAL AND WELLNESS SPACE**

PAMS, an Aboriginal Community Controlled Health Service providing culturally responsive primary health care services to the communities of Jigalong, Parnngurr, Punmu, Kunawarritji and Newman requires the provision of short stay accommodation for its clients receiving dialysis treatment at their Newman clinic. Ancillary to this is the need for associated staff housing, administration and management buildings and a cultural and wellness space.

The site for this use has been strategically identified on five currently owned BHP lots on Arika Place. Within this site, the following is envisaged:

- + Ten, two-bed short stay units.
- + Two family units.
- + Administration building incorporating a with meeting space, commercial kitchen, washing and ablution facilities.
- + Housing for two staff members.
- + A cultural and wellness space providing patients and community a meeting space, location for cultural transmission and general wellness.

It is envisaged the site will be developed to provide an aesthetically pleasing sense of arrival at the southern entrance of East Newman and for the buildings to be designed and orientated to provide passive surveillance opportunities onto the Arika Place, Nimingarra Drive and Miners Promise Park.

### **MARTU AND NYIYAPARLI YOUTH FACILITY**

To complement the existing community uses on Armstrong Way and to meet the expressed need for spaces for Martu and Nyiyaparli young people in Newman, an additional youth facility has been identified on Armstrong Way. This currently comprises two BHP lots and is strategically located opposite the EPIS facility and neighbouring the JYAC student hostel.

### **NEIGHBOURHOOD CENTRE**

The need for a Neighbourhood Centre in East Newman was identified during the scoping phase of the project. The Neighbourhood Centre location on Bondini Drive adjacent to the central park has been selected based on engagement throughout the development of the Master Plan. The Neighbourhood Centre seeks to provide East Newman with a central space where the community can come together throughout the year and to activate central park which we understand has cultural significance.

The Neighbourhood Centre proposal also reflects the Social Plan prepared by Creating Communities, as part of the Master Plan.

The Neighbourhood Centre proposal provides for the following:

- + A hub for the delivery of essential community services in East Newman, including wrap-around services, ablution facilities, computer facilities, consulting rooms and a small enterprise (i.e., shop or laundry service) to develop a one-stop-shop.
- + Finds a balance between a place that reflects Martu and Nyiyaparli history and culture, and is welcoming to all community members and visitors.
- + Allows for a wide range of activation initiatives within and connected to the space, i.e., adjoining open space.
- + Is in an accessible and central location, which creates new routes and opens up underutilised open space..

### **PROGRAMS CURRENTLY OPERATING**

There are several programs already operating in East Newman which aim to address the social and activation needs of the community. These programs launched after the Master Plan was finalised in 2020 and include:

#### **EPIS ASSISTED LIVING COMPLEX (COMPLETE)**

East Pilbara Independent Support (EPIS) Assisted Living Complex of Armstrong Way was recently complemented. The Assisted Living Complex provides housing for elderly people from the Martu community to reside near community and Country, whilst still being able to access required health and social services.

#### **MARTUKU JIJIKU MAYA - JYAC STUDENT HOSTEL (COMPLETE)**

In 2022, the JYAC student hostel, Martuku Jijiku Maya opened on Armstrong Way in close proximity to the EPIS complex. This facility is available for both Martu and Nyiyaparli young people and provides boarding for Martu and Nyiyaparli young people to obtain education opportunities, both traditional lore and Australian curriculum, whilst remaining close to family and Country.

**MARTU PATROL (IN DELIVERY)**

A Martu-led night patrol has been developed in response to growing concerns about anti-social behaviour in Newman. The Martu Patrol concept was initially identified by the Martu Leadership Team and was reinforced during engagement conducted by Newman Futures in 2019. In 2021 the Martu Patrol was designed as a rapid response program and implemented in response to anti-social behaviour and increasing crime in Newman. The Martu Patrol is currently delivered by Newman Women's Shelter, operating 7 nights per week to reduce youth crime rates in Newman, improve the safety of Martu children at risk, increase employment opportunities for Martu and improve community safety and cohesion. It is envisaged this will eventually become an Aboriginal controlled, led and managed program.

The Patrol requires three essential elements:

- + A bus or large van and provision for its maintenance.
- + Martu staff for the patrol.
- + Organisational support.

At the time of writing, a pilot of this project has been completed through the Newman Women's Shelter in partnership with the Newman Futures Project, with funding secured from BHP allowing program delivery to continue until 30 June 2023. The next phase of the program involves developing a sustainability framework and developing a strategy for the program to focus on succession planning and transition to Martu ownership, as well as increasing active youth diversionary programming and inter-agency collaboration where Martu are at the forefront to represent their community, acknowledge social issues and voice their vision for change.

**EAST NEWMAN ACTIVATION PROGRAM (IN DELIVERY)**

Through the East Newman Activation Program, stakeholders are working collaboratively to grow a safe, vibrant and connect East Newman.

The East Newman Activation Program successfully responds to the key findings from engagement with Niyaparli and Martu community members, Newman Futures stakeholders and the broader Newman community by:

- + Providing things for children, young people and families to do in a safe environment
- + Providing educational opportunities for children and youth
- + Facilitating better connections between East Newman residents and Newman's established social support services
- + Enhancing collaboration and coordination between service providers in the day-to-day delivery of operations which benefit those living in East Newman
- + Ensuring activities and services in East Newman are being led by Niyaparli and Martu, or by those trusted by Niyaparli and Martu
- + Promoting positive relationships between neighbours, East Newman community members and the broader Newman population
- + Improving understanding and interaction with local culture and heritage
- + Growing connection to place

Miners Promise Park (Train Park) in East Newman was selected as the logical location to create a "community hub", where community connection and pride could be built in a highly visible and accessible location.

Since the program's inception in March 2021 and until July 2022, the program has achieved:

- + 3,800+ community engagements
- + 140 community activities
- + 45 partners participating
- + 1,200 estimated in-kind hours from partners

Following a successful delivery of the East Newman Activation Program, sustainability planning is being undertaken to determine the next phase of the program.

**1.2.5 CULTURE, VALUES AND IDENTITY**

Engagement with community groups has been the key to preparation of the ENPSP. The ENPSP has been co-designed with Niyaparli and Martu to improve outcomes for families living in East Newman. The project is a solution for local landowners, service providers and the community.

Through a considered approach to investment in housing, community facilities and infrastructure new foundations will be laid to support Strong Culture and Strong Families.

## 1.3 PHYSICAL CONTEXT

### 1.3.1 BROADER CONTEXT

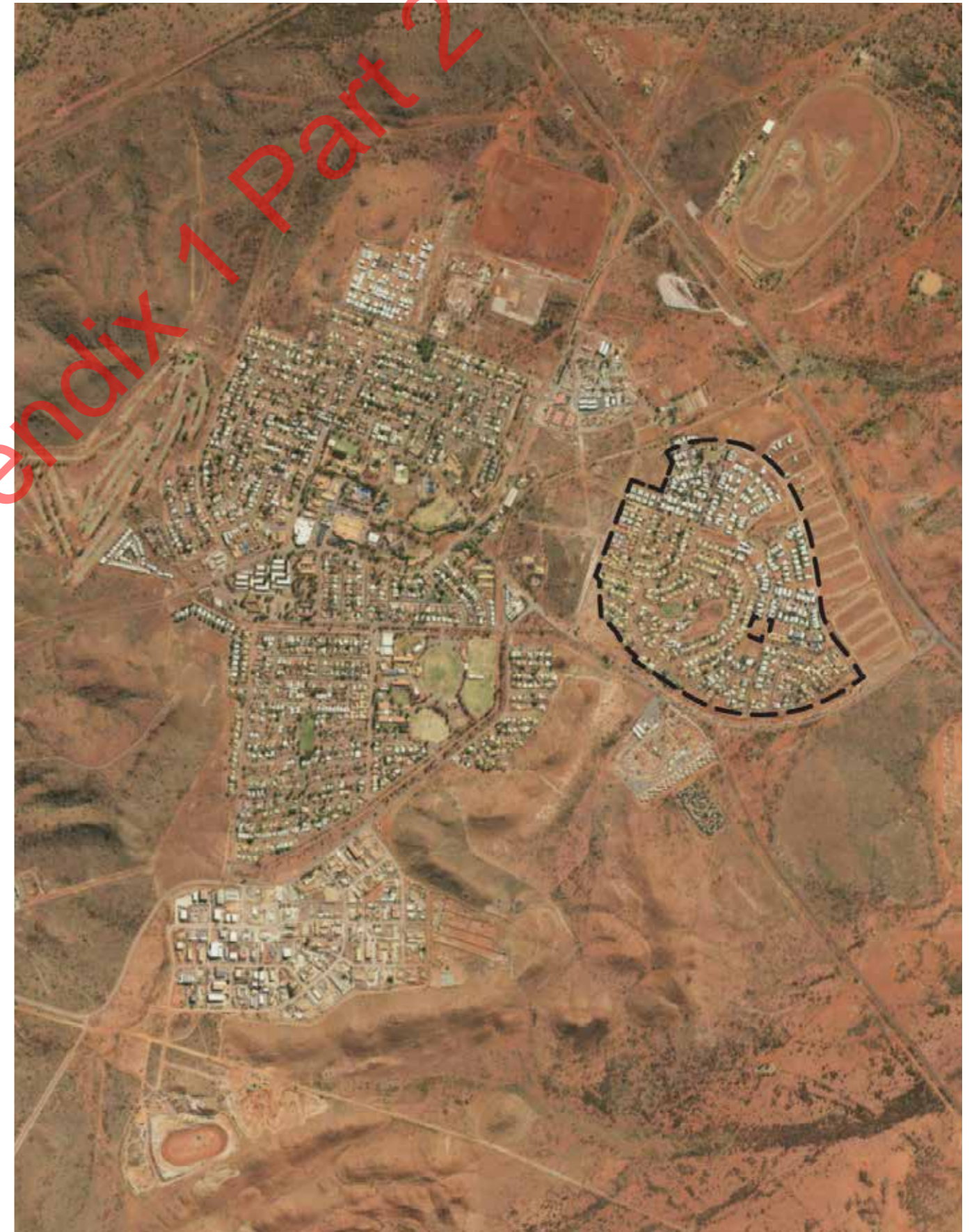
The SoEP is the largest local government area (by geographical area) in Western Australia (WA). It forms part of the Pilbara Region which spans the breadth of Central WA, bounded by the Town of Port Hedland and Shire of Ashburton (to the west), Kimberley Region (to the north), and the Mid West and Goldfields Regions (to the south).

Despite its size, the SoEP is sparsely populated. At the 2021 Australian Bureau of Statistics (ABS) census the total population of the Shire was 9,760 (representing a decline of 831 people from the 2016 census). This population is concentrated primarily in the SoEP's major settlement areas, which include Newman (4,239 people), Nullagine (1,159 people), and Marble Bar (927 people).

The SoEP also contains numerous Aboriginal settlements including Jigalong, Punmu, and Parngurr. Aboriginal Town Based Settlements are also located in Nullagine (Irrungadi community) and Marble Bar (Goodabinya). Aboriginal people have lived in the Pilbara for more than 40,000 years. Today there are more than 31 Aboriginal cultural or language groups across the region. Including Niyaparli people who were the traditional custodians of the area now known as Newman. In 2018, they were granted native title over 40,000 square kilometres of traditional country including the Newman Townsite.

As demonstrated on **P2 - Figure 3**, the East Newman Precinct is located in the Newman Townsite which is located approximately 1,186km northeast of Perth. The town was established in 1968 by the Mt. Newman Mining Company as an accommodation centre for employees at its nearby iron ore mine. Newman grew rapidly over the next 20 years and, in 1981, management of the town was sold to the SoEP.

Conservation of indigenous culture and the land, to which they have traditional custodianship, is central to the respect and recognition of the part such culture plays in the identity of the Pilbara. The ENPSP recognizes the importance of Aboriginal heritage and acknowledges that Aboriginal heritage must be preserved (so far as is reasonably practical) in accordance with the Aboriginal Heritage Act 1972.



P2 - Figure 3: Broader Area Context

### 1.3.2 CLIMATE

The climate in East Newman is typical of the Pilbara Region, the key characteristics are summarised below:

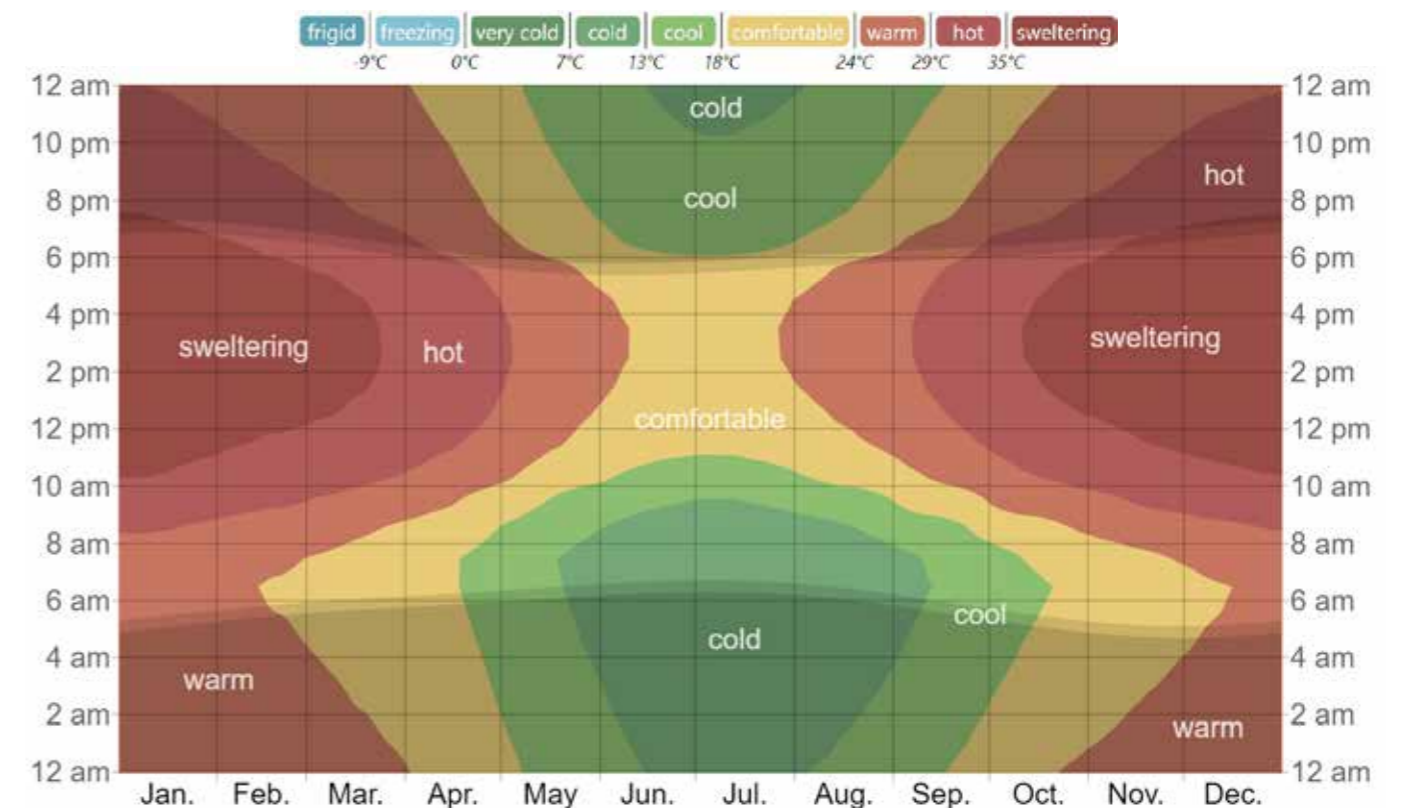
- + Long summers (which are hot and dry), this season lasts for approximately 4 months, between October and 3 March, with an average daily high temperature above 37°C. The hottest month of the year is January, with an average high of 39°C and low of 25°C.
- + Winters are short winters, the 'cool season' lasts approximately 3 months, between May and August, with an average daily high temperature below 26°C. The coldest month of the year in Newman is July, with an average low of 8°C and high of 23°C.
- + Average rainfall is approximately 315mm, which typically occurs between November and July with the wettest months being January (62.2mm) and February (76.4mm). The majority of this rain results from cyclones, which cross the coast and travel inland. On average, it rains just 42 days each year. Humidity also peaks during the wetter months of January and February
- + Newman lies too far inland to be affected by sea breezes and does not generally experience a daily reversal of winds, with winds primarily occurring from the east. Given its inland location, Newman is not at major risk to winds associated with tropical cyclones, though they can cause damage. The greatest impact of inland cyclones is likely to be flooding from heavy rainfall. **P2 - Figure 4** illustrates the areas of the ENPSP area which are susceptible to flooding.



P2 - Figure 4: Climatic Conditions

Under the National Construction Code, the Newman is classified as Climate Zone 3 'hot dry summer, warm winter'. **P2 - Figure 5** provides an illustration of the average hourly temperature in Newman. For the majority of the year, Newman's days are either 'hot' or 'sweltering' with average temperatures routinely above 30 degrees. In winter, day time temperatures are much more comfortable, though the nights and morning are cold.

An analysis of housing in the ENPSP (see **Section 1.3.11**) has determined that current designs lack the ability to embrace local climatic conditions. Given the unique climatic conditions, there are several opportunities for the ENPSP to provide provisions which enable future development to embrace the existing climatic conditions which may result in an improved comfort for residents, connection of homes to country and minimisation of running and maintenance costs for housing. These strategies could allow for house designs to respond to the Newman temperatures throughout the year, provide the provision for well shaded outdoor spaces and considered indoor spaces, improves natural ventilation throughout the home and increases the potential for water storage. Additionally, the public realm (particularly streets and parks) can be better designed to provide more comfortable spaces which can be used throughout the year.



P2 - Figure 5: Newman Average Hourly Temperature

Source: Weatherspark.com



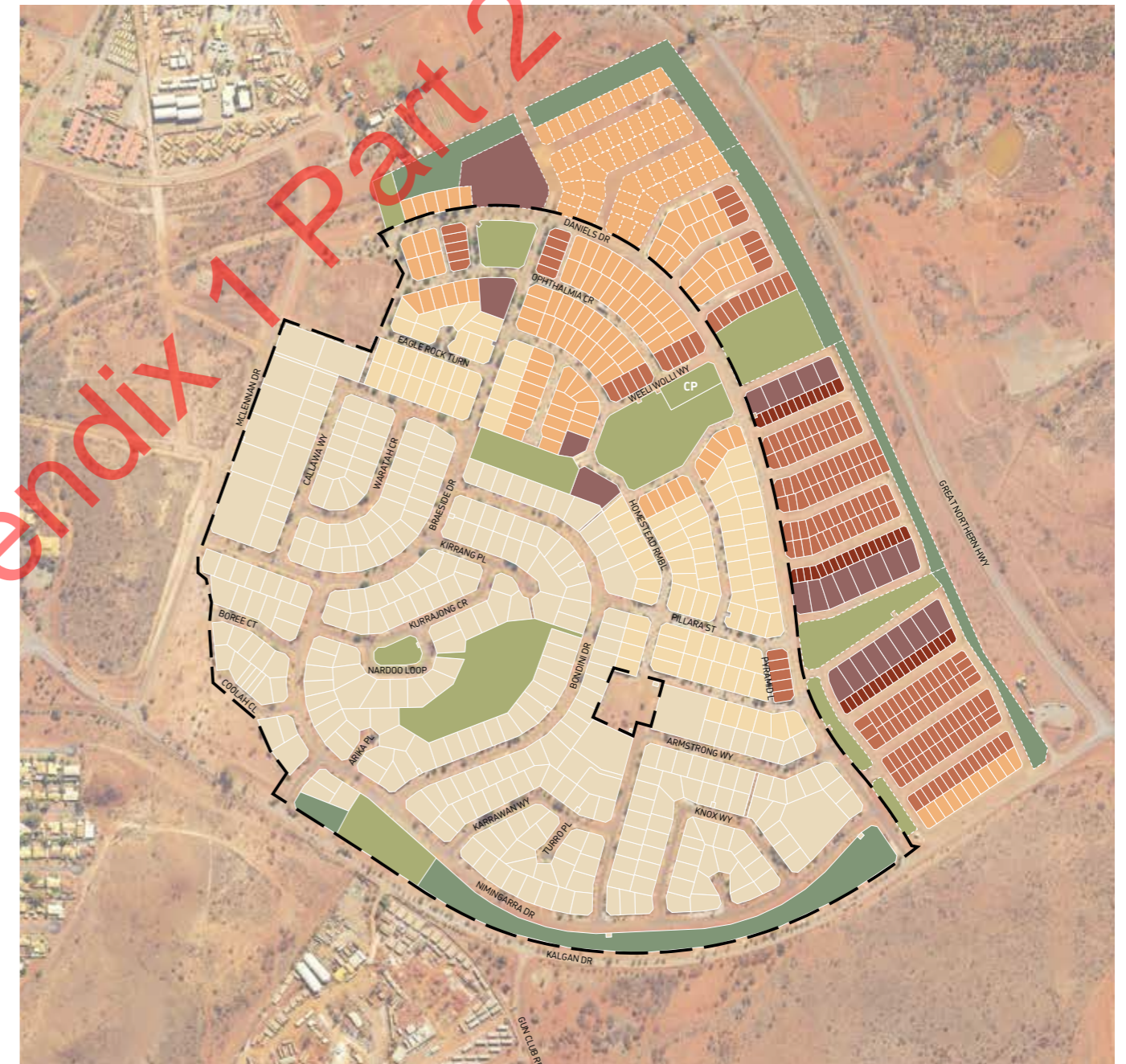
### 1.3.3 LAND USE

As illustrated in **P2 - Figure 6**, the ENPSP area is primarily comprised of land zoned 'Residential' under LPS4.

The precinct character is currently defined predominantly by single and two storey residential homes. The future Development WA zone to the east of the catchment zone indicates an increase in the zoning to R40 for Single Residential Lots and Grouped or Multiple Dwellings Lots. This allows for a potential height up to three storeys largely in areas fronting public open space. There is an opportunity to consider potential areas within the catchment zone which may be increased in density in line with current state planning policies (i.e. Design WA). A number of lots depending on future needs analysis may require a scheme amendment varying the potential use.

Dual Code Lots R15/40 where applicable have been amalgamated and redeveloped to provide a number of grouped dwellings on a lot. Potential changes to policies and design guidelines in line with future medium density policy have the potential to reconsider the planning and architectural response to these lots. The community purpose site noted in the north-eastern portion of the character zone is to be reviewed with Development WA to determine potential uses.

Item 11.3.1 Appendix 1 Part 2



**LEGEND**

- ENPSP Boundary
- Parks and Public Open Space (POS)
- Community Purpose Site
- Drainage Corridors
- Mixed Use
- R15 Single Residential Lots
- R20 Single Residential Lots
- R30 Single Residential Lots
- R40 Single Residential Lots
- R40 Grouped or Multiple Dwellings
- R15/40 Single Residential Lots

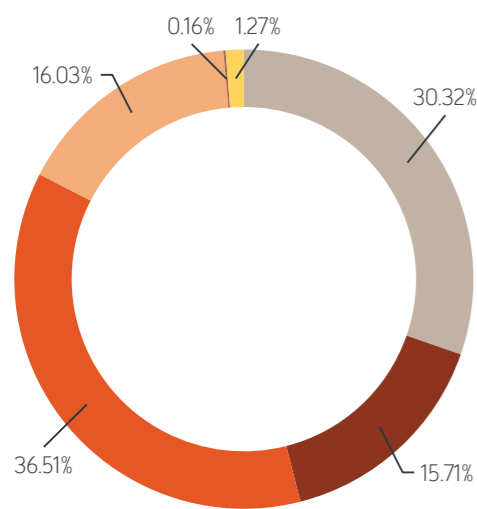
**P2 - Figure 6: Land Use**

### 1.3.4 LAND OWNERSHIP

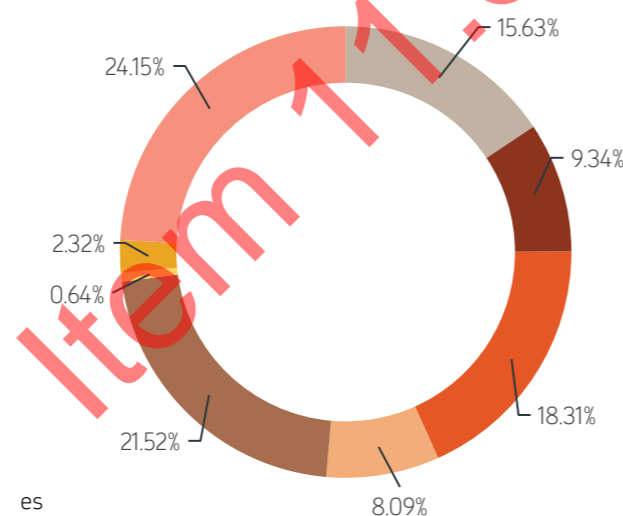
Previous work undertaken on the Home in East Newman Master Plan provided an analysis of the current land ownership throughout the East Newman area. The land ownership indicates lots owned by BHP, Housing Authority, The State Housing Commission, Government Employees' Housing Authority, The State of Western Australia, Development WA, private landowners, commercial landowners and the Shire of East Pilbara. Lots are also defined in relation to Strata Title, Green Title, Public Open Space and Parks and those currently undeveloped and retained under ownership by an organisation.

The analysis highlighted areas in the ENPSP area that enable the potential for redevelopment where:

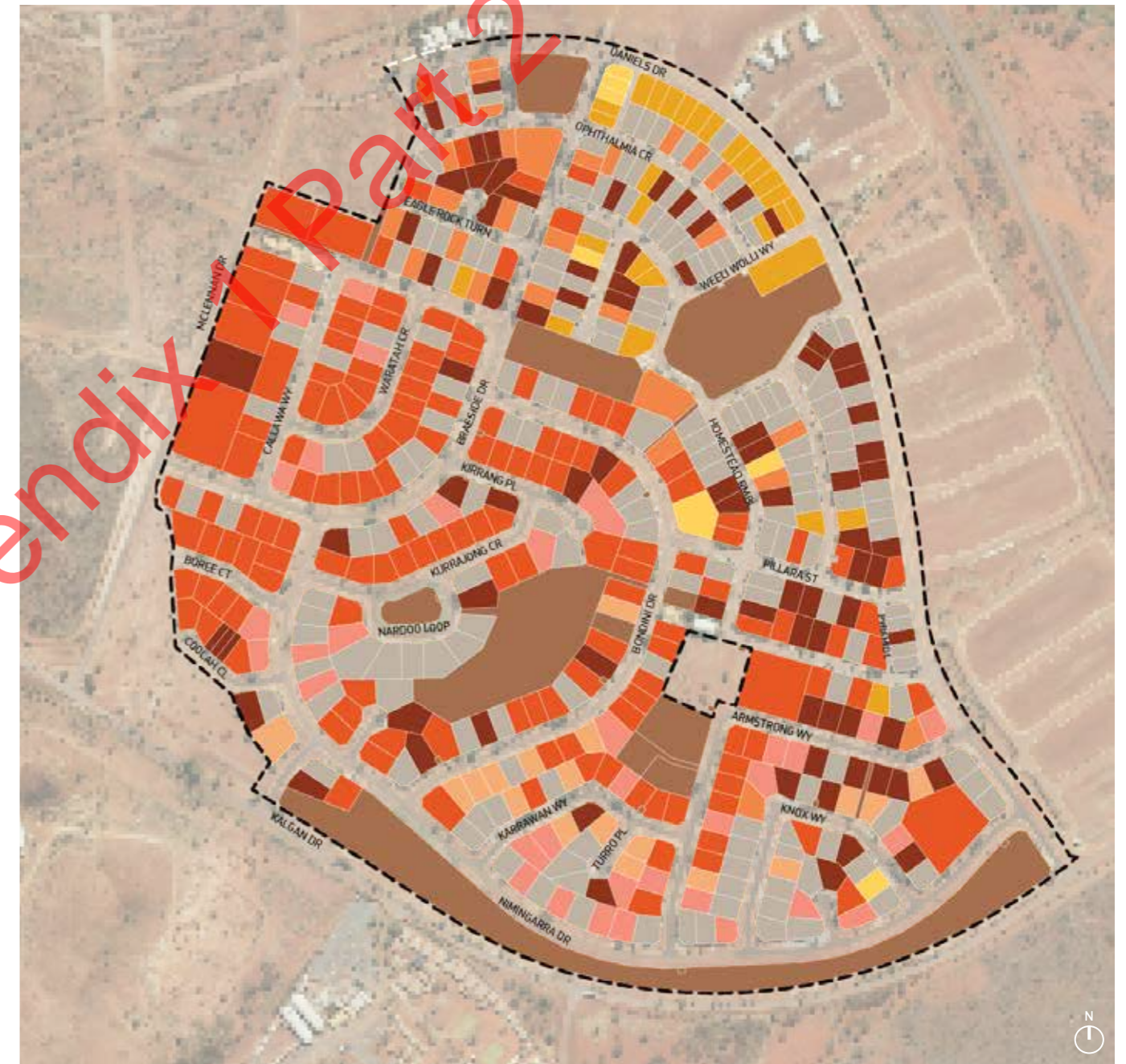
- + BHP lots have the potential to be:
  - Amalgamated with neighbouring lots to enable a higher yield if redevelopment were required.
  - Redeveloped to utilise the dual frontage of lots where the lot fronts a road reserve and public open space; and
  - Redeveloped to enable wider than current public access-ways whilst enabling a higher yield.
- + State-owned land has the potential to be:
  - Redeveloped for additional housing, and
  - Considered in relation to character and use where this is a public open space.



P2 - Figure 7: Dwelling Ownership Breakdown



P2 - Figure 8: Land Ownership Breakdown



**LEGEND**

- |   |   |   |
|---|---|---|
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #d3d3d3; border: 1px solid black;"></span> Private Landowners        | <span style="display: inline-block; width: 15px; height: 15px; background-color: #8b4513; border: 1px solid black;"></span> WA State Government     | <b>S</b> Strata Lot                     |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #800000; border: 1px solid black;"></span> Companies                 | <span style="display: inline-block; width: 15px; height: 15px; background-color: #ffd700; border: 1px solid black;"></span> Shire of East Pilbara   | <b>*</b> Undeveloped Lot                |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #ff4500; border: 1px solid black;"></span> BHP                       | <span style="display: inline-block; width: 15px; height: 15px; background-color: #ffcc00; border: 1px solid black;"></span> Development WA          | <b>- - -</b> Precinct Boundary          |
| <span style="display: inline-block; width: 15px; height: 15px; background-color: #ff8c00; border: 1px solid black;"></span> Department of Communities | <span style="display: inline-block; width: 15px; height: 15px; background-color: #ff6347; border: 1px solid black;"></span> Roads and Road Reserves | <b>P</b> Park / Open Space              |
|   |   | <b>CP</b> Community Purpose             |
|   |   | <b>SA</b> Student Accommodation (Martu) |

P2 - Figure 9: Overall land ownership

### 1.3.5 OPEN SPACE AND DRAINAGE

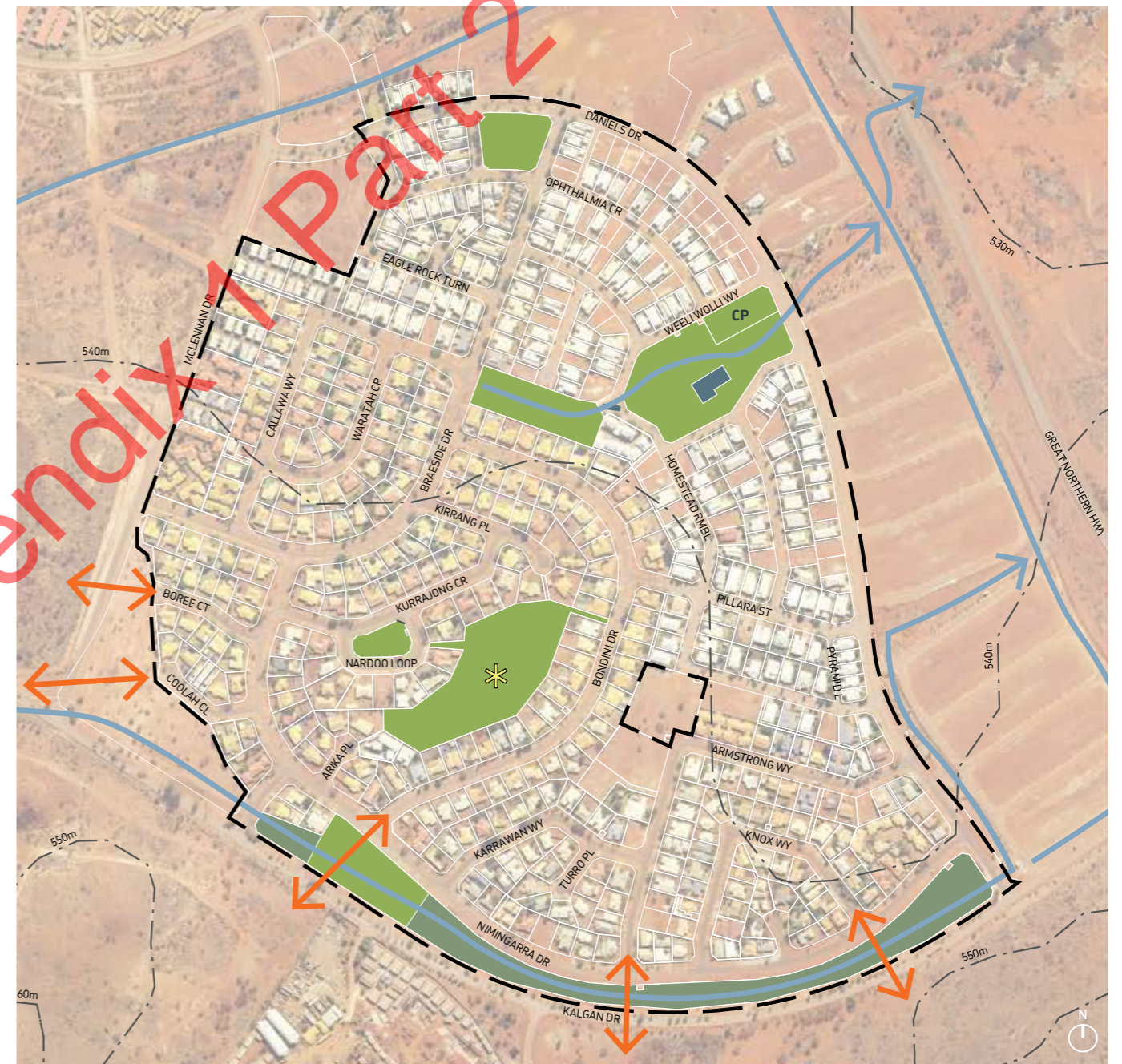
#### OPEN SPACE

Several existing parks and spaces are provided in the ENPSP area as shown on **P2 - Figure 10**. Many of these spaces are well used though others are underutilised or require an increase in maintenance (with associated costs). There is an opportunity to reconsider the public open space strategy to define parks which have a clear identity, character, and use where the spaces provided enable a number of activities to co-exist in a complementary way. There is also an opportunity to revitalise these spaces to enhance the ability to connect with Country and to better align with Nyiyaparli and Martu uses of public open space. There is also potential for consolidation of open spaces currently provided, with opportunities for future development or enhancements to occur.










#### DRAINAGE

**P2 - Figure 10** notes the existing drainage lines and swales within the catchment zone. These are largely located to the edges of the catchment zone and will need to be maintained. The Newman Revitalisation Plan Growth Volume 2 (p. 26) highlights that the majority of these swales remain unlined with variable degrees and conditions of native vegetation cover. These creeks are seasonal and for most of the year remain dry. As Newman is subject to extreme weather events, drainage is of primary concern and the provision of sufficient systems to deal with the major weather events has had to be employed. Unfortunately, the existing systems have low visual quality and divide communities as the channels carve their way through the town. There is potential to look at a landscape strategy for these swales to connect the catchment zone into the surrounding area and provide a visual character of these swales through appropriate replanting.

Item 11.3.1 Appendix 2



**LEGEND**

-  High Point
-  Community Purpose Site
-  Existing Parks
-  Swales and Drainage Corridors
-  Water Corporation Pump Station
-  Potential Connections
-  Built Drainage Corridors
-  10m Contours
-  Precinct Boundary

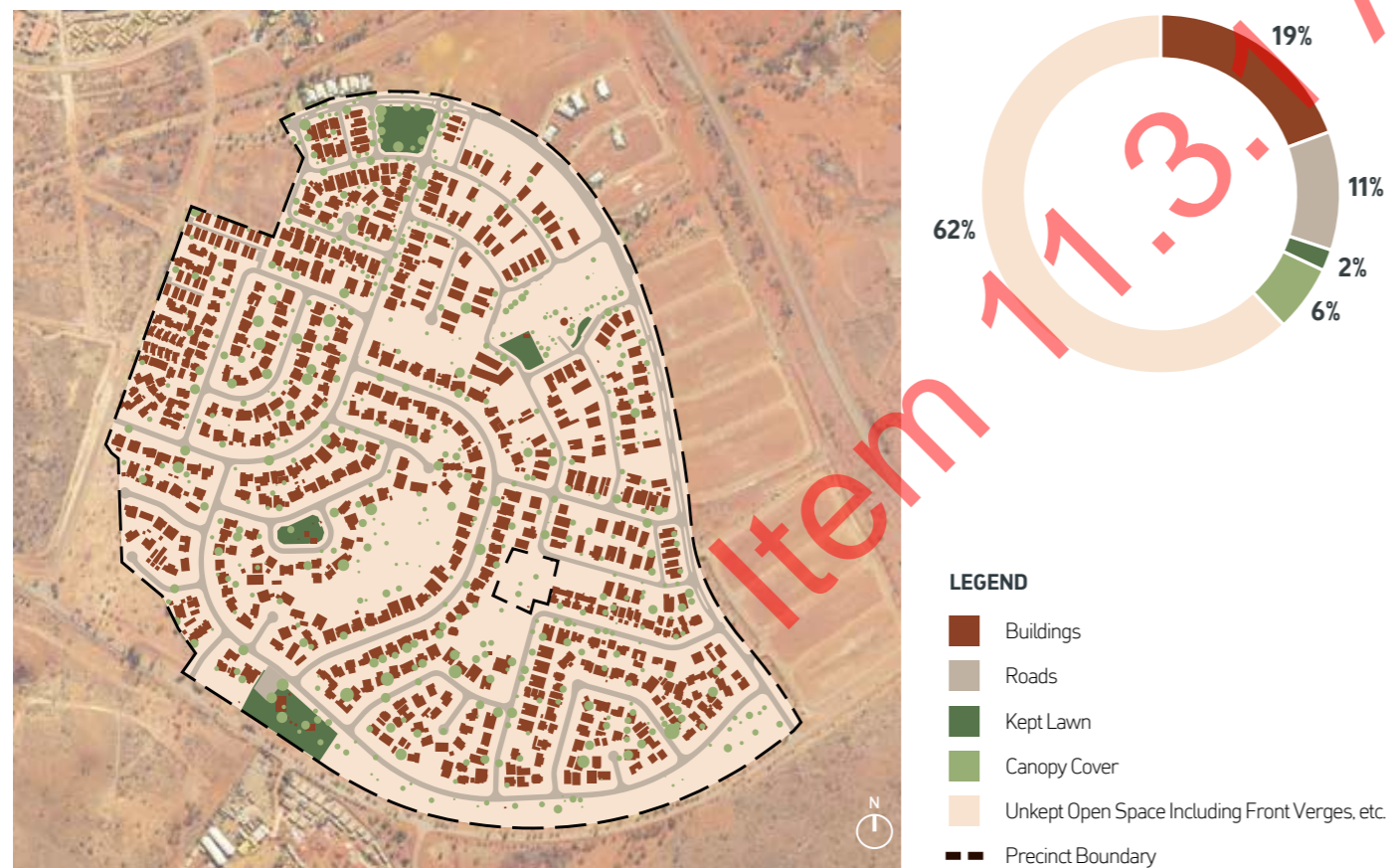
P2 - Figure 10: Open Space and Drainage

### 1.3.6 LANDSCAPE

#### PRECINCT LEVEL LANDSCAPE ANALYSIS

P2 - Figure 11 depicts the current breakdown of hard and soft surfaces across the ENPSP area. The precinct is largely characterised by unkept open spaces with a low tree canopy percentage. This highlights the potential increase in temperature in the precinct above the actual recorded temperature during the day together with increased maintenance of streets, footpaths, and buildings. A landscape strategy which looks at how to utilise the areas of unkept space, improve the tree canopy and shaded spaces would be beneficial.

Due to low canopy cover and kept lawn there is potential for consideration of increasing these elements through the ENPSP. As a comparison, we have reviewed another sample area of Newman, see P2 - Figure 12. The intention would be to provide a similar or better percentage outcome as indicated in this example (see over) for East Newman.



P2 - Figure 11: Precinct Level Landscape Analysis

#### COMPARISON LANDSCAPE ANALYSIS

P2 - Figure 12 reflects the current breakdown of hard and soft surfaces across the comparison block, which is bordered by Mindarra Dr, Hilditch Ave, Wurangura St and Warman Ave in Newman. The area features a higher percentage of kept lawn and tree canopy cover, which results in additional shading to the area and a reduced heat island effect.



P2 - Figure 12: Comparison Landscape Analysis

### 1.3.7 LANDSCAPE AND BUILT FORM CHARACTER

The street character within the ENPSP area is a mixture of a single and two storey residential dwellings with either hipped, gabled or skillion roof profiles, which feature a mixture of boxed and exposed eaves. The homes are well setback, about 6-10m from the front boundary and have approximately 1m side setbacks. Where nil setbacks are provided, the length of the wall on the boundary is up to 9m in length.

Generally, the window opening sizes vary throughout the precinct. Where able, a large window is provided to front the street and provide surveillance from major living spaces. A large majority of the window openings provided to homes within the precinct are not shaded appropriately. Where these windows are shaded, the unique orientation has not been considered. Several windows are provided with minimal opening sizes, which do not provide adequate natural ventilation to homes.

Each dwelling features either single or double carports, with the roof design of the carport generally integrated into the house design. In a number of cases where lots are narrower, the carport is detached and located at the front of the home. Many dwellings are provided with concrete or brick paved driveways that extend into the carport.

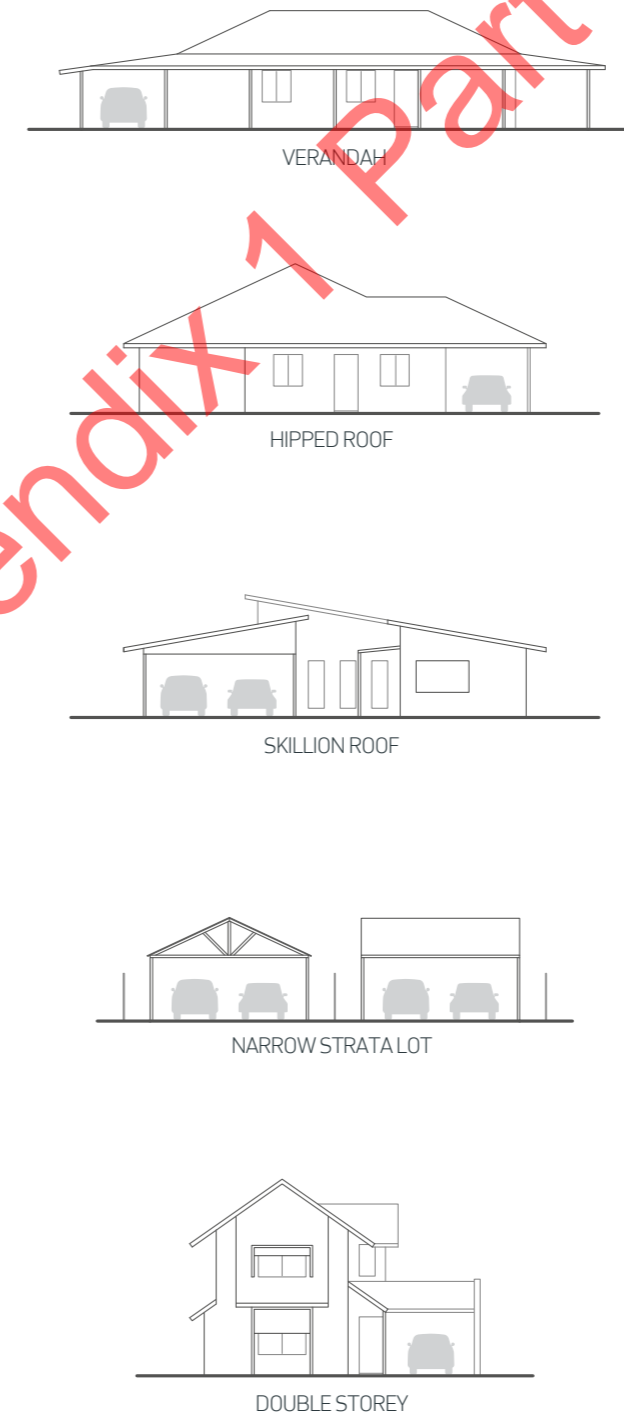
The material character of homes within the ENPSP area are largely brick and weatherboard, for older dwellings, or colorbond, for newer dwellings. Roofs are generally colorbond throughout. There is a lack of a coherent character of homes with this mix of materials.

A character trait of earlier dwellings is the use of solid colorbond fencing to the side, rear and front of lots. This fencing approach mitigates any connection of the home to the street. Newer permeable fencing utilised in a number of refurbished BHP-owned homes provides an improved street interface.

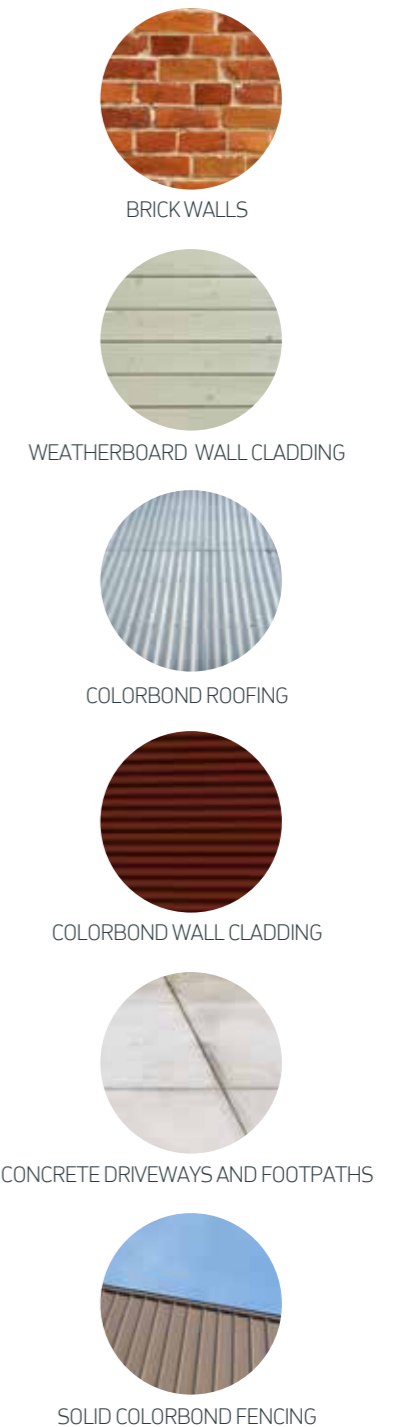
The use of concrete for driveways, footpaths and hardstands is prevalent throughout, and adds to the heat island effect within East Newman.

Future housing concepts that will cater more appropriately to East Newman's people and its climate will be provided in the ENPSP. These proposed approaches will, along with the aspirations of housing for existing landowners and residents, consider improvements in the way in which housing and landscape design can respond effectively to the challenges noted throughout this context analysis.

Item 11.9.1 Appendix 1 Part 2



P2 - Figure 13: Existing East Newman Character



P2 - Figure 14: East Newman Material Character

## 1.3.8 ENVIRONMENT

### ENVIRONMENTAL CONDITION

PGV Environmental undertook a site inspection of the ENPSP area on 4 July 2022. The results of the site inspection are as follows. The Structure Plan area consists of the following land uses, with environmental qualities described as follows:

- + **Roads and road verges** - All the streets in the ENPSP area contain street trees, ranging from newly planted to quite mature trees that were planted many years ago. The most commonly planted trees are Poinsettias and native Eucalyptus trees.
- + **Residential lots with dwellings** - Most residential lots contain trees and shrubs in the garden which have been planted over time.
- + **Vacant residential lots** - There are approximately 20 residential lots that do not contain dwellings. All lots are completely cleared.
- + **Large underutilised public open space** - A large 1.87ha lot is located between Nardoo Loop and Bondini Drive. The lot contains some native shrubs, mainly Acacia species, but is mostly weedy and is not considered remnant intact native vegetation.
- + **Public Open Space for recreational purposes** - Several areas of POS with a recreational function are located within the Structure Plan area including Daniels Drive Park (Plate 4), Nardoo Loop Park and Miners Promise Park. The parks are all grassed and contain some planted trees around the outside.
- + **Reserves for Drainage** - Several reserves are located in the ENPSP area that provide a stormwater drainage function. One long, curved drainage reserve occurs along the southern boundary of the Structure Plan area between Nimigarra Drive and Kalgan Drive. The reserve is sparsely planted and does not contain any intact remnant native vegetation (Plate 5). Another series of linked drainage reserves occurs between Braeside Drive and Daniels Drive. The reserves are sparsely planted and do not contain any intact remnant native vegetation (Plate 2).

The ENPSP area contains numerous, sparsely planted trees and shrubs in road reserves, POS and drainage reserves. No areas of intact remnant native vegetation occur in the area. Therefore, no plant species or vegetation types of conservation significance would occur in the ENPSP area.

### BUSHFIRE MANAGEMENT

Majority of the subject site has been previously cleared with residential housing and POS areas established. No re-vegetation is proposed within the development and landscaping will be maintained in a low-threat state. Areas of native vegetation on-site were present with multiple large patches proposed to remain. Changes to this assumption can be addressed through future BMPs prepared to support more detailed planning applications (e.g. subdivision applications etc.).

Two lots within the ENPSP area are subject to BAL-FZ and BAL-40, however both of these are existing properties with established dwellings and reductions to the bushfire risk is not possible due to the classifiable vegetation affecting BALs being situated within an area subject to Native Title. Should there be any changes in development design or vegetation/hazard extent that requires a modified bushfire management response, then the above BAL ratings will need to be reassessed for the affected areas and documented in a brief addendum to the Bushfire Management Plan.

The subject site has areas of natural vegetation on-site that have not been managed for a number of years. There are several existing fire breaks on-site and plots of vegetations with cleared or gravelled understorey within and surrounding the subject site. In future, management of fuel loads and onsite vegetation may reduce the potential bushfire risk and reduction of radiant heat affecting the development.

Further information of bushfire can be find in **Appendix 3 Bushfire Management Plan**.

### ROAD AND RAIL NOISE

A number of the residential lots along the north-eastern boundary of the precinct are located within the road and rail noise buffer area. Most of these lots have been developed with single houses, however in accordance with SPP 5.4 – Road and Rail Noise, a notification on title would be required if the lots were redeveloped.

Item 11.3.1 Appendix 2

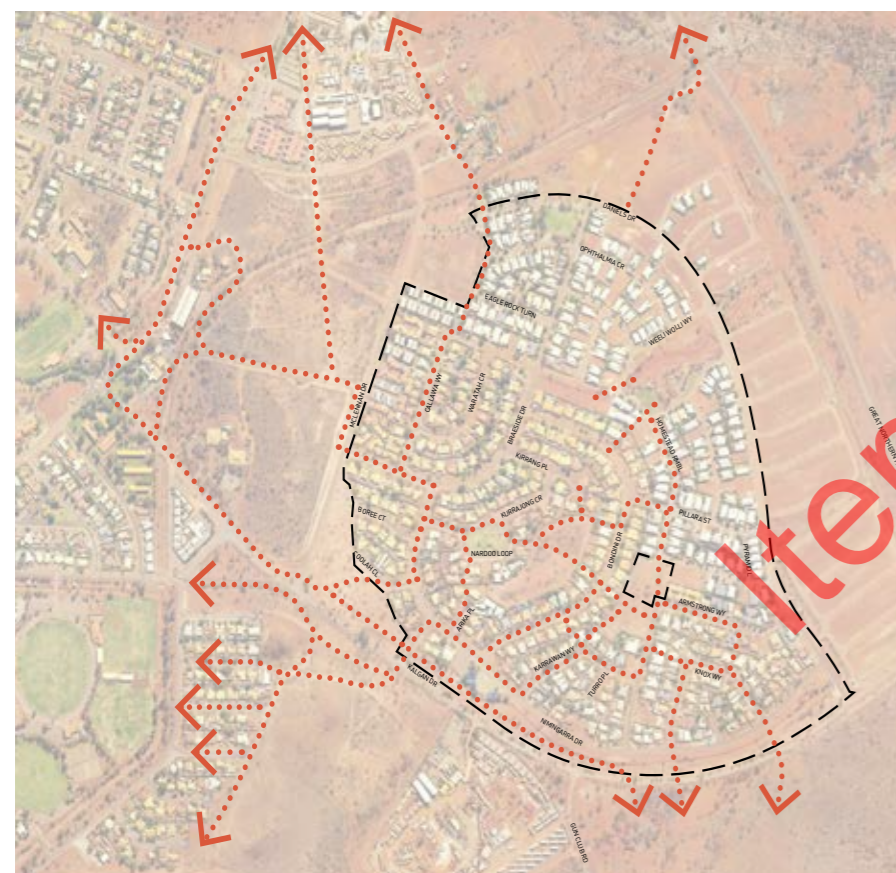
### 1.3.9 PEDESTRIAN MOVEMENT

#### NIYIAPARLI AND MARTU WALKING TRAILS

Walking trails were noted through engagement with the Nyiyaparli and Martu community. The walking trails demonstrate pedestrian access (formal and informal) within and external to the ENPSP area.

These trails lead to significant surrounding areas and include:

- + Martumili;
- + Newman Town Centre;
- + Residential housing to the south-west of East Newman;
- + South Newman Primary School;
- + Newman Senior High School;
- + Goanna Oval, Capricorn Oval and Newman Recreation Centre; and
- + Parnpajinya Community.



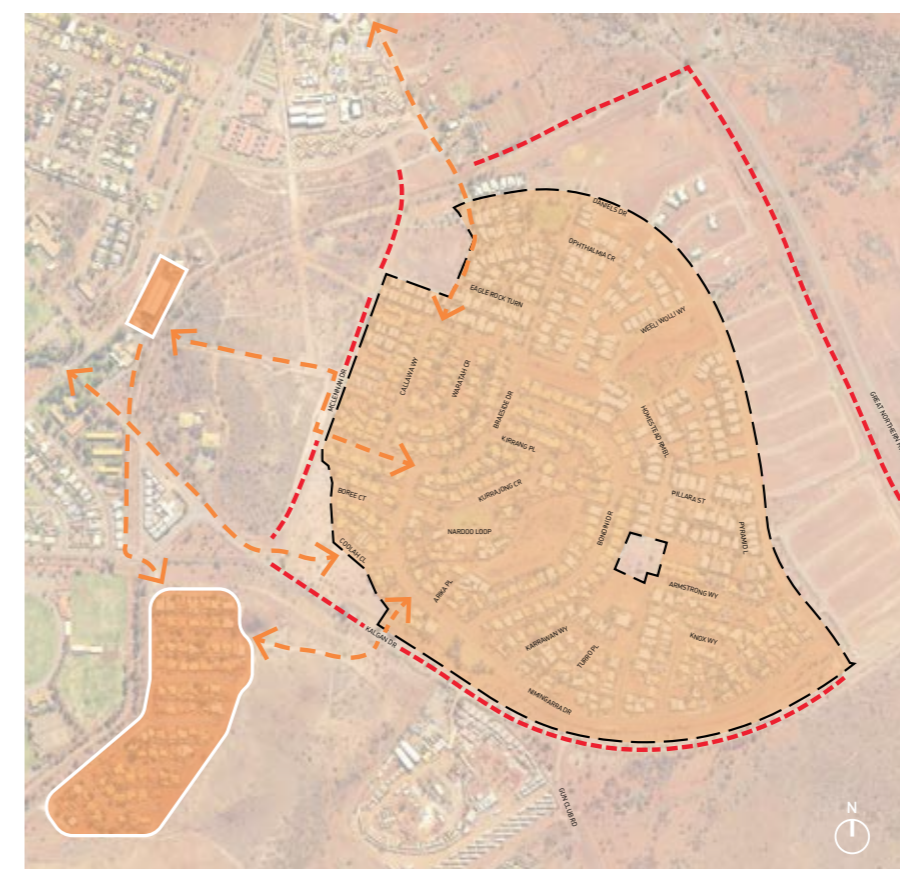
P2 - Figure 15: Nyiyaparli and Martu Walking Trails

#### CONNECTION TO SURROUNDING AREA

Through engagement, it has been outlined pedestrians move into and out of precinct from a range of locations within close walking distance. These locations include but are not limited to Parnpajinya Community to the north, Martumilli and the Newman Town Centre to the west.

Currently the planning has resulted in the ENPSP area becoming an island segregated from the surrounding Newman area due in part to the location, orientation and extent of swales to the south and eastern edge of the catchment zone and major arterial roads surrounding the precinct to the west, south and east.

There are opportunities for the ENPSP to improve the porosity at the edges of the precinct with an approach to provide considered safe enjoyable pedestrian movement connections to the locations noted above that could also build on existing movement patterns, and drive future development needs in specific locations.



P2 - Figure 16: Connection to Surrounding Area

### 1.3.10 ROAD NETWORK

Vehicle access into the ENPSP is gained primarily from the southern end of the precinct, from McLennan Drive, Corunna Way and Daniels Drive off Kalgan Drive. According to the Main Roads WA hierarchy, Kalgan Road is classified as a local distributor, and all other roads within the ENPSP area are local access roads.

The existing road network within the ENPSP area provides poor connectivity reflective of Radburn Design principles. Whilst there are potential opportunities of how this could be reconsidered, the road network will largely remain unchanged as these roads provide a vehicle access to individual lots.

Several key services, such as sewer, stormwater and power, will be retained throughout road reserves. Locations that provide opportunity within the road network for reconsideration include the entry points into East Newman, road intersections and potential improvements for way-finding through considered landscaping, street signage, and street lighting.



P2 - Figure 17: Road Network

## 1.4 RESPONSE TO CONTEXT

P2 - Table 5: PSP - Key Design Considerations

REF.	ISSUE / OPPORTUNITY	DESIGN CONSIDERATIONS / ACTIONS
URBAN ECOLOGY (UE)	UE-1	Major opportunity to enhance recognition and celebration of Aboriginal heritage and culture for both Nyiyaparli and Martu people.  <i>Linked to PR-1, PR-2, PR-3</i>  <i>Linked to MO-1</i>  <i>Linked to BF-1</i>
	UE-2	Low canopy cover and large amounts of hardscape areas highlights the potential increase in temperature in East Newman above the actual recorded temperature during the day.  <i>Linked to PR-1, PR-3</i>
	UE-3	As Newman is subject to extreme weather events, drainage is of primary concern and the provision of sufficient systems to deal with the major weather events should be employed. Existing systems have low visual quality and divide communities as the channels carve their way through the ENPSP area. The current state of these drainage corridors dissects the town separating neighbourhoods.  <i>Linked to UE-2</i>
URBAN STRUCTURE (US)	US-1	Nyiyaparli and Martu walking trails are not formalised and often cross through private residential lots.  <i>Linked to MO-1, MO-3</i>
	US-2	Large number of lots fronting onto public open space and abutting PAWs provides an opportunity to better interact with key public spaces.  Frontages of future residential development onto parks to be enhanced to improve amenity for residents.  Widening existing and creating additional PAWs can increase permeability to parks and open spaces, whilst increasing safety through better designs.  <i>Linked to PR-4</i>  <i>Linked to MO-3</i>  <i>Linked to BF-3, BF-4</i>
	US-3	Majority of residential lots in the ENPSP area are currently owned by BHP Billiton and the Department of Communities.  Potential for consolidation and amalgamation of residential lots in specific locations where an increase in yield and density is considered appropriate.  <i>Linked to LU-2</i>  <i>Linked to BF-4</i>
	US-4	Improvements to landscaping and greater attention to the external aspect of lots at the precinct's entrance points will be important in enhancing the arrival experience.  Ensuring the views toward East Newman are more attractive and provide a sense of entry, presenting visitors with a local housing perspective that is reflective of the character of the place.  <i>Linked to PR-2</i>  <i>Linked to MO-2</i>



REF.	ISSUE / OPPORTUNITY	DESIGN CONSIDERATIONS / ACTIONS
PUBLIC REALM (PR)	PR-1	Harsh climatic conditions adversely impacts the functionality and usability of existing public spaces.  <i>Linked to UE-2</i> <i>Linked to PR-2, PR-3</i>
	PR-2	Several existing parks and spaces are provided in the ENPSP area. Whilst some of these spaces are well used others are underutilised or require an increase in maintenance (with associated costs).  Public open space strategy to define parks which have a clear identity, character, and use where the spaces provided enable a number of activities to co-exist in a complementary way.  There is also an opportunity to revitalise these spaces to enhance the ability to connect with Country and to better align with Niyiyaparli and Martu uses of public open space.  There is also potential for consolidation of open spaces currently provided, with opportunities for future development or enhancements to occur.  <i>Linked to UE-1, UE-2, UE-3</i> <i>Linked to PR-1, PR-3, PR-4</i>
	PR-3	Informal Niyiyaparli and Martu walking trails do not provide a pleasant pedestrian environment and are characterised by lack of shade and essential amenity such as quality footpaths.  Improve the comfort of Niyiyaparli and Martu walking trails through improving public realm amenity and increasing tree canopy and shade coverage. Provision of resting points along key connections on open spaces.  <i>Linked to UE-2</i> <i>Lined to US-1</i> <i>Linked to MO-1, MO-3</i>
	PR-4	Poor passive surveillance of public spaces leading to adverse safety impacts.  Public realm design based on CPTED principles and focused on houses fronting onto open spaces and abutting public access ways.  <i>Lined to US-2</i> <i>Linked to BF-3, BF-4</i>
MOVEMENT (MO)	MO-1	Pedestrian movement patterns of Niyiyaparli and Martu people vary from the existing pedestrian network within the ENPSP area.  Opportunity to provide alternative pedestrian movement corridors through the catchment zone. This approach may enable a respect for the Niyiyaparli and Martu people, potential for developing land around these trails, divestment of land ownership, potential locations for an East Newman specific Neighbourhood Centre.  <i>Linked to UE-1</i> <i>Lined to US-1</i> <i>Linked to PR-3</i>
	MO-2	East Newman is an island segregated from the surrounding Newman area due in part to the location, orientation and extent of swales to the south and eastern edge of the catchment zone, fenced land under state government ownership to the west, major arterial roads surrounding East Newman to the west, south and east and large extents of development with minimal connection through the development to the west.  Opportunities to provide a strategy to improve the porosity at the edges of the catchment zone with an approach to provide considered safe enjoyable pedestrian movement connections to the locations noted above that could also build on existing movement patterns and drive future development needs in specific locations.  <i>Lined to US-4</i>

REF.	ISSUE / OPPORTUNITY	DESIGN CONSIDERATIONS / ACTIONS
MO-3	Vehicle and pedestrian permeability limited in certain areas and does not reflect the user experience or journey.	Opportunities to create new roads and pedestrian access ways (PAW) to improve connectivity within the precinct for both cars and pedestrians.  <i>Lined to US-1</i> <i>Linked to MO-1</i>
LAND USE (LU)	LU-1	Strong need for community facilities and social infrastructure with associated wrap around support services.  Provide the underlying planning framework that enables the provision of essential community services and infrastructure in line with community needs.
	LU-2	Importance of family and culture in the future planning from East Newman.  Changes to land use that responds and aligns with cultural and family values.
	LU-3	Currently defined by a residential character of single and two storey residential homes. Existing residential density supports opportunities for increased density / diversity.  Consolidation and amalgamation of lots, and future redevelopment and refurbishment of housing.  Opportunity to consider potential areas within the ENPSP area which may be increased in density in line with current state planning policies (i.e. Design WA).  <i>Lined to US-2, US-3</i> <i>Linked to BF-1, BF-2, BF-4</i>
BUILT FORM (BF)	BF-1	Current housing stock does not reflect the demographics and does not meet the needs of the East Newman community. A large proportion of housing provides limited amenity and are in poor condition.  Facilitate upgrades to existing housing and develop options for redevelopment to provide for greater liveability and variety of homes including multigenerational homes, providing housing for older people in the community.  <i>Linked to UE-1</i> <i>Linked to LU-2</i>
	BF-2	Current housing stock is not well suited to the Newman climate.  Provide built form controls to ensure homes are climate responsive, improving comfort for residents, connection of homes to country and minimising running and maintenance costs.  <i>Linked to LU-2</i>
	BF-3	Built form relates poorly to the public realm and provides limited opportunities for passive surveillance and connection to the street and open space.  Opportunity for built form to better relate to the streets and parks, providing passive surveillance and building community connections in the precinct. Improving the amenity and liveability of housing  <i>Lined to US-1</i> <i>Linked to PR-4</i>
	BF-4	Reconsideration of the way that the frontage of future developed private residential lots onto parks can improve the amenity to the landowner/resident.  Identify opportunities for redevelopment of housing, focusing on corners and lots along parks leading to better connection to open space and increased safety  <i>Lined to US-1</i> <i>Linked to PR-4</i>



# 02

## STAKEHOLDER AND COMMUNITY PARTICIPATION



Item 11.3.1 Appendix 1 Part 2

## 2.1 PRE-LODGEMENT ENGAGEMENT

In 2022, the KNAC and JYAC boards voted to support and become proponents of this Precinct Structure Plan in conjunction with PAMS.

The ENPSP has been informed by findings from the East Newman Master Plan, which was developed through a Steering Committee with representatives from BHP, Shire of East Pilbara and Department of Communities.

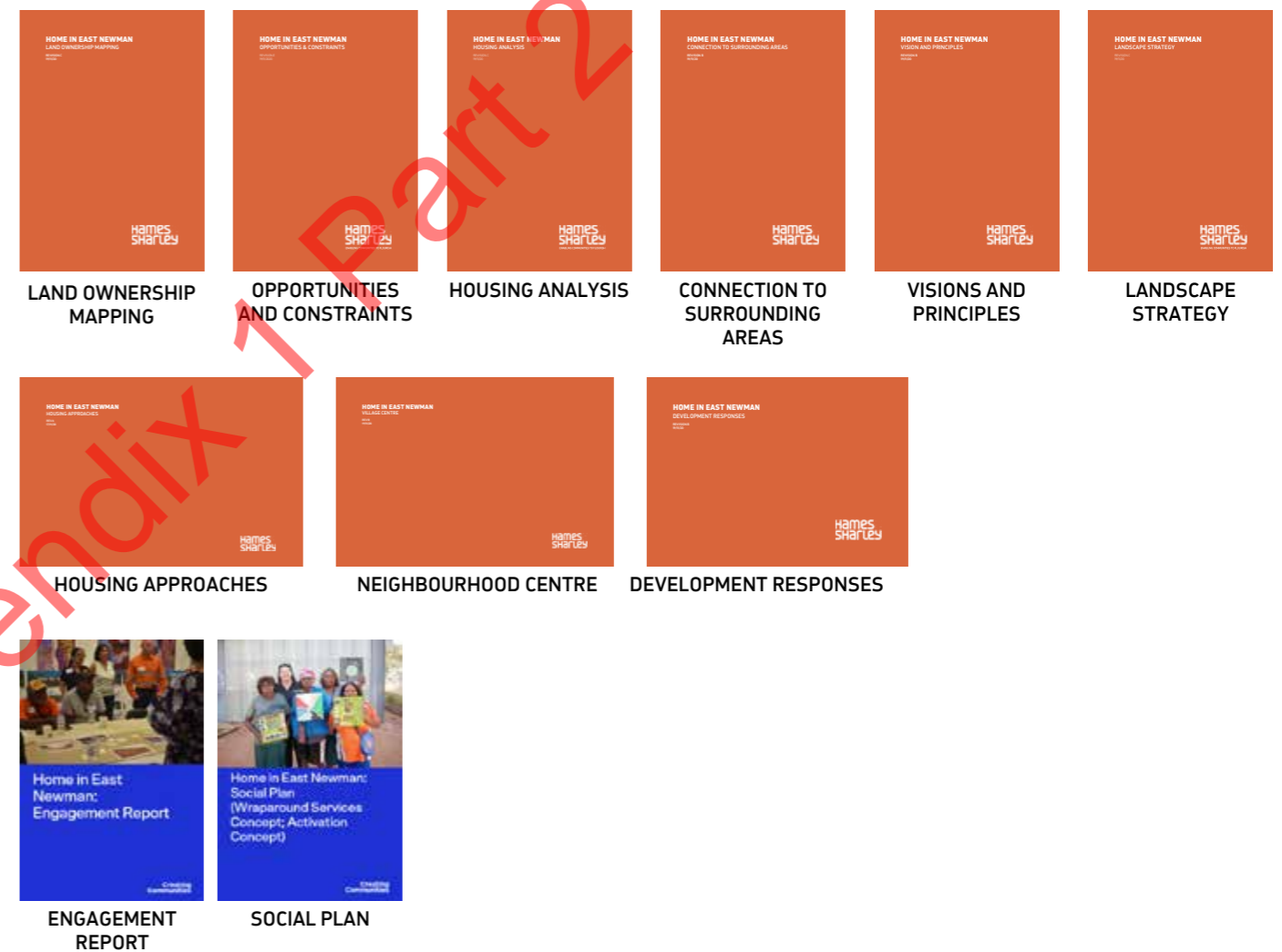
Whilst the Master Plan is not a statutory planning document, it established future renewal and improvement options for East Newman to deliver more social housing, intergenerational housing options, an Aboriginal-managed hostel for Newman children engaged in school, a Wellness and Cultural Space, improvements to parks and a Neighbourhood Centre (previously referred to as Village Centre).

Co-design workshops and other engagement initiatives in preparing the Master Plan and ENPSP has been facilitated by Creating Communities with KNAC and JYAC members and administration, PAMS, Department of Communities, BHP, Shire of East Pilbara and other community stakeholders. The total number of engagements/consultation to date, includes the following:

- + 57 engagement initiatives were conducted (i.e., meetings and workshops)
- + Over 330 instances of engagement with stakeholders and community members (this includes instances of recurring engagement with the same individual)
- + Approximately 150 individuals were engaged, with approximately 60 of those individuals having recurring engagement in the project (anywhere from 1 repeat engagement, to approximately 10 repeat engagements for Steering Committee members)
- + Findings, key elements and recommended actions from the Master Plan have been presented to the Shire of East Pilbara Council (December 2020).

From consultation undertaken to date, there has also been a significant number of reports prepared, as identified in **P2 - Figure 18**.

Item 11.3.1 Appendix 2



P2 - Figure 18: Home in East Newman - Reports and Strategies prepared to date

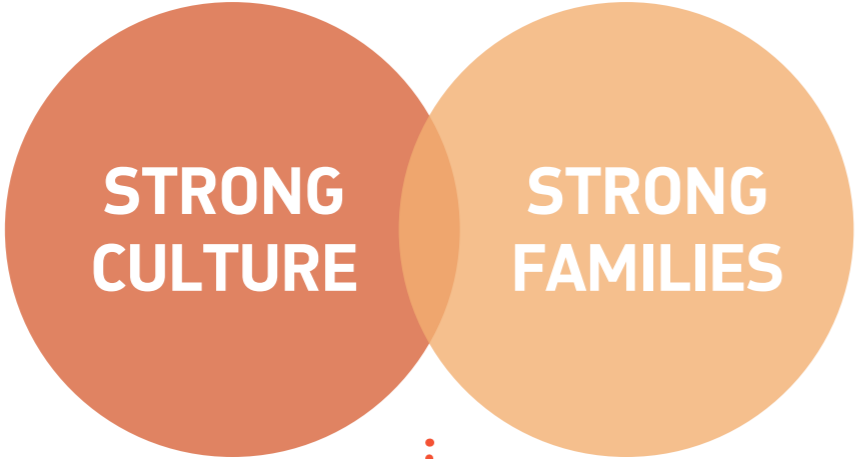


# 03

VISION

# 3.1 VISION

## 3.1.1 NYIYAPARLI AND MARTU ASPIRATIONS



- |  |   |   |
|--|---|---|
| <p><b>COMMUNITY FACILITIES</b></p> <ul style="list-style-type: none"> <li>+ PAMS short stay accommodation and cultural &amp; wellness space</li> <li>+ Niyaparli &amp; Martu youth facility</li> <li>+ A Neighbourhood Centre to accommodate a convenience store, laundry, ablution facilities, a community services triage centre, space for other enterprise</li> <li>+ Establishment of a Niyaparli and Martu faculties entity to support a local facilities management enterprise</li> </ul> | <p><b>HOUSING</b></p> <ul style="list-style-type: none"> <li>+ Multi-generational housing precincts</li> <li>+ Increased social housing / home ownership support</li> <li>+ Culturally sensitive housing</li> <li>+ Built form controls for housing to respond to climate</li> <li>+ Redevelopment opportunity to provide connection with the street and opportunity for passive surveillance</li> <li>+ Opportunity for construction trade programs</li> </ul> | <p><b>PUBLIC REALM AND CONNECTIVITY</b></p> <ul style="list-style-type: none"> <li>+ Culturally sensitive improvements to key areas of open space including the undeveloped Central Park, Train Park (Miners Promise Park) and the drainage reserve adjacent to Nimingarra Drive</li> <li>+ Provision of amenity in public realm, such as shade</li> <li>+ Streetscape upgrades</li> <li>+ New road and pedestrian connection</li> <li>+ Community care programs</li> </ul> |
|--|---|---|



Place and Country



Community and Gathering



# 04

## DESIGN ELEMENTS



Item 17.3.1 Appendix 1 Part 2

## 4.1 URBAN ECOLOGY

- 01.1 To protect, enhance and respond to the ecological systems of the precinct.**
- 01.2 To enhance sense of place by recognising and responding to Aboriginal, cultural and built heritage.**
- 01.3 To reduce the environmental and climate change impacts of the precinct development.**

### RESPONSE TO CONTEXT

#### NYIYAPARLI AND MARTU ASPIRATIONS

Specific aspirations of Nyiyaparli and Martu in this context is to:

- + Provide culturally sensitive upgrades to the public realm, including parks, streetscapes and drainage reserves.
- + Maintenance programs for the public realm, which provide the opportunity for young people to be employed and learn skills

#### DESIGN CONSIDERATIONS

As described in **Section 1.4**, key design considerations for **Design Element 1: Urban Ecology** can be summarised as follows:

- + Public realm and housing designs to better respond to cultural heritage and reflect the needs of local residents.
- + The urban design and landscape strategy to utilise the areas of unkept space, improve landscaping and tree canopy and provide more shaded spaces.
- + Landscape strategy for swales to connect the catchment zone into the surrounding area and provide a visual character of the swales through appropriate replanting.

#### DESIRED OUTCOMES

The landscape strategy provided in **Appendix 7** is built on community, sustainable and climate responsive principles to achieve long-term outcomes for East Newman. The strategy aims to establish a desired urban landscape that is a distinct character, yet promoting diversity and reinforcing the character of the surrounding landscape.

Community consultation with the Nyiyaparli, Martu and East Newman community established the following objectives that underpin the Landscape Strategy:

- + Building a landscape for the community by the community
- + Creating a sustainable and climate-responsive living environment
- + Providing a safe amenity for the residents and visitors
- + Supporting local business
- + Selection of native and edible based planting
- + Improving the overall landscape quality
- + Phasing landscape works with long term outcomes

### 4.1.1 NATURAL ENVIRONMENT

The ENPSP area is largely developed with residential development and as a result, only small segments of remnant vegetation remain along road verges, residential lots and in public open space/drainage swales. While the precinct is within an identified Threatened Ecological Community area, the environmental assessment did not identify any major environmental considerations within the ENPSP area.

A Bushfire Management Plan was prepared for the precinct and identified that current vegetation and landscaping will be maintained in a low-threat state, and that any changes to this can be addressed through future BMPs prepared to support more detailed planning applications (e.g. subdivision applications etc.).

Throughout the engagement process, the importance of the natural environment, improvements to landscaping and connection to Country has been a common theme. It is critical that the landscape strategy and the proposed upgrades to the public realm are focused on improving the natural environment through quality landscaping and connectivity of the green network. Proposed upgrades to POS and the movement network will ensure more residents have access to the natural environment.

### 4.1.2 WATER MANAGEMENT

The Water Management Strategy (WMS) is provided in **Appendix 1**, and has identified the following opportunities and constraints:

- + The site has an existing and functioning stormwater management system and with minor land use change occurring as part of the development the existing infrastructure would be expected to be able to service the modified residential estate.
- + Soil types and topography would result in little infiltration with the majority of stormwater runoff and discharge from site to the east and across Great Northern Highway.
- + The redevelopment of lots provides opportunities to implement water use saving strategies and devices to reduce the demand on groundwater supply.
- + Reconsidered POS areas to improve the value of the space also provides opportunities for water harvesting and retention to mitigate increases in irrigation.
- + Location within the Newman Water Reserve warrants consideration of implementing biofiltration techniques to maintain/improve discharge stormwater quality to the environment.
- + Any areas with existing issues of flooding in or adjacent to lot areas have the opportunity to implement increased development levels.

The design principles and criteria of the WMS have been provided in **P2 - Table 6**:

P2 - Table 6: WMS Design Principles and Criteria

STRATEGY ELEMENTS	METHOD AND APPROACH	
<b>Water Use and Sustainability</b>	Water Efficiency	<ul style="list-style-type: none"> <li>+ Water efficiency implementation consistent with Building Codes of Australia requirements</li> <li>+ Aim for less than 100 kL/person/year water use</li> <li>+ Establish "Waterwise" Public Open Space</li> </ul>
	Water Supply	<ul style="list-style-type: none"> <li>+ Minimise use of scheme water for non-drinking purposes</li> <li>+ Water Corporation supply for lots</li> <li>+ Treated wastewater via the Waste Water Treatment Plant for POS irrigation</li> </ul>
	Wastewater	<ul style="list-style-type: none"> <li>+ Reticulated sewerage</li> </ul>
<b>Stormwater</b>	Ecological Protection	<ul style="list-style-type: none"> <li>+ Establishment of biofiltration areas in changed landuse areas and/or redeveloped POS/drainage areas to treat first 15mm of runoff</li> </ul>
	Serviceability	<ul style="list-style-type: none"> <li>+ Maintain existing road and easement drainage flow paths</li> </ul>
	Flood Protection	<ul style="list-style-type: none"> <li>+ Maintain established large open drains to convey flows east towards Great Northern Hwy</li> <li>+ Establish minimum habitable floor levels of redeveloped lots at 0.5m above the 1% AEP flood level and 0.3m above the road drainage network</li> </ul>
<b>Groundwater</b>	Fill and Subsoil Drainage	<ul style="list-style-type: none"> <li>+ No fill required to provide clearance to groundwater</li> <li>+ Fill potentially required for redevelopment areas subject to flooding</li> <li>+ Subsoil only within installed biofiltration areas as required to prevent long term ponding</li> </ul>

The stormwater management strategy provides the following recommendations:

- + Provide biofiltration areas to treat the first 15mm for newly introduced hardstand areas as well as providing attenuation for any additional flow. This includes mixed business areas, community centres and roads.
- + In any redeveloped park areas with an existing stormwater function, seek to implement biofiltration areas to provide water quality treatment for their contributing stormwater catchment areas. Also any modified open drains should be designed to, at a minimum, maintain their existing stormwater capacity.
- + Ensure modified areas and new access ways are constructed to maintain existing drainage catchments and flow paths.
- + Establish minimum habitable floor levels of redeveloped lots at 0.5m above the 1% AEP flood level and 0.3m above the road drainage network.

### 4.1.3 ABORIGINAL HERITAGE

In preparing the Structure Plan, Aboriginal Heritage consideration has been led by Nyiyaparli Traditional Owners and Martu. Through their individual boards, the prescribed body corporates KNAC and JYAC, in partnership with PAMS, are joint proponents of the ENPSP.

JYAC and KNAC administration and members have provided advice on Aboriginal Heritage and culturally sensitive design informing the plan.

In providing an overall context of the importance of Newman for Aboriginal heritage, a Nyiyaparli Elder confirmed Newman is Nyiyaparli Country. The significance of Newman has been described as a place where Nyiyaparli ancestors would come to make rain. There is a registered Aboriginal Heritage Site- Kiripirna (site number 15715) located within the Newman townsite with address to Calcott Street. This site represents the location where three stones were located and is understood to be the location from where the rain making ceremony was undertaken.

Specifically, based on advice from KNAC, land included within the ENPSP has been considered in accordance with Native Title. As illustrated in **P2 - Figure 19**, Native Title identified land adjacent to the Structure Plan is located to the south west (defined by purple diagonal lines) and is not within the ENPSP boundary. The Native Title land within the centre of the ENPSP (purple diagonal lines), comprising an undeveloped lot on Armstrong Way, has been excluded from the ENPSP.

Specific engagement with Traditional Owners in preparing/informing the ENPSP, has included the following:

- + Three workshops with Nyiyaparli and Martu community members. These workshops each had a different focus and were conducted at key stages of the East Newman Master Plan project, which has informed the ENPSP. The first workshop, to inform the development of the project scope, was conducted with Martumili artists. The second workshop, to further understand areas of East Newman that should be the focus for key initiatives, included a site visit with Nyiyaparli and Martu Elders, the KJ Martu Leadership Team and Martumili artists. The third workshop with Nyiyaparli and Martu Elders and leaders was conducted to determine the priority actions and processes for the next stages of the project. A total of 34 Martu and four Nyiyaparli individuals participated in these workshops, with the majority of participants returning to two or three of these sessions
- + A ENPSP workshop with KNAC and JYAC administration and management, which included six Nyiyaparli and two Martu Elders. The purpose of the workshop was to provide an update on, gain feedback on East Newman revitalisation planning and discuss the PSP. The workshop confirmed the importance on culture and country and the need for the PSP to provide outcomes for families through improved access to quality housing, more housing to support intergenerational living, short stay accommodation for patients undergoing medical treatment, youth spaces and accommodation, community facilities, parks and services.
- + A meeting to brief KNAC and JYAC administration and members of the ENPSP design progress, the main initiatives and priorities. This meeting was attended by three Nyiyaparli and two Martu Elders and confirmed the ENPSP design reflected the intent of consultation undertaken with Nyiyaparli and Martu to date.





**Legend**

- KNAC RNTBC Area
- Karika Land Enterprises Pty Ltd
- East Newman Structure Plan

0 50 100 150 m

Projection: MGA Zone 50  
Datum: GDA2000

**Karika**  
Community built at its core

Job Ref:  
Produced at 10:07 AM ON September 27, 2022

The Karika Nyiyapali Aboriginal Corporation does not guarantee that this map is without flaw of any kind and disclaims all liability for any errors, loss or other consequences which may arise from relying on any information depicted. Roads and tracks may contain unmarked hazards and their surface condition is variable. Exercise caution and drive to conditions on all roads.  
Claim boundaries: National Native Title Tribunal, September, 2022.  
Raster Digital Maps: © Commonwealth of Australia (Geoscience Australia) 2008.  
SLIP Imagery, Cadastre and Tenure: © Western Australian Land Information Authority (Landgate) (September, 2022)

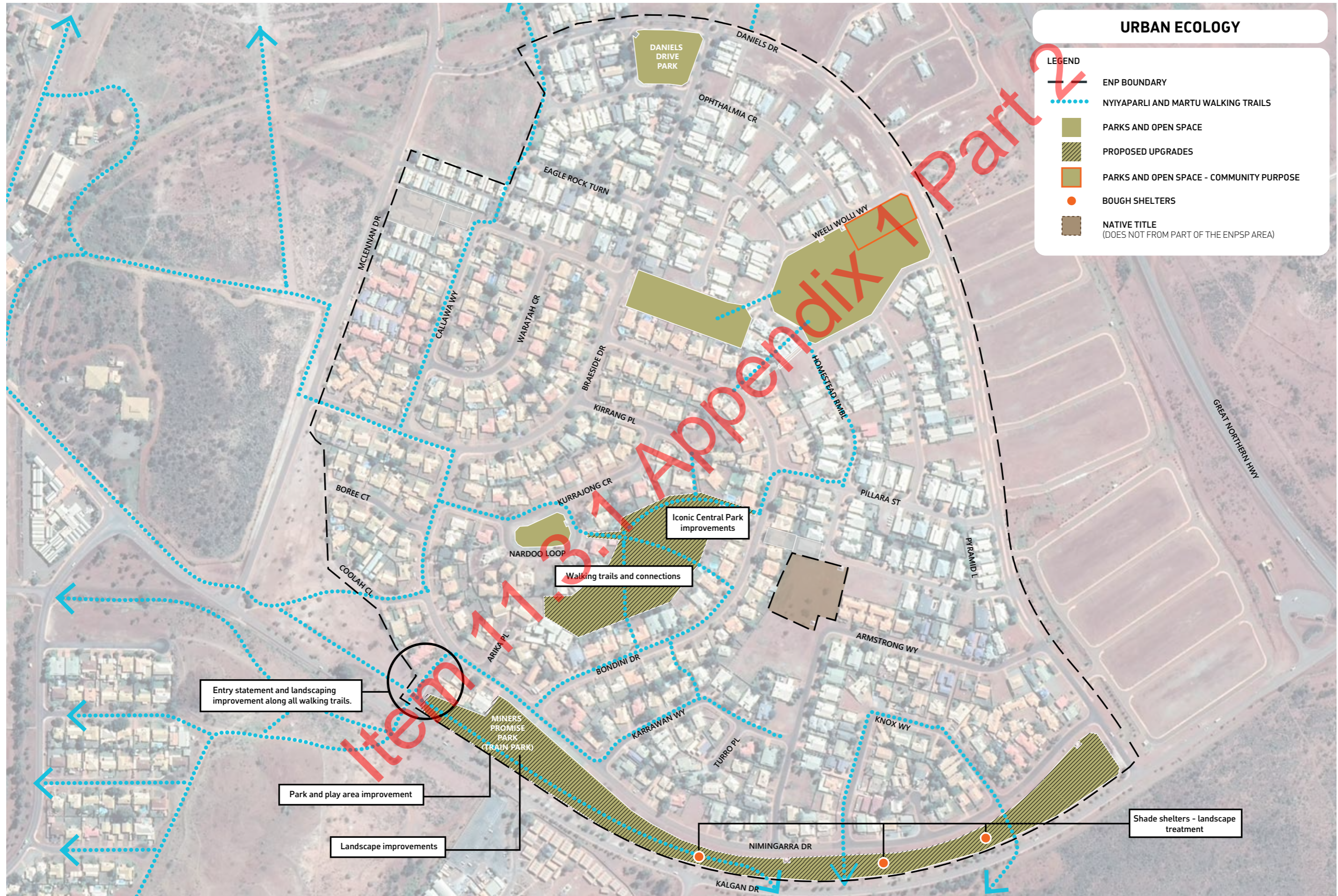
### 4.1.4 ENERGY AND CLIMATE CHANGE

The impacts of climate change are proposed to be mitigated through the landscape design precinct and built form response in the ENPSP area. measures include:

- + Increased landscaping in the public realm and focus on the creation of an urban tree canopy that provides shade to key public spaces and pedestrian connections
- + Increased landscaping requirements for residential development
- + Climate responsive design of housing such as shading and orientation requirements to help reduce running costs

Further information regarding the proposed built form design initiatives is provided in **Section 4.6.3**.

P2 - Figure 19: East Newman Native Title



P2 - Figure 20: ENPSP Urban Ecology

## 4.2 URBAN STRUCTURE

**02.1** To ensure the pattern of blocks, streets, buildings and open space responds and contributes to a distinct, legible precinct character.

**02.2** To promote an urban structure that supports accessibility and connectivity within and outside the precinct.

**02.4** To ensure an adaptable urban structure that can respond to and facilitate change within a precinct.

**02.3** To ensure the urban structure supports the built form, public realm and activity intended for the precinct.

### RESPONSE TO CONTEXT

#### NYIYAPARLI AND MARTU ASPIRATIONS

Specific aspirations of Nyiyaparli and Martu in this context is to:

- + Provide culturally responsive walking trails that connect up community facilities in the precinct

It is the intention of Nyiyaparli and Martu to hold a housing summit in the first quarter of 2023 to initiate discussions with the major landholders in East Newman, including BHP and DoC, to progress this.

#### DESIGN CONSIDERATIONS

As described in **Section 1.4** key design considerations for **Design Element 2: Urban Structure** can be summarised as follows:

- + Formalise through-block connections to improve pedestrian legibility in the precinct, including the creation of new PAWs where possible.
- + Frontages of future residential development onto parks to be enhanced to improve amenity for residents.
- + Widening existing and creating additional PAWs can increase permeability to parks and open spaces, whilst increasing safety through better designs.
- + Potential for consolidation and amalgamation of residential lots in specific locations where an increase in yield and density is considered appropriate.
- + Ensuring the views toward East Newman are more attractive and provide a sense of entry, presenting visitors with a local housing perspective that is reflective of the character of the place.

### DESIRED OUTCOMES

Lot and street block sizes respond to context, support active transport, and can accommodate a variety of land uses and building types.

- + Urban structure to allow for increased pedestrian connectivity in throughout the precinct
- + Consolidation and amalgamation of lots to provide opportunities for increased residential yield in accordance with the current density coding and improved built form outcomes
- + New development to consider flexibility and adaptability to accommodate future land use change
- + Urban structure supports development fronting onto streets and public open space, and provides a sense of entry to the precinct.

#### 4.2.1 URBAN STRUCTURE APPROACH

**P2 - Figure 21** articulates potential areas of improvement in planning and built form through a long-term response. This includes both improvements to existing housing and the approach for future development in the area. Leveraging the BHP owned lots identified on **P2 - Figure 9**, as well as those lots that can deliver a park or external aspect, will collectively deliver an improved outcome for East Newman. Widening existing and creating additional PAWs can increase permeability through to parks and open spaces with an increase in safety.

As the long-term response is largely proposing areas for redevelopment over refurbishment, additional detail regarding residential design is provided in **Section 4.6**.

The long-term response also demonstrates how the Nyiyaparli and Martu trails can inform several improvements in public realm, i.e. footpaths, PAW, POS, and road design, and informs the Neighbourhood Centre location. Furthermore, as shown in **P2 - Figure 21**, a cultural corridor is proposed, which could convey the story of Nyiyaparli and Martu people in Newman.

#### 4.2.2 CONNECTIONS

This report considers the existing connections to surrounding land, development and facilities within a walkable catchment from East Newman, which, as noted in the opportunities and constraints report, is largely disconnected from the majority of Newman. This disconnection results in the need to strengthen, formalise and solidify the existing links for the benefit of residents.

Recent engagement and on-site inspections have determined the below connections as integral for consideration of the future of East Newman, for both its current and future residents. These include:

- + Martumili;
- + Newman Town Centre;
- + Residential housing to the south-west of East Newman;
- + South Newman Primary School;
- + Newman Senior High School;
- + Goanna Oval, Capricorn Oval and Newman Recreation Centre East Pilbara Shire;
- + Parnpajinya Community.

The approach taken in considering each connection was to review the current linkage, provide comment on its existing suitability and to propose a low intervention and high intervention strategy - each with smaller built form, infrastructure and landscaping approaches.

### 4.2.3 FRONTAGE ONTO PARKS

The intent is to enable reconsideration of the way that the frontage of future developed private residential lots onto parks can improve the amenity to the landowner/resident. In the long-term response, redevelopment of the residential lots is strongly encouraged rather than the refurbishment approach presented previously.

This redevelopment may include the potential for an increase in yield on lots, better considered setbacks and frontages. It also encompasses housing types that encourages full utilisation of the park frontages in terms of both access and landscape outcome.

### 4.2.4 SENSE OF ENTRY

This approach reconsiders the sense of entry that is in keeping with the previous short-medium term response, yet reflects a redevelopment of the residential lots rather than the refurbishment approach presented in the other responses.

The long-term response reconsiders the interface of private residential lots externally. Improvements to landscaping and greater attention to the external aspect of lots, especially at the six entry points, are critical.

These entry points relate to enhancing the edge condition of existing swales, pedestrian corridors, and underutilised open space in line with the landscaping strategy.

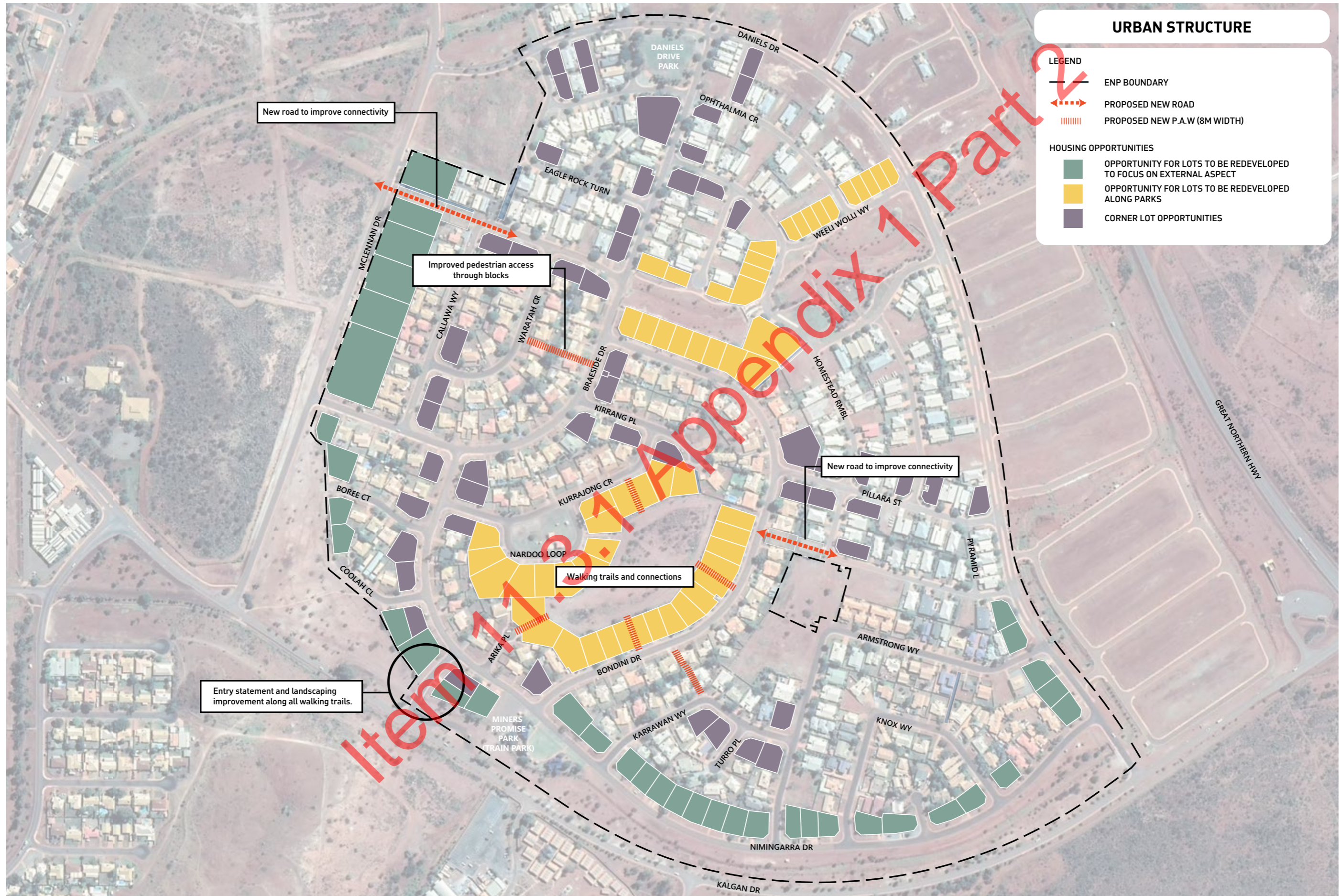
Ensuring the views toward East Newman are more attractive and present visitors with a local housing perspective that is reflective of the character of the place.

### 4.2.5 CONSOLIDATION OF LOTS

The long-term response proposes the potential for amalgamation of residential lots in specific locations where an increase in yield and density is appropriate. These locations are highlighted in **P2 - Figure 21** and are generally on:

- + Existing corner lots enabling dual access from major and secondary streets;
- + Lots fronting open space or public accessways where amalgamation can provide housing fronting multiple frontages i.e. parks, road reserve, PAW, or wider and more appropriate PAWs
- + Existing strata lots;
- + Lots fronting the edges of East Newman; and
- + Majority ownership by BHP and DoC where lots could be consolidated to provide multi-generational housing.

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P2 - Figure 21: ENPSP Urban Structure

## 4.3 PUBLIC REALM

**03.1 To ensure the public realm is designed to promote community health and wellbeing.**

**03.2 To enable local character and identity to be expressed in public realm design to enhance sense of place.**

**03.3 To ensure that key environmental attributes are protected and enhanced within the public realm.**

**03.4 To ensure the public realm is designed to be inclusive, safe and accessible for different users and people of all ages and abilities.**

**03.5 To ensure public realm design is integrated with the built form, movement network and landscape of the precinct.**

### RESPONSE TO CONTEXT

#### NYIYAPARLI AND MARTU ASPIRATIONS

Specific aspirations of Nyiyaparli and Martu in this context is to:

- + Provide areas of shade for gathering
- + Open space provision for cultural purposes
- + The cultural significance of Newman being reflected in the central POS
- + Upgrades in streetscapes

It is the intention of Nyiyaparli and Martu to invite SoEP, BHP and other stakeholders to a public realm workshop in 2023 to initiate discussions, to progress the above.

#### DESIGN CONSIDERATIONS

As described in **Section 1.4** key design considerations for **Design Element 3: Public Realm** can be summarised as follows:

- + Upgrades to existing outdoor spaces, parks, etc. to enable culturally sensitive well-designed spaces that can be used throughout the year.
- + There is also an opportunity to revitalise these spaces to enhance the ability to connect with Country and to better align with Nyiyaparli and Martu uses of public open space.
- + There is also potential for consolidation of open spaces currently provided, with opportunities for future development or enhancements to occur.
- + Public open space strategy to define parks which have a clear identity, character, and use where the spaces provided enable a number of activities to co-exist in a complementary way.
- + There is also an opportunity to revitalise these spaces to enhance the ability to connect with Country and to better align with Nyiyaparli and Martu uses of public open space.

- + There is also potential for consolidation of open spaces currently provided, with opportunities for future development or enhancements to occur.
- + Improve the comfort of Nyiyaparli and Martu walking trails through improving public realm amenity and increasing tree canopy and shade coverage. Provision of resting points along key connections on open spaces.
- + Public realm design based on CPTED principles and focused on houses fronting onto open spaces and abutting public access ways.

### DESIRED OUTCOMES

Upgrades to public open space and parks, and improve connections throughout the area, including:

- + Improvements to parks and public spaces such as central park and 'Train Park' including play areas and bough shelters to provide shade
- + Upgrades to streets, ensuring safety and comfort through landscaping and increased tree canopy
- + New road and pedestrian connections to improve access
- + Planning and design of public areas and location of community facilities focused on key Nyiyaparli and Martu walking trails

The following principles will be used to guide public realm upgrades:

- + Connection to community
- + Shade
- + Connection to the street
- + Temperature reduction
- + Usable parks and open space
- + Optimum use of outdoor spaces

### 4.3.1 POS NETWORK

There are currently a few well established parks and open spaces within the ENPSP area, these are summarised in **P2 - Table 7** and on **P2 - Figure 28**.

P2 - Table 7: POS Types and Function

TYPE	SIZE	FUNCTION	EXISTING / PROPOSED POS
<b>LOCAL</b>	0.4Ha - 1Ha	Passive Recreation	Nardoo Loop (0.21 ha)
		Active Sport	Miner's Promise Park (0.34 ha)
		Nature	Daniels Drive Park (0.48 ha)
			Braeside Way (0.71 ha)
			<b>Local Park Total = 1.74</b>
<b>NEIGHBOURHOOD</b>	1Ha - 5Ha	Passive Recreation	Homestead Ramble / Weeli Wollli Way (1.63 ha)
		Active Sport	West of Bondini Drive (1.87 ha)
		Nature	
			<b>Neighbourhood Park Total = 3.5</b>
<b>TOTAL USEABLE POS</b>			<b>5.24 ha</b>
<b>RESERVES AND OTHER</b>			<b>Reserves Total = 3 ha</b>
Typically includes nature reserve and landscaping adjacent major roads.			
<b>TOTAL POS</b>			<b>8.24 ha</b>

As summarised above, the total POS provision includes 8.24 ha or 11.2% of the ENPSP area, of this 5.24 ha has the potential to be useable POS for a range of passive and informal recreation opportunities.

A more detailed summary of each POS area, including recommendations for upgrades and activation is provided below and on **P2 - Figure 28**. The primary approach is to ensure that all open spaces both active and passive are provided with upgrades to support greater activation through frequent usage and patronage by residents in the ENPSP area.

### 4.3.2 POS UPGRADES

As part of the Home in East Newman Master Plan, a Landscape Strategy was prepared (**Appendix 7**). This Landscape Strategy has guided the recommendations and proposed POS upgrades within the ENPSP, however only certain aspects have been included for implementation. Future reviews may address other components of the Strategy.

### PROPOSED POS UPGRADES

#### MINER'S PROMISE PARK

Fenced play area with a picnic facilities. There is also a parking area on the western side of the park and has little shade provided for the parking area.

#### RECOMMENDATIONS

- + Increase shade and amenity through trees and vegetation.
- + Swale to be vegetated.
- + Provide sufficient shade trees for parking area to reduce heat radiating from the road.
- + Future multi use and sporting facility (Basketball, Volleyball, Badminton including skate park)



Miners Promise Park

#### CENTRAL PARK OPEN SPACE WEST OF BONDINI DRIVE

The current open space is undeveloped and comprises remnant native vegetation. There is limited passive surveillance, with all constructed dwellings backing onto the open space and separated by a solid 1.8m high fence. Given the open space is the highest point in the ENPSP area, there is the potential to celebrate the views, create a culturally sensitive space and provide connectivity of community to the country.

#### RECOMMENDATIONS

- + Nature play area
- + Bike track
- + Cultural corridor runs through park.
- + Telling the stories of Nyiyaparli, Martu and East Newman community.
- + Throughout improvement for more suitable access.
- + Creating into an active open space with a connection to potential visitors community and Nyiyaparli / Martu Place.



Open Space West of Bondini Drive

### 4.3.3 RESTING POINTS

The current public realm design in the ENPSP area lacks resting / shade amenity along walkways and cultural corridors. Where there are resting spaces, these have little or no shade which compromises their functionality. To improve on this situation, the landscape strategy proposes the introduction of a series of 'bough shelters'. This approach was recommended through early engagement on the East Newman Master Plan. The strategy and design parameters for these resting points is summarised below and illustrated on **P2 - Figure 28**.

Create places for Nyiyaparli and Martu to come together, have things the community are creating which have a cultural consideration.



Example of current seating area in Homestead Ramble



Bough Shelter Concept - made by local community

#### STRATEGY

- + Resting points located within 100m-200 radius from each other on major cultural corridors, street intersections that will provide amenity.
- + Soft and hardscape culturally inspired and telling the stories of Nyiyaparli and Martu People.
- + CPTED Principles to be applied at installation of every location.
- + Create a sense of pride and legibility through each location to have its own identity :
  - Seasonal vegetation
  - Art incorporated through paving or structure.
  - Orientate appropriately to provide suitable shade all year round.



#### VEGETATION

- + Proposed vegetation selected to reflect cultural use.
- + Use of creepers onto bough shelter to reduce radiant heat
- + Creepers to extend vertically to mitigate lower sun angle from direct sun beneath shelter.



#### MATERIALITY

- + Concrete - pre-cast footings (potential overflow from previous pour)
- + Steel corners cut to varying lengths with off the shelf connections, tees and corner junctions.
- + Perforated / wire-mesh (could be public art perforated panel).
- + Foliage -offcuts from Shire providing program collected and distributed regularly or community working Bee.
- + Incorporate focal paving by using recycled materials to create mosaic patterns incorporated in the paving.
- + Provide street furniture (i.e boulders/ rocks) at the resting points including water (drinking fountains / hose).
- + Signage in line with cultural history (along cultural corridor)



#### SECURITY (CPTED)

- + Low growing vegetation around bough shelter to allow natural surveillance.
- + Clear sight lines towards public realm spaces.
- + Adequate lighting on primary pedestrian routes and at bough structures.
- + Trees to have clear trunk areas to provide clear sight lines.
- + Regular and ongoing maintenance of public spaces will encourage community to use locations.



#### IMPLEMENTATION

- + Community to be involved in building the structures to give ownership and authenticity to the stories of the land.
- + Involving local artist to create the paving mosaics and vertical artwork or shelter horizontal shade at the locations, which includes community's contribution to give the community a sense of pride.
- + Integrate as part of kids apprenticeship program.



### 4.3.4 LANDSCAPE UPGRADES

As described in the background analysis, the ENPSP area does not possess any substantial environmental features such as topography, waterways and vegetation that can be incorporated into the public realm design. However, opportunities to support enhanced urban ecology outcomes were explored in the Landscape Strategy (**Appendix 7**). This has included strategies to enhance urban tree canopy and support upgrades to existing verges and swales with waterwise planting.

#### PLANTING WITH THE SEASONS

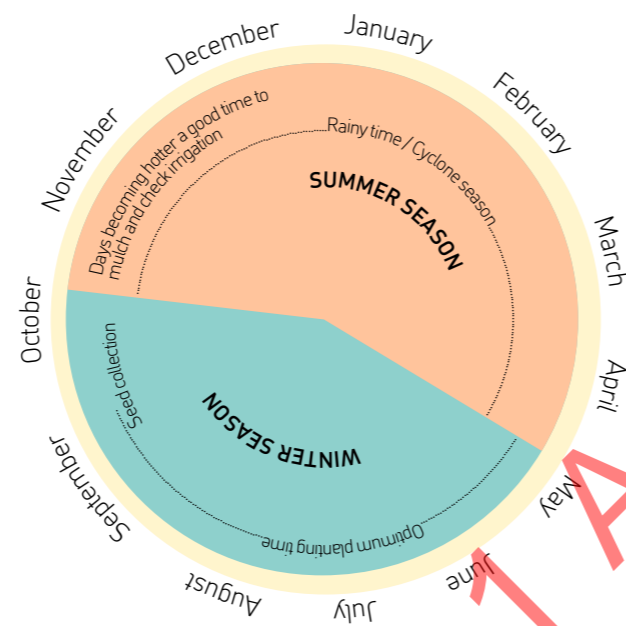
The climate in Newman can be described as two distinct seasons:

- + Hot, dry summers; and
- + Mid, cool winters.

Implementation of the proposed landscape upgrades should be underpinned by selecting native species to ensure low maintenance, sustainable, waterwise gardens and a landscape that is aesthetic and functional.

Plant species are set out in **Appendix 7**, they represent a variety of native species that will contribute to the local character of East Newman including:

- + Seasonal aesthetic value;
- + Cultural value (medicinal and edible);
- + Create desirable micro-climate; and
- + Biodiversity.



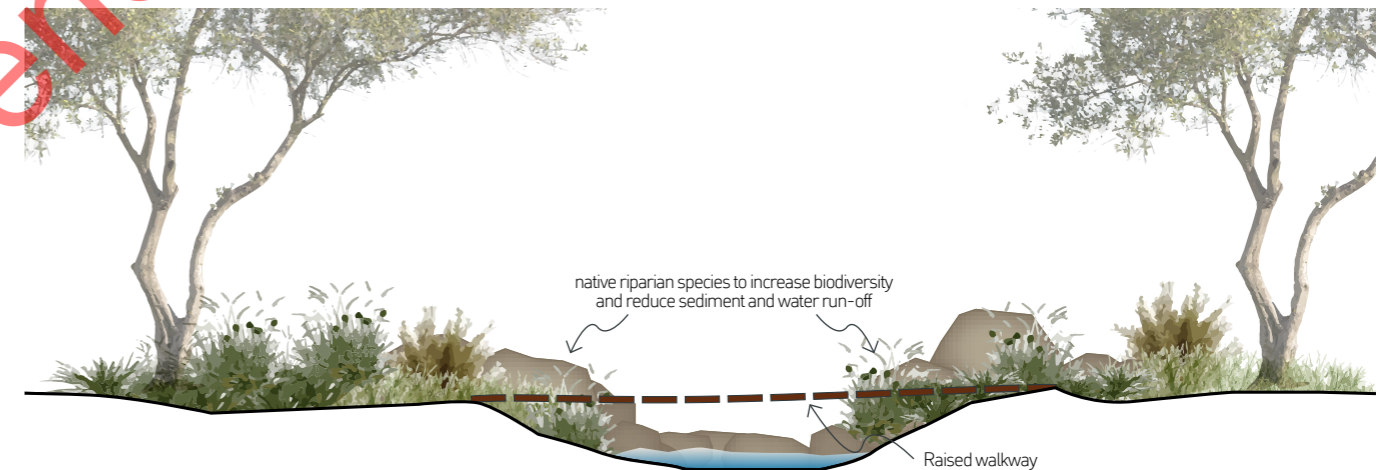
P2 - Figure 22: Seasons graph

Source: Pilbara native plants for gardens and landscapes.

### UPGRADED SWALES

The ENPSP area also includes a number of existing swales, the following upgrades are proposed to enhance their overall use and ecological function:

- + Introduce sustainable native vegetation to increase biodiversity and reduce water run-off and erosion.
- + Vegetated with suitable riparian species to create a vibrant and attractive open space for community.
- + Provide appropriate cross-over for pedestrians at parks, pathways and road crossings.
- + Provide raised walkway crossings at suitable locations (where applicable) to integrate into pedestrian movement corridors with appropriate lighting for safety.
- + Swale along Nimmingarra Drive to be landscaped to provide suitable entry statement to East Newman along with the provision of suitable lighting, signage, public art etc. whilst also minimising access across Kalgan Drive.



P2 - Figure 23: Typical Section - Potential Vegetated Swale

### 4.3.5 LEGIBILITY

Legibility of the public realm is one area of the ENPSP area which requires major improvements. The existing streets are generally unkept, and possess limited tree canopy coverage, lack of lighting, and lack of dedicated pedestrian crossings. All of which contribute to limited safety and legibility in the public realm.

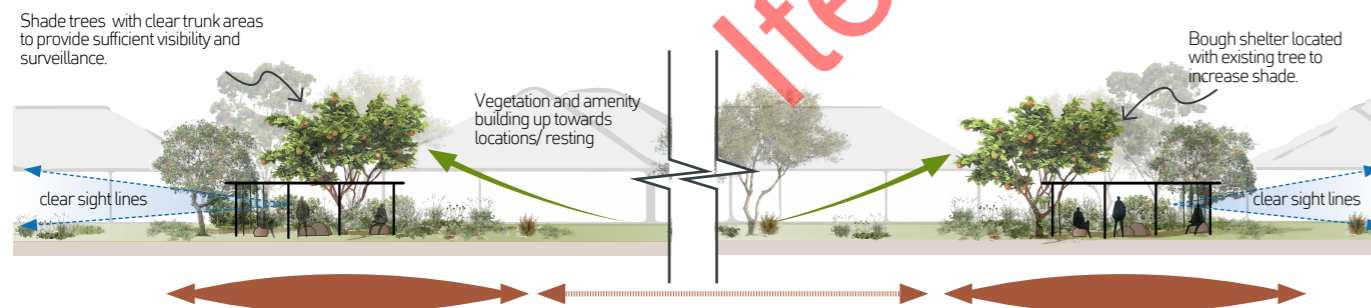
The ENPSP proposes numerous upgrades to enhance the existing situation, through defining cultural corridors or walking trails which reflect existing movement patterns. These journeys work in concert with the new PAWs (Section 4.2) and resting points (Section 4.3.3) proposed.



Existing Bondini Drive - lack of pedestrian crossing at cultural corridors



Potential crossing at Bondini Drive to create safer pedestrian environments.



P2 - Figure 24: Typical section - Journey between / towards resting points.

P2 - Figure 24 and P2 - Figure 28 illustrate the location and typical design outcomes being sought. Further details on implementation are provided below.

#### VEGETATION

- + Local plant species to suit local environmental and climate conditions.
- + Proposed vegetation selected to reflect cultural use.

#### MATERIALITY

- + Incorporate focal paving by using recycled materials to create mosaic patterns incorporated in the paving to give presence to the stories of the community.
- + Hardscape materials selected to be locally sourced.
- + Provide alternative road reserve design where the road intersect with cultural crossings.
- + Provide street furniture at the resting points.
- + Provide plaques / stories integrated along cultural corridors.

#### IMPLEMENTATION

- + Group tree and lower vegetation to maximise sun protection and to provide enough shade at resting points. This will create ease of maintenance.
- + Orientate bough shelters appropriate to the angle of the sun to ensure shade is provided below shelter and not on road.
- + Locate bough shelters adjacent pedestrian corridors.
- + Involve local artists to create the paving mosaics at the resting points which includes community's contribution and give the community a sense of pride to the cultural presence in east Newman.
- + Refuse bins to be easily accessible for maintenance and located close to facilities or seating furniture.
- + Lighting to be provided with drinking fountains and hose for watering plants.

#### SECURITY (CPTED)

- + Clear sight lines towards public realm spaces.
- + Adequate lighting on primary pedestrian routes and at bough structures.
- + Trees to have clear trunk areas to provide clear sight lines.
- + Ensure the "journey" / trails are legible through lighting and vegetation to eliminate confusion.
- + Regular and ongoing maintenance of public spaces will encourage community to use resting points.

Item 11.3.1 Appendix 2

### 4.3.6 SAFETY

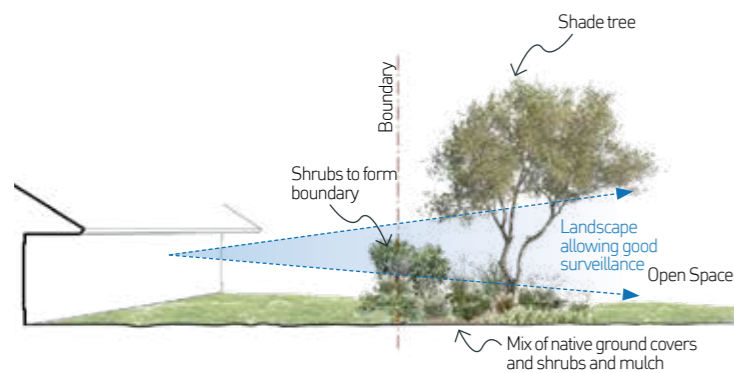
CPTED (Crime Prevention through Environmental Design) is based on the idea that peoples' behaviour within the urban environment is influenced by the design of that environment. Public realm design can affect both the likelihood of crime occurring in the area, as well as community perception about their safety and security.

#### HOUSE FRONTING OPEN SPACES

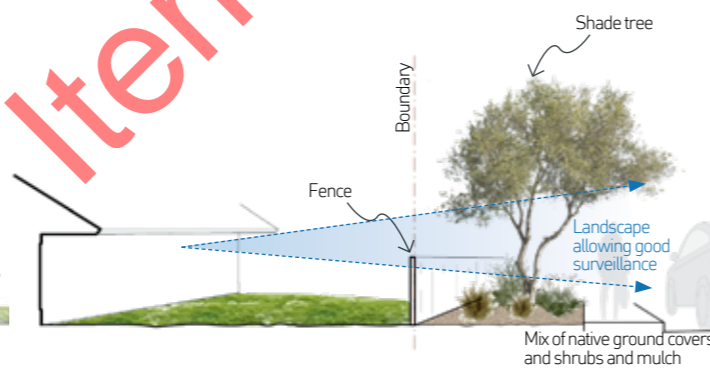
Given the primarily open and low density residential character of the ENPSP area, one of the primary ways in which safety can be improved is through an enhancement of built form / public realm interface. A well-considered relationship between built form and the adjacent public realm can bring significant co-benefits. A high-quality public realm that incorporates walkable, safe streets and useable public spaces has measurable economic, social and safety value.

**P2 - Figure 25** and **P2 - Figure 26** illustrate the desired character and interface. Some of the strategies being represented include:

- + Informal mixture of predominantly native plants on the edge fronting the open space / verge to have the potential to seamlessly extend yards onto park or street boundary.
- + Ground covers to be planted at the front of the bed and shrubs at the rear or on boundary to create graded planting.
- + Larger shrubs and planting on the boundaries will form a natural fence that still allows visual permeability. Where fencing to public realm and open spaces is provided it should be permeable and low.
- + Introducing at least one shade tree per frontage provides shade and will contribute to reducing heat island effect from reflective paths and roads. Trees also allow good passive surveillance when combined with appropriate ground covers.
- + Where a property backs onto a park, pedestrian access from yard through provision of gates supported.
- + Lighting to fencing / gated entry points.



**P2 - Figure 25: Typical section of house fronting open space**



**P2 - Figure 26: Typical section of street frontage with boundary fence**

#### HOUSES ABUTTING PUBLIC ACCESS WAYS (PAW)

For houses abutting PAWs, improved amenity and safety through implementation of CPTED principles is desired to create safe open spaces. A typical design approach is identified on **P2 - Figure 27**, this is supported by the following strategies:

- + Include appropriate lighting along length of PAW;
- + Low growing plants to the edge of the foot path and shrubs at the boundary to maintain surveillance;
- + Shade trees with clear trunk areas to provide enough surveillance;
- + Landscape not to clutter the way - access ways to be functional, accessible and safe;
- + Use local native species that are water-wise and drought tolerant;
- + Future PAW to be wide enough to allow for vegetation strips along the pathway (8m preferred) and mitigate vehicle movement through; and
- + Ensure future development at its edges enables appropriate surveillance of the access way including considered fencing design and landscape response.
- + Provide bough shelters or meeting points and specific locations where along walkable routes, where shade is required and where there is high passive surveillance.
- + Retain clear sight lines throughout PAW.
- + Utilise permeable paving.
- + Enable access to meet AS 1428:1-2.



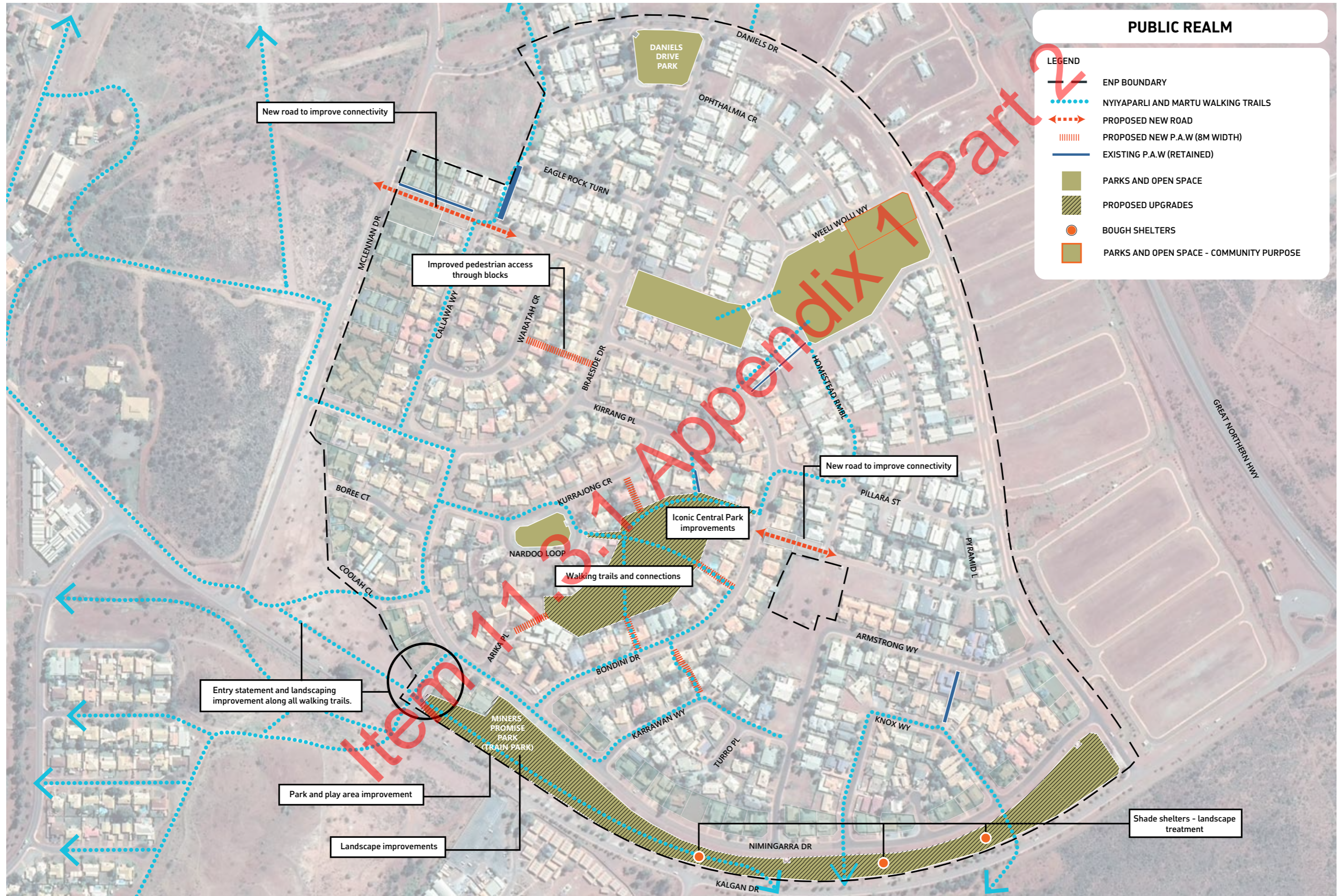
*Existing Pedestrian Access Way in Callawa Way*



*Existing Pedestrian Access Way at the Bondini Drive Open Space*



**P2 - Figure 27: Typical section Pedestrian Access Ways**



P2 - Figure 28: ENPSP Public Realm

## 4.4 MOVEMENT

**04.1** To ensure the movement network supports the function and ongoing development of the precinct.

**04.2** To ensure a resilient movement network that prioritises affordable, efficient, sustainable and healthy modes of transport.

**04.3** To enable a range of transport choices that meet the needs of residents, workers and visitors.

**04.4** To ensure the quantity, location, management and design of parking supports the vision of the precinct.

### RESPONSE TO CONTEXT

#### NYIYAPARLI AND MARTU ASPIRATIONS

Specific aspirations of Nyiyaparli and Martu in this context is to:

- + Provide culturally responsive walking trails and resting points
- + Improve connections to community facilities

#### DESIGN CONSIDERATIONS

As described in **Section 1.4** key design considerations for **Design Element 4: Movement** can be summarised as follows:

- + Opportunity to provide alternative pedestrian movement corridors through the catchment zone. This approach respects the Nyiyaparli and Martu current informal walking trails, provides potential for developing land around these trails, divestment of land ownership, location for an East Newman specific Neighbourhood Centre.
- + Opportunities to provide a strategy to improve the porosity at the edges of the catchment zone with an approach to provide considered safe enjoyable pedestrian movement connections to the locations noted above that could also build on existing movement patterns and drive future development needs in specific locations.
- + Opportunities to create new roads and pedestrian access ways (PAW) to improve connectivity within the precinct for both cars and pedestrians.

### DESIRED OUTCOMES

East Newman's movement network is safe, comfortable and connected

- + Walking is prioritised as the most important mode of transport.
- + Streets, public places and buildings are all designed to provide a safe, shaded, secure, stimulating and pleasant walking environment for people of all ages and abilities.
- + Pedestrian connections are design to incorporate Nyiyaparli and Martu walking trails and the requirements of the local community.
- + East Newman is connected to the Newman town centre.

### 4.4.1 MOVEMENT AND PLACE APPROACH

The SPP 7.2 Precinct Design Guidelines introduce the notion of 'movement and place', and the Department of Transport (in collaboration with the DPLH) are developing a 'Movement and Place' framework that can assist in the precinct planning process. While this framework is in draft it is a useful tool to apply. It will help to guide:

- + The way buildings address streets, and the land uses that can be contemplated within
- + Public works and landscape design and investment
- + Priorities for 'movement' and 'place' outcomes, which may compete in strategic locations of the structure plan area

#### CLASSIFICATIONS

**Movement Corridors** (high movement / low place) - are routes that facilitate broader connections to, through and within the precinct. Their design prioritises efficient movement of people and freight, and is characterised by broader carriageways, minimised traffic disruptions and higher speed limits. The primary example of this street environment is Kalgan Drive.

**Connectors** (mid movement and place) - form the precinct's internal movement network and facilitate connections to key nodes such as POS areas and the Neighbourhood Centre. These streets prioritise vehicle access, whilst providing convenient pedestrian connections. Bondini, Nimingarra, and Braeside Drives are examples illustrating this street type.

**Local Streets** (low movement and place)- form the majority of streets in the ENPSP area. Albeit lower in activity, they can have significant meaning to the residents, offering access to their homes and places to play and socialise.

#### 4.4.2 PROPOSED MOVEMENT NETWORK

The proposed movement network is illustrated on **P2 - Figure 29**. It includes a number of upgrades which can be summarised as follows:

- + **Callawa Way Road Extension** - Proposed to extend westward, providing a new T-Junction intersection at McLennan Drive. This will also provide pedestrian connectivity to existing POS areas in the east of the ENPSP.
- + **Homestead Ramble Extension** - Proposed to extend westward, providing a new T-Junction intersection at Bondini Drive. This will also provide pedestrian connectivity to the proposed Neighbourhood Centre.
- + **New PAWs** - Numerous PAWs are proposed to enhance pedestrian access and permeability throughout the ENPSP area, typically to minimise walking distances between key activity nodes.

Safety of these connections is paramount, with **Section 4.3.6** and **Section 4.6.1** providing further details on how the safety of these links can be optimised through landscape and built form design respectively.

The primary focus of these new connections is to enhance east-west movement through the ENPSP area for all transport modes, particularly walking and cycling as described in **Design Element 4.5: Urban Structure** section.

#### TRAFFIC IMPACT

Stantec have prepared a Traffic Impact Assessment for the ENPSP area with the conclusions summarised as follows:

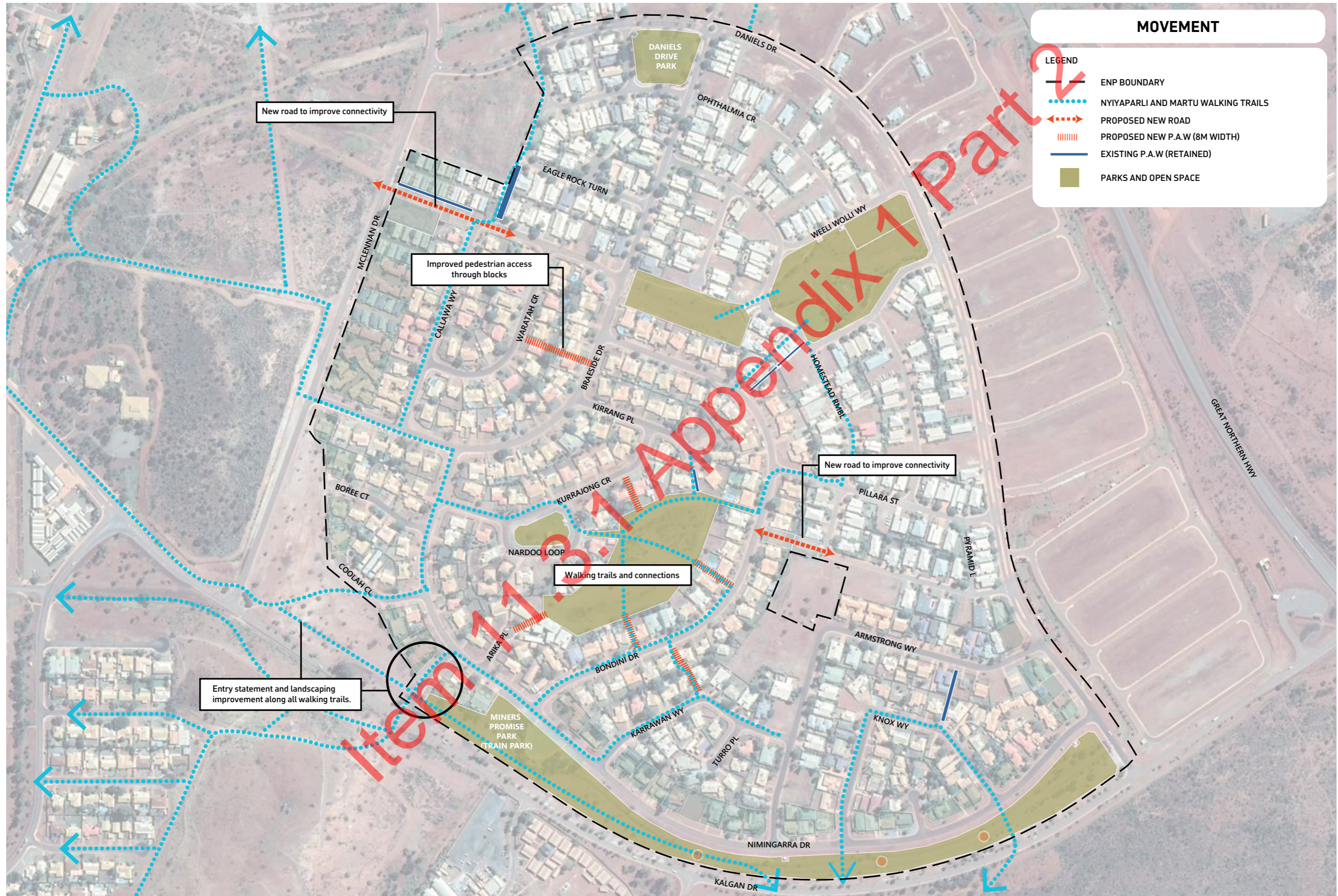
- + Key intersections will operate at an acceptable level of service for all assessment scenarios and no intersection upgrades are required
- + Overall, the traffic impacts associated with the proposed ENPSP will be minimal on the internal and external transport network.
- + The number of crashes within the surrounding area of the precinct is not considered to be significant and the likely safety impacts of the proposed development is likely to be negligible on the road network.

Further details are provided in the Traffic Impact Assessment (**Appendix 4**).

#### 4.4.3 PARKING AND PARKING MANAGEMENT

No issues have been identified with the provision and management of parking in the ENPSP area. The following parking strategies are recommended:

- + All residential parking to be provided as per the R-Codes and located on site.
- + Parking for non-residential uses is contained in the Scheme and considered adequate for proposed development within the ENPSP.



P2 - Figure 29: ENPSP Movement

## 4.5 LAND USE

**05.1 To ensure current and planned land uses respond to the needs and expectations of the community.**

**05.2 To ensure the planned land use types contribute positively to the precinct character and amenity.**

**05.3 To achieve a mix of land uses and activity that supports the precinct vision.**

### RESPONSE TO CONTEXT

#### NIYIPARLI AND MARTU ASPIRATIONS

Specific aspirations of Nyiyaparli and Martu relating to housing and community facilities in this context is:

- + 0% homelessness
- + 0% overcrowding
- + Home ownership support
- + Multi-generational housing precincts
- + Community care and construction trades programs through which young people can have the opportunity to learn skills and work
- + Short stay accommodation and a cultural and wellness space for those receiving medical treatment
- + A Neighbourhood Centre to accommodate a convenience store, laundry, ablution facilities, a community services triage centre, space for other enterprises
- + Youth hostel for young people living in Newman
- + A Nyiyaparli and Martu faculties entity to support a local facilities management enterprise

The ENPSP outlines the housing directions that Nyiyaparli and Martu would like to see adopted in areas of East Newman requiring upgrades.

Nyiyaparli and Martu plan to hold a housing summit in the first quarter of 2023 to initiate discussions with the major landholders to progress the housing directions and in East Newman. Key stakeholders include BHP and DoC. Concurrently with this discussion Nyiyaparli and Martu will also invite the SoEP and BHP to participate in the development of an East Newman facilities plan.

#### DESIGN CONSIDERATIONS

As described in **Section 1.4** key design considerations for **Design Element 5: Land Use** can be summarised as follows:

- + Provide the underlying planning framework that enables the provision of essential community services and infrastructure in line with community needs.
- + Consolidation and amalgamation of lots, and future redevelopment and refurbishment of housing.
- + Opportunity to consider potential areas within the ENPSP that may be redeveloped in accordance with the R40 density coding allocated over the site in line with current state planning policies (i.e. Design WA).

#### DESIRED OUTCOMES

The ENPSP provide the underlying planning framework and enabling the provision of community services and outcomes developed through engagement:

- + A place built by the community
- + Communal gathering
- + Community support
- + Stimulate the local economy
- + Communal facilities
- + Services-specific outcomes
- + Multi-generational home ownership precinct
- + Culturally sensitive housing



### 4.5.1 COMMUNITY INFRASTRUCTURE

#### PAMS SHORT STAY ACCOMMODATION AND CULTURAL AND WELLNESS SPACE

In response to the need identified in section 1.2.4 Social Infrastructure and Services, a site for this use has been strategically identified on five currently owned BHP lots on Arika Place. Within this site, the following is envisaged:

- + Ten, two bed short stay units
- + Two family units
- + Administration building incorporating a with meeting space, commercial kitchen, washing and ablution facilities
- + Housing for two staff members
- + A cultural and wellness space providing patients and community a meeting space, location for cultural transmission and general wellness

It is envisaged the site will be developed to provide an aesthetically pleasing sense of arrival at the southern entrance of East Newman and for the buildings to be designed and orientated to provide passive surveillance opportunities onto the Arika Place, Nimingarra Drive and Miners Promise Park.

#### NYIYAPARLI AND MARTU YOUTH FACILITY

In response to the need identified in section 1.2.4 Social Infrastructure and Services, an additional youth facility has been identified on Armstrong Way. This currently comprises two BHP lots and is strategically located opposite the EPIS facility and neighbouring the JYAC student hostel.

#### NEIGHBOURHOOD CENTRE

The Neighbourhood Centre location on Bondini Drive adjacent to the central park has been selected based on engagement throughout the 'Home in East Newman' project. The Neighbourhood Centre seeks to provide East Newman with a central space where the community can come together throughout the year and also form an activation point with the central park.

The Neighbourhood Centre proposal also reflects the Social Plan prepared by Creating Communities, as part of the 'Home in East Newman' project.

The Neighbourhood Centre proposal provides for the following:

- + A hub for the delivery of essential community services in East Newman, including wrap-around service and small enterprise (i.e., shop);
- + Finds a balance between a place that reflects Nyiyaparli and Martu history and culture, and is welcoming to all community members and visitors;
- + Allows for a wide range of activation initiatives within and connected to the space, i.e., adjoining open space; and
- + Is in an accessible and central location, which creates new routes and opens up underutilised open space.

### 4.5.2 RESIDENTIAL DENSITY

#### RESIDENTIAL DENSITIES

The current split coding of R15/R40 for all residential within the ENPSP area is proposed to be retained. The majority of housing is still at the R15 density, with the potential to be increased to R40 through redevelopment of housing stock.

The current criteria for achieving the R40 is set out in Local Planning Policy 8 - Residential Development Policy (LPP8) which includes the following design requirements:

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

The ENPSP provides greater clarity and specific requirements to achieve quality design outcomes at the R40 density.

#### RESIDENTIAL YIELD

To ensure that the proposed density and population targets can be met, estimates of residential yield are provided to ensure that the land use response adequately meets the needs of the ENPSP. The long term vision for the ENPSP area includes a diversity of residential typologies including medium density single houses and grouped dwellings, with the potential for small walk-up apartments as the area grows.

The proposed residential yields have been informed by the land use and density plan (P2 - Figure 30). The residential yield analysis graded development potential based on the likelihood of each individual lot being redeveloped.

- + High potential land - Vacant residential lots
- + Medium potential land - Residential lots with a single dwelling, developed to the R15 density
- + Low potential land - Residential lots with developed strata-titled dwellings

Notes and high-level assumptions:

- + ENPSP Target (Within 10 years of the approval of the ENPSP) - Assumes 80% of high potential land and 30% medium potential land is developed / redeveloped.
- + Ultimate Target (Beyond 10 years of the approval of the ENPSP) - Assumes 100% of high potential land and 80% of medium potential land is developed / redeveloped.
- + No low potential land is developed/redeveloped.

P2 - Table 8: Residential Yield

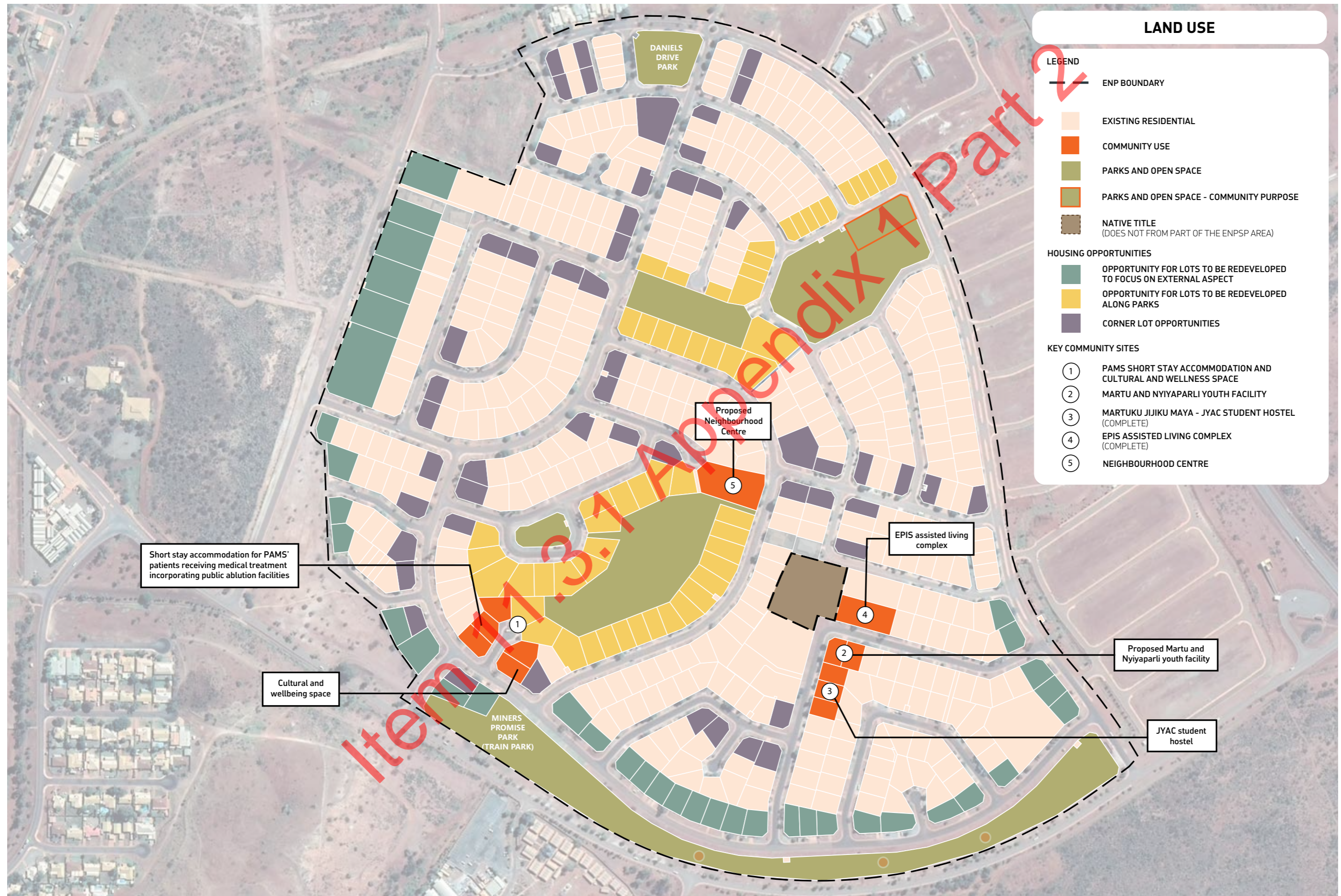
EXISTING DWELLINGS	ENPSP TARGET	ULTIMATE TARGET
623	Total net yield	271
	Total yield (existing + net)	894
	Total net yield	568
	Total yield (existing + net)	1,191

## STAGING AND DEVELOPMENT PRIORITY

P2 - Table 9: Staging and Development Priority

PROPOSED FACILITY	LAND USE CONSIDERATIONS	PHASING
PAMS Short Stay accommodation and Cultural Wellness Space	<p>Would be considered as Community Purpose under the Regulations (Model Scheme Text).</p> <p>No clear land use available under the current LPS4, however the following could be considered:</p> <ul style="list-style-type: none"> <li>+ Institutional Building and Residential Building (D/A permissibility - listed twice in the zoning table)</li> </ul>	Phase 1 (2022)
Niyaparli and Martu Youth Facility	<p>Would be considered as Community Purpose under the Regulations (Model Scheme Text).</p> <p>No clear land use available under the current LPS4, however the following could be considered:</p> <ul style="list-style-type: none"> <li>+ Residential Building (D/A permissibility - listed twice in the zoning table)</li> </ul>	Phase 2 (2023)
Neighbourhood Centre	<p>Would be considered as Community Purpose under the Regulations (Model Scheme Text).</p> <p>No clear land use available under the current LPS4. However, any future development applications are to be assessed in accordance with the ENPSP</p>	Phase 4 (2025+)
EPIS Aged Care Facility	<p>Would be considered as Community Purpose under the Regulations (Model Scheme Text).</p> <p>No clear land use available under the current LPS4, however the following could be considered:</p> <ul style="list-style-type: none"> <li>+ Retirement Village (D permissibility)</li> <li>+ Aged/Dependent person dwelling (D permissibility)</li> </ul>	Complete
Martuku Jijuku Maya - JYAC Student Hostel	<p>Would be considered as Community Purpose under the Regulations (Model Scheme Text).</p> <p>No clear land use available under the current LPS4, however the following could be considered:</p> <ul style="list-style-type: none"> <li>+ Residential Building (D/A permissibility - listed twice in the zoning table)</li> </ul>	Complete

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P2 - Figure 30: ENPSP Land Use and Density

## 4.6 BUILT FORM

**06.1 To ensure that the built form is responsive to the purpose, context and intended character of the precinct.**

**06.2 To ensure building placement, scale and massing is appropriate for the intended precinct and streetscape character.**

**06.3 To ensure that built form design reduces energy demand across the precinct by facilitating climate-responsive design.**

**06.4 To ensure that built form design is responsive to the streetscape and contributes to a safe and comfortable public realm.**

### RESPONSE TO CONTEXT

#### NYIYAPARLI AND MARTU ASPIRATIONS

Specific aspirations of Nyiyaparli and Martu relating to housing in this context is:

- + 0% homelessness
- + 0% overcrowding
- + Multi-generational housing precincts
- + Culturally purpose-fit housing

#### RESPONSE TO CONTEXT

As described in **Section 1.4** key design considerations for **Design Element 6: Built Form** can be summarised as follows:

- + Facilitate upgrades to existing housing and develop options for redevelopment to provide for greater liveability and variety of homes including multi-generational homes, providing housing for older people in the community.
- + Provide built form controls to ensure homes are climate responsive, improving comfort for residents, connection of homes to country and minimising running and maintenance costs.
- + Opportunity for built form to better relate to the streets and parks, providing passive surveillance and building community connections in the precinct. Improving the amenity and liveability of housing
- + Identify opportunities for redevelopment of housing, focusing on corners and lots along parks leading to better connection to open space and increased safety

### DESIRED OUTCOMES

Facilitate upgrades to existing housing and provide for a greater liveability and variety of homes including:

- + A multi-generational home ownership precinct, providing housing for older people in the community
- + Culturally sensitive housing
- + Opportunities for construction trade programs for young people to learn skills and a building trade.
- + Built form controls to ensure housing design is climate responsive and appropriate to community needs
- + Identifying opportunities for redevelopment of housing, focusing on corners and lots along parks leading to better connection to open space and increased safety
- + Improving the amenity and liveability of housing

#### 4.6.1 BUILT FORM PRINCIPLES

The built form approach to the ENPSP should be appropriate to the scale, function and context of the precinct. As described in **P2 - Table 5**, the current housing stock does not reflect the needs of the East Newman community, nor does it respond well to the climate.

Pre-lodgement engagement undertaken with residents and landowners suggested a number of improvements would be required. In delivering future housing for the ENPSP area, the following design principles will ensure that housing:

1. Responds to local context and climate;
2. Is culturally appropriate;
3. Connects to and activates the street;
4. Incorporates appropriately sized outdoor spaces that are well shaded;
5. Enhances the sense of security;
6. Are low maintenance with hard wearing and robust materials;
7. Promote increased tree canopy cover through tree retention and new planting;
8. Support inclusion of ancillary dwellings; and
9. Are universally accessibly (i.e. Livable Housing Australia).

**Part 1** provides a summary of the elements of the R-Codes which require varying to enable implementation of the above principles, which will ensure future housing caters more appropriately to East Newman's people and its climate.

The ENPSP promotes a diversity of built form types, which support housing choice and affordability. The range of built form types required for the area are informed by the proposed residential density approach which correlates with the desired intensity and character of the area.

### 4.6.2 BUILT FORM DESIGN

As described in **Section 4.2 Urban Structure** and **Section 4.5 Land Use**, the desired precinct character will be influenced primarily by built form and public realm improvements. The built form improvements are focussed on specific lot typologies which are illustrated on **P2 - Figure 31** and described below:

- + **External Aspect Lots** - This approach reconsiders the sense of entry into the ENPSP area by focussing on opportunities for redevelopment. Improvements to landscaping and greater attention to the external aspect of lots at the six entry points is critical. The focus is on enhancing the edge condition of existing swales, pedestrian corridors, and underutilised open space in line with the landscaping strategy. This will ensure that views towards the ENPSP area are more attractive and present visitors with a local housing perspective that is reflective of the character of the place.
- + **Park Lots** - The desired intent is to ensure the interface between new development and existing parks is improved to provide better amenity and safety outcomes. This may include the potential for an increase in yield on lots and better considered setbacks and frontages. It also encompasses housing types that encourages full utilisation of the park frontages in terms of both access and landscape outcome.
- + **Corner Lots** - Existing corner lots provide opportunities for improve development outcomes, be it through amalgamation or subdivision. The benefit of redeveloping corner lots is the dual access offered from residential streets.

**Part 1** provides a summary of the elements of the R-Codes which require varying to enable implementation of the above design outcomes. To better illustrate these outcomes, refer to **Appendix 8** which includes a series of design tests which provide a proof of concept.

House designs were provided for the following lot typologies:

- + Typical Street Fronted Lot (20 x 35.5);
- + Typical Street Fronted Lot (23 x 35.5);
- + Park, Street and Public Accessway Fronted Lot (46.0);
- + Park, Street and Public Accessway Fronted Lot (35.5);
- + Corner Lot (21.5 x 37.5);
- + Corner Lot (21.5 x 32.2);
- + Department of Communities Corner Lot (12 Callaway Way); and
- + Potential Department of Communities Housing Approach.

Item 11.3.1 Appendix Part 2

### 4.6.3 CLIMATE RESPONSIVE DESIGN

#### OUTDOOR SHADING

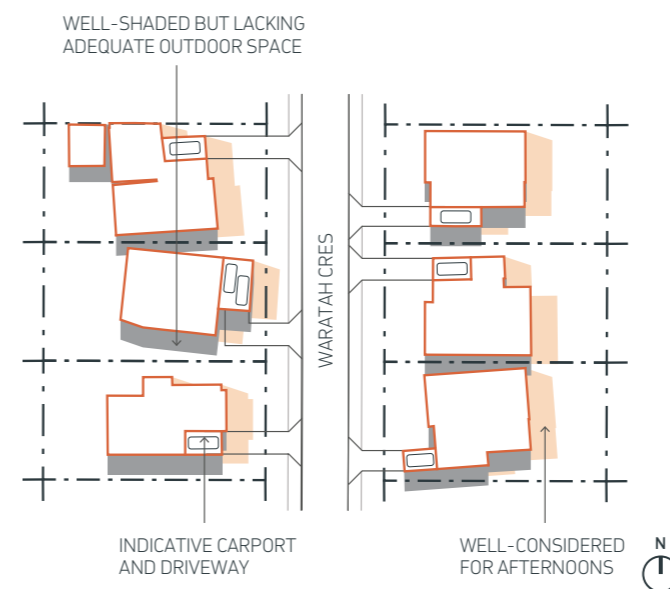
The adjacent drawings help communicate the limitations of existing development outcomes from a climate responsive perspective.

Many homes are oriented north-south, which provides well-shaded spaces to the south. However, these are located against side lot boundaries in spaces 1.5m wide, which are not connected to main internal living areas. Furthermore, during the afternoon on hotter days the full extent of the backyard of westerly lots is exposed to the sun. Easterly lots work effectively in providing shade to outdoor spaces during the late afternoon.

In east-west oriented streets, there are many shaded spaces that have not been considered when locating main outdoor living spaces in the design of the homes. These include the eastern side of homes during the afternoons, which are located against side boundaries, and the southern side of homes on northerly lots.

The controls included in **Part 1** of the ENPSP look to ensure that these patterns of development are not repeated, and that new homes are well-designed, with shaded outdoor spaces that can be used comfortably by residents.

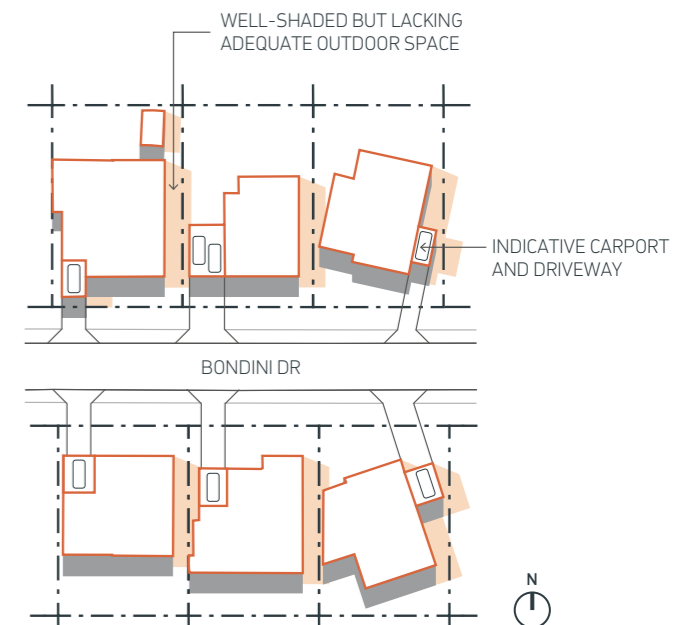
#### INDICATIVE NORTH-SOUTH STREETS



#### LEGEND

- Extent of shading at midday
- Extent of shading during the afternoon
- Outline of building envelope

#### INDICATIVE EAST-WEST STREETS



#### LEGEND

- Extent of shading at midday
- Extent of shading during the afternoon
- Outline of building envelope

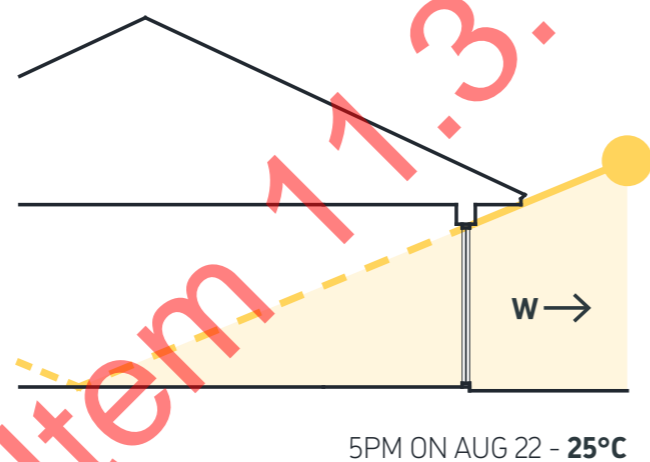
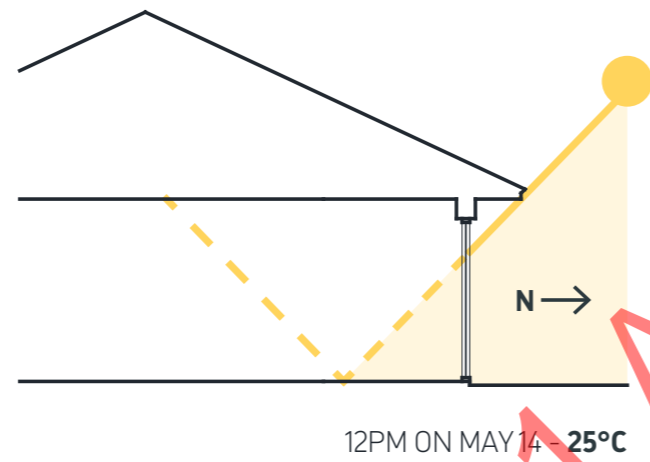
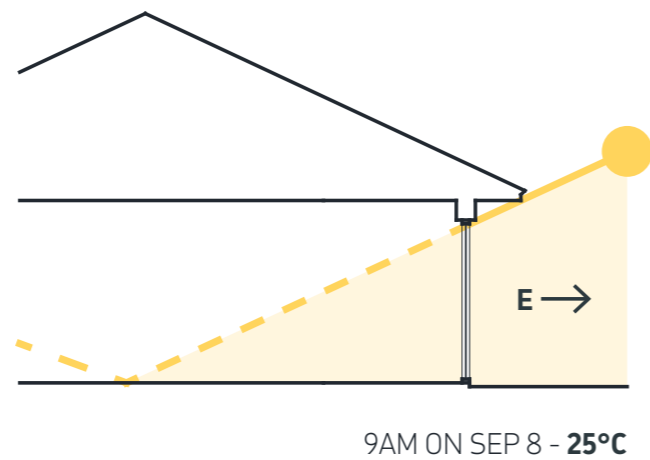
### INTERNAL SHADING

These drawings depict the angles of the sun at various times throughout the day when the temperature is 25°C. This is based on a standard 600mm wide eave, which is typical for homes in East Newman.

As a result of their design, these homes rely on the use of air-conditioning to alleviate the heat build-up during hotter periods of the year.

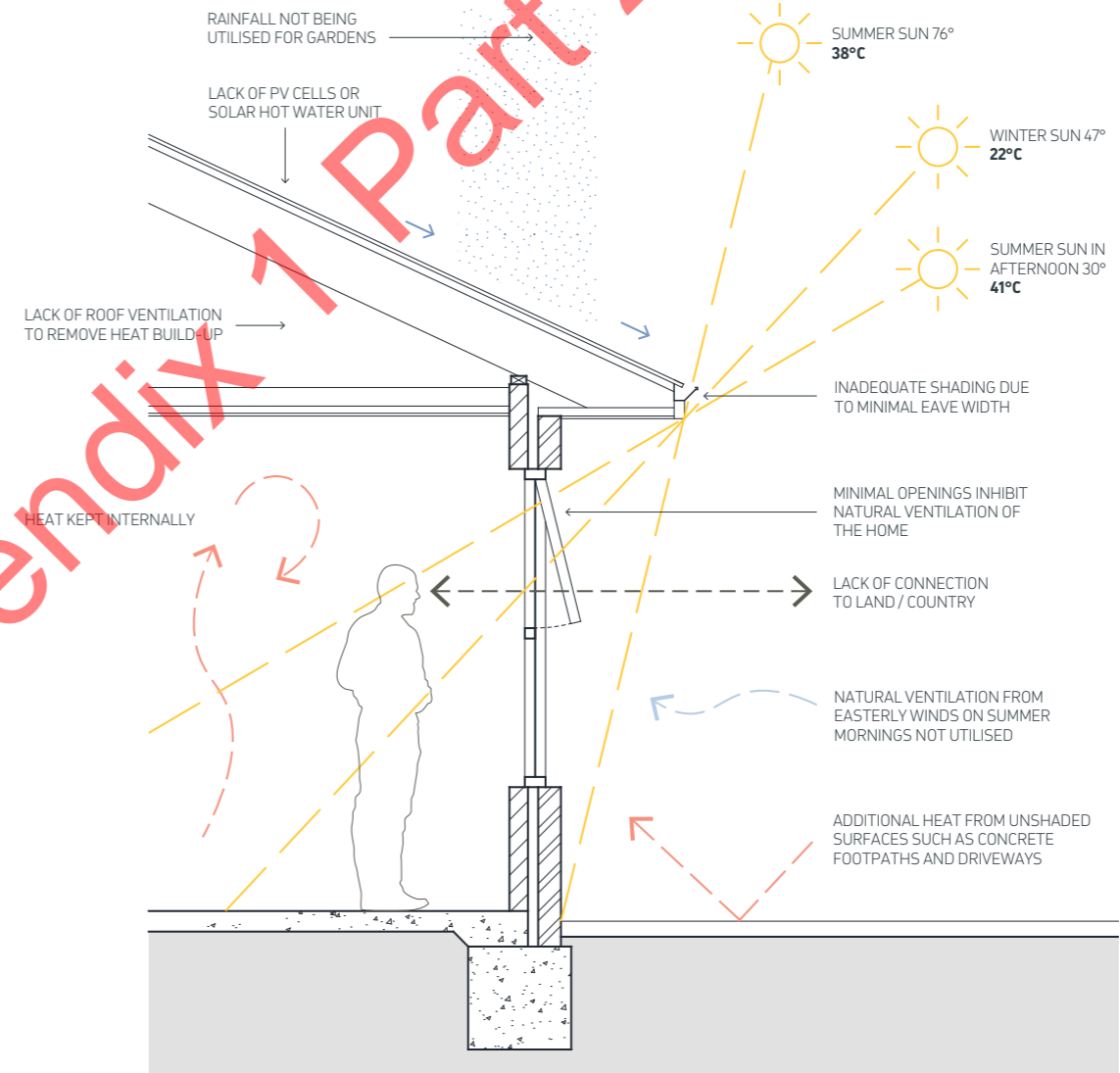
Recommendations should be considered for the provision of wider eaves and vertical shading to mitigate the heat build-up.

The controls included in **Part 1** will ensure that future housing design approaches indicate alternative methods of shading to limit heat gain.



Item 11.3.1 Appendix 1 Part 2

### CLIMATE RESPONSIVE DESIGN OUTCOMES



The section above demonstrates the lack of consideration shown to the unique local climate, which has resulted in a low quality outcome for the residents.

The improvements sought through the planning controls (in **Part 1**) are:

- + Capture rainfall from roofs for utilisation in gardens;
- + Optimise solar access by providing PV cells or solar hot water units on roofs;
- + Improve roof ventilation to reduce amount of heat is trapped internally;

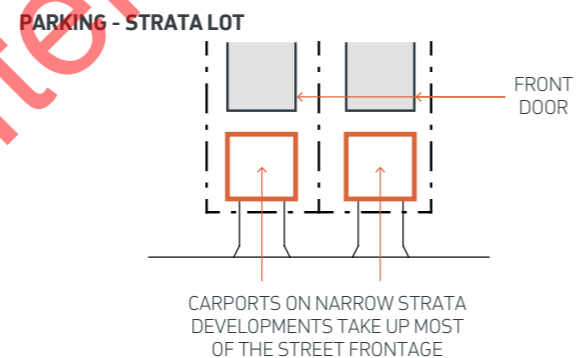
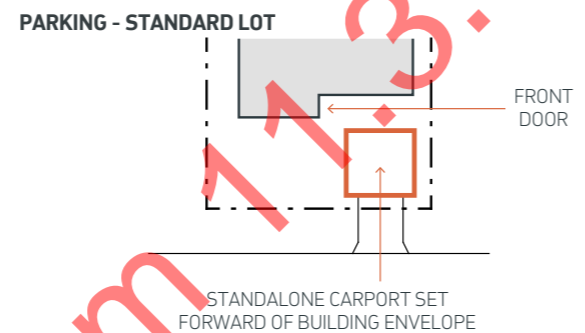
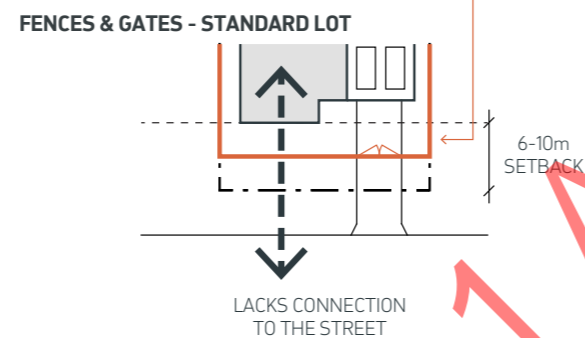
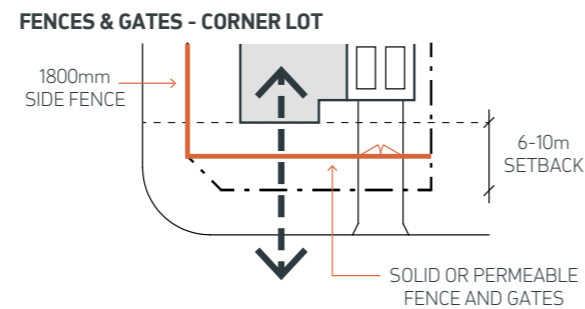
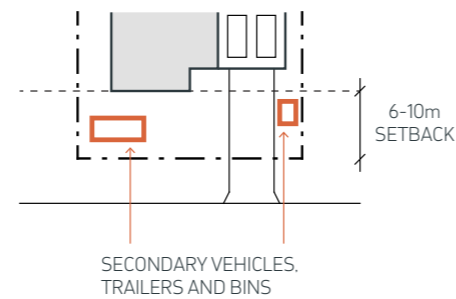
- + Provide more window openings to enhance natural ventilation, capturing easterly winds on summer mornings;
- + Improve visual connection to land / country through use of materials;
- + Improve shading by refining eave widths; and
- + Limit the amount of additional heat entering homes from unshaded surfaces such as concrete footpaths and driveways.

### 4.6.4 PUBLIC REALM INTERFACE

There are a variety of conditions throughout the ENPSP area in which homes interface with the public realm. Large spaces at the front of lots, created as a result of homes being well set back from the street, are utilised in several ways. Current public realm interface outcomes results in:

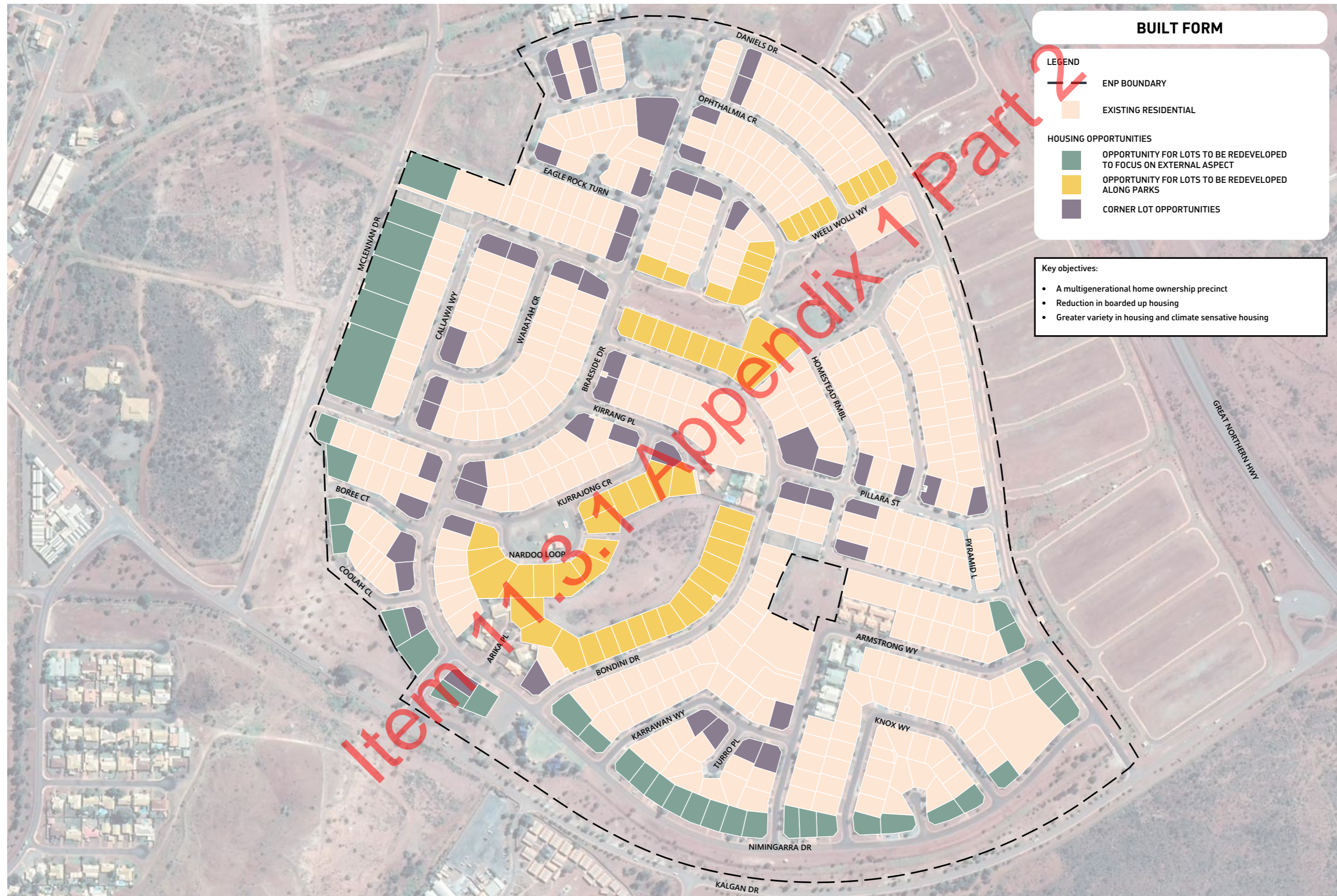
- + Parking and the location of vehicles, trailers, caravans and rubbish bins within the front setback zone is prevalent. This is due to a lack of designated area for the parking of secondary vehicles.
- + Dwellings have been provided with full-width low fencing and gates to the entire front boundary, which varies from permeable mesh to solid colorbond infill panels. Lots on corners with dual street frontages generally feature a high solid or permeable fence to the majority of the secondary street frontage, resulting in a lack of connection between the home and the street, that creates a harsh edge.
- + The majority of lot sizes are 22m wide. Where lots are either developed as a strata site (requiring more homes on the lots and narrower dwelling frontages) or where carports are not integrated into the house design, the carport is set forward of the dwelling and is the dominant element of the home as seen from the street.
- + Dwellings consist of double or single driveways finished in concrete (matching the footpath network) or interlock brick paving. This is largely uncovered and results in a heat island effect to each lot, leading to a hotter environment. Where carports are the dominant feature across the streetscape, the driveways run the width of the lot and mitigate the potential for verge landscaping. This results in a driveway-centric public realm.

The controls included in **Part 1** will ensure that future housing designs enhance street interface outcomes.



Item 13.1 Appendix 1 Part 2

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P2 - Figure 31: ENPSP Built Form



## 4.7 APPENDICES

### TECHNICAL APPENDICES

- + Appendix 1 - Water Management Strategy
- + Appendix 2 - Environmental Report
- + Appendix 3 - Bushfire Management Plan
- + Appendix 4 - Transport Impact Assessment
- + Appendix 5 - Home in East Newman - Development Responses
- + Appendix 6 - Home in East Newman - Vision and Principles
- + Appendix 7 - Home in East Newman - Landscape Strategy
- + Appendix 8 - Home in East Newman - Housing Approaches

### ABBREVIATIONS

<b>ABS</b>	Australian Bureau of Statistics
<b>AEP</b>	Annual Exceedance Probability
<b>BHP</b>	BHP Group Limited
<b>BMP</b>	Bushfire Management Plan
<b>CPTED</b>	Crime Prevention Through Environmental Design
<b>DoC</b>	Department of Communities
<b>DPLH</b>	Department of Planning Lands and Heritage
<b>ENPSP</b>	East Newman Precinct Structure Plan
<b>JYAC</b>	Jamukurnu Yapalikurnu Aboriginal Corporation
<b>KNAC</b>	Karlka Nyiyaparli Aboriginal Corporation
<b>LPP</b>	Local Planning Policy
<b>LPS</b>	Local Planning Strategy
<b>LPS4</b>	Shire of East Pilbara Local Planning Scheme No.4
<b>PAMS</b>	Puntukurnu Aboriginal Medical Service
<b>PAW</b>	Public Access Way
<b>POS</b>	Public Open Space
<b>REIWA</b>	Real Estate Institute of Western Australia
<b>SoEP</b>	Shire of East Pilbara
<b>SPP</b>	State Planning Policy
<b>WAPC</b>	Western Australian Planning Commission
<b>WMS</b>	Water Management Strategy
<b>WSUD</b>	Water Sensitive Urban Design

### DATA QUALITY STATEMENT

There are several aspects of the data collection and interpretation for this document that may impact the reliability of the data:

Government data is reported for Local Government Areas, Regions (East Pilbara) and at State level, and generally not for smaller communities (e.g., suburbs) that are part of bigger communities. Hence a lot of the data that would inform the social and economic wellbeing of East Newman is only available for the larger communities of Newman and the region of East Pilbara. In some cases it is possible to derive statistics for East Newman by combining three Statistical Area Level 1 areas (51002126809, 51002126806 & 51002126816), however it is not possible to derive statistics on a more granular level through this method as areas within East Newman which have higher levels of disadvantage (i.e. certain streets with higher levels of social housing) are combined with areas that have lower levels of disadvantage (i.e. areas with higher levels of employer provided housing and individuals with high incomes).

Some statistical measures from the 2021 Census are yet to be released. Where relevant, 2016 data has been used to augment this analysis.

Stakeholders have reported that many East Newman residents are transient, often moving between several locations during the year. This means that available Government data may not be accurate for the East Newman community at any point in time.

The ABS makes minor random adjustments to the data to ensure confidentiality of those who have participated. This technique, known as perturbation, is applied to all counts, including totals, to prevent any identifiable data about individuals being released. For the most part, this has little effect on the reliability of the data (as it is applied consistently across all counts). When calculating proportions, percentages or ratios from cross-classified or small area tables, the random adjustments introduced by perturbation can be ignored except when very small counts are involved, in which case the impact on percentages and ratios can be relatively significant. The ABS recommends that no reliance should be placed on small counts of less than 20 individuals. Much of the data presented in this report relies on very small counts of individuals, and as such the statistics and insights drawn from those counts should be considered indicative only.

The ABS is forthright in detailing the difficulties involved in counting Aboriginal and Torres Strait Islander people, particularly in remote and regional areas. They hold an independent survey following each Census (called the Census Post Enumeration Survey) which attempts to estimate the number of people that should have been counted in the Census, but were not (the 'undercount'). This is broken up by demographic, and is particularly important in the case of the Aboriginal and Torres Strait Islander population. The 2021 estimate is that 983,257 Aboriginal and Torres Strait Islander peoples should have been counted in the Census, compared with 812,505 persons who were counted. This is equivalent to a net undercount of 170,752 persons, or a rate of 17.4%. The extent of this undercount, and the ongoing challenges acknowledged by the ABS in relation to the enumeration of the Aboriginal and Torres Strait Islander population, means that statistics relating to this group should be considered carefully. It is likely that most statistics relating to Aboriginal and Torres Strait Islander people, especially in remote and regional areas, are likely not representative of the entire population.

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Item 11.3.1 Appendix 1 Part 2

11.1 CHIEF EXECUTIVE OFFICER

11.1.1 INTEGRITY FRAMEWORK

**Attachments:** [Appendix 1 Integrity Framework Policy](#)  
**Responsible Officer:** Steven Harding  
Chief Executive Officer  
**Author:** Joshua Brown  
Manager Governance, Risk and Procurement  
**Proposed Meeting Date:** 25 August 2023  
**Location/Address:** N/A  
**Name of Applicant:** N/A  
**Author Disclosure of Interest:** Nil

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/124)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Landy

**That Council:**

1. **Adopts the Shire of East Pilbara Integrity Framework (attached as Appendix 1); and**
2. **Authorises the Chief Executive Officer to undertaken an annual review of the Integrity Framework and report the findings to the Audit, Risk and Governance Committee.**

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** Nil

**REPORT PURPOSE**

For Council to consider the adoption of an Integrity Framework.

## **BACKGROUND**

As part of the Shire's commitment to continuous improvement, the adoption of an Integrity Framework is considered an essential tool to build maturity in the organisation's assurance profile, and to lay the foundation of a workplace culture that has integrity as its centrepiece.

The WA Public Sector Commission will require all public sector agencies to have adopted an Integrity Framework by 2 October 2023. Whilst this requirement does not apply to local government, the Shire has recognised the importance of such a document. As part of the Shire's action plan in response to the Fraud Gap Analysis undertaken in 2022, an undertaking was given to prepare an integrity framework for Council's consideration.

## **COMMENTS/OPTIONS/DISCUSSIONS**

The Shire of East Pilbara Integrity Framework has been developed to enhance and promote a culture of integrity, sound conduct and ethical behaviour among all Shire Officers, and to foster confidence in the probity of each and every one of the Shire's actions and decisions at all levels of organisation, and in all parts of the vast and diverse District of East Pilbara.

The Integrity Framework aligns with the WA Public Sector Commission's mandate to promote and maintain integrity, conduct and ethics in the WA government sector.

The Integrity Framework provides the foundation by which all Shire councillors, employees, contractors and volunteers are expected to operate. It will enhance accountability and work towards fostering the trust of the communities the Shire serves.

It describes the instruments, structures and cultural factors that guide how the Shire practices, manages and accounts for integrity and has been prepared following an assessment of the organisation's integrity risks.

## **STATUTORY IMPLICATIONS/REQUIREMENTS**

Consistent with regulation 16(a)(ii) of the *Local Government (Audit) Regulations 1996*.

## **POLICY IMPLICATIONS**

No known policy implications.

## **STRATEGIC COMMUNITY PLAN**

### **5: Governance**

- G1 Vibrant local democracy, forward-thinking civic leadership, and transparent stewardship of the community's assets and resources.
  - G1.1 Continued focus on good governance, transparency and community and stakeholder engagement in significant decisions, including place-based plans.
  - G1.4 Ensure a high standard of organisational management and effectiveness

**RISK MANAGEMENT CONSIDERATIONS**

Compliance – Minor

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**VOTING REQUIREMENTS**

Simple Majority.

Shire of EAST  
**Pilbara**  
THE HEART OF THE PILBARA

**Integrity Framework**

## Contents

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Item 11.1.1 Appendix



# 1. Introduction – Promoting Integrity

The Shire of East Pilbara Integrity Framework has been developed to enhance and promote a culture of integrity, sound conduct and ethical behaviour among all Shire Officers, and to foster confidence in the probity of each and every one of the Shire’s actions and decisions at all levels of organisation, and in all parts of the vast and diverse District of East Pilbara.

The Integrity Framework aligns with the WA Public Sector Commission’s mandate to promote and maintain integrity, conduct and ethics in the WA government sector.

The Integrity Framework provides the foundation by which all Shire council members, employees, contractors and volunteers are expected to operate. It will enhance accountability and work towards fostering the trust of the communities the Shire serves.

It describes the instruments, structures and cultural factors that guide how the Shire practices, manages and accounts for integrity and has been prepared following an assessment of the organisation’s integrity risks.

The Framework is closely aligned with the Shire’s Values:

**SHIRE VALUES** Shire of EAST Pilbara

*Leadership with HEART*

<p><b>Leadership</b> Shire of EAST Pilbara</p> <p>Being ethical and acting with integrity.</p> <p>Leading by example, being decisive, setting direction and providing good governance.</p> <p>Maintaining open and transparent communication across the whole organisation.</p> <p><i>Leadership with HEART</i></p>	<p><b>Honesty</b> Shire of EAST Pilbara</p> <p>Being truthful and acting with personal integrity.</p> <p>Admitting mistakes, taking responsibility for them and being able to move on within a no-blame culture.</p> <p>Build trust through reliability and consistency.</p> <p><i>Leadership with HEART</i></p>	<p><b>Excellence</b> Shire of EAST Pilbara</p> <p>Striving to achieve our best outcome. Encouraging and committing to innovation, creativity, learning and development. Planning to deliver quality programs, projects and services.</p> <p>Recognising excellence, encouraging people to aspire to be their best and taking pride in our work.</p> <p><i>Leadership with HEART</i></p>
<p><b>Accountability</b> Shire of EAST Pilbara</p> <p>Being accountable to each other, to the community, and to get things right the first time.</p> <p>Being accountable to the environment and Aboriginal culture.</p> <p>Being accountable to achieve the best outcome and best value of money for our community.</p> <p><i>Leadership with HEART</i></p>	<p><b>Respect</b> Shire of EAST Pilbara</p> <p>Being respectful of people, their cultures, ideas, circumstances and environment.</p> <p>Being respectful of ourselves and our well-being, safety, appearance and reputation.</p> <p><i>Leadership with HEART</i></p>	<p><b>Teamwork</b> Shire of EAST Pilbara</p> <p>Working as a team within and beyond our organisation to achieve a common goal and vision.</p> <p>Welcoming and providing feedback respectfully.</p> <p>Supporting and talking to each other and sharing information.</p> <p>Encouraging creativity, flexibility and resilience.</p> <p><i>Leadership with HEART</i></p>

It is everyone’s responsibility to be aware of the integrity risks, including maladministration and corruption, and I expect you to familiarise yourself with the Framework. The document is available on the Shire’s website and internal portals, the Councillor Portal and The Loop.

I commit to regularly monitor and review the framework to ensure it remains effective and fit for purpose.

Every one of us – every councillor, employee, contractor and volunteer has a personal responsibility to ensure that the highest standards of integrity are practiced at all times at the Shire of East Pilbara. We all have responsibility for safeguarding the integrity of the organisation and preventing misconduct and corruption. We demonstrate this in part by reporting any integrity breaches we see or become aware of, and making suggestions on how we can improve our approach to integrity.

Steven Harding  
Chief Executive Officer

Item 11.1  
DRAFT  
Appendix A

## **2. Plan and act to improve integrity**

### **2.1 What is integrity?**

The WA Public Sector Commission defines integrity as:

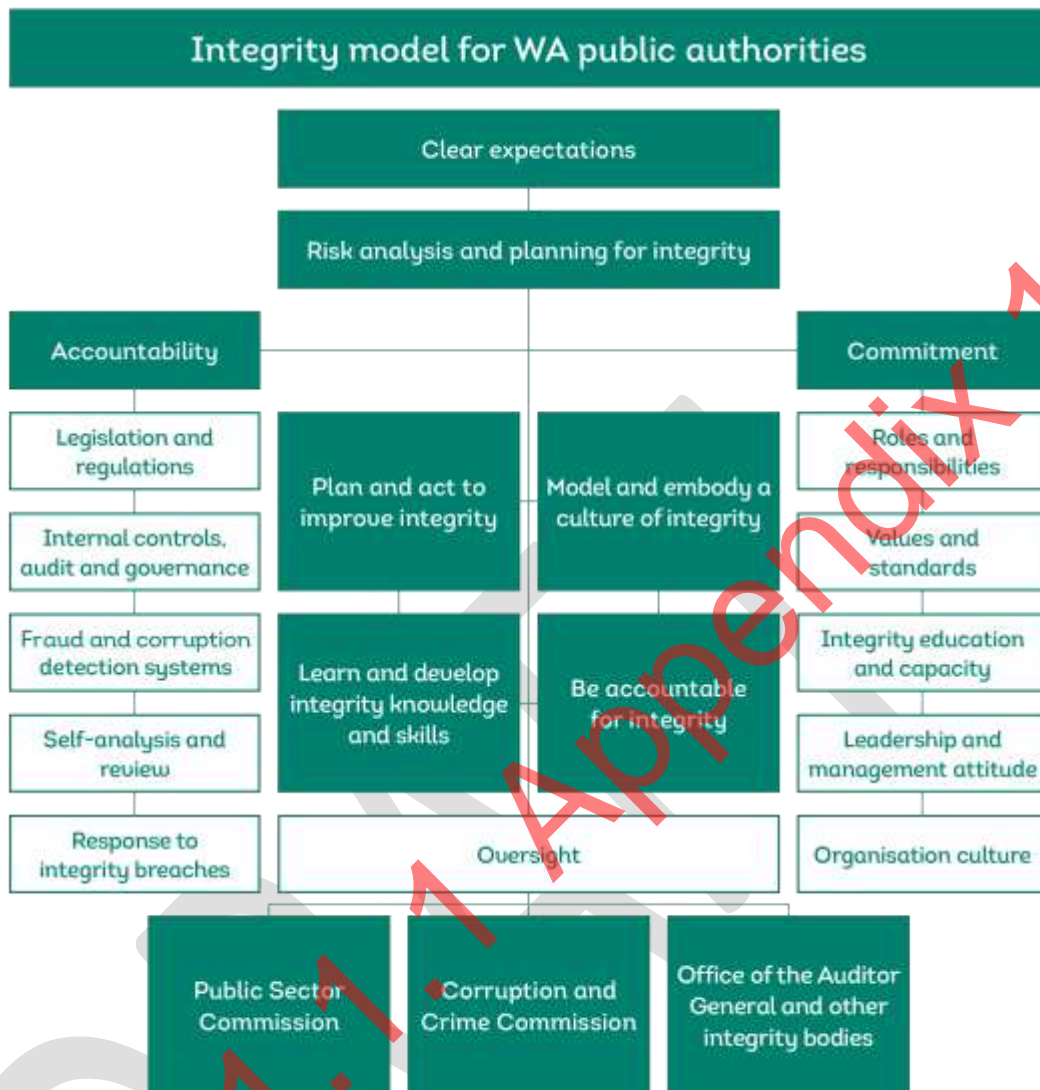
*“a non-negotiable to assure Western Australians that public authorities act in the interest of the community each and every day through the decisions we make and the actions we take”.*

Integrity is the building block of establishing and maintaining trust in public authorities, including the Shire of East Pilbara and is made up of:

- Serving the best interests of the community;
- Responsible use of power and only for the purpose and in the manner for which they were intended;
- Transparent and honest dealings with all stakeholders;
- Proper, accountable and consistent decision making, based on reasoning, without bias and in line with establish and transparent processes;
- Preventing, calling out and addressing improper conduct;
- Honest and proactive disclosure of facts and information; and
- Always acting in the public interest.

### **2.2 Shire of East Pilbara Integrity Model**

The Shire of East Pilbara Integrity Model reflects the integrity model in place for WA public authorities, and provides a visual structure to the Shire’s integrated approach to the promotion of integrity:



The Shire's Integrity Model is underpinned by three of the Shire's organisational values:

**Leadership**

- Being ethical and acting with integrity.
- Leading by example, being decisive, setting direction and providing good governance.
- Maintaining open and transparent communication across the whole organisation.

**Honesty**

- Being truthful and acting with personal integrity.
- Admitting mistakes, taking responsibility for them and being able to move on within a no-blame culture.
- Build trust through reliability and consistency.

## Accountability

- Being accountable to each other, to the community, and to get things right the first time.
- Being accountable to the environment and Aboriginal culture.
- Being accountable to achieve the best outcome and best value of money for our community.

## 2.3 Roles and responsibilities

The Shire of East Pilbara Integrity Framework provides the basis by which the organisation will plan and act to improve integrity outcomes. It assigns responsibility to all Shire officers to identify, report and fix areas of improvement. The following table identifies those positions and bodies responsible for functions under this Framework:

Body/Position	Integrity Responsibilities
Council	<ul style="list-style-type: none"> <li>• Complies with and operates lawfully and in accordance with the <i>Local Government Act 1995</i> and other relevant legislation.</li> <li>• Responsible for oversight of integrity matters and strategic governance.</li> <li>• Sets integrity expectations and embodies these through the Shire's:               <ul style="list-style-type: none"> <li>→ Code of Conduct for Council Members, Committee Members and Candidates.</li> <li>→ Risk Management Framework.</li> <li>→ Integrity Framework.</li> </ul> </li> <li>• Authorises policy relating to integrity matters.</li> <li>• Delegates powers and functions to the Chief Executive Officer and relevant officers.</li> <li>• Endorses the City's Annual Compliance Audit Return.</li> <li>• Appoints members and adopts the Terms of Reference of the Audit, Risk and Governance Committee.</li> </ul>
Audit, Risk and Governance Committee	<ul style="list-style-type: none"> <li>• Acts in accordance with its Terms of Reference.</li> <li>• Monitors the effectiveness of the Shire's Risk Management Framework including integrity risks.</li> <li>• Receives reports on strategic integrity matters.</li> <li>• Reviews and endorses the internal audit plan and the three-year strategic audit plan.</li> <li>• Considers reports by the Office of Auditor General including but not limited to the annual external audit.</li> <li>• Reports to Council on integrity risks, audit activities and integrity controls.</li> </ul>
Council Member	<ul style="list-style-type: none"> <li>• Adheres to, and demonstrates at all times the highest standard of conduct and integrity in the discharge of their duties.</li> </ul>

	<ul style="list-style-type: none"> <li>• Models a culture of integrity through the active demonstration of the Shire’s values and by communicating the importance of meeting integrity standards.</li> <li>• Participates in the Council’s decision-making processes in an impartial, unbiased and informed manner.</li> <li>• Gives due consideration to all matters and information contained in Council Agendas and Business Papers.</li> <li>• Manages, declares and records gifts and conflicts of interest.</li> </ul>
Chief Executive Officer	<ul style="list-style-type: none"> <li>• Complies with and operates lawfully and in accordance with the <i>Local Government Act 1995</i> and other relevant legislation.</li> <li>• Responsible for the oversight, implementation, monitoring and reporting on all integrity measures and initiatives in place in the Shire.</li> <li>• Adheres to, and demonstrates at all times the highest standard of conduct and integrity in the discharge of their duties.</li> <li>• Models a culture of integrity through the active demonstration of the Shire’s values and by communicating the importance of meeting integrity standards.</li> <li>• Drives a culture of integrity through the active demonstration of the Shire’s values and by communicating the importance of meeting integrity standards.</li> <li>• Participates in the Shire’s decision-making processes in an impartial and unbiased manner.</li> <li>• Provides leadership in the prevention, detection and response to misconduct.</li> <li>• Reports misconduct activities or suspected activities to external oversight bodies.</li> <li>• Promotes effective risk management and sound governance across the organisation.</li> <li>• Manages, declares and records gifts and conflicts of interest.</li> </ul>
Directors and Managers (MELT)	<ul style="list-style-type: none"> <li>• Comply with and operate lawfully and in accordance with the <i>Local Government Act 1995</i> and other relevant legislation.</li> <li>• Adhere to, and demonstrate at all times the highest standard of conduct and integrity in the discharge of their duties.</li> <li>• Drive a culture of integrity through the active demonstration of the Shire’s values and by communicating the importance of meeting integrity standards.</li> <li>• Participate in the Shire’s decision-making processes in an impartial and unbiased manner.</li> <li>• Deliver optimal, and fit for purpose operational performance to meet the expectations and needs of the Shire’s communities.</li> <li>• Share and communicate information on integrity practices and policies and promote ethical behaviour within your team.</li> <li>• Identify, report, manage and control integrity risks.</li> <li>• Provide advice and support to staff on integrity matters.</li> <li>• Manage, declare and record gifts and conflicts of interest.</li> </ul>

	<ul style="list-style-type: none"> <li>• Manage and control integrity risks related to conflicts of interest related to the business of the Directorate/ Business Unit.</li> </ul>
Manager Governance, Risk and Procurement	<ul style="list-style-type: none"> <li>• Monitors and evaluates the effectiveness of the Shire's Integrity Framework.</li> <li>• Develops and implements core integrity processes and systems for governance, codes of conduct, delegations of authority, accountability and ethical decision-making, purchasing and procurement, and the disposal of assets, land and other property.</li> <li>• Responsible for monitoring legislative and policy compliance.</li> <li>• Delivers ethical training and awareness.</li> <li>• Maintains public registers.</li> <li>• Maintains the Register of Delegations of Authorisations.</li> <li>• Maintains the Shire's Statement of Business Ethics.</li> <li>• Manages, declares and records gifts and conflicts of interest.</li> </ul>
Manager People and Culture	<ul style="list-style-type: none"> <li>• Develops and implements core integrity processes and systems for human resource practices including recruitment and selection; performance review; workforce management; induction and training; complaints and grievances.</li> <li>• Ensures new employee inductions includes integrity training.</li> <li>• Manages, declares and records gifts and conflicts of interest.</li> </ul>
Director Corporate Services and Manager Corporate Services	<ul style="list-style-type: none"> <li>• Develops and implements core integrity processes and systems for the Shire's finances.</li> <li>• Ensures compliance with all legislative requirements, policies and procedures related to financial management and reporting, and financial audits.</li> <li>• Manages, declares and records gifts and conflicts of interest.</li> </ul>
Employees	<ul style="list-style-type: none"> <li>• Comply with and operate lawfully and in accordance with the <i>Local Government Act 1995</i> and other relevant legislation at all times.</li> <li>• Adhere to, and demonstrate at all times the highest standard of conduct and integrity in the discharge of their duties.</li> <li>• Reflect the Shire's values and integrity standards.</li> <li>• Participate in the Shire's decision-making processes in an impartial and unbiased manner.</li> <li>• Comply with all Shire policies and work directions.</li> <li>• Apply appropriate practices for risk management, internal controls, and fraud and corruption prevention.</li> <li>• Report misconduct, corruption or fraud.</li> <li>• Participate in training and development opportunities to enhance integrity awareness, knowledge and capacity.</li> <li>• Manage, declare and record gifts and conflicts of interest.</li> </ul>
Contractors and Suppliers	<ul style="list-style-type: none"> <li>• Adhere to the Shire's Statement of Business Ethics.</li> </ul>

	<ul style="list-style-type: none"> <li>• Comply with and operate lawfully and in accordance with relevant contractual and legislative obligations as detailed in contracts with the Shire.</li> <li>• Comply with Shire policies, processes and systems developed for organisational (and contractor) integrity.</li> <li>• Manage, declare and record conflicts of interest.</li> </ul>
Volunteers	<ul style="list-style-type: none"> <li>• Adhere to the Shire’s Statement of Business Ethics.</li> <li>• Comply with and operate lawfully and in accordance with relevant contractual and legislative obligations as detailed in contracts with the Shire.</li> <li>• Comply with Shire policies, processes and systems developed for organisational (and volunteer) integrity.</li> <li>• Manage, declare and record conflicts of interest.</li> </ul>

## 2.4 Legislation and regulations

The *Local Government Act 1995* (“the Act”) provides the legislative basis for the powers and operations of the Shire of East Pilbara. The Council of the Shire of East Pilbara is empowered by the Act to make policies, plans and strategies, and local laws for the good governance of the communities the Shire serves. The Shire is subject to a range of other legislation. The Shire is also subject to a range of regulations, made by a responsible Minister or their delegate.

Principal legislation governing integrity and conduct obligations is set out in the following table:

Relevant legislation	Description of obligations	Shire response
<i>Local Government Act 1995</i>	s9.69A notification under Corruption, Crime and Misconduct Act	Compliance with the relevant section
	Employment arrangements	Compliance with section 5.40 principles affecting employment by local governments
<i>Corruption, Crime and Misconduct Act 2003</i>	s28 principal officers to notify suspected serious misconduct to Corruption and Crime Commission  s45H principal officers to notify suspected minor misconduct to Public Sector Commission	Local Government Act s9.69A notification under Corruption, Crime and Misconduct Act
<i>Public Sector Management Act 1994</i>	s9 all officers to act with integrity in performance of official duties	Code of Conduct for Council Members, Committee Members and Candidates



	s102 employees not to be employed outside government without permission	Code of Conduct for Employees, Contractors and Volunteers  Secondary employment policy, procedures and forms
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## 2.5 Risk analysis and planning for integrity

The Shire’s Risk Management Policy has been developed to ensure that sound Risk Management practices and procedures are fully integrated into the Council’s strategic and operational planning processes and provide direction on how Council is to manage risk. This Policy is supported by the Shire of East Pilbara Risk Management Procedures which were developed using International Organisation for Standardisation (ISO) Standard 31000:2018 Risk Management – Principles and Guidelines. The Policy and the supporting documentation and practice will be reviewed in the 2023/24 financial year as part of the Council’s commitment to best practice in risk management.

## 2.6 Internal controls, audit and governance

The Shire of East Pilbara has the following measures and controls in place to manage integrity risks as listed below. All internal controls will be subject to a major review in 2024.

### Codes of Conduct

The Shire of East Pilbara Code of Conduct for Council Members, Committee Members and Candidates and Code of Conduct for Employees, Contractors and Volunteers provide the standards of conduct and behaviour required by the Shire. The Codes are compliant with the *Local Government Act 1995* and *Local Government (Administration) Regulation 1996*, which provides the Codes’ framework. Both are published on the Shire’s website and internal portals, the Loop and Councillor Portal.

The Codes detail the requirements to be adhered to with respect to:

- Declaring and managing conflicts of interest
- Offer, acceptance and provision of gifts, benefits and hospitality
- Managing official and/or confidential information
- Use of Shire resources

The Code of Conduct for Council Members, Committee Members and Candidates is subject to review following each ordinary election, and Code of Conduct for Employees, Contractors and Volunteers is subject to review every two (2) years. The Chief Executive Officer is the custodian of both documents.

All Council members, employees, contractors and volunteers are required to complete training in the application of the relevant Code, and will be required to acknowledge receipt and understanding of the relevant Code. A copy of the acknowledgement will be retained on file.

#### Fraud and Corruption Control Policy

The Shire's Fraud and Corruption Control Policy articulates the Shire's commitment to the prevention, detection, response and monitoring of fraud and corrupt activities. It applies to all employees, Elected Members and contractors.

All employees are accountable for, and have a role to play in, fraud and corruption prevention and control. The Shire encourages staff to disclose actual or suspected fraudulent or corrupt activity. When identified, any suspected fraudulent or corrupt activity will be promptly investigated, and where appropriate legal remedies available under the law will be pursued. All alleged incidences will be investigated thoroughly. Where appropriate, the Shire will protect the anonymity of those responsible for reporting the activity.

The Shire will ensure that systems and procedures are in place to prevent, detect, report and investigate incidents of fraudulent or corrupt behaviour or activities. It will also ensure that staff are trained in and aware of their responsibilities in respect to the prevention, detection, reporting and investigation of fraudulent or corrupt behaviour.

A Fraud and Corruption Control Plan ("the Plan") has been developed to assist to meet the objectives of the Shire's policy. The Plan will ensure that the Shire has thorough and up-to-date procedures in place to mitigate the risk of fraud or corruption occurring in the organisation.

#### Audit Function

The internal audit function is undertaken in accordance with the *Local Government Act 1995*, *Local Government (Audit) Regulations 1996* and *Local Government (Financial Management) Regulations 1996*.

The internal audit function assists with the maintenance and improvement of organisational effectiveness by providing risk-based and independent assurance advice to the Chief Executive Officer and the Audit, Risk and Governance Committee of Council.

The internal audit function also assists the Chief Executive Officer achieve business objectives by systematically collecting and reporting information through the Audit, Risk and Governance Committee. This includes risk exposure and management, internal controls, compliance, resource and program management, and organisation performance against statutory obligations and best practice principles.

The internal audit function currently relies on the use of suitably qualified consultants to undertake performance audits, reviews of risk management, internal control and legislative compliance.

An annual risk-based internal audit plan is prepared by the Manager Governance, Risk and Procurement, based upon the three yearly adopted Strategic Internal Audit Plan. The annual plan identifies audit topics and is reported to the Audit, Risk and Governance Committee for endorsement. The Chief Executive Officer may vary the plan and change priorities in line with emerging risks and threats.

The Committee provides advice to the Council on the effectiveness of the risk management and governance frameworks, and external accountability obligations.

### Risk Management Policy

The Shire's Risk Management Policy has been developed to ensure that sound Risk Management practices and procedures are fully integrated into the Council's strategic and operational planning processes and provide direction on how Council is to manage risk. This Policy is supported by the Shire of East Pilbara Risk Management Procedures which were developed using International Organisation for Standardisation (ISO) Standard 31000:2018 Risk Management – Principles and Guidelines. The Policy and the supporting documentation and practice will be reviewed in the 2023/24 financial year as part of the Council's commitment to best practice in risk management.

### Financial and Procurement Management Controls

The Shire has the following Financial Management Controls in place:

- Financial Management Information System governing recording of all financial transactions. The Financial Management Information System also imposes automated controls to ensure segregation of duties/responsibilities for the procurement of goods and services, confirmation of receipt of goods and services, and the authorisation of payments.
- Mandatory training by all employees with authority to raise requisitions or approve payments. Access to the Financial Management Information System is not granted until the training is completed successfully. The online training is currently provided by WALGA. The Coordinator Procurement has responsibility for the provision of this training.
- Monthly reconciliation and reporting of payments to Council.
- Grant acquittals process.
- Financial management guidelines, protocols and processes.
- Appointment of external auditor to undertake reviews of financial management systems and procedures, and annual financial statements.

Financial Management Controls are reviewed at least once every three (3) years in accordance with the *Local Government (Financial Management) Regulations 1996*, and responsibility for their performance rests with the Director of Corporate Services.

## Public Interest Disclosures

The Shire has internal guidelines in place to assist and support the report of suspected wrongdoing in accordance with s23(1)(e) of the *Public Interest Disclosure Act 2003* ("the PID Act"). These guidelines outline how we will meet our obligations under the PID Act. The guidelines cover the roles and responsibilities of the Shire, the person(s) designated as the proper authority in accordance with s23(1)(a) and s5(3)(h) referred to in this document as the PID Officer, the discloser and the subject of the disclosure. These guidelines should be read in conjunction with the PID Act and the *Public Interest Disclosure Regulations 2003*. The guidelines are scheduled for review, which will take place in 2023/24.

## Statement of Business Ethics

The Shire has adopted a Statement of Business Ethics, which provides guidance for businesses, organisations and other sectors of the community, undertaking business with the Shire. It outlines the Shire's ethical standards and expectations that goods and service providers and contractors will comply with these standards in all their dealings with the Shire. This Statement also outlines what goods and service providers and contractors can expect from the Shire.

## Recordkeeping Policy

Council adopted a new Recordkeeping Policy in 2023. The Policy and related recordkeeping procedures and guidelines provide the framework for all Shire employees and council members to comply with the requirements of the *State Records Act 2000* and the *Local Government Act 1995*. The Policy provides direction on the creation and management of records and to clarify responsibilities for recordkeeping within the Shire.

## Attain Governance Software

The Shire has invested in the use of the Attain Governance software to provide an online environment to record the receipt of gifts, declarations of interest, primary and annual returns, related party transactions and the exercise of power under delegation. The software is overseen and managed by the Manager Governance, Risk and Procurement.

## Information Technology Policy

The Shire's Information Technology (IT) Policy provides the frame work for the maintenance of the security and integrity of the organisation's IT system.

## Register of Delegations and Authorisations

Council has adopted a Register of Delegations and Authorisations which is published on the Shire's website and internal portals (the Loop and Councillor Portal). The Register is reviewed each year and subject to annual adoption by Council. The custodian of the document is the Manager Governance, Risk and Procurement.

### Induction of New Employees, Contractors and Volunteers

Council members and new Employees of the Shire are required to undertake an induction upon commencement, which includes familiarisation with the respective Shire Codes of Conduct. Regular refreshers are held generally once or more each year.

### Mandatory Accountable and Ethical Decision Making Training

All Council members and employees are required to undertake mandatory training in accountable and ethical decision making. The Shire will arrange such training at least once every twelve months to be provided by an external trainer. Council members and employees are encouraged to take the training at least every two years as a refresher following the completion of their mandatory accountable and ethical decision making training. Responsibility for the provision of this training lies with the Manager People and Culture and the Manager Governance, Risk and Procurement.

### Freedom of Information

The Shire considers is compliant with the requirements of the *Freedom of Information Act 1992*.

### Supervision

It is the responsibility of all Council members, employees, contractors and volunteers to be aware of the integrity measures in place at the Shire, and to monitor and report any suspected wrongdoing. Directors and Managers must ensure their teams (including contractors and volunteers) adhere to each integrity measure, undertake all mandatory training and demonstrate personal and professional conduct in line with the Code of Conduct for Employees, Contractors and Volunteers.

### 3. Promoting a culture of integrity

The Shire of East Pilbara continues to work on the development of an organisation that models and embodies a positive culture of integrity among all our people, and embeds confidence and trust in the Shire among our stakeholders and ratepayers.

#### 3.1 Values and standards

An effective integrity framework holds an organisation and its people to high standards of ethical behaviour and conduct. Council members, employees, contractors and volunteers must be empowered to conduct themselves and the way in which they work with a culture where instinctive integrity is the minimum standard to which they are held accountable.

The Shire’s Leadership with HEART values support the development of such a culture within the organisation and promote the minimum standards required to ensure the Shire and all its people promote honesty and openness in their dealings with others.

- Leadership
- Honesty
- Excellence
- Accountability
- Respect
- Teamwork

**SHIRE VALUES** Shire of EAST Pilbara

*Leadership with HEART*

<p><b>Leadership</b></p> <p>Being ethical and acting with integrity.</p> <p>Leading by example, being decisive, setting direction and providing good governance.</p> <p>Maintaining open and transparent communication across the whole organisation.</p>	<p>Shire of EAST Pilbara</p> <p><i>Leadership with HEART</i></p>	<p><b>Honesty</b></p> <p>Being truthful and acting with personal integrity.</p> <p>Admitting mistakes, taking responsibility for them and being able to move on within a no-blame culture.</p> <p>Build trust through reliability and consistency.</p>	<p>Shire of EAST Pilbara</p> <p><i>Leadership with HEART</i></p>	<p><b>Excellence</b></p> <p>Striving to achieve our best outcome.</p> <p>Encouraging and committing to innovation, creativity, learning and development.</p> <p>Planning to deliver quality programs, projects and services.</p> <p>Recognising excellence, encouraging people to aspire to be their best and taking pride in our work.</p>	<p>Shire of EAST Pilbara</p> <p><i>Leadership with HEART</i></p>
<p><b>Accountability</b></p> <p>Being accountable to each other, to the community, and to get things right the first time.</p> <p>Being accountable to the environment and Aboriginal culture.</p> <p>Being accountable to achieve the best outcome and best value of money for our community.</p>	<p>Shire of EAST Pilbara</p> <p><i>Leadership with HEART</i></p>	<p><b>Respect</b></p> <p>Being respectful of people, their cultures, ideas, circumstances and environment.</p> <p>Being respectful of ourselves and our well-being, safety, appearance and reputation.</p>	<p>Shire of EAST Pilbara</p> <p><i>Leadership with HEART</i></p>	<p><b>Teamwork</b></p> <p>Working as a team within and beyond our organisation to achieve a common goal and vision.</p> <p>Welcoming and providing feedback respectfully.</p> <p>Supporting and talking to each other and sharing information.</p> <p>Encouraging creativity, flexibility and resilience.</p>	<p>Shire of EAST Pilbara</p> <p><i>Leadership with HEART</i></p>

Find the Shire Values in all six Shire colours: <https://theloop.eastpilbara.wa.gov.au/documents/Shire-Values>

The Shire's values form the cornerstone of the organisation's commitment to integrity and are backed by measures and controls in place to support in their work.

#### Clear rules and work directions

The Shire's Staff Policy Manual provides clear rules and direction to employees.

#### Encouraging the reporting of suspected wrongdoing

The Shire promotes a culture of reporting all incidences of suspected wrongdoing. Council has adopted Public Interest Disclosure Guidelines.

#### Seeking regular and honest feedback from employees

The Shire encourages all employees to provide their supervisors with open and honest feedback, and promotes a supportive and encouraging culture free of any threat of reprisal. The Chief Executive Officer regularly meets with staff members on a one-on-one basis to receive feedback on the organisation and to provide a mechanism whereby concerns can be raised and which will be responded to and action taken where necessary.

#### Publication of registers

The Shire publishes registers in accordance with the *Local Government Act 1995*.

### **3.2 Leadership and Organisational Culture**

The Shire's leadership strives for continuous improvement in its practices to build and promote a positive culture. This assists in the identification, attraction, selection and recruitment of new and future leaders. ♦

The Shire is led by the Council and an Executive Leadership Team (comprising the Chief Executive Officer and all Directors) who in partnership with Managers must live and communicate the organisation's values in their effort to continually promote and improve upon the desired culture of integrity. Not settling for 'second best' and anything less than the expected high standards is a mantra of the Shire's leadership and management, whilst accepting mistakes occur by providing support and guidance, and not attributing blame in those instances where the Shire's strived for standards are not met.

Ongoing training in accountable and ethical decision making is sponsored by the leadership of the Shire to broaden awareness of our people's responsibilities and obligations, and will be backed up by regular communication of the importance of reporting concerns of alleged misconduct. A review of the Public Interest Disclosures scheme in place at the Shire will be undertaken in 2023/24, and is anticipated to result in improvements in awareness among employees of the methods of reporting and the protections in place for them to feel comfortable making reports of suspected wrongdoing.

The Shire's leadership has a zero tolerance to corrupt conduct or maladministration, and it will be dealt with swiftly through established procedures, and where required reported to the

relevant external authority. Any alleged misconduct is properly investigated and managed in line with the principles of natural justice and procedural fairness.

The Integrity Framework will also establish a program of regular review of the performance and management of integrity measures and controls in place at the Shire.

It is recognised that effective and supportive leadership and supervision can have a significant positive impact on overall organisational performance and integrity, and is a key element of the ongoing development of the Shire's culture.

## **4. Continuous development of integrity knowledge and skills**

The Shire supports the delivery of training to build integrity capacity through increased knowledge and better skills.

### **4.1 Integrity education and capacity**

As part of its ongoing commitment to improvement and to build integrity capacity, knowledge and skills among its Council members, employees, contractors and volunteers, the Shire will implement enhancements to its existing training program, through the provision of refresher courses and the delivery of knowledge in accessible ways (both formally and informally) to ensure that our people have a genuine understanding and knowledge of their obligations and opportunities to improve the integrity of their work.

The Shire currently provides regular proactive mandatory training in accountable and ethical decision making, an introduction to the principles of governance in local government and a program of inductions for new starters.

Further opportunities exist to better deliver knowledge in the following areas:

- Statement of Business Ethics for contractors and suppliers
- Council Policy initiatives and changes
- Public Interest Disclosures and reporting suspected wrongdoing
- Disclosures of gifts and interests
- Management of conflicts of interest
- Use of Council resources

An enhanced program of training will be developed as an outcome of the Integrity Framework.

In addition to the existing formal and informal integrity advisory service provided by the Shire's Governance team, the Integrity Framework will mandate the development of accessible and plain language resources to assist and guide the Shire's people. This resource will be particularly aimed at those wishing to self direct their own integrity learning, or who may prefer to seek advice anonymously, particularly concerning disclosures and reporting suspected wrongdoing.



The Governance team engages from time to time and as necessary with the Public Sector Commission, WA Ombudsman, the Crime and Corruption Commission, WA Local Government Association and Department of Local Government, Sport and Cultural Industries to ensure it is up-to-date with developments in the integrity space.

A record of all formal training undertaken by employees is retained on file by the Shire's People and Culture team. A register of Councillor training is published on the Shire's website and reported to Council annually. Records of contractor inductions are also maintained. The Shire's program of training and development is regularly monitored and reviewed.

## **5. Be accountable for integrity**

Every Councillor, employee, contractor and volunteer of the Shire of East Pilbara is accountable for the integrity of their actions, which includes the obligation to report suspected misconduct or wrongdoing. The ultimate accountability rests with the Chief Executive Officer and the Council, which work in partnership to ensure that the Shire's approach to eliminating the risks of corruption and misconduct are robust and fit for purpose. A key element of the Integrity Framework is to set a regime of assurance that the measures and controls in place to support integrity within the organisation.

### **5.1 Response to integrity breaches**

The Shire of East Pilbara takes a zero tolerance approach to corrupt conduct or maladministration, and it will be dealt with swiftly through established procedures, and where required reported to the relevant external authority. Such misconduct includes mismanagement of public resources, in the exercise of powers and functions of the local government by its Council members, employees, contractors, or volunteers.

The Shire encourages the reporting of suspected corrupt or other improper conduct that has occurred, is occurring or may occur.

The Shire will take all reasonable steps to provide protection and support to any person who seeks to report any suspected wrongdoing from any detrimental action in reprisal for the making of such a report, and will not tolerate any of its Council members or employees engaging or attempting to engage in acts of victimisation or reprisal against any person who makes a report.

Any alleged misconduct will be properly investigated and managed in line with the principles of natural justice and procedural fairness. The Chief Executive Officer, or the President in the case of complaint against the Chief Executive Officer, has the discretion to refer a report to an external, independent investigator.

Any allegation of misconduct that is upheld will be addressed in line with the relevant legislation, Code of Conduct or internal disciplinary process as appropriate, and reported as and where appropriate. For certain types of misconduct, the Chief Executive Officer has a statutory obligation to report such misconduct to the Public Sector Commission, the

Department of Local Government, Sport and Cultural Industries (minor misconduct), the Corruption and Crime Commission (serious misconduct), and/or the WA Police (criminal conduct).

In instances where findings of misconduct are made, the Shire will use these to identify opportunities for improvements to integrity practices and controls.

## **5.2 Analysis and review of the Integrity Framework**

The Shire of East Pilbara will initially undertake a review of the performance and suitability of the Integrity Framework as part of its enterprise risk management review in 2024. Following this review, the Integrity Framework will be subject to review every two years. Reviews may also take place based on a current risk assessment or changes in industry best practice.

Each review will consider opportunities for improvement and maturity through:

- Analysis of data and evidence of its performance and suitability; and a
- Gap analysis
- Comparative analysis of best industry integrity practice

Coordination of the review is the responsibility of the Shire's Chief Executive Officer.

The Shire will also continue to access existing publicly available resources to assist in the development of the Framework's effectiveness and maturity, including the following:

- Integrity Snapshot Tool
- Integrity and Conduct Annual Collection
- Integrity in Financial Management Self-Assessment Checklist
- Compliance Audit Returns
- Local Government and Public Sector Inquiry Reports

## **6. Oversight**

The Chief Executive Officer and Council have ultimate oversight and responsibility for the integrity measures and controls within the Shire of East Pilbara, including the Integrity Framework. Regular monitoring and report is essential to ensure the Integrity Framework is effective and fit for purpose.

The following specific oversight and assurance measures are in place:

### **Chief Executive Officer and Executive Leadership Team**

- Executive Leadership Team meeting agendas regularly includes consideration of a range of integrity matters;
- Regular reporting from each Directorate to the Executive Leadership Team meetings to include:
  - Financial performance monitoring and proposed budget amendments

- Review of disclosures of interest, gifts and approved secondary employment of employees
- Training and development
- Status updates of progressive implementation of internal audit log actions and improvements
- Risk management
- Surveys of Shire employees and stakeholders

#### Director Corporate Services

- Appointment as Complaints Officer

#### Council

- Monthly reporting on the use of all Shire issued credit cards and financial transactions
- Adoption of annual Compliance Audit Report
- Policy development and review
- Adoption of Register of Delegations and Authorisations

#### Audit, Risk and Governance Committee

- Review and endorsement of annual Compliance Audit Return
- Regular review of internal audit function, including status updates on progressive implementation of internal audit log actions and improvements, and annual review of program of internal audit reviews, and endorsement of three yearly strategic internal audit plan
- Review and monitor performance and effectiveness of the Shire's enterprise risk management systems
- Three yearly review of the appropriateness and effectiveness of the Shire's systems and risk management systems, internal controls and legislative compliance and report the findings to Council
- Three yearly review of the appropriateness and effectiveness of the Shire's financial management systems and procedures and report to the findings to Council

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11.1.2 NEW POLICY – COUNCIL MEETING RECORDINGS AND LIVESTREAMING

**Attachments:** [Appendix 1 Draft Council Meeting Recordings and Live Streaming Policy](#)

**Responsible Officer:** Steven Harding  
Chief Executive Officer

**Author:** Joshua Brown  
Manager Governance, Risk and Procurement

**Proposed Meeting Date:** 25 August 2023

**Location/Address:** N/A

**Name of Applicant:** N/A

**Author Disclosure of Interest:** Nil

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/125)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Kular

**That Council adopts the Council Meeting Recordings and Live Streaming Policy (attached as Appendix 1).**

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** Nil

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**REPORT PURPOSE**

For Council to consider the adoption of a new policy to provide guidance to Council Members and the public on the recording and live streaming of meetings of the Council.

**BACKGROUND**

The State Government's local government reforms include the mandating of live streaming of meetings of Council for Band 1 and 2 local governments. The Shire of East Pilbara is a Band 2 local government and in order to comply with the new requirements, it is proposed the Council consider a policy to provide clear guidance on the live streaming of meetings of the Council.

The Department of Local Government, Sport and Cultural Industries has advised that the move to live streaming is intended to make local governments meeting more transparent and improve the accountability of council members by ensuring records are available of what council members said at meetings of council on items for debate.

### **COMMENTS/OPTIONS/DISCUSSIONS**

In anticipation of the change announced by the State Government, the Shire has installed recording and live streaming capabilities in both the Newman and Marble Bar Council Chambers. The facility also allows for the transport of the equipment to other venues across the district to locations where Council may determine to convene meetings, which will enable recording and livestreaming of those meetings. The technology is dependent on network availability at the time of the meeting. Council officers have been testing the equipment and recordings over the last six months to identify any issues that need correcting prior to enabling live streaming. Prior to the commencement of live streaming it is recommended that Council have in place a policy that addresses the following issues:

- Those meetings that will be live streamed;
- Public participation;
- Meetings or Items of Business Closed to the Public;
- Access to live streaming and recordings;
- Risk management considerations, including defamation risks;
- Disclaimers; and
- Licensing and use of live streams and recordings.

The draft policy, attached as **Appendix 1** to this report, has been drafted following a review of relevant policy documents of other local governments. It is recommended that the policy be reviewed after the first twelve months of operation to ensure that it is fit for purpose and compliant with any regulations that are introduced in the meantime. Should the regulations and commencement date (which at the time of writing was unknown) be released by the Department, the Chief Executive Officer will consider the need for a review to be brought forward.

### **OPTIONS**

1. Council may adopt the policy (as recommended or amended) and commence live streaming of Council meetings;
2. Council may adopt the policy (as recommended or amended) and delay its commencement to a later specified date; or
3. Council may reject the policy and delay the commencement of live streaming until such time as required by commencement of the legislative amendments and any regulations.

### **STATUTORY IMPLICATIONS/REQUIREMENTS**

Whilst there are no statutory requirements at the time of writing to introduce a live stream of Council Meetings, the following amendment has been passed by the WA Parliament.

Its commencement date is yet to be proclaimed:

**5.23A. Electronic broadcasting and video or audio recording of Council Meetings**

- (1) *In this section:*
- *Council meeting means a meeting of a Council or Committee;*
  - *Electronic broadcasting means broadcasting by way of the Internet or other electronic means;*
  - *Recording means a video recording or an audio recording.*
- (2) *Regulations may require, regulate or otherwise make provision in relation to any of the following:*
- (a) *the electronic broadcasting of council meetings (either live or with a delay);*
  - (b) *the making or retaining of recordings of council meetings;*
  - (c) *the making of recordings of council meetings publicly available;*
  - (d) *the provision of, or otherwise making available of, recordings of council meetings to any person (on the person's request or otherwise).*
- (3) *Regulations made for the purposes of subsection (2) cannot require or authorise:*
- (a) *the electronic broadcasting of any part of a council meeting that is closed to members of the public; or*
  - (b) *a recording of any such part of a council meeting:*
    - (i) *to be made publicly available; or*
    - (ii) *to be provided to, or otherwise made available to, any person other than the Departmental CEO or a person authorised by the Departmental CEO.*
- (4) *Without limiting section 9.57A(2) or subsection (2), regulations made for the purposes of subsection (2) may provide for a local government, or any other person, to be not liable to an action for defamation in prescribed circumstances.*

**POLICY IMPLICATIONS**

Adoption of the officer's recommendation will establish a new policy position for Council.

**STRATEGIC COMMUNITY PLAN**

**5: Governance**

- G1 Vibrant local democracy, forward-thinking civic leadership, and transparent stewardship of the community's assets and resources.
- G1.1 Continued focus on good governance, transparency and community and stakeholder engagement in significant decisions, including place-based plans.
- G1.4 Ensure a high standard of organisational management and effectiveness

**RISK MANAGEMENT CONSIDERATIONS**

Compliance – Minor

**FINANCIAL IMPLICATIONS**

Resource requirements are in accordance with existing budgetary allocation.

**VOTING REQUIREMENTS**

Simple Majority.

## x.x Council Meeting Recordings and Live Streaming

### Objective

This Policy provides a framework for the audio and video recording and live streaming of Council meetings of the Shire of East Pilbara. Live streaming and recording improves accessibility of Council meetings for a broader audience, particularly recognising the vast size of the District of East Pilbara.

### Definitions

**Recording** means any recording made by an electronic device capable of recording sound and/or video images.

**Confidential/Closed** means meetings that are closed to the public in accordance with section 5.23 of the *Local Government Act 1995*.

**Live Streaming** means to transmit or receive live video and audio coverage of an event over the Internet with the content simultaneously recorded and broadcast in real time to the viewer.

**Ordinary Council Meeting** means a meeting for the purpose of considering and dealing with the ordinary business of the Council.

**Special Council Meeting** means a meeting dealing with Council business that is urgent, complex in nature, for a particular purpose, or confidential.

### Policy

All Ordinary and Special Council meetings will be live streamed and be publicly available through the Shire's website, or nominated social media platform. The live streaming will commence at the times that the meetings are due to commence and finish when the presiding member closes or adjourns the meeting for any reason. Instances of public participation in meetings will not be included in the live stream or recordings.

Confidential Council meetings and confidential items of business in a Council meeting will not be streamed live or made available later as a recording.

Video recordings of a meeting will be available for viewing on the Shire's website or nominated social media platform approximately two business days after the meeting.

The Shire will make every reasonable effort to ensure that a live stream and video recording is available.

Should technical difficulties arise in relation to live streaming or access to the Shire's website, or appropriate social media platform, live streaming may be stopped and the availability of recordings may be delayed.

The Shire will make every effort to make live streaming available from whichever location the Ordinary or Special Council Meeting is to be held, including those Meetings held by electronic means in accordance with regulation 14D of the *Local Government (Administration) Regulations 1996*.

### Public Participation

It is intended that the Shire's live streaming cameras and microphones will provide live and recorded vision and audio of members of the public who address a Council Meeting when they speak. This applies



to members of the public wishing to ask questions or to present a deputation. By participating in a public Council meeting, those members of the public in attendance agree to being recorded. As far as practically possible, it is not intended that there be either live or recorded video footage or audio of those members of the public who do not address the meeting, however this Policy recognises that there might be incidental capture of members of the public and employees and contractors of the Shire.

Signage immediately outside the Council Chamber or other meeting venue, a statement on the Public Question Time submission form, and a statement made by the presiding member at the commencement of each meeting, will inform the public that audio and video of the meeting will be streamed live on the Internet and that the video recording will be made publicly available on the Shire's website or nominated social media platform/s.

To protect personal information of any member of the public addressing a Council meeting, that member of the public need only provide their name and suburb, not their full address, when addressing the meeting, but will still be required to provide contact details (such as a postal or email address) on the Public Question Time submission form in order that responses can be provided to them for any questions taken on notice.

Should a member of the public proposing a question prefer not to be recorded or have their image or voice live streamed, and who has identified themselves and their question on a 'public question time submission form' before the meeting commences, they may request that their question be read to the meeting by the a Shire officer.

#### Meetings or Items of Business Closed to the Public

If Council resolves to close a meeting to the public in accordance with section 5.23 of the *Local Government Act 1995*, live streaming will cease. Audio recording of closed sessions will continue to assist in the keeping of minutes but will not be available for release.

#### Access to Recordings of Meetings

Council meetings that are live streamed will be made available for viewing on the Shire's website or nominated social media platform/s, approximately two business days after the meeting. Council meeting recordings will be accessible on the Shire's website, or nominated social media platform/s, at any point in time. The Shire will retain recordings of meetings for a period of one year after the minutes have been confirmed. Recordings of meetings will be disposed of in accordance with the *State Records Act 2000* and *General Disposal Authority for Local Government Records*.

#### Risk management considerations

Under section 9.57A of the *Local Government Act 1995* the Shire is not liable for an action for defamation in relation to matter published on its official website as part of a broadcast, audio recording, or video recording, of Council proceedings. Council officers and Council Members are not liable in defamation for any statements made in good faith. Council officers, Council Members and members of public are not liable in defamation for any statements to which a defence is available under the *Defamation Act 2005*.

Following any meeting, the Chief Executive Officer may exclude all or part of any meeting recording considered inappropriate to be published. Material considered to be inappropriate may include, but is not limited to, material that may:

- Be defamatory;
- Infringe copyright;

- Breach the privacy of an individual, or provide unauthorised disclosure of the personal information of an individual;
- Be offensive, abusive or discriminatory;
- Constitute hatred or vilification of another person; and
- Disclose confidential or privileged information.

## Disclaimer

Endorsed Council minutes provide the definitive record of Council's resolutions. Opinions and statements made during a Council meeting should not be relied upon.

## Licence and Use of Live Streams and Recordings

Access to live streams and recordings of Council meetings is provided on the Shire's website, or nominated social media platform/s, for personal and non-commercial use.

Video, images and audio contained in a live stream or recording must not be altered, reproduced or republished without the permission of the Shire. Copyright remains with the Shire.

## Authorisation Details

<b>References:</b>	<i>Local Government Act 1995</i> <i>State Records Act 2000</i> <i>Freedom of Information Act 1992</i> <i>Defamation Act 2005</i> <i>Shire of East Pilbara Meeting Procedures Local Law 2019</i> <i>General Disposal Authority for Local Government Records</i>		
<b>Authorised by:</b>	Council		
<b>Date:</b>		<b>Item No.</b>	
<b>Review/Amendment Date</b>		<b>Item No.</b>	
<b>Next Review</b>	Every four years		
<b>Responsible Directorate</b>	Office of Chief Executive Officer		
<b>Responsible Officer</b>	Manager Governance, Risk and Procurement		
<b>File No.</b>			

11.1.3 POLICY REVIEW - PREQUALIFIED SUPPLIER PANEL POLICY

**Attachments:** [Appendix 1 Prequalified Supplier Panel Policy Review](#)

**Responsible Officer:** Steven Harding  
Chief Executive Officer

**Author:** Joshua Brown  
Manager Governance, Risk and Procurement

**Proposed Meeting Date:** 25 August 2023

**Location/Address:** N/A

**Name of Applicant:** N/A

**Author Disclosure of Interest:** Nil

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/126)

**Moved:** Cr Smith

**Seconded:** Cr McWhirter-Brooks

**That Council accepts the review and adopts the Prequalified Supplier Panel Policy (attached as Appendix).**

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** Nil

**REPORT PURPOSE**

The purpose of this report is for Council to consider a review of the Shire's Prequalified Supplier Panel Policy.

**BACKGROUND**

Council may from time to time adopt policies to provide a framework for consistent decision making. Section 2.7(2)(b) of the *Local Government Act 1995* ("the Act") provides that a key role for a Council is to determine the local government's policies.

Policies should be subject to timely reviews to ensure they are relevant and fit for purpose. Council adopted the Policy at its July 2022 with a requirement for an annual review.

### **COMMENTS/OPTIONS/DISCUSSIONS**

A review has been undertaken of the Prequalified Supplier Panel Policy for consideration by Council.

The review recommends a change clarifying the authority of the Chief Executive Officer to award contracts from the pre-approved panel of suppliers. A strict reading of the current version of the policy would require all works valued in excess of \$499,999 (ex GST) to be reported to Council for approval. It is understood the intention of the policy was to introduce efficiencies into the procurement process and delivery of projects, by reducing the need for tender processes and individual approvals by Council.

A copy of the reviewed policy is attached at **Appendix 1**.

### **STATUTORY IMPLICATIONS/REQUIREMENTS**

Consistent with Part 2 of the *Local Government Act 1995* and *Local Government (Functions & General) Regulations 1996 Regulation 24AB and 24AC*.

### **POLICY IMPLICATIONS**

Recommended action will modify current policy position of Council.

### **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**

Low – Reputational and Financial

### **FINANCIAL IMPLICATIONS**

No financial resource impact.

### **VOTING REQUIREMENTS**

Simple Majority.

### 3.17 Pre-qualified Supplier Panels Policy

<b>Responsible Directorate</b>	Corporate Services
<b>Responsible Officer</b>	Manager Governance, Risk and Procurement
<b>File Number</b>	

#### 1. Policy Objective

The objectives of this Policy are to ensure that any Pre-qualified Suppliers are created in accordance with Regulation 24AC of the *Local Government (Functions and General) Regulations 1996*, a Panel of Pre-qualified Suppliers ("Panel") may be created where the following factors apply:

- The Shire determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- there are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money';
- the purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- the Panel will streamline and will improve procurement processes; and
- the Shire has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.

The Shire will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

#### 2. Risks being addressed

This Policy, used in conjunction with the Shire's Procurement and Tender Procedures Policy (3.14), will continue to mitigate probity risk, by establishing consistent and demonstrated processes that promotes openness, transparency, fairness and equity to all potential suppliers.

The use of pre qualified supplier panels will streamline and improve procurement processes, reducing the risk of non compliance relating to cumulative expenditure exceeding Tender threshold for regular supply of goods and services without a tender process being undertaken and/or a contract being in place.

#### 3. Scope

All officers with procurement authority - in liaison with the Procurement Team.

#### 4. Definitions

**Construction (including works):** For the purpose of this policy a work (construction) is defined as the carrying out of any improvement on or over any area of land, lake, river or ocean, and any services related to that activity in the prescribed area. This includes the construction of buildings, housing and other public infrastructure as well as related

services such as architectural, surveying, facilities management and general maintenance.

**Electronic Tendering Portal** – means either the Shire’s Tenderlink Portal or the [WALGAEQuotes](#) Vendor Panel used for the electronic procurement process utilised to invite Panellists to provide goods or services under the Panel arrangement

**Goods:** includes tangible, quantifiable material requirements usually capable of being moved or transported that are purchased, rented, leased or hired by the Shire.

**Panel** means a Panel of Pre-Qualified Suppliers established under Regulation 24AC of the *Local Government (Functions and General) Regulations 1996*

**Panellist or Supplier** means a Pre-qualified Supplier that is an approved member of a Panel.

**Purchasing or Procurement** is defined as the entire process by which all classes of resources (*including but not necessarily restricted to human, material, plant, equipment, facilities and services*) are obtained generally for a local government activity, function or specific project by payment. This can include the functions of planning, design, standards determination, specifications writing, selection of suppliers, financing and other related functions.

**Services or Provision of Services:** means any task, consultancy, work or advice to be performed or provided that is procured by the Shire. Included are services such as management consultancies, outsourcing, maintenance contract/ agreement, cleaning, waste removal, equipment repairs, external auditors, utilities and services acquired by a private sector provider for the Shire. Excluded are payments made directly to employees, superannuation and pension payments, statutory or involuntary payments and grants, subsidies and transfer payments.

## 5. Policy Statement

### 5.1 Establishing a Panel

Should the Shire determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the *Local Government (Functions and General) Regulations 1996*.

Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.

Panels may be established for a minimum of two (2) years and for a maximum length of time determined by the Local Government.

The Shire may enter into a Contract arrangement with a Panellist for the provision of goods or services under a Panel in accordance with Regulation 24AJ and subject to the following conditions:

- The Contract may only be for a maximum twelve (12) months term; and
- Is prohibited from having any extension of term provisions included in the Contract

Evaluation criteria must be determined and communicated in the Tender process by which tender submissions will be assessed and accepted.

Where a Panel is to be established, the Shire will endeavour to appoint at least three (3) suppliers to each category, on the basis that best value for money is demonstrated. Where fewer than

three (3) suppliers are appointed to each category within the Panel, the category is not to be established.

In each invitation to apply to become a Panellist (through a procurement process advertised through a state-wide notice), the Shire must state the expected number of suppliers it intends to put on the Panel.

Should a Panellist leave the Panel within six (6) months, they may be replaced by the next ranked Tenderer determined in the value for money assessment should the Tenderer agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

In the event that a Panellist leaves a Panel and this results in the Panel being reduced to just two (2) Panellists and the Shire is unable to replace the panel member, then that Panel may be disbanded. This should be documented in the request document and any subsequent agreements/contracts.

As a Panel may only be approved by Council following a public tender process, the Chief Executive Officer is authorised to approve works under such a Panel.

## 5.2 Distributing Work amongst Panel Members

To satisfy Regulation 24AC(2), the distribution of work between the Panellists will be dependent on the unique nature of the goods or services. The detailed information associated with each invitation to tender to join the Panel (the request document) will prescribe one (1) of the following options:

- a) **The Shire will obtain written quotations from each pre-qualified supplier on the panel with respect to all purchases.**

This will ensure each Panellist will have the opportunity to bid for each item of work under the Panel, with pre-determined criteria forming part of the invitation to bid to assess the suitability of the Panellist for particular items of work.

OR

- b) **The Shire will purchase goods and services exclusively from any pre-qualified supplier appointed to that panel.**

The Shire will endeavour to distribute the goods or services required between each Panellist evenly, subject to the operational requirements of the Shire at the time those goods and/or services are required. Care will be taken to ensure that no one Panellist is overloaded at any particular time by keeping accurate records of the timelines of each job;

OR

- c) **The Shire will develop a ranking system for selection to the panel.**

The Shire will invite the highest ranked panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked panel member is to be made and so forth until a panel member accepts a Contract.

Should the list of panel members invited be exhausted with no panel member accepting the offer to provide goods/services under the panel, the Shire may then invite suppliers that are

not pre-qualified under the panel, in accordance with the Purchasing Thresholds stated in the Shire's Purchasing Policy As per Regulation 24AD(5)(f) the request document must clearly stipulate that the Shire does not intend to purchase exclusively from the panel.

When a ranking system is established, the Panel is not to operate for a period exceeding twelve (12) months.

### 5.3. Purchasing from a Panel

Subject to the stipulated method of awarding works for the specific Panel being utilised, the Officer shall:-

- a) Obtain written quotations from each Panellist on the Panel. The goods/services are to awarded based on best outcome for the Shire (*value, quality, timeframe etc*). The officer shall arrange for a Purchase Order to be raised to the Panellist as per the requirements of the Procurement & Tender Procedures Policy, utilising the unique Contract Identification Number and the Officer shall make reference to the Supplier Panel being used on the Declaration of Quotes.

OR

- b) If the Shire is purchasing all goods and services exclusively from any Panellist appointed on that specific Panel, the Officer shall distribute the goods or services required between each panel member evenly, subject to the operational requirements of the Shire at the time those goods and/or services are required. Care will be taken to ensure that no one Panellist is overloaded at any particular time by keeping accurate records of the timelines of each job. The officer shall arrange for a Purchase Order to be raised to the Panellist as per the requirements of the Procurement & Tender Procedures Policy, utilising the unique Contract Identification Number and the Officer shall make reference to the Supplier Panel being used on the Declaration of Quotes

OR

- c) If the Shire has developed a ranking system for the specific Panel being used, the Officer will liaise with the highest ranked panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked panel member is to be made and so forth until a panel member accepts a Contract. The officer shall arrange for a Purchase Order to be raised to the Panellist as per the requirements of the Procurement & Tender Procedures Policy, utilising the unique Contract Identification Number and the Officer shall make reference to the Supplier Panel being used on the Declaration of Quotes.

Should the list of panel members invited be exhausted with no panel member accepting the offer to provide goods/services under the panel, the Shire may then invite suppliers that are not pre-qualified under the panel, in accordance with the Purchasing Thresholds stated in the Shire's Purchasing Policy.

### Compliance and Reporting

The Shire shall:

- Implement processes to facilitate this Policy and associated management procedures, and will implement processes to report departures, non-compliance and/or exceptions;



- On a quarterly basis report to the Shire's Audit and Risk Committee any identified non compliance with this Policy and associated management procedures, and any occurrence of the CEO exercising his/her discretion to undertake any policy exempt procurement; and
- Review, and if appropriate, seek to revise this Policy and associated management procedures to ensure ongoing relevance.

A failure to comply with the requirements of this Policy will be subject to investigation. Findings will be considered in context of the Code of Conduct, and reasonable expectations for the officer's performance of their role.

Where a breach is substantiated it may be treated as:

- An opportunity for additional training to be provided;
- A disciplinary matter, which may or may not be subject to reporting requirements;
- Misconduct in accordance with the *Corruption, Crime and Misconduct Act 2003*.

It is the responsibility of all Shire employees undertaking procurement activities to comply with this policy and its supporting systems and procedures. All Shire employees when undertaking procurement activities are required to observe the highest standards of ethics and integrity and act in an honest and professional manner that supports the standing of the Shire of East Pilbara.

## **Record Keeping**

All records and documents associated with the Panel process must be recorded and retained as defined within the *State Records Act 2000* and the Shire's Record Keeping Policy.

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept.

For the creation of a Panel, this includes:

- The Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;
- Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;
- All Tender documentation including the public advertisement, tender submissions received, evaluations of tender submissions, including clarifications sought;
- Negotiation documents such as negotiation plans and negotiation logs;
- Approval of award documentation;
- All correspondence to Tenderers notifying of the establishment and composition of the Panel such as award letters;
- Contract Management Plans which describes how the contract will be managed; and
- Copies of framework agreements entered into with pre-qualified suppliers.

Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the Shire.

## 6. Delegations

Delegations / Sub delegations / Authorisation Registers

## 7. Legislation

*Local Government Act 1995*

*Local Government (Functions and General) Regulations 1996 Divisions 1 and 2*

*State Records Act 2000*

## 8. References

*Local Government Act 1995*

*Local Government (Function and General) Regulations 1996 – Divisions 1 and 2.*

WALGA Procurement Handbook

## 9. Associated Shire Documentation

Shire of East Pilbara Policy Manual – 3.14 – Procurement & Tender Procedures Policy

Shire of East Pilbara Policy Manual – 3.13 - Regional Price Preference Policy Manual

### Authorisation Details

Authorised by:	Council		
Minute No:	2022/79		
Date:	22 July 2022	Item No.	11.2.3
Review/Amendment Date		Item No	
Next Review	Annually		

### Document Control History

Version No.	Date changed	Modified by	Amendments made
V01	1/7/22	Coordinator Procurement	Policy created

**11.1.4 LOCAL ROADS AND COMMUNITY INFRASTRUCTURE (LRCI) FUNDING PHASE 4**

**Responsible Officer:** Steven Harding  
Chief Executive Officer

**Author:** Nikki Montgomery  
Coordinator Grants and Advocacy

**Proposed Meeting Date:** 25 August 2023

**Author Disclosure of Interest:** Nil

**COUNCIL RESOLUTION / OFFICER RECOMMENDATION**

(Resolution No: 2023/127)

**Moved:** Cr Smith  
**Seconded:** Cr McWhiter-Brooks

**That Council:**

1. Approves the following roads projects for funding from the \$690,167.000 allocated for Phase 4 Part B of the Local Roads and Community Infrastructure Program to Concrete Floodway Construction- Muccan
2. Crossing repairs.
3. Authorises the Chief Executive Officer to sign the Grant Agreement, and any associated documentation in relation to the Local Roads and Community Infrastructure grants.
4. Pursuant to s6.8 of the *Local Government Act 1995*, amends the 2023/24 annual budget as follows:

Account	Current Budget	Amendment	Revised Budget
New- Revenue LRCI Phase 4 (Part B) Concrete Floodway Construction	\$0	\$690,167.00	\$690,167.00
New- Expenses LRCI Phase 4 (Part B) Concrete Floodway Construction	\$0	\$690,167.00	\$690,167.00

**CARRIED BY AN ABSOLUTE MAJORITY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** Nil

**REPORT PURPOSE**

The purpose of this report is for Council to consider the funding allocation for Part B Phase 4 of the Local Roads and Community Infrastructure (LRCI) funding provided by the Australian Commonwealth Government.

**BACKGROUND**

On 22 May 2020, the Australian Government announced a new \$500 million Local Roads and Community Infrastructure Program (LRCI Program). The intent of this program is to support local councils to deliver priority local road and community infrastructure projects across Australia, supporting jobs and the resilience of local economies to help communities bounce back from the COVID-19 pandemic. A further three phases have since been announced bring the total value of the LRCI Program to \$3.25 billion.

The Shire of East Pilbara was successful with a funding allocation of \$1,196,498 in the first phase, \$1,084,928 in the second phase, \$2,392,996 in the third phase and most recently \$1,886,665 in the fourth phase. The fourth phase of LRCI funding has now been allocated in two parts A and B. Part A funding is to be spent on local roads and community infrastructure projects and Part B funding is for rural, regional or outer-urban areas to spend exclusively on roads projects.

The Administration will need Council endorsement of proposed project/s for LRCI Phase 4 Part B funding in order to progress the signing of the Grant Agreement and provide the department with the Schedule of Works for approval, before commencing with the projects.

Council previously endorsed the following projects to be delivered utilising the LRCI Program funding from Phases 1, 2, 3 and 4 (Part A) as can be seen below:

<b>Phase</b>	<b>Project</b>	<b>Funding Allocation</b>	<b>Completion date</b>
1	Marble Bar Airport Carpark and entry road	\$1,196,498	30 June 2021 (approved extension to 30 June 2024)
2	Newman Netball Court Replacement	\$1,084,928	30 June 2022
3	<ol style="list-style-type: none"> <li>1. Newman Aquatic Facility</li> <li>2. RSL park Upgrade- Marble Bar</li> <li>3. Garden Pool BBQ's, tables and seating- Nullagine</li> <li>4. Cricket Pitch and Nets Upgrade- Newman</li> </ol>	\$2,392,996	30 June 2024

	<p>5. Ethel Creek Park Upgrade- Newman</p> <p>6. Lions Animal Park Playground Upgrade- Newman</p> <p>7. Newman Tennis Club Playground Upgrade- Newman</p> <p>8. Community Message Electronic Sign – Newman</p> <p>9. Netball Courts Change room facilities- Newman</p>		
4 (Part A)	<p>1. Lee Lane Upgrade- Newman</p> <p>2. Nullagine Swimming Pool</p>	\$1,196,498	30 June 2025

#### COMMENTS/OPTIONS/DISCUSSIONS

At its meeting held on 24 March 2023, Council approved the allocation of Phase 4 – Part A funding to the following projects:

- Lee Lane Upgrade (Newman)      \$446,498
  - Nullagine Swimming Pool      \$750,000
- Total:      \$1,196,498

After the Council meeting held on 24 March 2023, the Australian Commonwealth Government then announced LRCI Phase 4 (Part B) specifics and allocations.

However, Part B is specifically only to be spent on roads projects. Eligible Local Road Projects are projects that involve the construction or maintenance of roads managed by local governments. Projects encouraged are those that support improved road safety outcomes. Projects suggested could involve:-

- Traffic signs
- Traffic calming
- Street lighting
- A bridge or tunnel
- A facility off the road used by heavy vehicle in connection with travel e.g. rest area
- Facilities off the road to support the visitor economy; and
- Road and footpath maintenance, where additional to normal capital works schedules

The Shire of East Pilbara has subsequently been allocated \$690,167.00 under LRCI Phase 4 (Part B) funding bringing the total LRCI Phase 4 funding received to \$1,886,665.00.

Therefore, in allocating a project to match the funding, The Administration proposes the following project, “**Concrete Floodway Construction**” which was identified by Management Operations as a viable project for this funding opportunity.

The Shire Road Operations area seeks LRCI Phase 4 (Part B) funding to the amount of \$690,167 to:

- *Muccan Crossing*  
*Concrete patch repairs*  
*Concrete overlay of causeway*  
*200 metres long and 4 metres wide*



**Funding and Project details of LRCI Funding Phase 4 (Parts A + B)**

<b>LRCI Phase 4</b>	<b>Projects</b>	<b>Due for completion</b>	<b>Amounts</b>
LRCI Phase 4 (Part A) Total Funding received	1. Lee Lane Upgrade-Newman 2. Nullagine Swimming Pool	30 June 2025	\$1,196,498
LRCI Phase 4 (Part B) Total Funding received	3. Concrete Floodway Construction	30 June 2025	\$690,167.00
<b>Total Phase 4 Funding received</b>			<b>\$1,886,665.00</b>

**STATUTORY IMPLICATIONS/REQUIREMENTS**

Consistent with s.6.8 of the *Local Government Act 1995*

**POLICY IMPLICATIONS**

Nil

**STRATEGIC COMMUNITY PLAN**

**3: Built Environment**

*Connected and accessible communities.*

B3.4. Advocacy for improvements to the road network and maximising grant funding

B3.5 Continue to invest in public spaces, amenities and heritage protection across the Shire

**RISK MANAGEMENT CONSIDERATIONS**

Reputational – Moderate

Financial - Major

**FINANCIAL IMPLICATIONS**

If Council determines not to support the project allocations for LRCI Phase 4 (Part B) funding, it need to consider an alternative project or forego the funding opportunity to support additional capital works.

This funding allocation will provide a cost saving from the Shire’s internal budgets for roads projects.

It is recommended that Council make an amendment to the Annual Budget as follows:

<b>Account</b>	<b>Current Budget</b>	<b>Amendment</b>	<b>Revised Budget</b>
New- Revenue LRCI Phase 4 (Part B) Concrete Floodway Construction	\$0	\$690,167.00	\$690,167.00
New- Expenses LRCI Phase 4 (Part B) Concrete Floodway Construction	\$0	\$690,167.00	\$690,167.00

**VOTING REQUIREMENTS**

Simple Majority.

11.1.5 DEPARTMENT OF LOCAL GOVERNMENT, SPORT AND CULTURAL  
INDUSTRIES CLUB NIGHT LIGHTS APPLICATION

**Attachments:** [Appendix 1 Maps of Newman Ovals](#)  
**Responsible Officer:** Steven Harding  
Chief Executive Officer  
**Author:** Nikki Montgomery  
Coordinator Grants & Advocacy  
**Proposed Meeting Date:** 25 August 2023  
**Author Disclosure of Interest:** Nil

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/128)

**Moved:** Cr Baer

**Seconded:** Cr McWhirter-Brooks

**That Council:**

1. Endorses the Shire of East Pilbara Club Night Lights grant application.
2. Considers an allocation of a maximum of \$548,000.00 to the 2024/25 Capital Budget for full LED and lux upgrades of sports lighting at Kangaroo Oval, Capricorn Oval and Boomerang Oval, subject to the approval of the Club Night Lights grant application.
3. Authorises the CEO to identify other external funding opportunities to contribute towards the project expenses.

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer,  
Coppin, Smith, Landy

**Against:** Nil

**REPORT PURPOSE**

For Council to consider an application to the Department of Local Government, Sport and Cultural Industries (DLGSC) Club Night Lights Grant Forward Planning Funding Round, for the upgrade of floodlighting across three Shire ovals and allocate funds to deliver the project within the 2024/25 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 and \$500,000 are suitable for the 2023/24 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. A development bonus may be applicable where a project meets at least one of the following development principles 1. Geographical location; 2. Co-location of facilities; 3. Sustainability initiative; or 4. Increased participation.

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

Applications for the current funding round must be assessed by the relevant local government and submitted to the Pilbara Office of DLGSC no later than 9 September 2023.

During October to December 2023, the applications will be evaluated and ranked by the Assessment Panel. Successful applications are announced following this assessment in January 2024, with funding expected to be available July 2024 and the grant expended and acquitted by June 2025.

There is one application for this round of funding being the Shire of East Pilbara’s application for the floodlighting upgrades of ovals in Newman.

**COMMENTS/OPTIONS/DISCUSSIONS**

Owned in freehold by the Shire of East Pilbara the current ovals (as shown at **Appendix 1**), all play an important role in providing outdoor sporting, community and social facilities within Newman. The ovals combined facilitate soccer, touch, football, little athletics, tee ball, and rugby league for both juniors and seniors.

The Shire is proposing to increase the lux levels at Kangaroo, Capricorn and Boomerang Ovals to create opportunities for Newman to host semi-professional and professional regional or state sporting competitions.

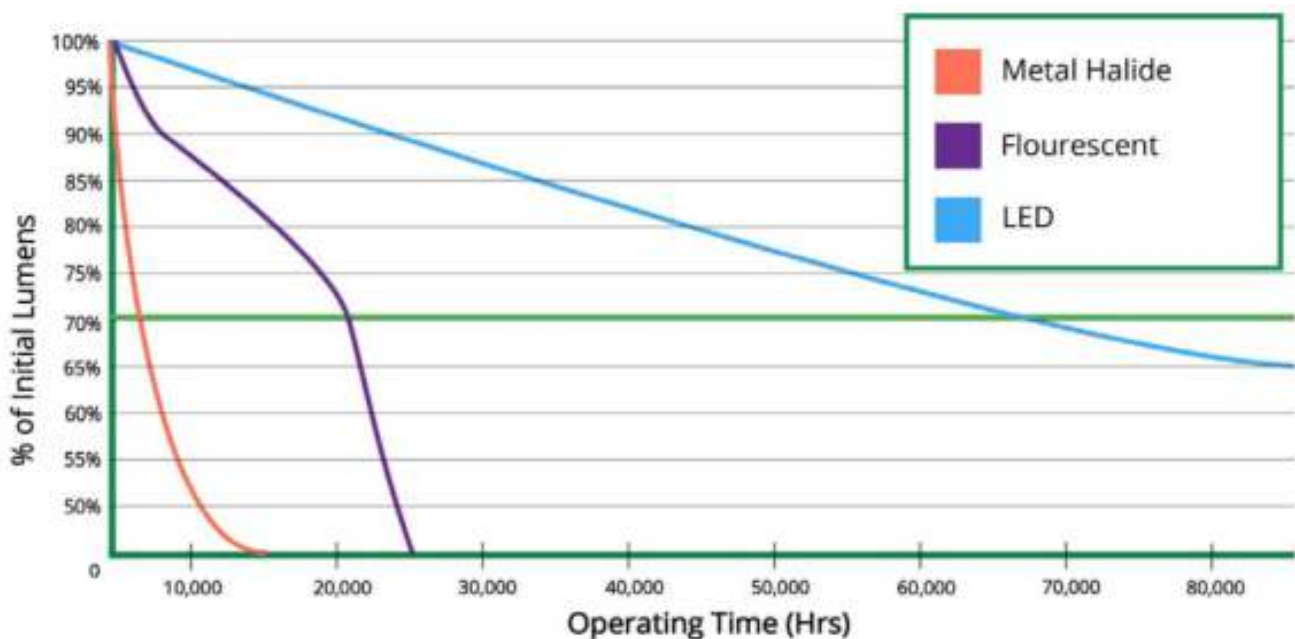
The table below indicates the current lux levels and the proposed lux levels to meet Australian Standards.

<b>LOCATION</b>	<b>CURRENT LUX LEVEL</b>	<b>PROPOSED LUX LEVEL</b>	<b>AUSTRALIAN STANDARD</b>
Capricorn Oval	200	500	500 (professional big ball sports)
Boomerang Oval	100	200	200 (semi-professional big ball sports)
Kangaroo Oval	100	200	200 (semi-professional big ball sports)

The proposed project was identified through the consultation for the Shire’s Strategic Recreation Master Plan. The local community identified the following priority areas:

- 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 proposed project has opted to upgrade the floodlights with LEDs instead of Metal Halide or Fluorescent lights due to the rate of decline in operating efficiency between the different types of lighting for sporting activities, as shown in the table below:



**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 principals of facility provision.

The table below is developed by DLGSC for Local Governments to assess applications. Satisfactory is met when the application has proven to meet the criteria of the assessment, however if the application does not meet the requirements then that criteria is to be deemed unsatisfactory. The Shire’s summary of the criteria assessed for the floodlighting upgrades at the three ovals is as follows:

	<b>Satisfactory</b>	<b>Unsatisfactory</b>	<b>Not relevant</b>
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**

**1: Economic**

1.4. Collaborate with key stakeholders on brand promotion, tourist accommodation, investment in attractions and product development, and supporting infrastructure such as wayfinding and signage

**2: Social**

2.4 Promote healthy and safe lifestyle choices, and uphold public health and safety

2.5. Provide facilities, services and programs that provide opportunities for participation in sport, recreation and fitness

2.6. Support local sporting clubs and community organisations to grow their capacity to increase healthy activity and cohesion

**3: Built Environment**

3.2. Infrastructure and facilities for livability and economic growth

3.5. Continue to invest in public spaces, amenities and heritage protections across the Shire

**RISK MANAGEMENT CONSIDERATIONS**

If the grant application is unsuccessful, then the project will not proceed. 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: \$823,000.00 excl GST

- Club Night Lights Grant (maximum one third) \$274,000.00
- Council 2024/25 contribution \$548,000.00

Budget allocation will be required as part of the 2024/25 capital budget process.

**VOTING REQUIREMENTS**

Simple Majority

STOJIC RD

75

LORE P



Lot 995

UNA CR

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*Cr Landy left the Chamber at 11.56am and returned at 12.02pm*

**11.1.6 NEWMAN CHAMBER OF COMMERCE AND INDUSTRY SPONSORSHIP REQUEST**

**Attachments:** [Appendix 1 Grants and Sponsorship Policy](#)  
**Responsible Officer:** Steven Harding  
Chief Executive Officer  
**Author:** Nikki Montgomery  
Coordinator Grants and Advocacy  
**Proposed Meeting Date:** 25 August 2023  
**Author Disclosure of Interest:** Nil

**OFFICER'S RECOMMENDATION**

Moved: Cr Baer  
Seconded: Cr Smith

That Council approves the request from Newman Chamber of Commerce and Industry for Sponsorship funding of \$5,000.00 cash for the Newman Business Excellence Awards 2023 to be allocated from the Community Grants Budget.

MOTION LOST 2/6

**For:** Deputy Shire President, Cr Landy

**Against:** Shire President, Cr Baer, Cr Kular, Cr Lockyer, Cr Coppin, Cr Smith

Reasons for Decision:

1. The application was not compliant with the Council's Grants and Sponsorship Policy;
2. The application was not received with sufficient time prior to the event proposed for funding; and
3. The current budget allocation for sponsorship has been exhausted for 2023/24.

**REPORT PURPOSE**

For Council to consider the Sponsorship funding request from Newman Chamber of Commerce and Industry for the Newman Business Excellence Awards 2023.

**BACKGROUND**

At its meeting held 30 June 2023, Council adopted the revised Grants and Sponsorship Policy (**Appendix 1**). This encompasses Sponsorships and the ongoing grants provided throughout the year.

As per the Grants and Sponsorship Guidelines, organisations are required to submit a sponsorship application two months prior to their event, must be \$5,000 or more and requests for assistance must be approved by Council.

**COMMENTS/OPTIONS/DISCUSSIONS**

The Shire has to date, approved Sponsorship funding to 4 applicants for the 2023/24 financial year totaling \$50,000, with \$0 remaining in the Sponsorship budget.

Each Sponsorship application is assessed by an Assessment Panel based on eligibility and selection criteria; and provides a recommendation to support or not support an application.

Providing sponsorship to local community groups and organisations aligns to the Shire’s Community vision to build on our strengths to grow and create opportunities for all and to be proud, connected and resourced. The Sponsorship recommendation is based on the impacts and outcomes these proposed activities will deliver for the community whilst aligning to the Shire’s Community Vision and Strategic Community Plan whilst providing economic benefits to the Shire of East Pilbara.

The Newman Business Excellence Awards 2023 is an annual event held in Newman to recognise and celebrate local businesses, apprentices and employees and what they have achieved this year.

The event will be held on 9 September 2023 at the Newman Hotel Bistro.

<b>Activity/Organisation</b>	<b>Requested Support \$</b>	<b>Recommended Support \$</b>	<b>Remaining Grant Budget</b>
Total 2023/24 Budget Allocation			\$50,000
Amount remaining in the current budget allocation			\$0
Newman Chamber of Commerce and Industry/ Newman Business Excellence Awards 2023	\$20,000.00 (cash)	\$5,000.00 (cash)	<b>-\$5,000</b>
<b>Sub-total of recommended applications within the budget</b>	\$20,000.00 (cash)	\$5,000.00 (cash)	<b>-\$5,000.00 (cash)</b>

The Shire has two options for consideration in regards to the Sponsorship request:

Option One

That Council considers sponsoring the event but only to the value of \$5,000.00 as per the last two previous financial years. Although there is no money left in the sponsorship budget, the \$5,000 could be taken from the Community Grants budget which has \$35,630.50 remaining for the rest of the Shire’s Grants program for 2023/24.

Option Two

Due to budgetary limitations, Council does not support the application as there is currently no money left in the sponsorship budget.



## **STATUTORY IMPLICATIONS/REQUIREMENTS**

Consistent with s.6.2 of the *Local Government Act 1995*

## **POLICY IMPLICATIONS**

6.5 Grant and Sponsorship

## **STRATEGIC COMMUNITY PLAN**

### **1: Economic**

A diverse and sustainable economy, with a balanced population, providing equal opportunities and prosperity for all, and a fair share of the returns from our resources

- 1.1. Develop strong networks for collaboration within and across the corporate and public sectors for growing exports, with a focus on agriculture, mining services, Aboriginal business and tourism
- 1.2. Work with local entrepreneurs, existing businesses and artists to increase their internal capacity and explore business opportunities that will reduce leakage from the local economy
- 1.4. Collaborate with key stakeholders on brand promotion, tourism accommodation, investment in attractions and product development, and supporting infrastructure such as wayfinding and signage

### **2: Social**

Safe, connected and family-friendly communities where all people thrive, and have their needs met at all ages and stages of life

- 2.4. Promote health and safe lifestyles choices, and uphold public health and safety
- 2.6. Support local sporting clubs and community organisations to grow their capacity to increase healthy activity and cohesion
- 2.7. Support art and culture, and events and activities that bring people together in shared experience and celebration
- 2.8. Improve inclusion and harmony across the diverse groups in the population

## **RISK MANAGEMENT CONSIDERATIONS**

Reputational – Moderate

## **FINANCIAL IMPLICATIONS**

The proposed recommendation is within the existing budget allocation.

## **VOTING REQUIREMENTS**

Simple Majority.

## 6.5 Grants and Sponsorship

### 1. Objective

Provide a sound governance framework for determining applications for grants and sponsorship; and establish a clear decision-making process providing certainty for applicants for grant and sponsorship opportunities from the Shire of East Pilbara ("the Shire"). Policy

### 2. Policy

This Policy is applicable to any grant or sponsorship arrangement where the Shire funds another organisation or individual to deliver a specific project or initiative.

### 3. Definitions

In this Policy-

**'Applicant'** is the individual or organisation making the application.

**'Grant'** is defined as a form of financial assistance that funds a community group or organisation to deliver a specific project. Grants are cash and/or in-kind contribution provided to a recipient for a specific, eligible purpose where there is no expected commercial return.

**'Grants and sponsorship guidelines'** the guidelines published by the Shire's Chief Executive Officer in accordance with this Policy.

**'In-kind'** means where the Shire provides the value of its resources, goods or services to eligible parties instead of cash as part of a grant or sponsorship. In-kind contribution can include the fees associated with Shire services such as equipment hire, venue and facility costs, transfer of equipment, waste services and permits with all in-kind support attached to a dollar amount.

**'Personal benefit'** is any gift or benefit for the purposes of the Local Government Act 1995 or applicable code of conduct.

**'Sponsorship'** a commercial arrangement in which a sponsor receives a contribution in money and/or in-kind support in return for the Shire receiving negotiated and specific benefits such as in-kind or promotional opportunities.

Any reference in this Policy to a dollar threshold for decision making on a funding limit is taken to be the combined amount of cash and in-kind support contribution.

### 4. Aims

Through the provision of grants and sponsorship, the Shire aims to:

- a. Strengthen the community by supporting a diverse range of activities, projects and initiatives that are responsive and representative of community needs;
- b. Build the capacity of individuals, community groups and local organisations to develop and implement sustainable solutions at a local level;
- c. Create community connections which drive activities that achieve strategic priorities as identified in the Shire's Strategic Community Plan;
- d. Recognise and celebrate the Shire's diversity, history, lifestyle, environment and uniqueness; and
- e. Support projects that deliver an economic benefit for the Shire's local businesses.

Detailed objectives associated with specific grant programs and sponsorships are outlined in the Shire's grants and sponsorship guidelines.

## 5. Programs and guidelines

The Shire's Chief Executive Officer (CEO) will establish the grants and sponsorship guidelines to provide operational details and administration of the Shire's grants and sponsorship program.

The grants and sponsorship guidelines must be:

- a. In line with this Policy and relevant legislation; and
- b. Published on the Shire's website.

The grants and sponsorship guidelines will outline:

- a. Funding categories;
- b. Application processes and timeframes;
- c. Amounts that can be applied for;
- d. Additional grant category specific information including assessment criteria;
- e. Assessment process;
- f. Items ineligible for funding;
- g. Funding Agreement; and
- h. Acquittal process.

## 6. General Program Eligibility

The following eligibility conditions apply to all grants and sponsorship. Applicants should:

- a. Reside, operate or provide a service that directly benefits people within the Shire of East Pilbara;
- b. Have no outstanding debts to, or grant acquittals with the Shire;
- c. Be registered as a not-for-profit body or registered charity within the Australian Charities and not-for-profit Commission (excluding Participation Grants applicants);
- d. Use funding solely for the purposes outlined by the Shire in the agreement;
- e. Submit their application within the timeframe outlined in the grants and sponsorship guidelines; and
- f. Must be able to provide a current Australian Business Number (ABN) and current Public Liability Insurance for duration of the funding term.

The following are ineligible to apply for a grant and sponsorship:

- a. Activities that have already commenced or have been completed (retrospective funding);
- b. Cash prizes, gifts or fundraising activities;
- c. Recurrent operating expenses eg. Administration costs, staff wages and utilities;
- d. Activities that promote racism, violence, discrimination or segregation;
- e. To service outstanding debts or loans;
- f. Activities or events that are the responsibility of State or Federal Government;
- g. Purchasing or provision of alcohol, or the costs associated with meeting Liquor Licensing requirements;
- h. An individual's personal expenses eg. Living and medical;
- i. Political activities;
- j. Religious activities;

- k. Activities or events that conflict with planned Shire events;
- l. Activities or events that duplicate what another organisation is already delivering;
- m. State or Federal Government Departments, Agencies and Organisations (excludes Schools);
- n. Activities that generate income which is not used for the purposes of the project; and
- o. An applicant who has already received funding or in-kind support within the same financial year, except successful applicants of an In-Kind Support Grant.

Other eligibility requirements and funding conditions may apply to specific funding categories, as set out in the grants and sponsorship guidelines and/or agreements.

The Shire reserves the right to withdraw funding from a successful applicant if the activity is not progressing satisfactorily, the organisation ceases to be eligible, the organisation breaches the Agreement or the activity poses a reputational risk for the Shire. Should this occur the recipient will be liable for costs involved and funds will be returned to (or recovered by) the Shire.

## 7. Assessment and Approval Process

### *Assessment*

All eligible applications for grants and sponsorship will be assessed against the selection criteria identified in the grants and sponsorship guidelines.

Applications will be prioritised in accordance with the Shire's Strategic Community Plan and the allocated budget for grants and sponsorship.

Applications that do not require Council approval will be assessed by the Chief Executive Officer's sub-delegate, who will then provide a recommendation to the Chief Executive Officer or authorised sub-delegate. The decision maker may not be involved in the assessment of applications.

The Chief Executive Officer will establish an internal Assessment Panel. The Assessment Panel will meet to discuss and assess applications requiring Council approval. The Assessment Panel will make recommendations to the Chief Executive Officer to report to Council for approval.

Applications may only be approved subject to the availability of funds in the approved Annual Budget.

Canvassing of Councillors or Assessment Panel members will disqualify applicants.

### *Decision Making*

Funding applications are assessed independently of the decision maker (Council, delegate or sub-delegate).

Applications up to a value not exceeding \$3,000 may be made by the Chief Executive Officer or sub-delegate. The Chief Executive Officer may determine certain categories of grant, and set Council approval thresholds below \$3,000.

## 8. Agreement and Acquittal

### *Agreement*

All successful applicants are required to enter into a formal written funding agreement prior to funds being released by the Shire.

The funding agreement will include:

- a. Purpose;
- b. Term of funding;
- c. Shire contribution and approved activities;
- d. Confirmation of any co-contributions;
- e. Grant and sponsorship terms and conditions including requirement for successful applicant to complete an acquittal within 28 days of the project competition; termination of agreement and repayment of funds;
- f. Expected Shire benefits;
- g. Shire Branding requirements;
- h. Media, communications and other promotional opportunities; and
- i. Declaration on behalf of recipient.

## *Acquittal*

An acquittal must be provided to the Shire within 28 days of the conclusion of approved grant or sponsorship project.

The acquittal must include:

- a. Financial statements including receipts;
- b. Details of the project including how many people attended, benefit to the community, outcomes;
- c. Evidence on how the Shire was acknowledged; and
- d. Photos, survey results or feedback provided from attendees.

Acquittals will be retained by the Shire to ensure compliance with agreement and used in consideration of any future funding requests from the applicant.

## **9. Conflicts of Interest**

In the administration and awarding of grants and sponsorship any real, potential or perceived conflicts of interest must be managed in accordance with the Local Government Act 1995, its regulations and the codes of conducts.

Employees, Assessment Panel members and elected members with any involvement with a grant or sponsorship application must declare:

- a. any direct or indirect financial interests they have with the application; and
- b. any impartial interests they have with any application.

## **10. Reporting**

A formal report will be provided to Council every 6 months with funding requests and decisions made.

Information Bulletin will be updated to monthly with all incoming and outgoing funding applications.

Inclusion of funding provided in the Shire's Annual Report.

Shire will promote its funding of applicants, projects, events and other initiatives through social media and Shire website, and using other media outputs as appropriate.

## **11. Review of Policy**

This Policy will be reviewed every 12 months.

## 12. Authorisation Details

<b>References:</b>	The Chief Executive Officer, or delegate, may amend the Grants and Sponsorship Guidelines as required.		
<b>Authorised by:</b>	Council		
<b>Date:</b>	24 September 2010	<b>Item No.</b>	9.2.3
<b>Review/Amendment Date</b>	31 January 2014	<b>Item No.</b>	9.2.2
<b>Review/Amendment Date</b>	27 June 2015	<b>Item No.</b>	9.2.5
<b>Review/Amendment Date</b>	28 August 2020	<b>Item No.</b>	9.3.1
<b>Review/Amendment Date</b>	25 November 2022	<b>Item No.</b>	11.3.1
<b>Review/Amendment Date</b>	30 June 2023	<b>Item No.</b>	11.3.3
<b>Next Review</b>	Annual		
<b>Responsible Directorate</b>	Organisation Development		
<b>Responsible Officer</b>	Director Organisation Development		
<b>File No.</b>			

Item 11.1.6 Appendix 1

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**11.1.7 SMALL BUSINESS FRIENDLY LOCAL GOVERNMENT CHARTER**

**Attachments:** [Appendix 1 Draft Small Business Friendly Local Government Charter](#)

**Responsible Officer:** Steven Harding  
Chief Executive Officer

**Author:** John O'Neill  
Manager Economic Development

**Proposed Meeting Date:** 25 August 2023

**Location/Address:** N/A

**Name of Applicant:** N/A

**Author Disclosure of Interest:** Nil

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/129)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Smith

**That Council adopts the Small Business Development Corporation's Small Business Friendly Local Government Charter (attached as Appendix 1).**

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** Nil

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**REPORT PURPOSE**

The purpose of this report is for Council to consider adopting the Small Business Development Corporation's Small Business Friendly Local Government Charter.

**BACKGROUND**

The Small Business Development Corporation has developed this Charter that recognises local governments who are Small Business Friendly, and that are actively committed to supporting small businesses in their local areas. With the growth of small businesses within the District of East Pilbara, there is a need to lift our capability and service levels to meet the growth needs of our small business community.

## **COMMENTS/OPTIONS/DISCUSSIONS**

The Shire of East Pilbara actively supports small businesses in our local areas, and the adoption of this Small Business Friendly Local Government Charter will further confirm the commitment of Council and Shire Officers to work with, and support small businesses by:

- Offering enhanced customer service
- Reducing red tape where possible
- Making on time payments
- Having a process in place to handle disputes
- Introducing other activities in place to improve the operating environment for small businesses in our area

If adopted, the Shire will be joining 48 other local governments which have signed up to this Charter and are actively involved in supporting their small business communities.

Work on supporting this Charter and its aims will be coordinated by the Economic Development team of the Shire.

A copy of the Charter is attached at **Appendix 1**.

## **STATUTORY IMPLICATIONS/REQUIREMENTS**

No known statutory implications

## **POLICY IMPLICATION**

No known policy implications

## **STRATEGIC COMMUNITY PLAN**

### **1: Economic**

E1 A diverse and sustainable economy, with a balanced population, providing equal opportunities and prosperity for all, and a fair share of the returns from our resources

### **5: Governance**

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G5.1 Facilitate collaboration and partnerships with industry and government in key issues with the Shire (such as transport, housing, economic development and tourism, social wellbeing, public spaces etc )

## **RISK MANAGEMENT CONSIDERATIONS**

Low – Reputational and Financial

## **FINANCIAL IMPLICATIONS**

No financial resource impact.



**VOTING REQUIREMENTS**

Simple Majority.

## Charter

Commitment to this Charter is a requirement for participation in the Small Business Friendly Local Governments (SBFLG) initiative and outlines what the local government agrees to do to support small business in their area.

### 1. Commitment to small business

The local government agrees to:

- a) recognise that the small business community is an important stakeholder;
- b) undertake regular and targeted consultation with this group;
- c) work towards understanding how its local small business community operates, its needs and goals, and the key challenges;
- d) provide networking and other development opportunities for its local small business community; and
- e) actively engage, where appropriate, with the Small Business Development Corporation (SBDC) on matters affecting small business.

### 2. Commitment to customer service

The local government agrees to:

- a) maintain open lines of communication with small businesses through both formal and informal approaches
- b) provide clear advice and guidance to small businesses with a focus on assisting them to understand and meet their regulatory obligations, and to work with them to achieve compliance;
- c) publish a set of clear service standards setting out what small businesses can expect from them;
- d) consider the needs of local small business owners for whom English is not a first language; and
- e) publish a link on its website to take small business owners to resources available on the SBDC website, including the Business Licence Finder.

### 3. Administration and regulation

The local government agrees to:

- a) take reasonable action to limit unnecessary administrative burdens on small business such as:
  - i. only asking for information that is absolutely necessary;
  - ii. not asking for the same information twice;
  - iii. working collaboratively with other local governments;
- b) undertake regular policy reviews to limit their impact on small businesses, and to test new policies and procedures for 'small business friendliness'; and
- c) ensure that its officers have the necessary knowledge and skills to apply plans and regulations in a consistent manner.

### 4. On-time payment policy

The local government agrees to work towards ensuring all invoices from small business suppliers are paid within 30 days.

### 5. Small business engagement

The local government agrees to regularly meet and consult with the small business community, including small business operators and members of representative bodies, to assist their understanding of small business needs in their local area.



## 6. Dispute resolution

The local government agrees to implement a timely, cost-effective and non-judicial process to manage any disputes it may have with small businesses and to publish details of this on its website. The process could include referring the dispute to an independent dispute resolution service (such as that offered by the SBDC).

## 7. Additional activities to support small business

In addition to items 4, 5, and 6 above, the local government agrees to implement at least three other activities to improve the operating environment for small businesses within its authority. Details of the initiatives are to be included in the local government's bi-annual reports to the SBDC.

## 8. Progress reports

The local government agrees to:

- a) provide the SBDC with a biannual progress report that outlines the results achieved in relation to its small business friendly initiatives, including its policy relating to small business being paid on-time, business advisory group, and dispute resolution process; and
- b) forward success stories and case studies to the SBDC in relation to the SBFLG initiative when requested.

## 9. Promotion and marketing of the program

The local government:

- a) agrees that the Mayor and Chief Executive Officer will make a public statement in relation to its commitment to the SBFLG initiative, and to post this statement on its website;
- b) will be provided with a logo which it agrees to use in accordance with the SBFLG style guide supplied by the SBDC; and
- c) is encouraged to promote the SBFLG initiative by displaying the approved logo on its online and printed marketing and communication materials.

## 10. Contact details

The local government agrees:

- a) that the primary contact for the SBFLG initiative will be the Chief Executive Officer and that a secondary contact will also be nominated, as a delegate of the Chief Executive Officer; and

	Name	Position	Phone number	Email address
Primary contact	Steven Harding	Chief Executive Officer	08 9175 8000	sharding@eastpilbara.wa.gov.au
Secondary contact	John O'Neill	Manager Economic Development	0475 601 906	joneill@eastpilbara.wa.gov.au

## 11. Acceptance

On behalf of

we agree to the terms outlined in this Charter and agree to implement the SBFLG initiative.

**Shire President**

**Chief Executive Officer**

Print name:..... **Anthony Middleton**..... Print name: **Steven Harding**.....

Signature:..... Signature:.....

Date:..... Date:.....

### 11.1.8 STATUS OF COUNCIL DECISIONS

<b>Attachments:</b>	<a href="#">Appendix 1 Status of Council Decision Register</a>
<b>Responsible Officer:</b>	<b>Steven Harding</b> <b>Chief Executive Officer</b>
<b>Author:</b>	<b>Tehsin Ali</b> <b>Governance Administration Officer</b>
<b>Proposed Meeting Date:</b>	<b>25 August 2023</b>
<b>Location/Address:</b>	<b>N/A</b>
<b>Name of Applicant:</b>	<b>N/A</b>
<b>Author Disclosure of Interest:</b>	<b>Nil</b>

#### **COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/130)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Landy

**That Council notes the report.**

**CARRIED UNANIMOUSLY**  
**RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** Nil

### **REPORT PURPOSE**

To provide Council with advice of the status of outstanding Council decisions from previous meetings.

### **BACKGROUND**

Council has previously requested it be informed of the progress of the implementation of its previous decisions.

### **COMMENTS/OPTIONS/DISCUSSIONS**

A list of the status of Council's decisions from the previous meeting is attached as **Appendix 1** to this report.

### **STATUTORY IMPLICATIONS/REQUIREMENTS**

Recommendation is consistent with section 2.7 of the *Local Government Act 1995*.

**POLICY IMPLICATIONS**

Consistent with past policy and practices of the Council.

**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**

The continued reporting of the status of Council decisions mitigates compliance and reputational risks associated with Council decisions not been implemented.

**FINANCIAL IMPLICATIONS**

No financial resource impact.

**VOTING REQUIREMENTS**

Simple Majority.

STATUS OF COUNCIL DECISIONS						
ORDINARY COUNCIL MEETING 28 JULY 2023						
Item No	Responsible Officer	Report Title	Accepted Recommendation	Council Resolution No.	Comments / Action Taken	Completion Date
<b>CHIEF EXECUTIVE OFFICER</b>						
11.1.1	Steven Harding Chief Executive Officer	WARD AND REPRESENTATION REVIEW	That Council notes the completion of the Shire of East Pilbara Ward and Representation Review and the publication of the Local Government (East Pilbara - Change to Wards) Order 2023 in the Western Australian Government Gazette No. 88 on 30 June 2023.	2023/ 106	No further action	28/07/2023
11.1.2	Steven Harding Chief Executive Officer	ORDINARY LOCAL GOVERNMENT ELECTIONS 2023	That Council notes the information contained within the report, which will be published on the Shire's website.	2023/ 107	Election information published on Shire website	11/08/2023
11.1.3	Steven Harding Chief Executive Officer	DELEGATIONS AND AUTHORISATIONS REGISTER ANNUAL REVIEW	That Council adopts the reviewed Shire of East Pilbara Register of Delegations and Authorisations as Appendix 1 to the report, amending the value in Delegations 1.2.18 (1) & (9) to \$499,999 (ex GST).	2023/ 108	Amendments Completed and uploaded on Shire Website	3/08/2023
<b>ACTING DIRECTOR CORPORATE SERVICES</b>						
11.2.1	Steven Harding Chief Executive Officer	2023/24 INSURANCE PREMIUMS	That Council: 1. Notes the increase in cost for the Shire's insurance premiums; and 2. Authorises the payment of \$1,895,705.93 (excluding GST) in two equal instalments to LGIS for the Shire's insurance policy premiums.	2023/ 110	Payment of Insurance Invoices Authorised	18/08/2023
11.2.2	Steve Leeson Director Corporate Services	CREDITORS FOR PAYMENT JUNE 2023	That Council endorses the below payments for the period of 1 June 2023 to 30 June 2023:  Cheque Payments \$689.22 EFT Payments \$9,282,569.08 MasterCard Payments \$48,916.42 Direct Payments \$156,933.73	2023/ 111	No further action	28/07/2023
11.2.3	Steve Leeson Director Corporate Services	MONTHLY FINANCIAL STATEMENTS, INSURANCE AND INVESTMENT REPORT	That Council adopts the monthly financial statements for the period ending 30 June 2023 of the 2022/23 financial year included as Appendix 1 to the report, noting a correction to the Adopted Budget loan borrowings from \$11.5M to \$15M, resulting in a \$0 surplus/deficit.	2023/ 112	No further action	28/07/2023
<b>DIRECTOR AVIATION AND REGULATORY SERVICES</b>						
11.3.1	Vic Etherington Director Aviation and Regulatory Services	MINUTES OF LOCAL EMERGENCY MANAGEMENT COMMITTEES	That Council receives the Minutes of the following meetings of the Local Emergency Management Committees:  • Marble Bar LEMC – 17 May 2023; • Nullagine LEMC – 18 May 2023; and • Newman LEMC – 19 May 2023.	2023/ 113	No further action	28/07/2023
<b>DEPUTY CEO / DIRECTOR COMMUNITY EXPERIENCE</b>						
11.4.1	Emma Landers Deputy CEO/ Director Community Experience	BLOODY SLOW CUP 2022 SPONSORSHIP	OFFICER RECOMMENDATION That Council approves the request from Western Australia Police Legacy for Sponsorship funding of \$10,045 in-kind support for the Bloody Slow Cup 2023.	2023/ 114	Agreement signed and submitted Completed	28/07/2023
11.4.2	Emma Landers Deputy CEO/ Director Community Experience	GROWING REGIONS PROGRAM GRANT - YOUTH AND COMMUNITY HUB	OFFICER'S RECOMMENDATION That Council: 1. Approves the Growing Regions grants program expression of interest submission, through the Department of Infrastructure, Transport, Regional Development, Communications and the Arts, for the Youth and Community Hub project. 2. Supports the allocation of \$1.5 million for the 2024/25 Capital Budget, subject to the successful approval of the Growing Regions grants program, full application.	2023/ 115	EOI submitted	31/07/2023
<b>14 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL</b>						
14.1	Steven Harding Chief Executive Officer	Motions for WA Local Government Association Annual General Meeting 2023	That the Council of the Shire of East Pilbara presents the following motions to the WALGA Annual General Meeting: 1. 'That WALGA State Council requests the Salaries and Allowances Tribunal to review mileage travel allowances for Councillors in Shires in remote Local Government Areas'; 2. 'That WALGA State Council reviews the LGIS coverage of windscreen and vehicle damage for northern and remote Councils to include cover for windscreen and vehicle damage on unsealed roads'; and 3. 'That WALGA State Council advocates to the WA State and the Commonwealth Governments to address the dire shortage of affordable key worker family housing options in regional and remote towns to encourage families to live and work in regional and remote towns. Social housing is addressed at both the State and Federal levels.	2023/ 116	Motions submitted to WALGA	4/08/2023

14.2	Steven Harding Chief Executive Officer	Ordinary Meeting – Change of Location	That Council: 1. Postpones convening its 25 August 2023 Ordinary Council Meeting in either Parnngurr or Punmu to a date following the local government elections, to be considered by the incoming elected Council; 2. That an incoming elected Council consider requesting an invitation to visit a First Nations community and to arranging a program of activities and inspections in consultation with local community; 3. Changes the location of the 25 August 2023 Ordinary Council Meeting to Nullagine; and 4. Authorises the Chief Executive Officer to publish the changes on the Shire's website.	2023/ 117	Parnngurr Community and JYAC notified. Website updated	4/08/2023
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**15 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS  
CHIEF EXECUTIVE OFFICER**

15.1.1	Steven Harding Chief Executive Officer	PROPOSED LEASE – NEWMAN AIRPORT	That Council: 1. Gives local public notice in accordance with s.3.58(3)(a) of the Local Government Act 1995 of the proposed disposition of land in the form of a Lease between the Shire and Fortescue Helicopters Pty Ltd over Lease Area 12, within Reserve 44775, Newman Airport, for an initial term of five (5) years (2023 to 2028) with options for three (3) further terms of five (5) years exercisable at the discretion of the Lessor. The initial rent payable is \$16,500 per annum plus GST, subject to an annual fixed increase of 3% or CPI whichever of the two is the greater on each anniversary of the commencement of the Lease, and a market rent review at the commencement of each further term; 2. Delegates authority under s. 3.58(3)(b) to the Chief Executive Officer to consider any submissions made in response to the local public notice given and to enter into a Lease on the terms of (1) of this resolution, subject to the necessary approval from the Minister for Lands; 3. Authorises the Chief Executive Officer to extend the Lease with the same conditions for a the First Further Term of five (5) years (2028 to 2033) on the expiry of the initial Lease Term, subject to the Lessee not being in default; 4. Authorises the Chief Executive Officer to extend the Lease with the same conditions for the Second Further Term of five (5) years (2033 to 2038) on the expiry of the First Further Term, subject to the Lessee not being in default; 5. Authorises the Chief Executive Officer to extend the Lease with the same conditions for the Third Further Term of five (5) years (2038 to 2043) on the expiry of the Second Further Term, subject to the Lessee not being in default; and 6. Authorises the Chief Executive Officer to enter into any Minor Variations to the Lease over the life of the Lease, in accordance with Council's Minor Variations Policy.	2023/ 118	Public Notice given 2/8/2023. Draft Lease prepared and forwarded to prospective Lessee.	Ongoing
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15.1.2	Steven Harding Chief Executive Officer	PROPOSED LEASE – 'THE EDGE', NEWMAN	That Council: 1. Gives local public notice in accordance with s.3.58 of the Local Government Act 1995 of the proposed disposition of land in the form of a Lease between the Shire and LMT Chill Investments Pty Ltd over the Café and al fresco dining area (identified in the report), within Reserve 38771, 10 Lee Lane, Newman, for an initial term of two (2) years (2023 to 2025) with options for one (1) further term of two (2) years exercisable at the discretion of the Lessor. The initial rent payable is \$32,500 per annum plus GST, subject to an annual fixed increase of 3% or CPI whichever of the two is the greater on each anniversary of the commencement of the Lease, and a market rent review at the commencement of any further term; 2. Delegates authority under s. 3.58(3)(b) to the Chief Executive Officer to consider any submissions made in response to the local public notice given and to enter into a Lease on the terms of (1) of this resolution, subject to the necessary approval from the Minister for Lands; 3. Authorises the Chief Executive Officer to extend the Lease with the same conditions for the First Further Term of two (2) years (2025 to 2027) on the expiry of the initial Lease period, subject to the Lessee not being in default; and 4. Authorises the Chief Executive Officer to enter into any minor variations to the Lease over the life of the Lease, in accordance with Council's Minor Variations Policy.	2023/ 119	Public Notice given 2/8/2023. Draft Lease prepared and forwarded to prospective Lessee.	Ongoing
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15.1.3	Steven Harding Chief Executive Officer	PROPOSED DEED OF EXTENSION AMENDMENT – NEWMAN AIRPORT	That Council: 1. Revokes Decision 2022/163; and 2. Authorises the Chief Executive Officer to enter into a Deed of Extension between the Shire and Raw Hire Pty Ltd over a portion of the Airport Reserve 44775 known as Lease Area 3 and Lease Area 4, for a First Further Term of five (5) years (1 January 2023 to 31 December 2027), subject to the necessary approval from the Minister for Lands. The initial rent payable is \$98,312.90 plus GST, subject to a market rent review at the commencement of each further term; 3. Authorises the Chief Executive Officer to extend the Lease with the same conditions for the Second Further Term of five (5) years (1 January 2028 to 31 December 2032) on expiry of the First Further Term, subject to the Lessee not being in default; and 4. Authorises the Chief Executive Officer to enter into any Minor Variations to the Lease over Lease term, in accordance with Council's Minor Variations Policy.	2023/ 120	Public Notice given 2/8/2023. Draft Lease prepared and forwarded to prospective Lessee. Currently clarifying question from Lessee.	Ongoing
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15.1.4	Steven Harding Chief Executive Officer	PROPOSED LICENCE AMENDMENT – NEWMAN AIRPORT	That Council: 1. Revokes Decision 2023/22; and 2. Gives local public notice in accordance with s.3.58 of the Local Government Act 1995 of the proposed disposition of land in the form of a Licence between the Shire and Virgin Australia Cargo Pty Ltd over Area FS01 (shared) and Area FS03 within Reserve 44775, Newman Airport, for an initial term of one (1) year (2023 to 2024) with options for two (2) further terms of one (1) year. The initial licence fee payable is \$5,000 per annum plus GST, subject to an annual CPI increase (capped at 5%), and the recovery of outgoing costs, subject to the necessary approval from the Minister for Lands; 3. Delegates authority under s. 3.58(3)(b) to the Chief Executive Officer to consider any submissions made in response to the local public notice given and to enter into a Licence on the terms of (1) of this resolution, subject to the necessary approval from the Minister for Lands; 4. Authorises the Chief Executive Officer to extend the Licence with the same conditions for the First Further Term of one (1) year (2024 to 2025) on expiry of the initial Licence Term, subject to the Licensee not being in default; 5. Authorises the Chief Executive Officer to extend the Licence with the same conditions for the Second Further Term of one (1) year (2025 to 2026) on expiry of the First Further Term, subject to the Licensee not being in default; and 6. Authorises the Chief Executive Officer to enter into any Minor Variations to the Licence over the Licence term, in accordance with Council's Minor Variation Policy.	2023/ 121	Public Notice given 2/8/2023. Draft Lease prepared and draft Licence agreed to by prospective Licensee.	Ongoing
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**DIRECTOR AVIATION AND REGULATORY SERVICES**

15.2.1	Vic Etherington Director Aviation and Regulatory Services	CONTRACT VARIATION - RFT 04-2022/23 - AIRFIELD LIGHTING UPGRADE (NEWMAN AIRPORT)	That Council: 1. Pursuant to section 6.8 of the Local Government Act 1995, authorises an amendment to the Shire's 2023/24 Annual Budget to transfer funds from the Shire's Airport Reserve Account to cover unspent 2022/2023 funds for the completion of the Airfield Lighting Upgrade (Newman Airport): Account Description Budget Amendment Revised Budget 129419 Safety & Security - Lighting \$0 \$4,000,000 \$4,000,000 129828 Transfers From Reserve - Airport \$0 (\$4,000,000) (\$4,000,000) Net Budget Impact \$0	2023/ 122	Contract variation documents being prepared.	Ongoing
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11.2 ACTING DIRECTOR CORPORATE SERVICES

11.2.1 BUDGET REVIEW AS AT 31 JULY 2023 FOR 2022/2023 CARRY FORWARDS

**Attachments:** [Appendix 1 2022 2023 Carry Forwards](#)  
**Responsible Officer:** Steven Harding  
Chief Executive Officer  
**Author:** Cherie Delmage  
Acting Director Corporate Services  
**Proposed Meeting Date:** 25 August 2023  
**Location/Address:** N/A  
**Name of Applicant:** N/A  
**Author Disclosure of Interest:** Nil

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/131)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Smith

**That Council authorises the list of carry forward and additional projects (attached as Appendix 1) for inclusion in the 2023/2024 budget.**

**CARRIED BY AN ABSOLUTE MAJORITY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** Nil

**REPORT PURPOSE**

For Council to consider and authorise the attached list of Projects for inclusion in the 2023/2024 adopted budget.

**BACKGROUND**

At its Ordinary Meeting held Friday 30 June 2023, Council adopted the 2023/2024 Annual Budget and resolved in part that:

*'10. Pursuant to section 6.2 of the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996 Part 3, Regulations 22 to 33, adopts the following Annual Budget for the financial year ending 30 June 2024, as per Appendix 3:*



- a. *Budget Statement of Comprehensive Income (by Nature or Type)*
- b. *Budget Statement of Cash flows*
- c. *Budget Rate Setting Statement*
- d. *Notes to the Annual Budget including statement of Rating Information*
- e. *Schedule of Fees and Charges for 2023-2024'*

At the time of adoption, carry forward items had not been finalised and now need to be endorsed by Council for inclusion in the 2023/2024 Annual Budget. *Local Government Act 1995, Section 6.8* applies

'6.8. *Expenditure from municipal fund not included in annual budget*

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure:*
  - (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
  - (b) *is authorised in advance by resolution\*;* or
  - (c) *is authorised in advance by the mayor or president in an emergency.*

*\* Absolute Majority Required.*

## **COMMENTS/OPTIONS/DISCUSSIONS**

Shire officers have sought clarification from the Department of Local Government, Sport and Cultural Industries regarding the legislative requirements for bringing prior year projects into the current year budget.

A further budget review is scheduled to occur in February 2024, based on the financials of January 2024 to ensure compliance in accordance with *Local Government (Financial Management) Regulations 1996 – s33A Review of Budget*.

This report ensures that current and proposed projects commence with Council approval by providing a budget allocation for the current year.

Once the first draft of the 2022/2023 Annual Financial Statements is presented to the Auditors by 30 September 2023, a budget review will be brought to Council in October 2023.

The calculation of the surplus for the 2022/2023 Annual Financial Statement continues. This means that any surplus is estimated based on actuals and carry forward projects.

## **OPTIONS**

1. Council authorises the inclusion of the attached Projects into the 2023/2024 budget which will ensure that current and upcoming projects are progressed and completed.
2. Council does not authorise the inclusion of the attached Projects into the 2023/2024 budget which will delay current and upcoming projects. Option 2 will likely result in the loss or deferment of grant funding and expose the organisation to reputational risk.

## **STATUTORY IMPLICATIONS/REQUIREMENTS**

*Local Government Act 1995*, Sections 6.2 and 6.8 apply:

- 6.2. Local government to prepare annual budget
- 6.8. Expenditure from municipal fund not included in annual budget

## **POLICY IMPLICATIONS**

- 3.4 Budget Amendments
- 3.5 Budget Management – Capital Acquisitions

## **STRATEGIC COMMUNITY PLAN**

### **5: Governance**

- G1.1 Continued focus on good governance, transparency and community and stakeholder engagement in significant decisions, including place-based plans.
- G1.4 Ensure a high standard of organisational management and effectiveness.

## **RISK MANAGEMENT CONSIDERATIONS**

Compliance – Medium

## **FINANCIAL IMPLICATIONS**

2022/2023 projects that are in progress or yet to commence, will be carried forward with the associated funding source.

After the completion of the 2022/2023 financial statements, a budget review to allocate surplus funds will be brought to Council for consideration.

## **VOTING REQUIREMENTS**

Absolute Majority.

### BUDGET REVIEW AS AT 31 JULY 2023

GL/Job #	Description	2022/2023 Budget	2022/2023 Actual YTD	Carry Forward 2022/2023 Budget
<b>2022/2023 Carry Forward Projects</b>				
41147	Special Projects - Youth Hub (OG0053)	225,273	67,922	157,351
	Special Projects - CEO Initiatives (OG0049)	406,086	256,086	150,000
49004	Fleet Vehicle	130,000	0	130,000
	Proceeds from disposal			(110,000)
49005	Fleet Vehicle	90,000	4,925	85,075
	Proceeds from disposal			(30,000)
49030	Fleet Vehicle	56,472	0	56,472
	Proceeds from disposal			(30,000)
49043	Fleet Vehicle	45,857	0	45,857
51119	**Community Safety Identification Study	30,000	4,620	25,380
59007	Fleet Vehicle	85,000	0	85,000
	Proceeds from disposal			(20,000)
59009	Fleet Vehicle	85,000	0	85,000
	Proceeds from disposal			(30,000)
59022	**CCTV Funded Works	86,354	39,349	47,005
59025	CCTV Cameras	30,000	6,761	23,239
81229	Programs - Y&F Newman	49,709	39,372	10,337
81441	Criminal Property Confiscation Program	60,000	46,539	13,461
80002	Fleet Vehicle		0	75,000
	Proceeds from disposal			(35,000)
	Fleet Vehicle		0	75,000

GL/Job #	Description	2022/2023 Budget	2022/2023 Actual YTD	Carry Forward 2022/2023 Budget
05003	Proceeds from disposal			(35,000)
	Fleet Vehicle		0	70,000
	Proceeds from disposal			(35,000)
109002	**WWTP Upgrade - BHP Funding	1,197,615	928,804	268,811
109022	Newman Public Toilets	105,000	13,895	91,105
109102	Refuse Site - Vehicles	990,000	742,000	248,000
	Proceeds from disposal			(100,000)
119028	Newman Recreation Centre Office Modifications			19,343
119082	Newman Aquatic Centre - Infra (FN11)	2,758,852	1,575,974	1,182,878
119088	Whaleback Arena - Basketball adjustable backboards	40,000	3,332	36,668
119091	Nullagine Swimming Pool Project	2,250,000	0	1,500,000
119521	Netball Clubrooms - Capricorn Oval, Newman (Capital)	250,000	0	250,000
129533	The Lane Way - Newman	850,000	0	850,000
129562	Marble Bar Airport Works - Infrastructure Other	1,196,000	1,052,783	143,217
129432	Airport Expansion Carry Forward	1,500,000	597,273	902,727
129641	Footpath Extension - Stojic Road	73,000	43,930	29,070
131276	**Economic Development & Tourism Strategy	291,995	116,296	175,699
139220	**Newman Caravan Park	328,084	0	328,084
149011	Fleet Vehicle	90,000	0	90,000
	Proceeds from disposal			(45,000)
149018	Fleet Vehicle	65,000	0	65,000
	Proceeds from disposal		0	(40,000)
		<b>13,365,297</b>	<b>5,539,861</b>	<b>6,804,779</b>

GL/Job #	Description	2022/2023 Budget	2022/2023 Actual YTD	Carry Forward 2022/2023 Budget
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**2023/2024 Additional Projects**

RCI012	Football Pavilion Roof Tie Downs			75,000
EV0023	Events & Activation Strategy			50,000
RAR073	Warralong/Goldsworth Road			200,000
RTR008	Muccan Shay Road			450,000
RTR021	Skull Springs Road			350,000
RTR015	Cape Keraudren Access Road			360,000
TRD003	New Concrete Floodway Construction (LRCIP Phase 4B)			690,167
New	Litter Clean Up Crew - Crew Cab Truck with Cage & Storage Area			74,890
	Litter Clean Up Crew - Bin Cleaning System			13,600
	Litter Clean Up Crew - Tip Trailer with Cage			20,250
	Litter Clean Up Crew - Staff x 3			264,000
New	Nullagine & Marble Bar - Donga Refurbishment			80,000
New	Marble Bar Movie Screen			30,000
New	Marble Bar Recreation Precinct Plan			50,000
New	Marble Bar Swimming Pool Capital Works			35,000

0	0	2,742,907
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13,365,297      5,539,861      9,547,686

82027	Dept of Transport - Ryde Grant	(79,235)	(22,118)	(57,117)
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Item 11.2.1 Appendix 1

GL/Job #	Description	2022/2023 Budget	2022/2023 Actual YTD	Carry Forward 2022/2023 Budget
122212	Roads To Recovery - General	(1,160,000)	0	(1,160,000)
122230	Dept of Transport - Stojic Road Footpath	(63,000)	(23,250)	(39,750)
122282	Warralong/ Goldworth Grant - MRD	0	0	(200,000)
132269	** BHP - Econ Dev & Tourism Strategy	(291,995)	0	(291,995)
New	CSRFF Marble Bar Recreation Precinct Plan	0	0	(25,000)
LRCIP1	LRCIP Phase 1 - Final 50% Funds	0	0	(598,249)
LRCIP2	LRCIP Phase 2 - Final 50% Funds	0	0	(542,464)
LRCIP3	LRCIP Phase 3 - Final 50% Funds	0	0	(1,196,498)
		<b>(1,594,230)</b>	<b>(45,368)</b>	<b>(4,111,073)</b>

Item 11.2.1 Appendix 1

**11.2.2 CREDITORS FOR PAYMENT JULY 2023**

**Responsible Officer:** Cherie Delmage  
Acting Director Corporate Services

**Author:** Thomas Gorman  
Manager Corporate Services

**Proposed Meeting Date:** 25 August 2023

**Location/Address:** N/A

**Name of Applicant:** N/A

**Author Disclosure of Interest:** Nil

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/132)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Coppin

**That Council endorses the below payments for the period of 1 July 2023 to 31 July 2023:**

<b>Cheque Payments</b>	<b>\$200.00</b>
<b>EFT Payments</b>	<b>\$3,239,682.89</b>
<b>MasterCard Payments</b>	<b>\$4,655.36</b>
<b>Direct Payments</b>	<b>\$343,188.33</b>

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** Nil

**REPORT PURPOSE**

To seek Council endorsement of payment to creditors.

**BACKGROUND**

As per the attachment list, outlines payments made to creditors since the Council meeting on 28 July 2023.

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**COMMENTS/OPTIONS/DISCUSSIONS**

<b>PAYMENT TYPE</b>	<b>VOUCHER</b>	<b>AMOUNT</b>
Cheques	25238	\$200.00
EFT Payments	EFT69244 – EFT69815	\$3,239,682.89
MasterCard		\$4,655.36
Direct Debit Payments	DD18440.1 – DD18584.36	\$343,188.33
	<b>GRAND TOTAL</b>	<b><u>\$3,587,726.58</u></b>

**CANCELLED AND UNUSED CHEQUES:**

Unused Cheques

Nil

Cancelled Cheques & EFTs

Nil

**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**

3.12 Corporate Credit Card

3.14 Procurement and Tender Procedures Policy

**STRATEGIC COMMUNITY PLAN**

**5: Governance**

G1 Vibrant local democracy, forward-thinking civic leadership, and transparent stewardship of the community's assets and resources.

G1.1 *Continued focus on good governance, transparency and community and stakeholder engagement in significant decisions, including place-based plans.*

G1.4 *Ensure a high standard of organisational management and effectiveness*

**RISK MANAGEMENT CONSIDERATIONS**

Compliance – Medium – Breach of *Local Government Act 1995*.

**FINANCIAL IMPLICATIONS**

Total payments of \$3,587,726.58

**VOTING REQUIREMENTS**

Simple Majority.

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**11.2.3 MONTHLY FINANCIAL STATEMENTS, INSURANCE AND INVESTMENT  
REPORT AUGUST 2023**

**Attachments:** [Appendix 1 Monthly Financial Report July 2023](#)  
[Appendix 2 Investments July 2023](#)

**Responsible Officer:** Cherie Delmage  
Acting Director Corporate Services

**Author:** Thomas Gorman  
Manager Corporate Services

**Proposed Meeting Date:** 25 August 2023

**Location/Address:**

**Name of Applicant:** N/A

**Author Disclosure of Interest:** Nil

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/133)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Smith

**That Council adopts the Monthly Financial Statements for the period ending 31 July 2023 of the 2023/24 financial year included as Appendix 1 to the report.**

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** Nil

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**REPORT PURPOSE**

The Monthly Financial Statements provide details of the Shire of East Pilbara's (the Shire's) current year to date financial position in relation to the 2022-2023 Annual Budget, as amended from time to time, 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* ("the Act") and regulation 34 of the *Local Government (Financial Management) Regulations 1996* ("the Regulations").

**Appendix 1** details the financial activities of the Shire for the period 1 July 2022 to 31 July 2023 of the current financial year.

There are four sections to 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 for operating, and 10% or \$50,000 for capital, whichever is higher; and
4. A Capital Projects schedule detailing all expenditure.

**Appendix 2** is the Monthly Investments Report.

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

## **COMMENTS/OPTIONS/DISCUSSIONS**

### Variances

Material variances in the Shire 2022 - 2023 annual budget are disclosed within **Appendix 1**.

### Investments

The Shire’s portfolio accrued over \$306k in interest and returned 4.76%pa exceeding the bank bill benchmark’s 4.48%. New deposits invested in over the month are yielding well over 5%. Over the past 12 months the portfolio has returned 3.21% exceeding the bank bill index benchmark’s 3.15%.

Investment portfolio details are disclosed within **Appendix 2**.

### Insurance Report

For the month of July there were no insurance claims closed with 28 claims still open in various stages of completion.

## **MAU.190063 | PC0495 | TC Ilsa**

Progress on the Residential, plant & equipment and miscellaneous assets is still ongoing.

Data is being sourced for the non-insurable assets to be assessed by DRFAWA.

A cash settlement of \$932,610.00 for partial satisfaction and discharge of all claims under PR0039470 | MAU.190063 | PC0495 was authorised as a direct payment to the Shire. Progress on the Residential, plant & equipment and miscellaneous assets is still ongoing.

Data is being sourced for the non-insurable assets to be assessed by DRFAWA.

## 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

Governance

- G1 Vibrant local democracy, forward-thinking civic leadership, and transparent stewardship of the community’s assets and resources.
  - G1.1 Continued focus on good governance, transparency and community and stakeholder engagement in significant decisions, including place-based plans.
  - G1.4 Ensure a high standard of organisational management and effectiveness

## RISK MANAGEMENT CONSIDERATIONS

Legislative - Medium

## FINANCIAL IMPLICATIONS

Should Council not adopt the financial statements or defer consideration of the officer’s recommendation, the Shire may be considered non-compliant with its statutory obligations with respect to its reporting of financial activity statements.

## VOTING REQUIREMENTS

Simple Majority

# Shire Of East Pilbara

## Monthly Financial Statements

For The Period Ending 31st July 2023

LOCAL GOVERNMENT ACT 1995  
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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**SHIRE OF EAST PILBARA**  
**Statement of Comprehensive Income By Nature and Type**  
**For The Period Ending 31st July'2023**

	2023-24 Original Budget	2023-24 Current Budget	2023-24 YTD Budget	2023-24 YTD Actual	Monthly Budget vs Actual \$ Variance
	\$			\$	
<b>Revenue</b>					
Rates	31,397,825	31,397,825	0	32,532,074	32,532,074
Grants, subsidies and contributions	10,753,760	10,753,760	1,250	37,682	36,432
Fees and charges	27,620,158	27,620,158	1,713,930	3,097,862	1,383,932
Service charges	148,800	148,800	0	143,344	143,344
Interest revenue	2,740,000	2,740,000	50,000	12,680	(37,320)
Other revenue	1,608,600	1,608,600	0	34,705	34,705
	<b>74,269,143</b>	<b>74,269,143</b>	<b>1,765,180</b>	<b>35,858,347</b>	<b>34,093,167</b>
<b>Expenses</b>					
Employee costs	20,510,091	20,510,091	1,821,744	1,142,650	(679,094)
Materials and contracts	27,004,321	27,004,321	(183,720)	1,824,603	2,008,323
Utility charges	2,245,898	2,245,898	0	16,575	16,575
Depreciation	16,755,434	16,755,434	1,389,229	1,347,356	(41,873)
Finance costs	489,119	489,119	0	0	0
Insurance	1,578,689	1,578,689	829,523	1,123	(828,400)
Other expenditure	1,956,414	1,956,414	0	33,286	33,286
	<b>70,539,966</b>	<b>70,539,966</b>	<b>3,856,776</b>	<b>4,365,594</b>	<b>508,818</b>
	3,729,177	3,729,177	(2,091,596)	31,492,753	33,584,349
Capital grants, subsidies and contributions	5,288,298	5,288,298	0	0	0
Profit/ Loss on asset disposals	121,893	121,893	0	0	0
	5,410,191	5,410,191	0	0	0
<b>Net result for the period</b>	<b>9,139,368</b>	<b>9,139,368</b>	<b>(2,091,596)</b>	<b>31,492,753</b>	<b>33,584,349</b>
<b>Total comprehensive income for the period</b>	<b>9,139,368</b>	<b>9,139,368</b>	<b>(2,091,596)</b>	<b>31,492,753</b>	<b>33,584,349</b>

This statement is to be read in conjunction with the accompanying notes.

**SHIRE OF EAST PILBARA**  
**Statement of Comprehensive Income By Function**  
**For The Period Ending 31st July'2023**

	2023-24 Original Budget	2023-24 Current Budget	2023-24 YTD Budget	2023-24 YTD Actual	Monthly Budget vs Actual \$ Variance
	\$			\$	
<b>Revenue other than Capital Grants</b>					
General Purpose Funding	35,749,825	35,749,825	50,000	32,544,790	32,494,790
Governance	2,040,200	2,040,200	0	2,697	2,697
Law, Order & Public Safety	360,479	360,479	1,690	145,964	144,274
Health	63,600	63,600	4,465	1,305	(3,160)
Education & Welfare	62,000	62,000	0	15,000	15,000
Housing	375,000	375,000	31,248	25,264	(5,984)
Community Amenities	7,655,308	7,655,308	3,144	2,312,893	2,309,749
Recreation & Culture	4,626,326	4,626,326	55,213	107,488	52,275
Transport	21,233,300	21,233,300	1,561,847	524,321	(1,037,526)
Economic Services	952,998	952,998	57,573	176,390	118,817
Other Property & Services	1,272,000	1,272,000	0	2,235	2,235
	<b>74,391,036</b>	<b>74,391,036</b>	<b>1,765,180</b>	<b>35,858,347</b>	<b>34,093,167</b>
<b>Expenses</b>					
General Purpose Funding	656,656	656,656	16,706	10,228	(6,478)
Governance	3,489,865	3,489,865	-87,347	189,530	276,877
Law, Order & Public Safety	1,543,091	1,543,091	109,697	80,981	(28,716)
Health	827,904	827,904	59,746	37,141	(22,605)
Education & Welfare	3,175,049	3,175,049	261,494	194,326	(67,168)
Housing	2,250,710	2,250,710	42,507	137,466	94,959
Community Amenities	7,835,991	7,835,991	332,545	393,077	60,532
Recreation & Culture	15,996,005	15,996,005	1,076,062	1,062,647	(13,415)
Transport	28,853,507	28,853,507	1,784,473	1,886,875	102,402
Economic Services	3,712,648	3,712,648	173,361	158,883	(14,478)
Other Property & Services	2,198,539	2,198,539	87,532	214,441	126,909
	<b>70,539,966</b>	<b>70,539,966</b>	<b>3,856,776</b>	<b>4,365,594</b>	<b>508,818</b>
<b>Capital Grants</b>					
Capital grants, subsidies and contributions	5,288,298	5,288,298	0	0	0
	<b>5,288,298</b>	<b>5,288,298</b>	<b>0</b>	<b>0</b>	
<b>Total comprehensive income for the period</b>	<b>9,139,368</b>	<b>9,139,368</b>	<b>(2,091,596)</b>	<b>31,492,753</b>	

**SHIRE OF EAST PILBARA**  
**Statement of Financial Activity By Nature and Type**  
**For The Period Ending 31st July'2023**

	2023-24 Original Budget	2023-24 Current Budget	2023-24 YTD Budget	2023 YTD Actual
		\$	\$	\$
<b>OPERATING ACTIVITIES</b>				
<b>Revenue from operating activities</b>				
Rates	31,397,825	31,397,825	0	32,532,074
Grants, subsidies and contributions	10,753,760	10,753,760	1,250	37,682
Fees and charges	27,620,158	27,620,158	1,713,930	3,097,862
Service charges	148,800	148,800	0	143,344
Interest revenue	2,740,000	2,740,000	50,000	12,680
Other revenue	1,608,600	1,608,600	0	34,705
Profit on asset disposals	121,893	121,893	0	0
	<u>74,391,036</u>	<u>74,391,036</u>	<u>1,765,180</u>	<u>35,858,347</u>
<b>Expenditure from operating activities</b>				
Employee costs	20,510,091	20,510,091	1,821,744	1,142,650
Materials and contracts	27,004,321	27,004,321	(183,720)	1,824,603
Utility charges	2,245,898	2,245,898	0	16,575
Depreciation	16,755,434	16,755,434	1,389,229	1,347,356
Finance costs	489,119	489,119	0	0
Insurance	1,578,689	1,578,689	829,523	1,123
Other expenditure	1,956,414	1,956,414	0	33,286
	<u>70,539,966</u>	<u>70,539,966</u>	<u>3,856,776</u>	<u>4,365,594</u>
Non-cash amounts excluded from operating activities	16,755,434	16,755,434	1,389,229	1,347,356
<b>Amount attributable to operating activities</b>	<u>20,606,504</u>	<u>20,606,504</u>	<u>(702,367)</u>	<u>32,840,109</u>
<b>INVESTING ACTIVITIES</b>				
<b>Inflows from investing activities</b>				
Capital grants, subsidies and contributions	5,288,298	5,288,298	0	0
Proceeds from disposal of assets	481,000	481,000	0	0
	<u>5,769,298</u>	<u>5,769,298</u>	<u>0</u>	<u>0</u>
<b>Outflows from investing activities</b>				
Purchase of property, plant and equipment	2,598,994	2,598,994	48,000	338,849
Purchase and construction of infrastructure	13,343,006	13,343,006	0	22,918
	<u>15,942,000</u>	<u>15,942,000</u>	<u>48,000</u>	<u>361,767</u>
<b>Amount attributable to investing activities</b>	<u>(10,172,702)</u>	<u>(10,172,702)</u>	<u>(48,000)</u>	<u>(361,767)</u>
<b>FINANCING ACTIVITIES</b>				
<b>Inflows from financing activities</b>				
Proceeds from borrowings	630,000	630,000	0	0
Transfers from reserve accounts	325,000	325,000	0	0
	<u>955,000</u>	<u>955,000</u>	<u>0</u>	<u>0</u>
<b>Outflows from financing activities</b>				
Repayment of borrowings	3,417,822	3,417,822	0	0
Transfers to reserve accounts	7,970,981	7,970,981	0	0
	<u>11,388,803</u>	<u>11,388,803</u>	<u>0</u>	<u>0</u>
<b>Amount attributable to financing activities</b>	<u>(10,433,803)</u>	<u>(10,433,803)</u>	<u>0</u>	<u>0</u>
<b>MOVEMENT IN SURPLUS OR DEFICIT</b>				
Amount attributable to operating activities	20,606,504	20,606,504	(702,367)	32,840,109
Amount attributable to investing activities	(10,172,702)	(10,172,702)	(48,000)	(361,767)
Amount attributable to financing activities	(10,433,803)	(10,433,803)	0	0
<b>Surplus or deficit after imposition of general rates</b>	<u>(0)</u>	<u>(0)</u>	<u>(750,367)</u>	<u>32,478,342</u>

This statement is to be read in conjunction with the accompanying notes.



SHIRE OF EAST PILBARA  
Statement of Financial Activity By Function  
For The Period Ending 31st July 2023

	2023-24 Original Budget	2023-24 Current Budget	2023-24 YTD Budget	2023 YTD Actual
	\$	\$	\$	\$
<b>OPERATING ACTIVITIES</b>				
<b>Revenue from operating activities</b>				
General Purpose Funding	35,749,825	35,749,825	50,000	32,544,790
Governance	2,040,200	2,040,200	0	2,697
Law, Order & Public Safety	360,479	360,479	1,690	145,964
Health	63,600	63,600	4,465	1,305
Education & Welfare	62,000	62,000	0	15,000
Housing	375,000	375,000	31,248	25,264
Community Amenities	7,655,308	7,655,308	3,144	2,312,893
Recreation & Culture	4,626,326	4,626,326	55,213	107,488
Transport	21,233,300	21,233,300	1,561,847	524,321
Economic Services	952,998	952,998	57,573	176,390
Other Property & Services	1,272,000	1,272,000	0	2,235
	<u>74,391,036</u>	<u>74,391,036</u>	<u>1,765,180</u>	<u>35,858,347</u>
<b>Expenditure from operating activities</b>				
General Purpose Funding	656,656	656,656	16,706	10,228
Governance	3,489,865	3,489,865	-87,347	189,530
Law, Order & Public Safety	1,543,091	1,543,091	109,697	80,981
Health	827,904	827,904	59,746	37,141
Education & Welfare	3,175,049	3,175,049	261,494	194,326
Housing	2,250,710	2,250,710	42,507	137,466
Community Amenities	7,835,991	7,835,991	332,545	393,077
Recreation & Culture	15,996,005	15,996,005	1,076,062	1,062,647
Transport	28,853,507	28,853,507	1,784,473	1,886,875
Economic Services	3,712,648	3,712,648	173,361	158,883
Other Property & Services	2,198,539	2,198,539	87,532	214,441
	<u>70,539,966</u>	<u>70,539,966</u>	<u>3,856,776</u>	<u>4,365,594</u>
Non-cash amounts excluded from operating activities	16,755,434	16,755,434	1,389,229	1,347,356
<b>Amount attributable to operating activities</b>	<u>20,606,504</u>	<u>20,606,504</u>	<u>(702,367)</u>	<u>32,840,109</u>
<b>INVESTING ACTIVITIES</b>				
<b>Inflows from investing activities</b>				
Capital grants, subsidies and contributions	5,288,298	5,288,298	0	0
Proceeds from disposal of assets	481,000	481,000	0	0
Proceeds from financial assets at amortised cost - self supporting loans				
Distributions from investments in associates				
	<u>5,769,298</u>	<u>5,769,298</u>	<u>0</u>	<u>0</u>
<b>Outflows from investing activities</b>				
<b>Less: CAPITAL WORKS PROGRAMME</b>				
Governance	90,000.00	90,000.00	0.00	0.00
Law, Order & Public Safety	35,993.57	35,993.57	0.00	0.00
	0.00	0.00	0.00	0.00
Housing	1,520,500.00	1,520,500.00	48,000.00	12,960.20
Community Amenities	1,147,000.00	1,147,000.00	0.00	69,250.00
Recreation & Culture	3,819,118.00	3,819,118.00	0.00	106,470.71
Transport	9,139,388.00	9,139,388.00	0.00	201,399.50
Economic Services	190,000.00	190,000.00	0.00	-28,313.76
	<u>0</u>	<u>0</u>	<u>0</u>	<u>0</u>
	<u>15,942,000</u>	<u>15,942,000</u>	<u>48,000</u>	<u>361,767</u>
Non-cash amounts excluded from investing activities	0	0	0	0
<b>Amount attributable to investing activities</b>	<u>(10,172,702)</u>	<u>(10,172,702)</u>	<u>(48,000)</u>	<u>(361,767)</u>
<b>FINANCING ACTIVITIES</b>				
<b>Inflows from financing activities</b>				
Proceeds from borrowings	630,000	630,000	0	0
Transfers from reserve accounts	325,000	325,000	0	0
	<u>955,000</u>	<u>955,000</u>	<u>0</u>	<u>0</u>
<b>Outflows from financing activities</b>				
Repayment of borrowings	3,417,822	3,417,822	0	0
Transfers to reserve accounts	7,970,981	7,970,981	0	0
	<u>11,388,803</u>	<u>11,388,803</u>	<u>0</u>	<u>0</u>
<b>Amount attributable to financing activities</b>	<u>(10,433,803)</u>	<u>(10,433,803)</u>	<u>0</u>	<u>0</u>
<b>MOVEMENT IN SURPLUS OR DEFICIT</b>				
Amount attributable to operating activities	20,606,504	20,606,504	(702,367)	32,840,109
Amount attributable to investing activities	(10,172,702)	(10,172,702)	(48,000)	(361,767)
Amount attributable to financing activities	(10,433,803)	(10,433,803)	0	0
<b>Surplus or deficit after imposition of general rates</b>	<u>(0)</u>	<u>(0)</u>	<u>(750,367)</u>	<u>32,478,342</u>

This statement is to be read in conjunction with the accompanying notes.

Adjusted Net Current Assets	<u>YTD Actuals</u>	ADJUSTED NET CURRENT
	\$	
<b>Current Assets</b>		
<b>Cash and cash equivalents</b>		
Cash at bank and on hand	6,722,753	
Short-term term deposits	8,791,446	
Bank overdraft	0	
<b>Total Cash and cash equivalents</b>	<b>15,514,199</b>	
<b>Trade and other receivables</b>		
Rates and statutory receivables	38,047,395	
Trade receivables	4,896,012	
Other receivables	75,437	
<b>Total Trade and other receivables</b>	<b>43,018,845</b>	
<b>Inventories</b>		
Fuel and materials	768,759	
Baskets	17,205	
<b>Total Inventories</b>	<b>785,964</b>	
<b>Other assets</b>		
Prepayments	75,361	
Accrued income	(13)	
<b>Total Other Assets</b>	<b>75,348</b>	
<b>Total Current Assets</b>	<u><b>59,394,356</b></u>	
<b>Current Liabilities</b>		
<b>Trade and other payables</b>		
Sundry creditors	2,646,401	
Prepaid rates	105,935	
Bonds and deposits held	1,479,176	
Accrued salaries and wages	0	
Other accruals	3,276,457	
Accrued interest on long term borrowings	0	
<b>Total Trade and other payables</b>	<u><b>7,507,969</b></u>	
<b>Other Liabilities</b>		
Capital grant/contributions liabilities	4,469,607	
<b>Other Liabilities</b>	<b>4,469,607</b>	
<b>Total Current Liabilities</b>	<u><u><b>11,977,576</b></u></u>	

Item 11.2.3 Appendix 1

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**NOTE 2**

**For The Period Ending 31st July 2023**

**EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2022/23 year is \$20,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>VARIANCE BY FUNCTION &amp; ACTIVITY</b>					
<b>Revenue from operating activities</b>					
Governance	2,697	0.0%			
General Purpose Funding - Other	32,494,790	64989.6%	▲	Timing	Rates Budgeted in August, but billed in August Service Charges included in Rates billing. Actual in July Budgeted in August
Law, Order & Public Safety	144,274	8536.9%	▲	Timing	July Budgeted in August
Health	(3,160)	-70.8%	▼	Timing	
Education and Welfare	15,000	0.0%			
Housing	(5,984)	-19.1%	▼		
Community Amenities	2,309,749	73465.3%	▲	Timing	Service Charges included in Rates billing. Actual in July Budgeted in August
Recreation and Culture	52,275	94.7%	▲	Timing	Annual Membership renewals not budgeted
Transport	(1,037,526)	-66.4%	▼	Timing	RPT Passenger Fees not yet received for Newman & Marble Bar Airports. Security Screening Fees not yet received for Newman Airport Higher Caravan Fees & Building Fees than budgeted
Economic Services	118,817	206.4%	▲	Timing	
Other Property and Services	2,235	0.0%			
<b>Expenditure from operating activities</b>					
General Purpose Funding	(6,478)	-38.8%	▼		
Governance	276,877	-317.0%	▼	Timing	Timing difference in IT Expenditure Expenditure delayed. This will be reflected in higher expenditure in future month
Law, Order and Public Safety	(28,716)	-26.2%	▼	Timing	
Health	(22,605)	-37.8%	▼	Timing	Delay in additional Health staff appointments Delay in some expenditure items to be back in line in subsequent 2 months
Education and Welfare	(67,168)	-25.7%	▼	Timing	
Housing	94,959	223.4%	▲	Timing	Timing of staff housing maintenance
Community Amenities	60,532	18.2%	▲	Timing	Landfill Civil Works Expenditure
Recreation and Culture	(13,415)	-1.2%	▼		
Transport	102,402	5.7%	▲	Timing	Road Maintenance grading timing skewed to start of year
Economic Services	(14,478)	-8.4%	▼	Timing	
Other Property and Services	126,909	145.0%	▲	Timing	Repairs to Cape K infrastructure from TC Isla. There are current insurance claims for this event.
<b>VARIANCE BY NATURE &amp; TYPE</b>					
<b>Operating Revenue</b>					
Rates	32,532,074	100.0%	▲	Timing	Rates Budgeted in August, but billed in July
Grants And Subsidies	36,432	2914.5%	▲	Timing	Grants received in advance of budget expectation
Gain On Asset Disposals	-	100.0%	▲		
Fees and Charges	1,383,932	80.7%	▲	Permanent	Rates Budgeted in August, but billed in July
Interest	(37,320)	-74.6%	▼	Permanent	Interest earnings on revised forecast
Other Revenue/Income	34,705	100.0%	▲	Timing	Ahead of forecasts due to timing used for Budget , may need some reclassifying of transactions
Service Charges	143,344	100.0%	▲	Timing	Actual levied amount

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**NOTE 2**

**For The Period Ending 31st July 2023**

**EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2022/23 year is \$20,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>VARIANCE BY FUNCTION &amp; ACTIVITY</b>	\$	%			

Item 11.2.3 Appendix 1

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY**

**NOTE 2**

**For The Period Ending 31st July 2023**

**EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2022/23 year is \$20,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
<b>VARIANCE BY FUNCTION &amp; ACTIVITY</b>	\$	%			
<b><u>Operating Expenditure</u></b>					
Employee Costs	(679,094)	-37.3%	▲	Permanent	W.Comp insurance allocation is not inline with budget expectations. Some expected wages allocations to be reviewed. Complete review of this expenditure will be performed as part of upcoming budget reviews Actual expenditure incurred faster than budgeted in certain categories. There will be a review of GL account allocations as part of the October Budget review
Materials And Contracts	2,008,323	-1093.1%	▲	Timing	Timing of capex and impact of FY22 Land & Buildings review
Depreciation On Non Current Assets	(41,873)	-3.0%	▲	Timing	Allocation of insurance costs have yet to be done. Will be completed next month
Insurance Expenses	(828,400)	-99.9%	▲	Timing	
Loss On Asset Disposal	-	0.0%			
Interest Expenses	-	0.0%	▲		
Utilities (Gas, Electricity, Water Etc)	16,575	100.0%	▲		
Other Expenditure	33,286	100.0%	▲	Timing	Timing of Budgeted expenditure delayed compared to actual expenditure

Item 11.2.3 Appendix 1

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Item 1.1



Shire of EAST  
**Pilbara**  
AUSTRALIA'S LARGEST SHIRE

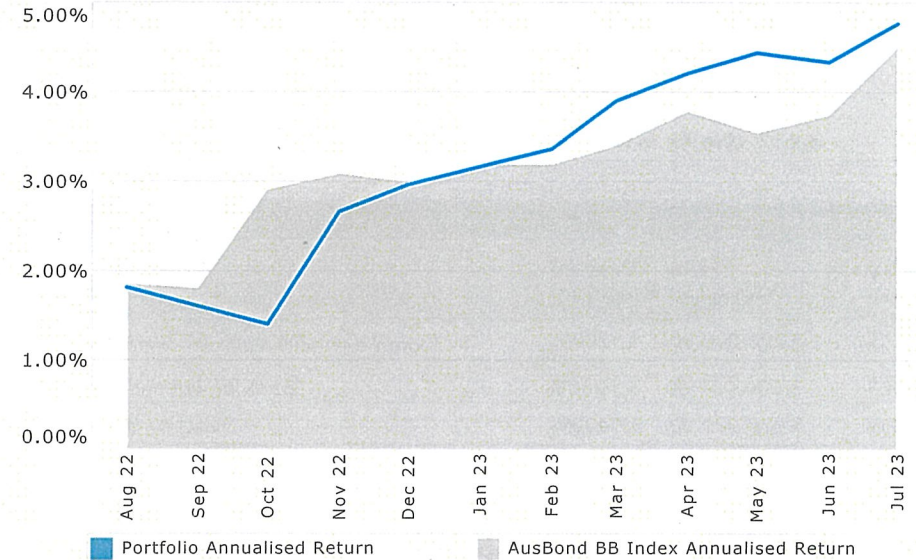
**Investment Summary Report  
July 2023**

Appendix 2

**Investment Holdings**

	Face Value (\$)	Current Value (\$)	Current Yield (%)
Cash	2,027,910	2,027,910	0.0117
Term Deposit	74,000,000	75,177,258	4.9407
<b>Total</b>	<b>76,027,910</b>	<b>77,205,168</b>	<b>4.8093</b>

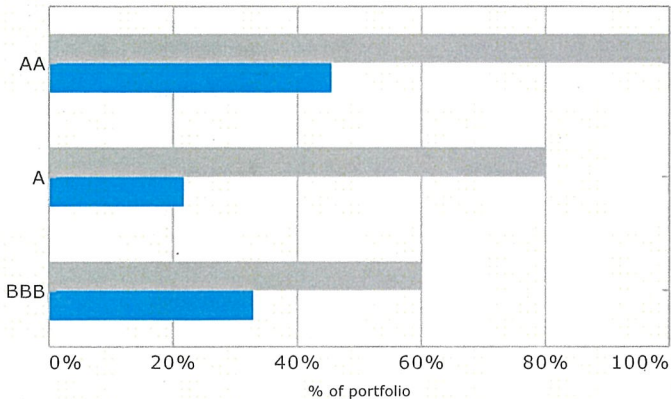
**Investment Performance**



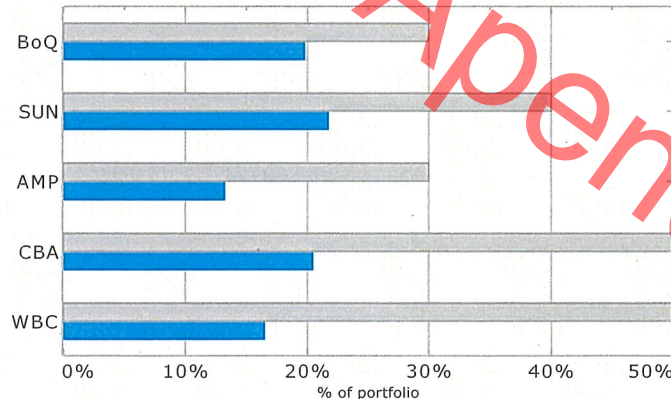
Item 11.2.2 Appendix 2

**Investment Policy Compliance**

**Total Credit Exposure**



**Individual Institutional Exposures**



**Term to Maturities**

	Face Value (\$)	Policy Max
Between 0 and 1 years	76,027,910	100% 100% ✓
<b>Total</b>	<b>76,027,910</b>	

■ Portfolio Exposure    ■ Investment Policy Limit

# Shire of East Pilbara

## Investment Holdings Report - July 2023



### Cash Accounts

Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Current Value (\$)	Deal No.	Reference
8,521.00	2.7827%	Macquarie Bank	A+	8,521.00	541691	Accelerator
2,019,388.95	0.0000%	Bankwest	AA-	2,019,388.95	541653	
<b>2,027,909.95</b>	<b>0.0117%</b>			<b>2,027,909.95</b>		

### Term Deposits

Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
9-Aug-23	3,000,000.00	4.5200%	Commonwealth Bank of Australia	AA-	3,000,000.00	9-Feb-23	3,064,270.68	543836	64,270.68	At Maturity	
23-Aug-23	3,000,000.00	5.4800%	Bank of Queensland	BBB+	3,000,000.00	15-Jun-23	3,021,169.32	544206	21,169.32	At Maturity	
20-Sep-23	3,000,000.00	5.0400%	Suncorp Bank	A+	3,000,000.00	14-Jun-23	3,019,883.84	544200	19,883.84	At Maturity	
20-Oct-23	2,500,000.00	4.6200%	Suncorp Bank	A+	2,500,000.00	20-Apr-23	2,532,593.15	544025	32,593.15	At Maturity	
26-Oct-23	2,500,000.00	4.6500%	Westpac Group	AA-	2,500,000.00	26-Apr-23	2,530,893.84	544063	30,893.84	At Maturity	
4-Nov-23	5,000,000.00	4.7200%	Westpac Group	AA-	5,000,000.00	4-Nov-22	5,174,575.34	543568	174,575.34	At Maturity	
7-Nov-23	5,000,000.00	4.8000%	AMP Bank	BBB	5,000,000.00	7-Nov-22	5,175,561.64	543521	175,561.64	At Maturity	
8-Nov-23	2,500,000.00	4.7000%	Westpac Group	AA-	2,500,000.00	8-Nov-22	2,585,630.14	543569	85,630.14	At Maturity	
14-Nov-23	3,000,000.00	4.7800%	Suncorp Bank	A+	3,000,000.00	10-May-23	3,032,608.77	544087	32,608.77	At Maturity	
26-Nov-23	2,500,000.00	4.6600%	Westpac Group	AA-	2,500,000.00	26-Apr-23	2,530,960.27	544064	30,960.27	At Maturity	
12-Dec-23	2,500,000.00	4.4000%	Commonwealth Bank of Australia	AA-	2,500,000.00	12-Dec-22	2,569,917.81	543646	69,917.81	At Maturity	
12-Dec-23	3,000,000.00	4.5500%	Suncorp Bank	A+	3,000,000.00	12-Apr-23	3,041,510.96	544018	41,510.96	At Maturity	
16-Jan-24	2,500,000.00	4.7500%	National Australia Bank	AA-	2,500,000.00	12-May-23	2,526,352.74	544096	26,352.74	At Maturity	
13-Feb-24	1,500,000.00	5.0100%	Commonwealth Bank of Australia	AA-	1,500,000.00	13-Feb-23	1,534,795.48	543823	34,795.48	At Maturity	
12-Mar-24	10,000,000.00	4.9000%	Bank of Queensland	BBB+	10,000,000.00	9-Mar-23	10,194,657.53	543919	194,657.53	At Maturity	
3-Apr-24	5,000,000.00	5.0600%	Commonwealth Bank of Australia	AA-	5,000,000.00	1-Jun-23	5,042,282.19	544144	42,282.19	At Maturity	
16-Apr-24	5,000,000.00	5.4700%	Suncorp Bank	A+	5,000,000.00	19-Jul-23	5,009,741.10	544326	9,741.10	At Maturity	
13-May-24	4,000,000.00	4.7200%	National Australia Bank	AA-	4,000,000.00	12-May-23	4,041,898.08	544097	41,898.08	At Maturity	
4-Jun-24	1,500,000.00	5.3000%	Commonwealth Bank of Australia	AA-	1,500,000.00	7-Jun-23	1,511,979.45	544169	11,979.45	At Maturity	
12-Jun-24	2,000,000.00	5.4800%	Bank of Queensland	BBB+	2,000,000.00	15-Jun-23	2,014,112.88	544205	14,112.88	At Maturity	
3-Jul-24	5,000,000.00	5.7000%	AMP Bank	BBB	5,000,000.00	4-Jul-23	5,021,863.01	544289	21,863.01	At Maturity	



# Shire of East Pilbara

## Investment Holdings Report - July 2023



Maturity Date	Face Value (\$)	Current Rate (%)	Institution	Credit Rating	Purchase Price (\$)	Purchase Date	Current Value (\$)	Deal No.	Accrued Interest (\$)	Next Interest Date	Reference
	74,000,000.00	4.9407%			74,000,000.00		75,177,258.22		1,177,258.22		

Item 11.2.3 Appendix 2

# Shire of East Pilbara

## Accrued Interest Report - July 2023



Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Interest Yield (% pa)
<b>Cash</b>									
Bankwest	541653					0.00	0	0.00	0.00%
Macquarie Bank	541691					19.84	0	19.84	2.78%
						<b>19.84</b>		<b>19.84</b>	<b>0.01%</b>
<b>Term Deposits</b>									
Macquarie Bank	543926		1,000,000.00	10-Mar-23	10-Jul-23	14,873.97	9	1,097.26	4.45%
Suncorp Bank	543696		5,000,000.00	11-Jan-23	18-Jul-23	115,117.81	17	10,409.59	4.47%
Suncorp Bank	544325		5,115,117.81	18-Jul-23	19-Jul-23	574.57	1	574.57	4.10%
Bank of Queensland	544206		3,000,000.00	15-Jun-23	23-Aug-23	0.00	31	13,962.74	5.48%
Commonwealth Bank of Australia	543836		3,000,000.00	9-Feb-23	9-Aug-23	0.00	31	11,516.71	4.52%
Suncorp Bank	544200		3,000,000.00	14-Jun-23	20-Sep-23	0.00	31	12,841.65	5.04%
Suncorp Bank	544025		2,500,000.00	20-Apr-23	20-Oct-23	0.00	31	9,809.59	4.62%
Westpac Group	544063		2,500,000.00	26-Apr-23	26-Oct-23	0.00	31	9,873.29	4.65%
AMP Bank	543521		5,000,000.00	7-Nov-22	7-Nov-23	0.00	31	20,383.56	4.80%
Suncorp Bank	544087		3,000,000.00	10-May-23	14-Nov-23	0.00	31	12,179.18	4.78%
Westpac Group	543568		5,000,000.00	4-Nov-22	4-Nov-23	0.00	31	20,043.83	4.72%
Westpac Group	543569		2,500,000.00	8-Nov-22	8-Nov-23	0.00	31	9,979.46	4.70%
Westpac Group	544064		2,500,000.00	26-Apr-23	26-Nov-23	0.00	31	9,894.52	4.66%
Commonwealth Bank of Australia	543646		2,500,000.00	12-Dec-22	12-Dec-23	0.00	31	9,342.47	4.40%
Suncorp Bank	544018		3,000,000.00	12-Apr-23	12-Dec-23	0.00	31	11,593.15	4.55%
National Australia Bank	544096		2,500,000.00	12-May-23	16-Jan-24	0.00	31	10,085.62	4.75%
Commonwealth Bank of Australia	543823		1,500,000.00	13-Feb-23	13-Feb-24	0.00	31	6,382.60	5.01%
Bank of Queensland	543919		10,000,000.00	9-Mar-23	12-Mar-24	0.00	31	41,616.43	4.90%
Commonwealth Bank of Australia	544144		5,000,000.00	1-Jun-23	3-Apr-24	0.00	31	21,487.67	5.06%
Suncorp Bank	544326		5,000,000.00	19-Jul-23	16-Apr-24	0.00	13	9,741.10	5.47%
National Australia Bank	544097		4,000,000.00	12-May-23	13-May-24	0.00	31	16,035.07	4.72%
Bank of Queensland	544205		2,000,000.00	15-Jun-23	12-Jun-24	0.00	31	9,308.50	5.48%

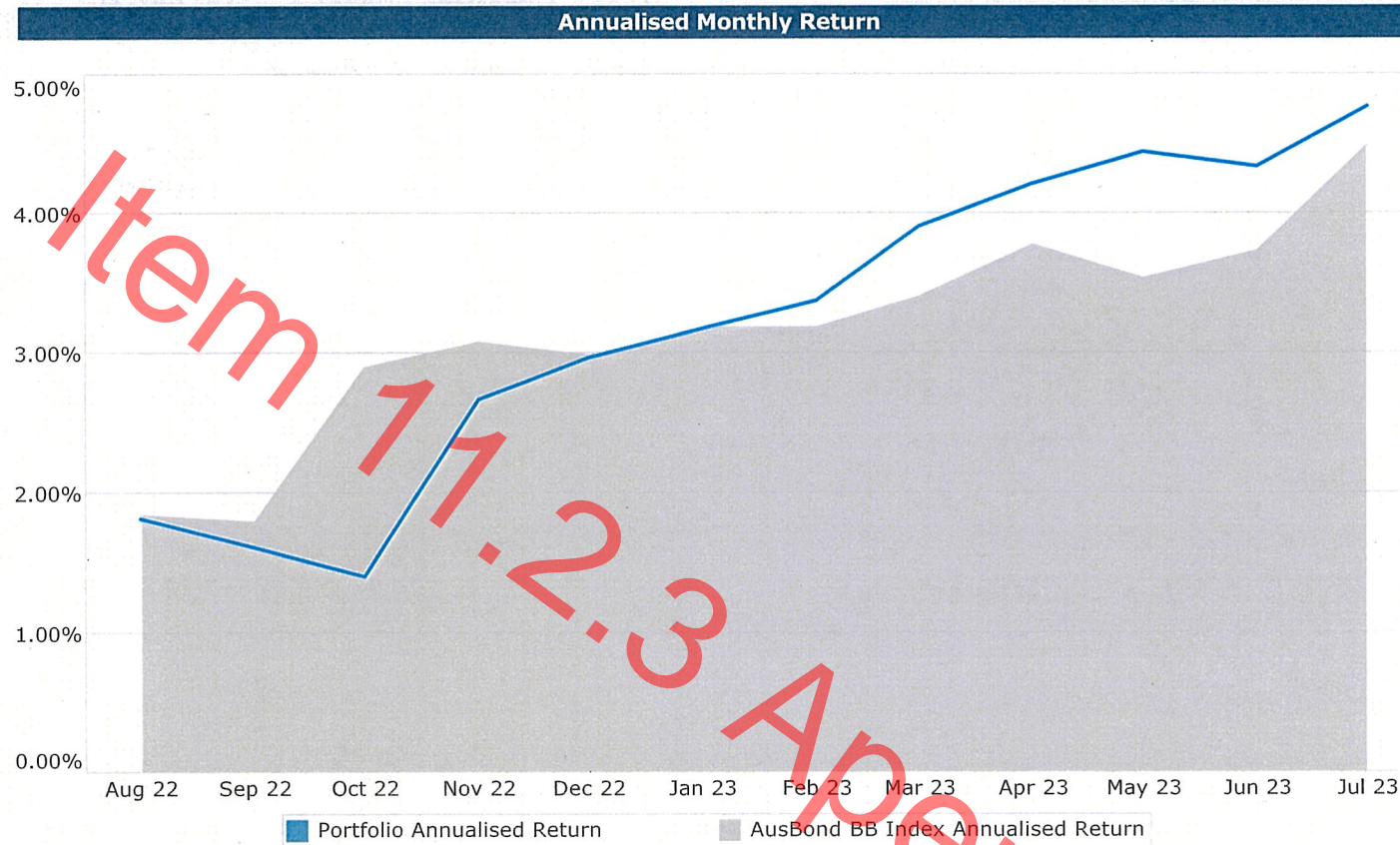
# Shire of East Pilbara

Accrued Interest Report - July 2023



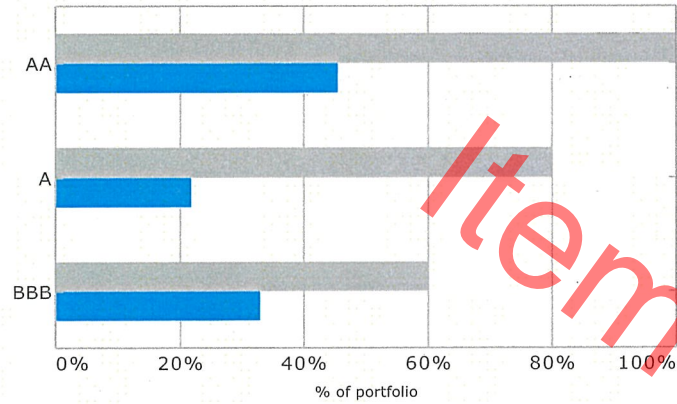
Investment	Deal No.	Comments	Face Value (\$)	Settlement Date	Maturity Date	Interest Received (\$)	Days	Interest Accrued (\$)	Interest Yield (% pa)
Commonwealth Bank of Australia	544169		1,500,000.00	7-Jun-23	4-Jun-24	0.00	31	6,752.05	5.30%
AMP Bank	544289		5,000,000.00	4-Jul-23	3-Jul-24	0.00	28	21,863.01	5.70%
						<b>130,566.35</b>		<b>306,773.62</b>	<b>4.89%</b>
<b>Grand Totals</b>						<b>130,586.19</b>		<b>306,793.46</b>	<b>4.76%</b>

Item 11.2.3 Appendix 2

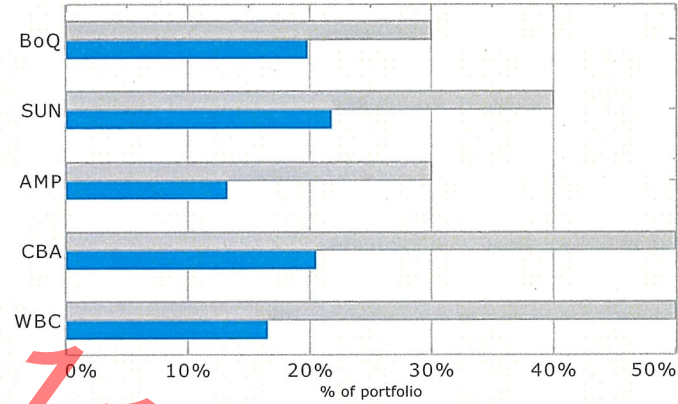


Historical Performance Summary (%pa)			
	Portfolio	Annualised BB Index	Outperformance
Jul 2023	4.76%	4.48%	0.28%
Last 3 months	4.51%	3.91%	0.60%
Last 6 months	4.18%	3.69%	0.49%
Financial Year to Date	4.76%	4.48%	0.28%
Last 12 months	3.21%	3.15%	0.06%

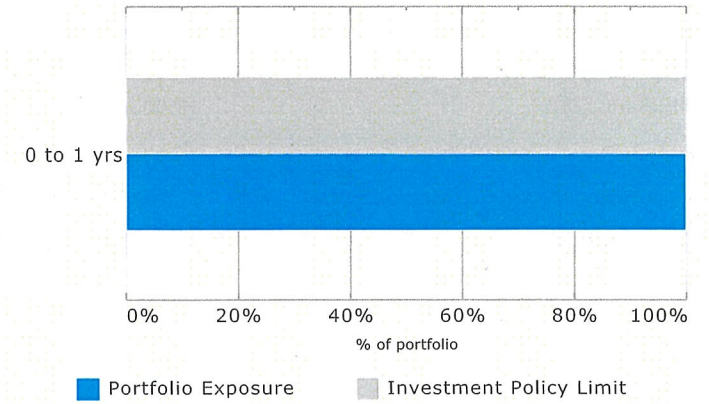
### Total Credit Exposure



### Individual Institutional Exposures



### Term to Maturities



Credit Rating Group	Face Value (\$)	Policy Max
AA	34,519,389	45% <b>100%</b> ✓
A	16,508,521	22% <b>80%</b> ✓
BBB	25,000,000	33% <b>60%</b> ✓
	<b>76,027,910</b>	

Institution	% of portfolio	Investment Policy Limit
Bank of Queensland (BBB+)	20%	30% ✓
Suncorp Bank (A+)	22%	40% ✓
AMP Bank (BBB)	13%	30% ✓
Commonwealth Bank of Australia (AA-)	20%	50% ✓
Westpac Group (AA-)	16%	50% ✓
National Australia Bank (AA-)	9%	50% ✓

Term	Face Value (\$)	Policy Max
Between 0 and 1 years	76,027,910	100% <b>100%</b> ✓
	<b>76,027,910</b>	

✓ = compliant  
 ✗ = non-compliant

# Shire of East Pilbara

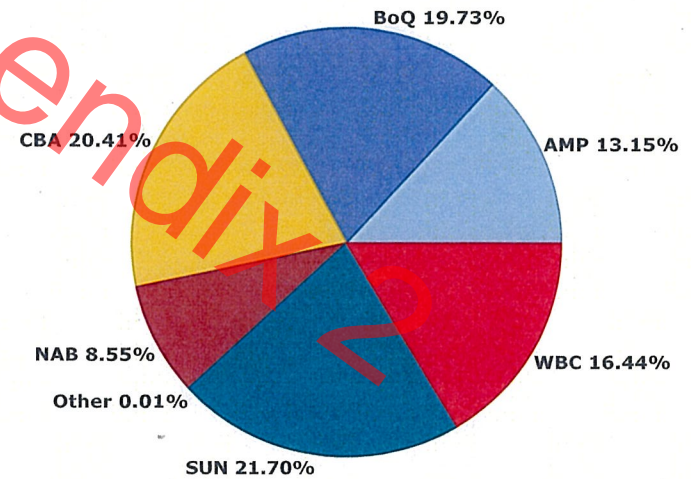
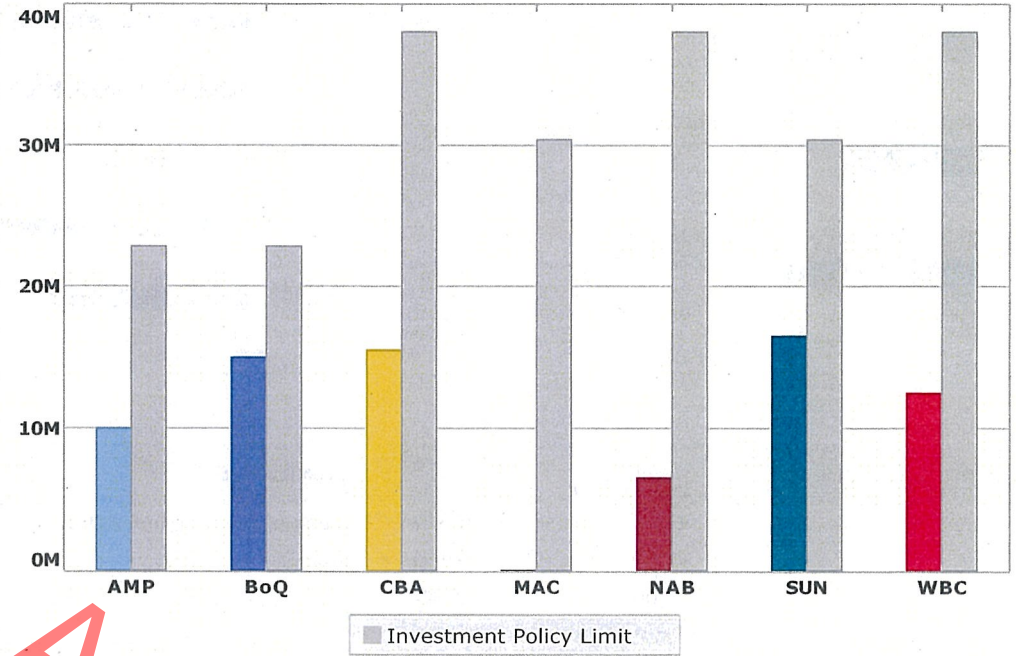
## Individual Institutional Exposures Report - July 2023



### Individual Institutional Exposures

	Current Exposures		Policy Limit		Capacity
AMP Bank (BBB)	10,000,000	13%	22,805,817	30%	12,805,817
Bank of Queensland (BBB+)	15,000,000	20%	22,805,817	30%	7,805,817
Commonwealth Bank of Australia (AA-)	15,519,389	20%	38,009,694	50%	22,490,305
Macquarie Bank (A+)	8,521	0%	30,407,756	40%	30,399,235
National Australia Bank (AA-)	6,500,000	9%	38,009,694	50%	31,509,694
Suncorp Bank (A+)	16,500,000	22%	30,407,756	40%	13,907,756
Westpac Group (AA-)	12,500,000	16%	38,009,694	50%	25,509,694
	<b>76,027,910</b>				

### Individual Institutional Exposure Charts



**Shire of East Pilbara**  
Cashflows Report - July 2023



**Actual Cashflows for July 2023**

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
4-Jul-23	544289	AMP Bank	Term Deposit	Settlement: Face Value	-5,000,000.00
				<u>Deal Total</u>	<u>-5,000,000.00</u>
				<b>Day Total</b>	<b>-5,000,000.00</b>
10-Jul-23	543926	Macquarie Bank	Term Deposit	Maturity: Face Value	1,000,000.00
		Macquarie Bank	Term Deposit	Maturity: Interest Received/Paid	14,873.97
				<u>Deal Total</u>	<u>1,014,873.97</u>
				<b>Day Total</b>	<b>1,014,873.97</b>
18-Jul-23	543696	Suncorp Bank	Term Deposit	Maturity: Face Value	5,000,000.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	115,117.80
				<u>Deal Total</u>	<u>5,115,117.80</u>
18-Jul-23	544325	Suncorp Bank	Term Deposit	Settlement: Face Value	-5,115,118.00
				<u>Deal Total</u>	<u>-5,115,118.00</u>
				<b>Day Total</b>	<b>-0.20</b>
19-Jul-23	544325	Suncorp Bank	Term Deposit	Maturity: Face Value	5,115,118.00
		Suncorp Bank	Term Deposit	Maturity: Interest Received/Paid	574.57
				<u>Deal Total</u>	<u>5,115,692.57</u>
19-Jul-23	544326	Suncorp Bank	Term Deposit	Settlement: Face Value	-5,000,000.00
				<u>Deal Total</u>	<u>-5,000,000.00</u>
				<b>Day Total</b>	<b>115,692.57</b>
				<b>Total for Month</b>	<b>-3,869,433.65</b>

**Forecast Cashflows for August 2023**

Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
9-Aug-23	543836	Commonwealth Bank of Australia	Term Deposit	Maturity: Face Value	3,000,000.00
		Commonwealth Bank of Australia	Term Deposit	Maturity: Interest Received/Paid	67,242.74
				<u>Deal Total</u>	<u>3,067,242.74</u>

**Shire of East Pilbara**  
Cashflows Report - July 2023



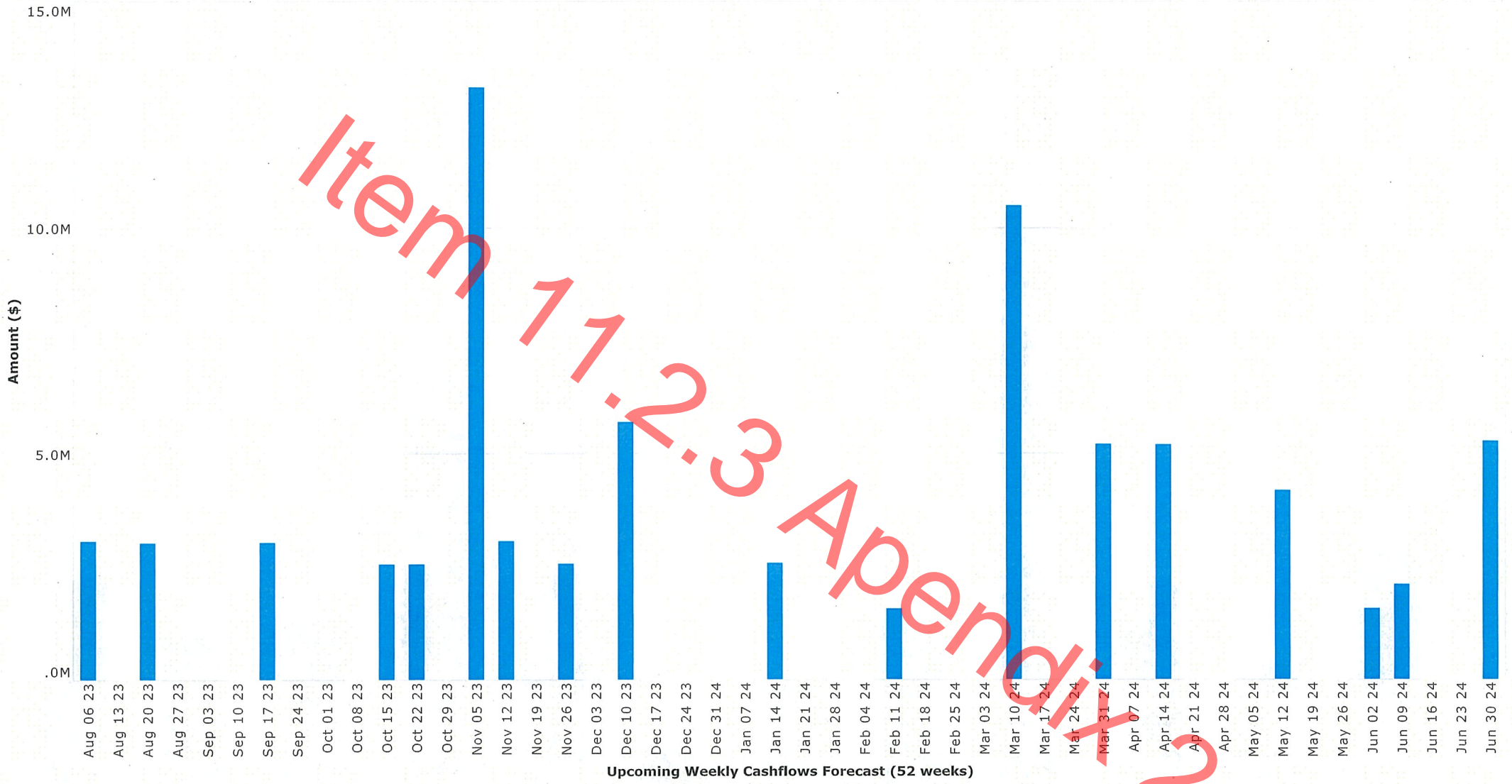
Date	Deal No.	Cashflow Counterparty	Asset Type	Cashflow Description	Amount
				<b>Day Total</b>	<b>3,067,242.74</b>
23-Aug-23	544206	Bank of Queensland	Term Deposit	Maturity: Face Value	3,000,000.00
		Bank of Queensland	Term Deposit	Maturity: Interest Received/Paid	31,078.36
				<u>Deal Total</u>	<u>3,031,078.36</u>
				<b>Day Total</b>	<b>3,031,078.36</b>
				<b>Total for Month</b>	<b>6,098,321.10</b>

Item 11.2.3 Appendix 2



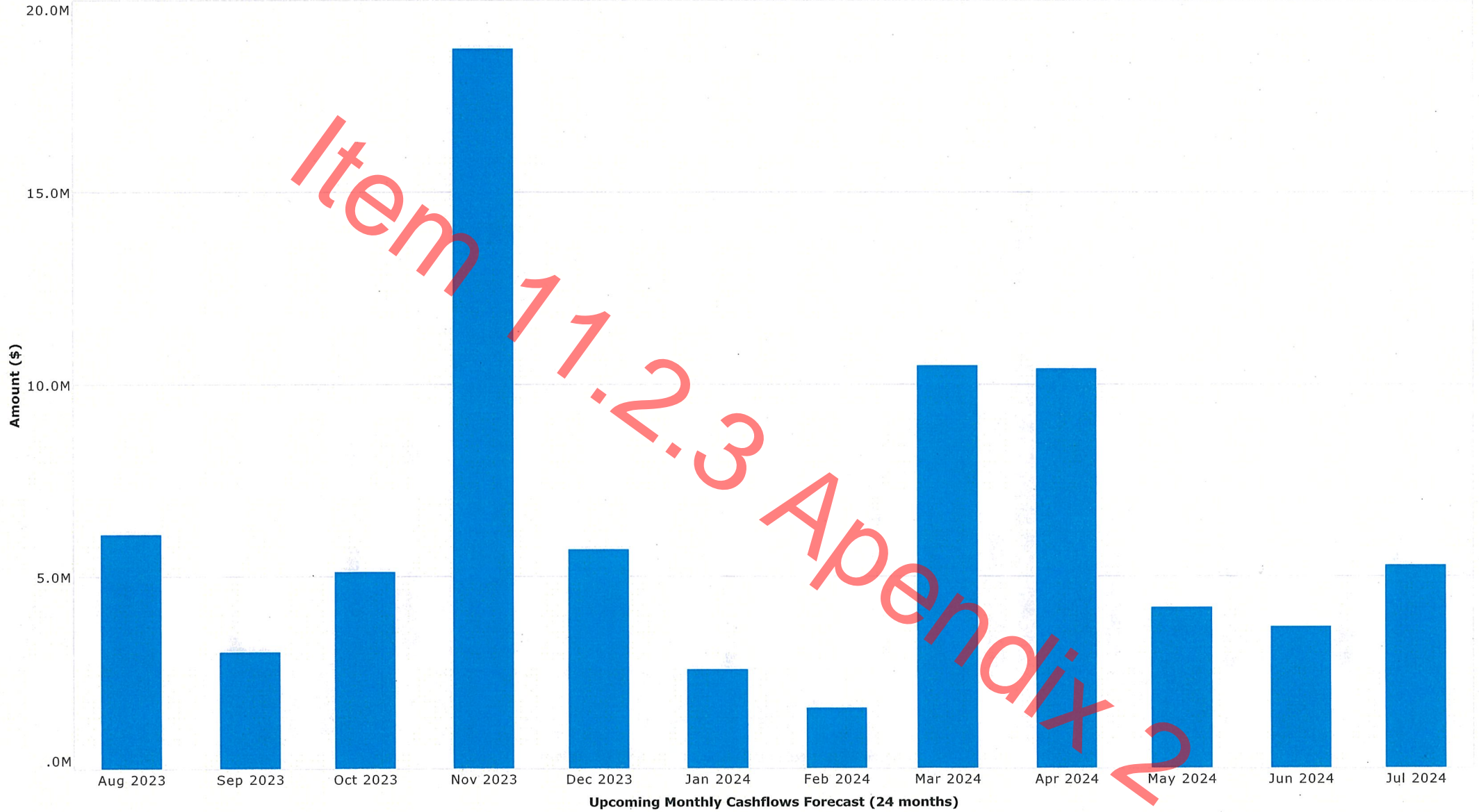
# Shire of East Pilbara

## Cashflows Report - July 2023



# Shire of East Pilbara

## Cashflows Report - July 2023



**11.3 DIRECTOR AVIATION AND REGULATORY SERVICES**

**11.3.1 EAST NEWMAN SCHEME AMENDMENT AND PRECINCT STRUCTURE  
PLAN**

*(Council Resolution No: 2023 / 134)*

*This item was brought forward to the beginning of the 'Officer Report' section of the Agenda to accommodate the public gallery in attendance to hear the decision for this item. Change in order of business was approved by Shire President.*

*Cr Peta Baer having declared a 'Financial' interest in this item ceased remote connectivity at 12.20pm for the deliberation and vote.*

*Cr Bear re-joined meeting remotely at 12.23pm.*

#### 11.4 ACTING DIRECTOR COMMUNITY EXPERIENCE

##### 11.4.1 END OF YEAR COMMUNITY EVENT

**Responsible Offer:** Paul Miller  
Acting Director Community Experience

**Author:** Shane Hayes  
Manager Activation and Events

**Proposed Meeting Date:** 25 August 2023

**Location/Address:** N/A

**Name of Applicant:** N/A

**Author Disclosure of Interest:** Nil

#### COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: 2023/135)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Landy

#### That Council:

1. Accepts the in-kind donation from BHP;
2. Supports the proposal for end-of-year event free for the community on Sunday, 26 November 2023;
3. Approves the required budget of \$50,000 (excluding GST) to host the free community event on Sunday, 26 November 2023;
4. Pursuant to Section 6.8 of the Local Government Act 1995 approves an amendment to the Shire's 2023-2024 Annual Budget to add \$50,000 to the community events budget, as per the following table:

Account	Description	Current Budget	Amendment	Revised Budget
111522 (EV0023)	End of Year Community Event	\$0	\$50,000	\$50,000

**CARRIED BY AN ABSOLUTE MAJORITY REQUIRED  
RECORD OF VOTE: 7/0**

*(Cr Bear was absent for vote as a result of disclosure of interest)*

**For:** Shire President, Deputy Shire President, Crs Kular, Lockyer, Coppin, Smith, Landy

**Against:** Nil

## REPORT PURPOSE

The purpose of this report is for Council to consider the proposed end-of-year community event in Newman, and the required budget to host the free community event subsequent the day after the BHP end-of-year event.

## BACKGROUND

BHP hosts a significant end-of-year event annually in Newman on the Saturday of the last weekend in November for their company employees. This year, the event is scheduled for Saturday, 25 November 2023, with the commissioning of significant infrastructure elements to host the event, including production, entertainment, show rides, bouncy castles, food and beverage vendor, and other required event infrastructure.

An Events Management company, Wrapped Creations, an event management provider in the Pilbara, coordinated the event last year and has been engaged by BHP to deliver on the event this year. The company manages the planning, vendors, entertainment, event delivery, set-up and pack-down aligned with the scope of work provided by the client.

BHP has proposed a sponsorship partnership for the Shire of East Pilbara (Shire) to host a free community event following this year's annual BHP end-of-year event on Saturday, 25 November 2023. The intention is to keep the significant infrastructure required to host the second event offering free for the community.

## COMMENTS/OPTIONS/DISCUSSIONS

The Administration has been in discussions with BHP and the Events Management Company to identify the necessary logistics and elements required to facilitate the event.

It is proposed the Events Management Company is engaged in continuing the management of the event on the second day with support from the Administration Events Team.

The proposal to procure the Events Management Company will support the event logistics by already engaging vendors and contractors with the management of the BHP event and the planning with mobilisation and demobilisation of infrastructure.

An indicative amount of \$50,000 (excluding GST) is requested from the Shire to support the second day of the community event:

<b>IN-KIND DONATION &amp; EXPENDITURE OF ITEMS</b>	
<b>BHP In-Kind Donation Items</b>	
Production	
Flights and accommodation of vendors remaining for the second-day event	
The hire of cars for entertainment to commute to the event site	
Portable toilets, including pump out prior event	
A show ride	
Mobilisation and demobilisation of event infrastructure	
<b>Items</b>	<b>Shire Contribution Estimated \$</b>
Infrastructure	\$12,000.00
Amusements (inflatables)	\$10,000.00
General Services (cleaners, first aid, security)	\$7,000.00
Entertainment	\$5,000.00
Shire employee and marketing	\$5,000.00
Events Company Management Fee	\$11,000.00
<b>Total Expenditure</b>	<b>\$50,000.00</b>

The benefits of hosting the event are the reduced costs and having significant infrastructure already set up in town for the BHP event, which is proposed to continue for the following day. Furthermore, the event will positively contribute to the community with liveability by providing family-friendly entertainment for everyone.

#### **STATUTORY IMPLICATIONS/REQUIREMENTS**

Officer recommendation is consistent with s.6.8 of the *Local Government Act 1995*.

#### **POLICY IMPLICATIONS**

The use of the Events Management Company is consistent with the Shire's Procurement and Tender Procedures Policy.

#### **STRATEGIC COMMUNITY PLAN**

##### **2: Social**

###### *Social*

- 2.7. *Support art and culture, and events and activities that bring people together in shared experience and celebration.*
- 2.8. *Improve inclusion and harmony across the diverse groups in the population*

#### **RISK MANAGEMENT CONSIDERATIONS**

Low risk. There is a reputational risk associated with this item because it may be perceived that the Shire has not performed its duty to provide high-quality events to the community.

#### **FINANCIAL IMPLICATIONS**

An unbudgeted \$50,000 to host the event.

**VOTING REQUIREMENTS**

Absolute Majority.

*Cr Smith left Chamber at 12.25pm and returned to Chamber at 12.27pm*

**12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

Nil

**13 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN**

Nil

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

**14.1.1 AWARD OF TENDER – WEQ 05-2022/23 – SUPPLY AND DELIVERY OF ONE (1) NEW REFUSE TRUCK (NULLAGINE)**

**14.2.1 AWARD OF TENDER – WEQ 05-2022/23 – SUPPLY AND DELIVERY OF ONE (1) NEW REFUSE TRUCK (NULLAGINE)**

**COUNCIL RESOLUTION**

(Resolution No: 2023/136)

**Moved:** Cr Middleton

**Seconded:** Cr McWhirter-Brooks

**That Council consider items:**

**14.1.1 AWARD OF TENDER – WEQ 05-2022/23 – SUPPLY AND DELIVERY OF ONE (1) NEW REFUSE TRUCK (NULLAGINE)**

**14.2.1 LEASES OVER LAND - NEWMAN AIRPORT - CONSIDERATION OF SUBMISSION**

**as new business of an urgent nature in confidential session in accordance with section 5.23(2) of the *Local Government Act 1995*.**

**CARRIED UNANIMOUSLY  
RECORD OF VOTE 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Coppin, Lockyer, Landy, Smith

**Against:** Nil

*Notation:*

*When a matter is considered urgent in section 14 only the President can move that the matter be considered if agreed that the matter is of an urgent nature.*



## 15 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

### COUNCIL RESOLUTION

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Landy

That the meeting be closed to the public in accordance with section 5.23(2) of the *Local Government Act 1995* to consider items:

14.1.1 AWARD OF TENDER – WEQ 05-2022/23 – SUPPLY AND DELIVERY OF ONE (1) NEW REFUSE TRUCK (NULLAGINE)

14.2.1 LEASES OVER LAND - NEWMAN AIRPORT - CONSIDERATION OF SUBMISSION

15.1.1 PROPOSED LEASE – NEWMAN AIRPORT (AIR SERVICES AUSTRALIA)

15.1.2 PROPOSED LEASE – NEWMAN AIRPORT (AMPLITEL PTY LTD)

15.2.1 AWARD OF TENDER - RFT 14-2022/23 – PROVISION OF WASTE MANAGEMENT SERVICES (NEWMAN)

CARRIED UNANIMOUSLY  
RECORD OF VOTE 7/0  
(Cr Smith was absent for this vote)

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Coppin, Lockyer, Landy,

**Against:** Nil

Closed session of Council commenced at 12.26pm.

**Cr Peta Baer and Cr Lou Lockyer** who were attending the meeting by electronic means (*MS Teams*) declared that they will maintain the confidentiality of proceedings during the closed part of this meeting, and that if they are no longer able to maintain that confidentiality, will leave the closed part of the meeting in accordance with Regulation 14CA(6) of the *Local Government (Administration) Regulations 1996*.

Governance Staff turned off stream and recording of the meeting at this point.

The following motions Items 14.1.1 and 14.2.1 were introduced as new business of an urgent nature under Item 14 of the Ordinary Council Agenda for this meeting.

#### 14.1 ACTING DIRECTOR INFRASTRUCTURE SERVICES

##### 14.1.1 AWARD OF TENDER – WEQ 05-2022/23 – SUPPLY AND DELIVERY OF ONE (1) NEW REFUSE TRUCK (NULLAGINE)

#### COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: 2023/137)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Smith

**That Council:**

1. Pursuant to Section 6.8 of the *Local Government Act 1995* approves an amendment to the Shire's 2023/2024 Annual Budget to add an additional \$21,000 from the Plant Reserve to the Carry Forward from 2022/2023 as per the following table:

Account	Description	Current Budget	Amendment	Revised Budget
Plant Reserve	Transfer to 109102	\$1,514,350	(\$21,000)	\$1,493,350
109102	Transfer from Plant Reserve	\$248,000	\$21,000	\$269,000

2. Awards WEQ 05-2022/23 for the Supply and Delivery of One (1) New Refuse Truck to Isuzu Australia for the total purchase price of \$268,870.00 GST exc; and
3. Authorises the Chief Executive Officer to enter into minor variations to the Contract over the Contract term.

**CARRIED BY AN ABSOLUTE MAJORITY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** 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.

14.2 CHIEF EXECUTIVE OFFICER

14.2.1 LEASES OVER LAND - NEWMAN AIRPORT - CONSIDERATION OF  
SUBMISSION

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/138)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Kular

**That Council:**

1. Having considered the submission received by Corsaire Pty Ltd on the proposed disposal of land known as Lease Area 12 at Newman Airport in accordance with section 3.58(2)(a) of the *Local Government Act 1995*, not enter the proposed Lease with Fortescue Helicopters Pty Ltd over Lease Area 12 at Newman Airport on its current terms;
2. Authorises the Chief Executive Officer to enter negotiation with both parties and report to Council a recommendation for disposal of the land in accordance with section 3.58(3)(a) of the *Local Government Act 1995*; and
3. Publishes the following reasons for its decision:
  - a. In response to the local public notice of the intention to dispose of Lease Area 12 at Newman Airport to Fortescue Helicopters Pty Ltd, a submission was received from Corsaire Aviation Pty Ltd including an offer to enter a Lease on the same terms as that proposed with Fortescue Helicopters for an annual rent of \$25,000 plus GST.

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 7/1**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Smith, Landy

**Against:** Cr Coppin

**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.
- (d) Legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting.

15.1 CHIEF EXECUTIVE OFFICER

15.1.1 PROPOSED LEASE – NEWMAN AIRPORT (AIR SERVICES AUSTRALIA)

Responsible Officer: Steven Harding  
Chief Executive Officer

Author: Joshua Brown  
Manager Governance, Risk and Procurement

Proposed Meeting Date: 25 August 2023

Author Disclosure of Interest: Nil

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/139)

Moved: Cr McWhirter-Brooks  
Seconded: Cr Kular

**That Council:**

1. Gives local public notice in accordance with s.3.58(3)(a) of the *Local Government Act 1995* of the proposed disposition of land in the form of a Lease between the Shire and Airservices Australia over Lease Area 5, within Reserve 44775, Newman Airport, for an initial term of ten (10) years (2023 to 2033) with options for two (2) further terms of five (5) years. The rent payable is \$1 per annum plus GST;
2. Delegates authority under s.3.58(3)(b) to the Chief Executive Officer to consider any submissions made in response to the local public notice given and to enter into a Lease on the terms of (1) of this resolution, subject to the necessary approval from the Minister for Lands;
3. Authorises the Chief Executive Officer to extend the Lease with the same conditions for a the First Further Term of five (5) years (2033 to 2038) on the expiry of the initial Lease Term, subject to the Lessee not being in default;
4. Authorises the Chief Executive Officer to extend the Lease with the same conditions for the Second Further Term of five (5) years (2038 to 2043) on the expiry of the First Further Term, subject to the Lessee not being in default;
5. Authorises the Chief Executive Officer to enter into any Minor Variations to the Lease over the life of the Lease, in accordance with Council's Minor Variations Policy.

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** 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.

**15.1.2 PROPOSED LEASE – NEWMAN AIRPORT (AMPLITEL PTY LTD)**

**Responsible Officer:** Steven Harding  
Chief Executive Officer

**Author:** Joshua Brown  
Manager Governance, Risk and Procurement

**Proposed Meeting Date:** 25 August 2023

**Author Disclosure of Interest:** Nil

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/140)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Smith

**That Council:**

1. Gives local public notice in accordance with s.3.58(3)(a) of the *Local Government Act 1995* of the proposed disposition of land in the form of a Lease between the Shire and Amplitel Pty Ltd over a portion of Reserve 44775, Newman Airport, for an initial term of five (5) years (2023 to 2028) with options for three (3) further terms of five (5) years exercisable at the discretion of the Lessor. The initial rent payable is \$2,000 per annum plus GST, subject to an annual fixed increase of 3% on each anniversary of the commencement of the Lease, and any Further Term;
2. Delegates authority under s.3.58(3)(b) to the Chief Executive Officer to consider any submissions made in response to the local public notice given and to enter into a Lease on the terms of (1) of this resolution, subject to the necessary approval from the Minister for Lands;
3. Authorises the Chief Executive Officer to extend the Lease with the same conditions for a the First Further Term of five (5) years (2028 to 2033) on the expiry of the initial Lease Term, subject to the Lessee not being in default;
4. Authorises the Chief Executive Officer to extend the Lease with the same conditions for the Second Further Term of five (5) years (2033 to 2038) on the expiry of the First Further Term, subject to the Lessee not being in default;
5. Authorises the Chief Executive Officer to extend the Lease with the same conditions for the Third Further Term of five (5) years (2038 to 2043) on the expiry of the Second Further Term, subject to the Lessee not being in default; and
6. Authorises the Chief Executive Officer to enter into any Minor Variations to the Lease over the life of the Lease, in accordance with Council's Minor Variations Policy.

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer,  
Coppin, Smith, Landy

**Against:** Nil

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**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.

**15.2 DIRECTOR INFRASTRUCTURE SERVICES**

**15.2.1 AWARD OF TENDER - RFT 14-2022/23 – PROVISION OF WASTE MANAGEMENT SERVICES (NEWMAN)**

**Responsible Officer:** Etienne Vorster  
A/Director Infrastructure Services

**Author:** Dawn Ronchi  
Coordinator Procurement

**Proposed Meeting Date:** 25 August 2023

**Author Disclosure of Interest:** Nil

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION**

(Resolution No: 2023/141)

**Moved:** Cr McWhirter-Brooks

**Seconded:** Cr Coppin

**That Council:**

- 1. Not accept any Tender received for Tender RFT 14-2022/23 – Provision of Waste Management Services (Newman) and to authorise the Chief Executive Officer, or delegated officer, to negotiate with any Party for all Services except the Town Litter Control/Collection Services for an initial Contract period of five (5) years commencing on the 1st September 2023 and expiring on the 31st August 2028.**
- 2. Endorse the proposed initiative for the Town Litter Control/Collection Services to be undertaken in-house.**
- 3. Authorises in the event of unsuccessful negotiations, the Chief Executive Officer to invite Tenders for the Waste Collection and Disposal Services thereof.**

**CARRIED UNANIMOUSLY  
RECORD OF VOTE: 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Smith, Landy

**Against:** 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**

**Moved:** Cr Smith

**Seconded:** Cr McWhirter-Brooks

**That the meeting return to Open Council in accordance with 5.23(2) of the *Local Government Act 1995* at 12.55pm.**

**CARRIED UNANIMOUSLY  
RECORD OF VOTE 8/0**

**For:** Shire President, Deputy Shire President, Crs Kular, Baer, Lockyer, Coppin, Landy, Smith

**Against:** Nil

*Streaming and recording of the meeting was reinstated by Governance Staff at this point.*

**16 DATE OF NEXT MEETING**

29 September 2023, will be held at Marble Bar Council Chambers.

**17 CLOSURE**

Before closing the meeting the President thanked Shire staff from Nullagine and Marble Bar for their assistance with hosting the Council Meeting this month.

The Ordinary Council Meeting of the Shire of East Pilbara held on 25 August 2023 was declared closed at 12.56pm. The Presiding Member thanked Councillors and Staff for their attendance.