



EAST PILBARA SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council will be held,
in Council Chambers, Newman,
10.00 AM, FRIDAY, 25 OCTOBER, 2013.

Allen Cooper
CHIEF EXECUTIVE OFFICER

THE HEART
OF THE
PILBARA



DISCLAIMER

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

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

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

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

WRITTEN CONFIRMATION

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

Signed: _____
Allen Cooper
Chief Executive Officer

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 SWEARING IN OF NEWLY ELECTED COUNCILLORS

In accordance with the Local Government Act 1995 Section 2.29 and the Local Government (Constitution) Regulations 1998, Re: 13. Oaths, affirmations and declarations (s. 2.29, 2.42). The new and re-elected members are to be sworn in and make their declaration as an Elected Member.

<u>Councillors</u>	<u>Ward</u>	<u>Expiry of Term</u>
Biddy Schill	Lower Central	October 2015
Kevin Danks	East	October 2017
Lang Coppin	North	October 2017
Position 1	South	October 2017
Position 2	South	October 2017
Position 3	South	October 2017
Position 4	Central	October 2017

3 ELECTION OF OFFICE BEARERS – PRESIDENT AND DEPUTY PRESIDENT

3.1 NOMINATIONS FOR THE POSITION OF SHIRE PRESIDENT

Pursuant to schedule 2.3 of the Local Government Act 1995, the term of the Shire President expires at the Ordinary Election.

Nominations are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.

3.2 NOMINATIONS FOR THE POSITION OF DEPUTY SHIRE PRESIDENT

Pursuant to schedule 2.3 of the Local Government Act 1995, the term of the Deputy Shire President expires at the Ordinary Election.

Nominations are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.

4 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

4.1 ATTENDANCES

Councillors

Cr Lynne Craigie

Cr Lang Coppin

Cr Gerry Parsons

Cr Kevin Danks

Cr Stephen Kiernan

Cr Biddy Schill

New or Re-Elected Councillors from South and Central Ward.

Officers

Mr Allen Cooper	Chief Executive Office
Ms Sian Appleton	Deputy Chief Executive Officer
Mr Rick Miller	Director Technical and Development Services.

Public Gallery

Ms Gabrielle Sullivan	Manager Martumili Artist
Mr Trent Woods	Art Gallery Project Architect

4.2 APOLOGIES

Councillor Apologies

Cr Craig Hoyer

Officer Apologies

Mrs Sheryl Pobrica	Executive Services Administration Officer
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4.3 LEAVE OF ABSENCE

5 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

6 PUBLIC QUESTION TIME

7 PETITIONS/DEPUTATIONS/PRESENTATIONS

7.1 MARTUMILI ARTIST

Mr Trent Woods, Art Gallery Project Architect will be providing Council with an update on the Art Gallery Project.

8 APPLICATIONS FOR LEAVE OF ABSENCE

9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

9.1 CONFIRMATION OF MINUTES SEPTEMBER 2013

[Minutes September 27 2013 Council.DOCX](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of Council held on 27th September 2013, be confirmed as a true and correct record of proceedings with the following amendment as an error occurred with item 11.5.1 agenda report was put into the OCM27092013, this was a previous agenda report from the June 2013 meeting, need to amend the following;

DELETE:

11.5.1 NULLAGINE/IRRUNGADI OVAL GRASSING PROJECT

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201314/102

MOVED: Cr Gerry Parsons

SECONDED: Cr Doug Stead

THAT Nullagine/Irrungadi Oval Grassing Project be accepted as item 11.5.1

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 8 - 0**

11.5.1 NULLAGINE/IRRUNGADI OVAL GRASSING PROJECT

File Ref: A300206

Attachments: [WDSC letter support.pdf](#)
[NULLAGINE OVAL BUSINESS CASE June 17 2013.pdf](#)

**Responsible Officer: Mr Rick Miller
Director Technical and Development Services**

**Author: Mr Rick Miller
Director Technical and Development Services**

Proposed Meeting Date: 28 June 2013

Location/Address: Lot 206, R33851, Nullagine

Name of Applicant: Western Desert Sports Council Inc.

Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to consider a request from the Western Desert Sports Council Inc.(WDSC) to support the upgrading of, and development of sports facilities at the existing Nullagine Oval.

BACKGROUND

The Western Desert Sports Council Inc (recently renamed Ngurra Kujungka) have made several presentations to Council in support of this project. The following discussion paper prepared by their consultant Gae Synnott from Synnott Mulholland Management Services Pty Ltd is submitted for Council discussion.

Discussion Paper on Management Models

Description of the project

Subject to attainment of funding, the existing dirt oval next to the Irrungadji community in Nullagine will be developed to meet Department of Sport and Recreation specifications. The project includes installation of an irrigation system with independent bore, turfing works, perimeter demarcation (using large boulders), and electrical connections which will enable later installation of lighting and other site facilities. The outcome will be development of a year-round full-size all-weather surface for sports, community and cultural activities.

From the perspective of Ngurra Kujungka (NK) and the Irrungadji community, their vision for the project is that in five years' time NK will be managing the oval facility at a level that demonstrates to the Shire that NK is a credible partner, with the result that the Shire chooses to continue to be involved in the long term. To get to that point – which would be a win:win for all parties – this paper outlines the potential management options for the first five year period.

Community capacity building is at the heart of the development and operation of this facility. The Shire is not being asked to pay for the development of the facility. Rather, NK is asking for the Shire involvement through the contribution of its expertise for the first five years of operation while NK in conjunction with the Irrungadji community develops its skills to effectively manage the facility long term.

Stakeholders in the project:

- Western Desert Sports Council Inc. (recently re-named as Ngurra Kujungka)
- Irrungadji Community
- Shire of East Pilbara
- Ashburton Aboriginal Corporation

Management orders for the land

- The oval is primarily on allocated Crown land. The Department of Regional Development & Lands (RDL) determines who holds the management orders for the land. Eligible organisations to hold management orders include a State government department, Local Government, or incorporated community groups ([http://www.rdl.wa.gov.au/publications/Documents/Crown-Land-Practice-Manual-\(complete-manual\).pdf](http://www.rdl.wa.gov.au/publications/Documents/Crown-Land-Practice-Manual-(complete-manual).pdf). Section 4-8). The reserve is currently placed under the care, control and management of the Shire of East Pilbara.
- Management Orders place reserves in trust with management bodies on behalf of the public and do not constitute an interest in the land.
- Generally Management Orders should support the principle that reserves are in the public interest, are for the general benefit of the community and should preserve the communities right of access over the land (wherever possible).
- Leasing or licensing under power or authority of Management Orders must be consistent with the reserve purpose, or ancillary or beneficial to that purpose.
- Reserves under Management Orders should not be leased or licensed on a commercial basis unless the objective of the proposed lease or license is to enhance the use and enjoyment of the land for the community benefit, for example, a caravan park in a remote area or a kiosk to serve people using a recreation reserve for recreational purposes.

Recommendation: The Shire of East Pilbara continues to hold the management orders for the land. This does not need to change.

Management of the facility

All aspects of the facility's operation including operating policies, facility management and operations, financial performance and asset maintenance need to be planned. The decision to be made is who will take on ownership and management responsibility for the oval, its operation and its future development.

For this facility, the following responsibilities are envisaged:

Operating policies:

- Use of the facility including and constraints or restrictions on its use
- Restriction on consumption of alcohol
- Compliance

Facility management and operations:

- Safety
- Cleaning
- Security
- Waste management
- Preparation of facility for events
- Tree management
- Water management and infrastructure
- Pest and herbicide management

Financial performance:

- Maintaining financial records
- Undertaking accounting procedures – accounts receivable and accounts payable
- Holding the funds for maintenance
- Managing facility cash flow

Asset maintenance:

- Service agreements (MOU)
- Grass to be mowed weekly, particularly in the hot season
- Monitoring of reticulation effectiveness
- Regular checks on reticulation, condition of goalposts, need for topsoil or conditioning
- Annual application of fertiliser

For discussion: The key questions for discussion are who will 'own' the facility and how will it be managed? The Shire of East Pilbara can work within the power and authority of the Management Orders to implement whatever is decided.

Generic options for owning / managing the facility

Department of Sport & Recreation outlines a variety of management structures that are possible for recreational facilities (<http://www.dsr.wa.gov.au/managingfacilities>). These include:

1. Direct Management

The owner, usually a local government authority, employs a facility manager. The owner is responsible for all aspects of the facility's operation including operating policies, financial performance and asset maintenance.

In some cases, a management committee may be established to help with policy development and to ensure community involvement in management decisions.

2. Contract Management

The owner contracts the management of the centre to an individual manager, a community-based organisation or a facility management company.

Responsibilities of the owner and contractor are set out in a formal contract for a fixed period of time. The owner is usually responsible for major building maintenance and any loan repayments.

The contractor negotiates an operating budget and is responsible for financial performance in return for greater freedom in operating policies.

3. Lease Management

A formal lease detailing the rights and responsibilities of the owner (lessor) and the operator (lessee) is adopted.

The lessee has full property rights and is responsible for financial performance, asset maintenance and operational policies. The lessor receives an agreed rental income (or a percentage of the net surplus) but has no direct control over day-to-day management. The lease is usually set for a medium to long term.

4. Joint Management

In the case of jointly developed facilities a workable management agreement should be prepared before the facility is built. Joint management agreements should detail funding, cost-sharing, legal and access arrangements, so that responsibilities and usage rights are clear.

Management options for consideration at the Nullagine / Irrungadji facility

The options for who will own / manage the land and the facility are:

- Option 1: Ngurra Kujungka is the designated owner who will manage the asset on behalf of, and in cooperation with, the Irrungadji community from day one.
- Option 2: The Shire of East Pilbara is the designated owner who will manage the asset on behalf of, and in cooperation with, Ngurra Kujungka and the Irrungadji community.
- Option 3: The Shire of East Pilbara and Ngurra Kujungka agree to jointly own and manage the facility under the terms of a joint management agreement, in conjunction with the Irrungadji community.
- Option 4: The Shire of East Pilbara and Ngurra Kujungka agree to jointly own and manage the facility under the terms of a joint management agreement, , in conjunction with the Irrungadji community, for a defined period at the end of which ownership and management shifts fully to Ngurra Kujungka. During this defined period, the Shire of East Pilbara agrees to commit resources to provide mentoring, management and project management support until Ngurra Kujungka is fully capable of operating the facility in its own right.

Discussion of options

Ngurra Kujungka believes neither Options 1 nor 2 are worth further consideration. Option 2 would be unlikely to be considered by the Shire, and Option 1 is a high risk strategy given the current capabilities of NK.

Options 3 & 4 lie between the extreme positions of Options 1 & 2, and both propose a joint venture arrangement. A joint venture is seen as a relevant mechanism for this

project because it enables the organisations to work together for a short-term business goal, according to the input of agreed resources and expertise.

In NK's view, the resources and expertise that could be contributed are as follows:

Shire of East Pilbara

The Shire holds the management orders for the land. The Shire has significant expertise in project management, operation of public facilities, financial administration, planning, policy-making and protection of public interests. The facility would benefit from access to these areas of expertise, and the availability of such expertise provides greater incentive to the project proponent to move forward with the delivery of this social infrastructure.

Ngurra Kujungka

NK's purpose is to generate and provide opportunities for increased participation in physical activity and cultural pursuits for Martu communities across the Western Desert. The facility is central to the interests of NK. NK would drive the planning for use and operation of the facility; its strategic and operational planning would use the availability of the facility as a base; its staff (to be appointed incrementally as community-based Activity Officers) would develop programs and oversee day to day use of the facility.

Irrungadji Community

Being in close proximity, the community is best placed to take on the roles of maintenance and monitoring, and have indicated a willingness to do this with the support of the RJCP program through AAC. In particular, the women in the community can take on the role to mobilise community responsibility for this role.

Option 3 proposes a long-term JV arrangement and Option 4 proposes a JV arrangement for a defined period only.

The following issues would need to be resolved following an ***agreement in principle*** from the Shire:

- Agreeing the terms of the JV arrangement
- Demonstrating growing capability for NK to deliver its side of the arrangements
- Ensuring that community members understand their responsibilities and agree to their proposed role
- Confirmation of AAC involvement and support
- Clarification of management structure
- Clarification of risk allocations in the agreement

It is our firm belief that a public private partnership arrangement offers the best opportunity to deliver the desired outcome – a well-managed and well-utilised facility.

Case study examples

Garnduwa

Garnduwa employs 22 people in a wide variety of roles across the Kimberley. Most are situated in one of Garnduwa's four regional offices in Broome, Derby, Fitzroy Crossing and Kununurra and work directly with the remote communities within close proximity of their town and contained within their local authority boundaries.

In the towns of Derby and Fitzroy Crossing Garnduwa has a strong partnership with the Shire of Derby / West Kimberley whereby Garnduwa provides management and program delivery services for both of the towns Recreation Centres. Also in Fitzroy Crossing Garnduwa works with the Fitzroy Future Fund and the Australian Government to establish and oversee the operations of a new youth service for the town and nearby communities.

Kalbarri Golf and Bowling Club

http://www.dsr.wa.gov.au/assets/files/Facilities/Facilities_Case_Studies/case%20study%205%20-%20kalbarri%20golf.pdf

Next steps

An agreement in-principle decision from the Shire for option 3, 4, or 5 would lead to the development of a written agreement to cover the desired management arrangement. The agreement would include:

- The parties involved
- The objectives of the joint venture
- Financial contributions each will make if assets or employees are transferred to the joint venture
- Intellectual property developed by the participants in the joint venture
- Day to day management of finances, responsibilities and processes to be followed.
- Dispute resolution, how any disagreements between the parties will be resolved
- How if necessary the joint venture can be terminated.
- The use of confidentiality or non-disclosure agreements is also recommended to protect the parties when disclosing sensitive commercial secrets or confidential information.

In conclusion

Through this discussion paper, the project proponents are seeking in-principle support from the Shire for their involvement in the facility through a proposed joint venture arrangement.

COMMENTS/OPTIONS/DISCUSSIONS

The project consultant and representatives have been involved in discussions with shire officers in seeking advice and support to progress the project to a stage where it can seek funding for implementation.

Why Council should support the application:

The project is to grass the existing dirt oval at Nullagine to meet Department of Sport and Recreation specifications and create a year-round full-size all-weather surface for sports, community and cultural activities.

- This project is being proposed by the Western Desert Sports Council Inc. (Ngurra Kujungka) in conjunction with the Irrungadji community. WDSC Inc. proposes to take responsibility for the construction, maintenance and leasing of the Nullagine oval. Irrungadji community members will be trained to undertake the mowing and routine maintenance of the oval, and would undertake that work under the RJCP program under the guidance of Ashburton Aboriginal Corporation. A number of Irrungadji community members will share the role, with mentoring support from community elders.

- This capacity-building project will provide a centrally-located Western Desert venue for youth engagement and development, community health and wellbeing, reconciliation, and will provide a much-needed boost to community infrastructure and facilities in Nullagine.

What is the impact going to be on Council?

The Shire of East Pilbara will have the following role:

- Involvement in planning discussions directly with WDSC Inc. and as part of the proposed Facility Management Planning Team;
- Will continue to have management responsibility for the land, as determined by Department for Lands
- Will enter into a leasing arrangement with WDSC Inc
- Will get involved to the extent outlined in the resolution passed by Council at its June 2013 meeting.

The Council is not contributing funding to the project.

Project Assessment (p 19 of the CSRFF application)

Criteria	Covered in these documents
Project justification	Needs Assessment Report
Planned approach	Management Plan Feasibility Study Report
Community input	Needs Assessment Report Feasibility Study Report
Management planning	Management Plan Asset Management Plan Memorandum of Understanding for Maintenance
Access and opportunity	Management Plan
Design	Design Study Report
Financial viability	Project Budget Operating forecasts
Co-ordination	Management Plan
Potential to increase physical activity	Needs Assessment Report
Sustainability	Management Plan Life Cycle Costing Report Memorandum of Understanding for Maintenance

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

5.4 STANDARD CONDITIONS FOR USE OF ACTIVE RESERVES (OVALS)

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.1 Health and recreation

2.1.1 Promote safe and healthy communities

2.1.2 Encourage active lifestyles

2.1.3 Encourage high rates of participation in community activities and events

2.1.4 Support individual and community health

Goal 3 – Economic – Planned Actions

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

3.3 Provide adequate community infrastructure

3.3.1 Ensure well managed and equitable provision of community infrastructure

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201314/103

MOVED: Cr Craig Hoyer

SECONDED: Cr Kevin Danks

THAT Council

1. Support the closure of Doherty Street Road Reserve Nullagine for the purpose of amalgamating such land into adjoining Lot 206 and for the amalgamated reserve to be vested in the Shire of East Pilbara for the purposes of "Recreation".[Item 9.3.6 – 28 June 2013]
2. Support a lease of the amalgamated reserve to a current incorporated body (Western Desert Sports Council Inc) for the management of the oval and sporting facilities on the reserve and;
3. Subject to the availability of shire resources, shire employees will provide advice and mentoring to Western Desert Sports Council Inc or associated persons and grounds staff for the maintenance of the proposed facilities.
4. Confirms that project support is provided but, is subject to the proposed development being at no cost to Council and that Council is only obligated to maintain the reserve to its current passive standard should the facilities not be maintained by others.

CARRIED
RECORD OF VOTE: 8 - 0

To be actioned by Mr Rick Miller, Director Technical and Development Services.

INSERT:

11.5 NULLAGINE/IRRUNGADI OVAL GRASSING PROJECT CRSFF GRANT APPLICATION SUPPORT BE ACCEPTED AS ITEM 11.5.1

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201314/102

MOVED: Cr Gerry Parsons

SECONDED: Cr Doug Stead

THAT Nullagine/Irrungadi Oval Grassing Project CRSFF Grant Application Support be accepted as item 11.5.1

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 8 - 0**

11.5.1 NULLAGINE/IRRUNGADI OVAL GRASSING PROJECT

File Ref: A300206
Attachments: [Project Assessment Sheet](#)
[CRSFF Application Draft](#)
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Rick Miller
Director Technical and Development Services
Proposed Meeting Date: 27 September 2013
Location/Address: Lot 206, R33851, Nullagine
Name of Applicant: Western Desert Sports Council Inc.
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to consider a request from the Western Desert Sports Council Inc.(WDSC) to support their CRSFF grant application for the upgrading of, and development of sports facilities at the existing Nullagine Oval.

BACKGROUND

The Western Desert Sports Council Inc (recently renamed Ngurra Kujungka) have made many presentations to Council in support of this project and an early draft of their CRSFF grant application was distributed to Councillors at the August meeting.

At the Ordinary Council meeting held 23 August 2013 Council resolved:

THAT Council

- 5. Support the closure of Doherty Street Road Reserve Nullagine for the purpose of amalgamating such land into adjoining Lot 206 and for the amalgamated reserve to be vested in the Shire of East Pilbara for the purposes of "Recreation". [Item 9.3.6 – 28 June 2013]*
-

6. *Support a lease of the amalgamated reserve to a current incorporated body (Western Desert Sports Council Inc) for the management of the oval and sporting facilities on the reserve and;*
7. *Subject to the availability of shire resources, shire employees will provide advice and mentoring to Western Desert Sports Council Inc or associated persons and grounds staff for the maintenance of the proposed facilities.*
8. *Confirms that project support is provided but, is subject to the proposed development being at no cost to Council and that Council is only obligated to maintain the reserve to its current passive standard should the facilities not be maintained by others.*

COMMENTS/OPTIONS/DISCUSSIONS

The project consultant and representatives have been involved in discussions with shire officers in seeking advice and Council support to progress the project to a stage where it can now seek funding for implementation.

The project consultant has summarised below why Council should support the application and shire officers are recommending Council support the application through resolution and completion of relevant sections of the application.

Why Council should support the application:

The project is to grass the existing dirt oval at Nullagine to meet Department of Sport and Recreation specifications and create a year-round full-size all-weather surface for sports, community and cultural activities.

- This project is being proposed by the Western Desert Sports Council Inc. (Ngurra Kujungka) in conjunction with the Irrungadji community. WDSC Inc. proposes to take responsibility for the construction, maintenance and leasing of the Nullagine oval. Irrungadji community members will be trained to undertake the mowing and routine maintenance of the oval, and would undertake that work under the RJCP program under the guidance of Ashburton Aboriginal Corporation. A number of Irrungadji community members will share the role, with mentoring support from community elders.
- This capacity-building project will provide a centrally-located Western Desert venue for youth engagement and development, community health and wellbeing, reconciliation, and will provide a much-needed boost to community infrastructure and facilities in Nullagine.

What is the impact going to be on Council?

The Shire of East Pilbara will have the following role:

- Involvement in planning discussions directly with WDSC Inc. and as part of the proposed Facility Management Planning Team;
- Will continue to have management responsibility for the land, as determined by Department for Lands
- Will enter into a leasing arrangement with WDSC Inc
- Will get involved to the extent outlined in the resolution passed by Council at its June 2013 meeting.
- The Council is not required to contribute cash funding to the project.

Project Assessment Questions (p 19 of the CSRFF application)

Criteria	Covered in these documents
Project justification	Needs Assessment Report
Planned approach	Management Plan Feasibility Study Report
Community input	Needs Assessment Report Feasibility Study Report
Management planning	Management Plan Asset Management Plan Memorandum of Understanding for Maintenance
Access and opportunity	Management Plan
Design	Design Study Report
Financial viability	Project Budget Operating forecasts
Co-ordination	Management Plan
Potential to increase physical activity	Needs Assessment Report
Sustainability	Management Plan Life Cycle Costing Report Memorandum of Understanding for Maintenance

The draft application is attached and must be submitted by WDSC by the 30 September 2013. Shire officers need to complete the project assessment sheet sections A and B of the application and forward to the project consultant with the Council resolution which demonstrates Council's support and forms part of the application.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

5.4 STANDARD CONDITIONS FOR USE OF ACTIVE RESERVES (OVALS)

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

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2.1.2 Encourage active lifestyles

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2.1.4 Support individual and community health

Goal 3 – Economic – Planned Actions

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

3.3 Provide adequate community infrastructure

3.3.1 Ensure well managed and equitable provision of community infrastructure

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201314/103

MOVED: Cr Craig Hoyer

SECONDED: Cr Kevin Danks

THAT Council

- 1. Supports the Western Desert Sports Council's Inc. CRSFF Grant application to the Department of Sport and Recreation for the upgrading of the Nullagine Sports Oval.**
- 2. Delegate the authority to the Chief Executive Officer to complete relevant sections of the CRSFF application demonstrating Council support.**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 8 - 0**

To be actioned by Mr Rick Miller, Director Technical and Development Services

9.2 PILBARA REGIONAL COUNCIL MINUTES 14 OCTOBER 2013

[PRC Minutes October 2013](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Pilbara Regional Council Meeting of 14th October 2013, be received.

10 MEMBERS REPORT

10.1 ITEMS FOR RECOMMENDATION

10.2 ITEMS FOR INFORMATION

11 OFFICER'S REPORTS

11.1 CHIEF EXECUTIVE OFFICER

11.1.1 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - SEPTEMBER 2013

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

REPORT PURPOSE

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

BACKGROUND

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

(a) directs and controls the local government's affairs; and

(b) is responsible for the performance of the local government's functions.

(2) *Without limiting subsection (1), the council is to -*

(a) oversee the allocation of the local government's finances and resources; and

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Chief Executive Officer for September 2013 be received.

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

25 OCTOBER, 2013

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
15 March 2013	10.1.2	CHIEF EXECUTIVE OFFICER - ANNUAL PERFORMANCE REVIEW	CEO	To be completed	
26 July 2013	13.1	SOLAR LIGHTS WALKWAY FROM MINESITE TO TOURIST CENTRE Cr Shane Carter asked if it was possible to get solar lights for the walk/cycle path from Minesite entrance to Newman Tourist Centre. Mr Allen Cooper replied Council will need to seek funding as the solar lights around radio hill cycle/walkway were funded through the Country Local Government Fund.	CEO	Ordered awaiting delivery	
26 July 2013	13.2	CAPE KERAUDREN – WATER BORE Cr Lang Coppin asked if it was possible to access the bore on Pardoo Station and if the Shire can access and seek a licence from the State Government to use this bore. Cr Allen Cooper, Chief Executive Officer to follow up.	CEO	Review of Process being undertaken	
27 September 2013	13.4	SUPPORT FOR MR JACK BENNETT Cr Lang Coppin has asked the Council to support Mr Jack Bennett in his request for help in receiving funding as he does a great service to the community and people who travel on the desert roads.	CEO	To be considered	

**11.1.2 COUNCILLORS MONTHLY MEET AND GREET AT THE NEWMAN
BOULEVARDE SHOPPING CENTRE 2013-2014**

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

REPORT PURPOSE

To set the dates for the Councillors monthly meet and greet at the Newman Boulevardde Shopping Centre from December 2013 until October 2014.

BACKGROUND

The Councillors requested to meet and greet the community it also gives the community members and the public updates on the Shire of East Pilbara projects and events.

It is a great opportunity for the Councillors to interact with the community and keep them updated and also listen to any complaints.

COMMENTS/OPTIONS/DISCUSSIONS

Every month the Councillors meet at the Newman Shopping Centre, dates are set every year.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

2.1 Dress Code for Councillors Representing Council on External Business and Events

Minute No: Item 9.1.2

Date: 28 May 2010

Responsible Officer: Chief Executive Officer

Objective

In addition to the dress standard for Council Chambers (Item No: 9.1.13 Dated 27th June 2003) as described in the Councillors handbook, it is also appropriate to establish an acceptable dress standard for all Councillors attending or representing Council business at external functions and events.

The manner in which Councillors are dressed on official business can have a profound effect on the image of the Shire of East Pilbara. A good quality uniform will assist in

building a professional image of the Shire and assist external sources to identify Shire Councillors.

Policy

1. Councillors will be issued a pair of shirts with the inclusion of the Shire logo on all uniform pieces.
2. All uniforms provided by and financed by the Shire of East Pilbara will be regarded as the Councillor Corporate Wardrobe. This will be subsidised by the Shire or processed through the Shire's financial and distribution system.
3. All Councillors provided with Corporate Uniforms must wear the uniform at all Councils functions and events (internal or external business and meetings) on a regular basis.
4. Councillors are not to wear Corporate Uniforms for personal use.
5. Councillors are able to purchase additional clothing other than that supplied by the Council. They will be responsible for the full costs of these additional uniforms.
6. Each Councillor is responsible for repairs, alterations and cleaning of supplied uniforms.
7. All items provided must be cleaned as per instructions on the label.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.3 Engaged community

1.3.1 Increase community awareness

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the time and dates listed below for the Councillors monthly meet and greet at the Newman Boulevarde Shopping Centre as listed below and advertise in the local paper and notice boards.

DAY	TIME	DATE
Saturday	10am – 12pm	14 th December 2013
Saturday	10am – 12pm	8 th February 2014
Saturday	10am – 12pm	8 th March 2014
Saturday	10am – 12pm	12 th April 2014
Saturday	10am – 12pm	10 th May 2014
Saturday	10am – 12pm	14 th June 2014
Saturday	10am – 12pm	12 th July 2014
Saturday	10am – 12pm	9 th August 2014
Saturday	10am – 12pm	13 th September 2014
Saturday	10am – 12pm	11 th October 2014

11.1.3 PROPOSED COUNCIL MEETING DATES 2013/2014

File Ref: CLR 1-1
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To set the Council meeting dates, times and venues for the next twelve months for 2013 – 2014.

BACKGROUND

This is required under the *Local Government Act 1995*, s5.25(g), to set and advertise meeting dates, times and venues for the next twelve months.

COMMENTS/OPTIONS/DISCUSSIONS

Traditionally Council meets on the fourth Friday in the month. In some instances this date is not appropriate. The dates have been set to fit in with public holidays and allow the closing date for agenda items to be realistic for staff to compile the agenda for distribution to Councillors.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Part 5 - Administration (Division 2 - Meetings) (Subdivision 3 - Matters affecting meetings) 5.25. Regulations about council and committee meetings and committees (pg 141)

(1) Without limiting the generality of section 9.59, regulations may make provision in relation to –

(g) the giving of public notice of the date and agenda for council or committee meetings;

Local Government (Administration) Regulations 1996

12. Public notice of council or committee meetings – s5.25(1)(g)

(1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which –

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

POLICY IMPLICATIONS

Policy Manual 2012

1.3 Council Meetings - Dates and Times

Minute No: Item 9.1.3

Date: 27th June 2003

Objective

To establish what dates and times that Council Meetings will normally be held.

Policy

Council meetings will normally be held on the fourth Friday of each month commencing at 10:00 am, with the exception of November and January. Times and dates shall be subject to alteration in accordance with the Local Government (Administration) Regulations 1996. A dress standard applies to all persons attending a Council Meeting.

Committee meetings will be held subject to resolution of Council from time to time in respect to title, responsibilities, dates and times, and such authorisations of committees are to be included in Council's Delegations Manual.

Legislation

Section 12 *Local Government (Administration) Regulations 1996*

1.7 Dress Standard for Council Chambers

Minute No: Item 9.1.3

Date: 27th June 2003

Objective

To establish acceptable dress standards for persons visiting the Council Chambers.

Policy

This code shall apply in respect to all persons visiting the Council Chambers at both the Newman and Marble Bar offices.

All persons shall include Councillors, staff, other attendees and persons invited to join Council for any reason whether it be for full Council meetings, Committee or staff meetings, question time, social functions or any other formal or social occasions held in the Council Chambers.

Council has resolved that all persons, whether elected members, staff or otherwise should be dressed to a standard which reflects the importance of the Council Chambers in the decision making process of the Shire of East Pilbara.

All persons entering the Council Chambers should meet the following minimum dress standards:

Male: Clean, neat appearance, e.g. open necked shirt and slacks or dress shorts or equivalent Open or covered footwear (not including thongs).

Female: Clean, neat appearance, e.g. blouse and slacks, skirt or dress shorts or equivalent. Open or covered footwear (not including thongs).

1.9 Location of Council Meetings

Minute No: Item 9.1.3

Date: 27th June 2003

Objective

To establish where Council meetings will normally be held.

Policy

The venue for Council meetings shall be determined by Council usually in October of each year for the upcoming year but normally meetings will be held alternatively at Marble Bar and Newman, with one meeting being held annually in Nullagine.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the dates, time and place for Ordinary Council Meetings for the next twelve months 2013-2014, as listed below, be adopted and advertised in accordance with the Local Government (Administration) Regulations 1996 s12(1)(a).

MEETING DATE	VENUE	COMMENCEMENT TIME
6 th December 2013	Newman	10:00am
31 st January 2014	Newman	10:00am
14 th March 2014	Marble Bar	10:00am
24 th April 2014	Newman	10:00am
23 rd May 2014	Newman	10:00am
27 th June 2014	Nullagine	10:00am
25 th July 2014	Newman	10:00am
22 nd August 2014	Newman	10:00am
26 th September 2014	Marble Bar	10:00am
24 th October 2014	Newman	10:00am

11.1.4 PILBARA KIMBERLEY JOINT FORUM MARCH 2014

File Ref: ORG 4-6
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr Allen Cooper
Chief Executive Officer
Proposed Meeting Date: 25 October 2013
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

The Council is required to consider attendance and representation at the next Pilbara/Kimberley (PK) Joint Forum in March 2014.

BACKGROUND

This year's Pilbara/Kimberley Joint Forum is being organised by the Pilbara Regional Council (PRC). Based upon recent discussions at the WALGA conference in August the PRCs team has been reviewing the focus and delivery of the Pilbara/Kimberley Joint Forum and has put together a proposal to host it in Jakarta, Indonesia.

- A copy of the proposed program is attached.

COMMENTS/OPTIONS/DISCUSSIONS

The PRC is seeking feedback on this proposal from Pilbara local governments before the end of October to either progress the idea or, modify or change the Joint Forum.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.4 Diverse and inclusive communities

Goal 3 – Economic – Planned Actions

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

3.1 Business diversification and promotion

3.1.1 *Provide support for established and emerging business bodies and local businesses*

3.1.2 *Build a thriving and diverse economy*

3.1.3 *Encourage tourism*

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation under GL#41103 for Staff and GL#41007 for Elected Members.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

1. Advise the Pilbara Regional Council (PRC) that it does / does not support the 2014 Pilbara/Kimberley Joint Forum to be held in Jakarta.

11.2 DEPUTY CHIEF EXECUTIVE OFFICER

11.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - SEPTEMBER 2014

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

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

(a) directs and controls the local government's affairs; and

(b) is responsible for the performance of the local government's functions.

(2) *Without limiting subsection (1), the council is to -*

(a) oversee the allocation of the local government's finances and resources; and

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Deputy Chief Executive Officer for September 2013 be received.

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

25 OCTOBER, 2013

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
23 August 2013	13.1	<p>CCTV BACKUP Cr Gerry Parsons asked if it was possible to have a backup system for the CCTV due to power outage.</p> <p>Deputy Chief Executive Officer, Ms Sian Appleton replied we are looking at costing for the backup systems.</p>	DCEO	Awaiting for consultant to review system end of September 2013	
23 August 2013	13.5	<p>CIVIC CENTRE – MARBLE BAR Cr Stephen Kiernan asked if the flooring can be repaired or replaced due to wear and tear. Also the window could be tinted and lights checked. Manager Building Assets to follow up</p>	MBA	Currently quotes for windows and tinting being sourced flooring still to be assessed.	

11.2.2 ASSET MANAGEMENT PLAN - INFORMATION TECHNOLOGY

File Ref:	FIN-23-2
Attachments:	Management Plan – Information Technology
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Sian Appleton Deputy Chief Executive Officer
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to endorse the Asset Management Plan – Information Technology as a key component of the Shire’s asset management strategy, and fulfil one of the goals of the Integrated Planning & Reporting framework.

BACKGROUND

The Department of Local Government (DLG) has released a number of local government reform initiatives to strengthen the ability of local governments to deliver services to the community. A key initiative of the Local Government Reform Program is to improve asset management capability within the local government sector. The objective of the asset management initiative is to:

- Raise the skills and understanding of asset management principles and systems across the sector; and
- Have all local governments implement “core level” asset management systems aligned to national frameworks.

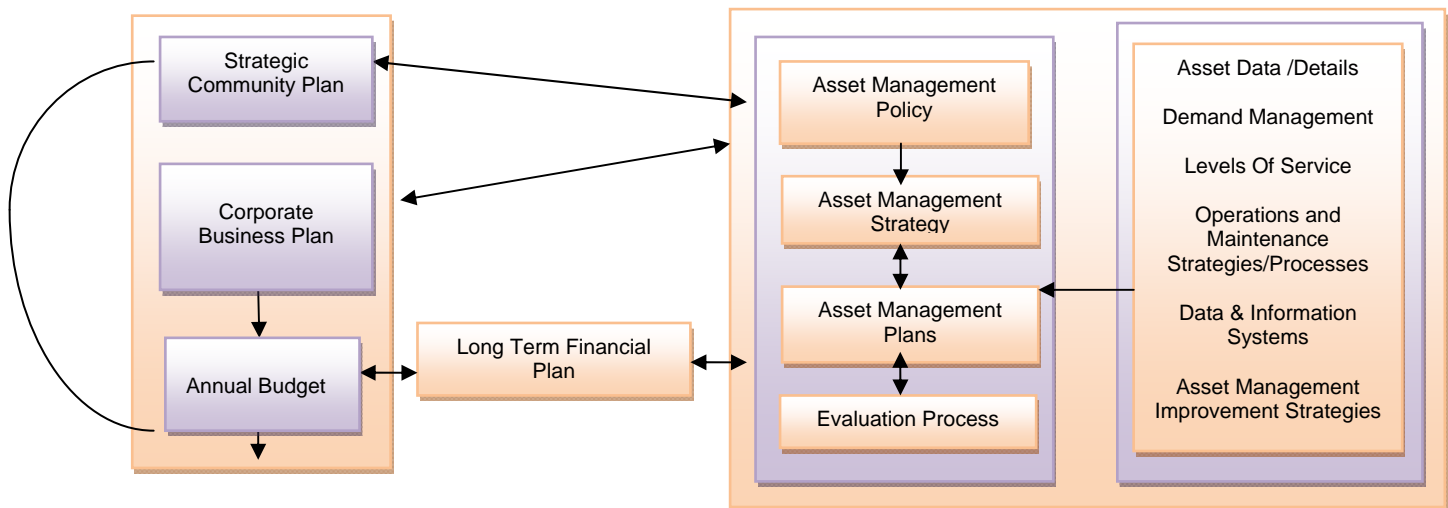
The DLG has developed an Integrated Planning and Reporting Framework, which identifies a strong link between asset management and key corporate documents such as the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan and Annual Reports.

The Shire of East Pilbara has developed an asset management framework which incorporates the elements of the DLG’s Integrated Planning and Reporting Framework. The asset management framework encompasses this asset management strategy as well as a number of asset management plans and in accordance with the requirements identified by the DLG, it is aimed at improving and enhancing:

- Sustainable management of local government assets and financial resources through a ‘whole of life’ and ‘whole of organisation’ approach.
 - The link between asset management plans, long term financial and strategic planning.
-

- The Process of continuous improvement in their asset management practice to match:
 - the changing service delivery needs of their communities; and
 - the increasing integration of asset management with their strategic directions.

The Shire of East Pilbara's Asset Management Framework is illustrated below:



COMMENTS/OPTIONS/DISCUSSIONS

This Asset Management Plan focuses on the Shire's Information Technology assets. This management plan has been prepared in line with IPWEA – NAMS.AU Building Condition and Performance Assessment Guidelines, Practice Note 3 – Buildings.

This Asset Management Plan has been developed to:

- Provide an overview of the current information technology assets owned by the Shire;
- Identify the service delivery levels required for the assets;
- Identify the current status of this portfolio, including asset values and expenditure projections;
- Document the Shire's asset management practices in relation to planning, acquisition, operation, maintenance, renewal and disposal of these assets.
- Identify the tasks and resources required to manage and maintain the Shire's Information Technology to an agreed standard; and
- Provide an outline of the strategies and actions to improve the planning and management of the Shire's Information Technology.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

3.2 ASSET MANAGEMENT

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the Shire of East Pilbara Asset Management Plan – Information Technology as presented.

11.2.3 NEW POLICY - DEBT POLICY

File Ref:	LEG-2-1
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Angela McDonald Manager Finance and Administration
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to consider adopting the following new policy:

- Debt Policy

BACKGROUND

Council does not currently have a formal debt policy. Although Council is currently operating as per the attached policy a Debt Policy provides for the responsible financial management of loan funding by ensuring that the level of indebtedness is maintained within acceptable limits and is managed appropriately.

COMMENTS/OPTIONS/DISCUSSIONS

A copy of the draft policy is **attached** for Council's consideration.

Council can adopt, amend or reject this policy.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 6 - Financial management (Division 3 – Financing local government activities)
6.20. Power to borrow (pg 223)

POLICY IMPLICATIONS

New Policy Making Guidelines:

1. Draft policies are to be in standard format and include policy objectives and the policy statement.
 2. Discuss reasons for the policy with your supervisor and prepare an amended/final draft.
 3. The Policy is to be presented and discussed at the Executive Management meeting.
 4. The Policy is to be presented at Corporate Discussion for input from Councillors.
 5. The Policy will then be presented to Council for adoption and inclusion in the Policy Manual.
-

Note: New Policies or major amendments will not be permitted at the annual review of the Policy Manual.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council adopt the Debt Policy, as below.

Debt Policy

Minute No:

Date:

Objective

The purpose of this Debt Policy is to establish a set of principles for the efficient management of the Shire of East Pilbara's existing and future debt.

Policy

- Council will restrict all debt to expenditure on identified capital projects that are considered by Council to be of the highest priority and which cannot be fully funded by revenue, grants and subsidies.
- Council will not borrow funds to finance operating activities or recurrent expenditure.
- Before borrowing funds, Council would generally consider using existing surplus funds in the first instance.
- Council intends to maintain a repayment schedule consistent with an interest and principal repayment calculation so that the exposure to interest rate fluctuations are minimised.
- Council will review the net financial liabilities and coverage ratios.
- Council will continually evaluate its financing options to ensure it assesses the relative risks and benefits, including the performance of its finances.

Controls

- Council will review the anticipated borrowing requirements and relevant sustainability ratios in the preparation of each financial year's budget and for the period covered by the 10-year financial plan.
- This policy is to be reviewed at intervals of no more than one year in conjunction with the budget

Legislative Requirements

All borrowings are to comply with the following:

Local Government Act 1995 (as amended) – Section 6.20 to 6.24;

The Trustees Act, 1962 (as amended);

Local Government (Financial Management) Regulations 1996 – Regulation 20,

Regulation 21, Regulation 29, and Regulation 48; and

Australian Accounting Standards

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

File Ref: ORG-12-1
Attachments: [CRC Review Dec 12.pdf](#)
[MOU CRC Nullagine SOEP](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sharon Walsh
Manager Community Wellbeing
Location/Address: Nullagine
Name of Applicant: Nullagine Community Resource Centre
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval of the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Nullagine Community Resource Centre Memorandum of Understanding for the provision of library services for an amount of \$40,000+ GST of \$4,000 for a total amount of \$44,000.

BACKGROUND

The Shire of East Pilbara is a strong supporter and advocate of Community Resource Centres which operate in the towns of Nullagine and Marble Bar.

In a letter addressed to the Western Australian Regional Development Trust in late 2012, the Shire suggested that the Nullagine Community Resource Centre should be allowed to increase the sources of much needed operational funds, by coordinating and managing and services on behalf of the Shire. These comments were welcomed by the Trust and as a result, discussions between Shire staff and the Nullagine Community Resource staff have been in constant on just how this could be achieved.

COMMENTS/OPTIONS/DISCUSSIONS

In June of this year, the long serving casual library officer located at the Nullagine Public Library tendered her resignation. This gave the Shire and the Nullagine Community Resource Centre an opportunity to discuss the likelihood of the Centre managing this important community asset.

The Nullagine Community Resource Centre Committee of Management provided the Shire with the enclosed Memorandum of Understanding on the 13th October 2013. It clearly states the obligations of the Centre in the provision of the Nullagine Public Library service including:

** To provide to the Shire of East Pilbara a copy of the Audited Financial Statements of the Nullagine Public Library by 1 December of each year.*

- * To provide to the Shire of East Pilbara a copy of the Annual Budget of the Nullagine Public Library by 30 September of each year.*
- * To prepare and provide a yearly report which identifies target audiences and markets, communication tools, promotional methods, budgets, cost analysis, appropriate funding opportunities and a list of local/regional businesses that are associated with the Nullagine Public Library by 1st March of each year.*
- * To operate within the terms and conditions of the Constitution of the Nullagine Community Resource Centre*
- * To ensure the Shire of East Pilbara is accorded full paid membership status of the Nullagine Community Resource Centre.*
- * To provide a high quality and professional library and information service to visitors and intended visitors to the Nullagine Public Library.*
- * To operate a Public Library at Gallop Road, NULLAGINE with the following opening hours: Monday – Friday 10.00am to 3pm, closed Public Holidays.*
- * Welcome visitors to Shire of East Pilbara with excellent customer service and comfortable premises.*
- * Create a positive impression through comprehensive advice on the facilities and services available within the Shire of East Pilbara and surrounds.*
- * Encourage users of the Library to visit frequently and/or stay longer by providing updates on the activities and services provided by the State Library service of Western Australia.*
- * Allow the Shire of East Pilbara to appoint an ex-officio Shire representative on the Nullagine Community Resource Centre Committee of Management.*

And in turn, the Shire of East Pilbara is required:

- * To provide funding of \$44,000 (inclusive of GST) to the Nullagine Community Resource Centre payable in (quarterly) instalments via electronic funds transfer.*
- * Continually explore opportunities for income generation for the Nullagine Community Resource Centre by partnering with the Centre in the development of community development projects specific to Nullagine.*

Council can approve or not approve the request to apply the Common Seal to the Nullagine Community Resource Centre's Memorandum of Understanding.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: **Item 9.1.3**
Date: **27th June 2003**

Objective

To allow for the proper execution of documents.

Policy

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

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

- 1.1.1 Ethical, accountable and transparent decision-making
Responsible officer: DCEO
Timing: As appropriate

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation. Expenditure associated with this MOU agreement will be costed the existing general ledger 111355 Salaries & Allowances - Library

VOTING REQUIREMENTS

Absolute

OFFICER'S RECOMMENDATION

THAT Council approve the application of the common seal of the Shire of East Pilbara to the Nullagine Community Resource Centre Memorandum of Understanding for the provision of Public Library services for an amount of \$40,000 + GST of \$4,000 for a total amount of \$44,000 for a one year period.

11.2.5 USE OF NEWMAN YOUTH CENTRE BY A COMMERCIAL ENTITY

File Ref: REC-23-5
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sharon Walsh
Manager Community Wellbeing
Location/Address: Lot 1322 Hilditch Avenue, Newman
Name of Applicant: Sherpa Kids Australia
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council approval that the building located at Lot 1322 Hilditch Avenue Newman be used by a commercial entity as an accredited and licensed venue for an outside school hours and vacation care service.

BACKGROUND

The 'Old Y' building was abandoned by Newman Youth Services in June 2009. This building is synonymous with children and youth living in Newman and in early 2010 funding was received by BHP Billiton Iron Ore and Regional and Local Community Infrastructure Program (RLCIP) to undertake significant renovations and modifications to this building. Council has already approved the use of this facility by children and youth service providers and in August 2010.

The YMCA Newman Early Learning Centre and Newman Daycare Centre were given approval for joint use of it as per Resolution 201011/46. However, these two organisations did not take up tenancies agreements to occupy the building.

In December 2012, Resolution 201213/259 Sherpa Kids were given approval to use the Newman Recreation Centre as their headquarters to operate a before and after school care programme and also a school holiday programme. They have been sharing the crèche room at the Centre and whilst this arrangement has met their original needs, Sherpa Kids have increased their clientele and service, and have expressed the need to find an alternative space that they can make 'make their own'. They have requested a space that decreases the need for their staff to pack up and down their daily set ups, which is currently required to ensure the space is set up appropriately for use by the crèche users, that being young toddlers and babies.

COMMENTS/OPTIONS/DISCUSSIONS

Shire staff have initiated discussion with Newman Scouts to ascertain if they would consider sharing the space they currently use one night a week at the Newman Youth Centre with Sherpa Kids. The Newman Scouts were obliging and have openly discussed their operational needs with Shire staff. All parties involved are of the belief that the joint use of this building can be achieved through the introduction of a term by term booking system.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.4 Diverse and inclusive communities

2.4.3 Provide relevant and affordable community services

Responsible officer: MCW

Timing: 1-5 years

FINANCIAL IMPLICATIONS

Resources requirements are in accordance with existing budgetary allocations.

VOTING REQUIREMENTS

Absolute

OFFICER'S RECOMMENDATION

THAT Council

- 1. Provide delegated authority to the Chief Executive Officer to negotiate conditions of use between the Newman Youth Centre and Sherpa Kids Australia**
- 2. Ensures Sherpa Kids Australia meet all responsibilities as listed on the Shire of East Pilbara Conditions of Use Agreement**
- 3. Impose the following fees to Sherpa Kids Australia:**
 - a) Facility hire fee of \$300 per school week**
 - b) Facility hire fee of \$600 per week per non-school week**
 - c) Plant hire fee of \$200 per week for the use of the Funky Bus**
- 4. Impose these fees effective from the 15th November 2013.**
- 5. Provide notice of the adopted fees, as advertised, pursuant to Section 6.19 *Local Government Act 1985***

**11.2.6 VARIATIONS TO FEES AND CHARGES AT THE NEWMAN RECREATION
& FITNESS CENTRE**

File Ref: REC-21-1
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mr John Weeks
Co-ordinator Recreation Services
Location/Address: Newman Recreation Centre
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To amend the recently adopted Fees and Charges as they relate to the Newman Recreation & Fitness Centre.

BACKGROUND

The 2013/2014 Fees and Charges were adopted by Council in August 2013. Subsequently, an error has been highlighted in these fees in function 11 – recreation.

COMMENTS/OPTIONS/DISCUSSIONS

Due to an administration error, the '10 - pass Gym and/or Aerobic discount session card' was not increased from \$90 to \$108 in line with the other adopted casual user charges.

Additionally, the deletion of a one (1) month membership was not actioned. This type of membership is not in line with industry practices as it does not encourage potential clients to take a longer, more sustainable membership. The Centre does cater for short term users by the way of offering a 10 pass discount card and a casual one session use for either an aerobics class or Fitness Centre session.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.1 Health and recreation

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

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation. These changes will result in additional revenue generated from memberships sold at the Centre.

VOTING REQUIREMENTS

Absolute

OFFICER'S RECOMMENDATION

THAT Council

- 1. Increase the fee of a 10 pass Gym and/or Aerobic discount session card to \$108.00.**
- 2. Delete the one (1) month membership option offered at the Newman Recreation & Fitness Centre.**
- 3. Impose the deletion and new fee effective from the 15th November 2013.**
- 4. Provide notice of the adopted fees as advertised, pursuant to section 6.19 of the *Local Government Act 1985*.**

11.2.7 NEW POLICY - FINANCIAL RESERVES POLICY

File Ref: LEG-2-1
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Angela McDonald
Manager Finance and Administration
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to consider adopting the following new policy:

- Financial Reserves Policy

BACKGROUND

Council does not currently have a formal Financial Reserves Policy. Although Council is currently operating as per the attached policy and within the requirements of the *Local Government Act 1995* a Financial Reserves Policy ensures that cash funds set aside at the discretion of Council for a specific purpose are applied to that purpose and managed accordingly.

COMMENTS/OPTIONS/DISCUSSIONS

A copy of the draft policy is **attached** for Council's consideration.

Council can adopt, amend or reject this policy.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 6 - Financial management (Division 4 - General financial provisions) 6.11.
Reserve accounts (pg 216)

POLICY IMPLICATIONS

New Policy Making Guidelines:

1. Draft policies are to be in standard format and include policy objectives and the policy statement.
2. Discuss reasons for the policy with your supervisor and prepare an amended/final draft.
3. The Policy is to be presented and discussed at the Executive Management meeting.
4. The Policy is to be presented at Corporate Discussion for input from Councillors.
5. The Policy will then be presented to Council for adoption and inclusion in the Policy Manual.

Note: New Policies or major amendments will not be permitted at the annual review of the Policy Manual.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council adopt the Financial Reserves Policy, as below.

Financial Reserves Policy

Minute No:

Date:

Objective

The objective of the policy is to ensure that cash funds set aside at the discretion of Council for a specific purpose are applied to that purpose and managed accordingly.

Policy

Reserves are part of the Shire's overall equity position. Reserves are funds which have been set aside for purposes and projects to be undertaken in future years.

Reserves are established by Council to achieve Strategic Community Plan and Corporate Business Plan objectives and are to be extinguished once the Reserve purpose has been achieved. The retention of obsolete Reserves restricts cash that could be utilised for funding other initiatives and can impact on cash ratios.

In order to ensure efficient Reserve management, the Shire will:

- Only establish Reserves for the following purposes:
 - Funding future projects (community infrastructure) identified in the Strategic Community Plan, Corporate Business Plan and Long Term Financial Plan;
 - Specific Projects earmarked to be funded by proceeds from the airport operations;
 - Statutory requirements;
 - Any other requirements at the discretion of Council
- Review the number of, and funding of, all Reserves on an annual basis through the planning and budget process;
- Interest earned on Reserves is to be re-allocated to the individual reserve.

Current reserve funds are held as per below:

Reserve Name	Purpose
Alice Springs Road	To help maintain the road link to Alice Springs from Marble Bar to the Northern Territory border
Heavy Road Plant	To fund the purchase of heavy plant that is needed for the operation of the Shire
Cape Keraudren Development	For the maintenance, development & enhancement of the Cape Keraudren Reserve
Computer Technology	For the replacement, enhancement and upgrading of computer hardware and software
Newman Recreation Centre Maintenance	For the upgrading and enhancement and future extensions of the Newman Recreation Centre
Newman Sewerage Plant	For the maintenance, upgrading and replacement of all Council plant and equipment associated with the treatment

	of sewage and the distribution of the treated product
Newman Airport	For the upgrading, maintenance and enhancement of the Newman Airport facilities
Oval Lights Maintenance	To maintain and upgrade the lights at Capricorn Oval, Newman
Long Service Leave	To provide for the payment of future leave entitlements to staff
Recreation Facilities Maintenance	For the upgrading and enhancement of recreation facilities
Staff Housing	For the upgrading and maintenance of staff housing assets
Newman Town Centre Revitalisation	For the revitalisation, upgrade and maintenance of the Newman Town Centre Precinct
Waste Management	For the development, maintenance & enhancement of waste management facilities
Public Art	For the development, maintenance & enhancement of Public Art within the three town of the East Pilbara Shire
Town Centre Public Toilet	For the development, maintenance & enhancement of Town Centre Public Toilets
Annual Leave	To provide for the payment of annual leave entitlements to staff
Royalties for Regions	To hold and utilise the allocation of the Royalties for Regions – Pilbara Revitalisation funds in accordance with the funding legislation
Newman House	For the maintenance, upgrading and replacement of Newman House
Newman Tomorrow Project Maintenance	For the maintenance and repairs of all Newman Tomorrow projects funded by BHP Billiton Iron Ore
Public Building Maintenance	For the maintenance, upgrading and replacement of all Council Public Buildings
Martumili Operations	To hold and utilise the surplus funds from the Martumili Artist operations
Moondoorow Community Housing Project	To hold and utilise the allocation of money for the completion of the Moondoorow Housing Project
Martumili Infrastructure Project	To hold and utilise the allocation of money for the completion of the Martumili Infrastructure Projects
Cowra Tourist & Recreation Precinct	To hold and utilise the allocation of money for the completion of the Cowra Tourist & Recreation Precinct

Legislative Requirements

Local Government Act 1995

Reserve Accounts

Section 6.11(1) to (5). Where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.

11.2.8 MONTHLY FINANCIAL STATEMENTS - AUGUST 2013

File Ref	FIN-23-5
Attachments:	August 2013 Variance Report.doc Council Financial Statements August 2013.pdf
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Lisa Moss Coordinator Financial Services
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

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

BACKGROUND

The attached 12-page report details the financial activities of the Council for the period August 2013 of the 2013/2014 financial year –

There are 4 sections of the monthly report:

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

COMMENTS/OPTIONS/DISCUSSIONS

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

Reportable variations in accordance with accounting policies are as per attached variance report.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 6 Financial Management

Division 4 General financial provisions
Section 6.4(2)

“The financial report is to –

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

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

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

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

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY

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

PLAN FOR FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

That the monthly financial statements for the period August 2013 of the 2013/2014 financial year as presented be received.

11.2.9 CREDITORS FOR PAYMENT

File Ref: FIN 10-2

Attachments: [schedule of accounts eft.pdf](#)
[schedule of accounts chq.pdf](#)
[schedule of accounts written chq.pdf](#)

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Mrs Candice Porro
Expenditure Finance Officer

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

Council endorsement of payment to creditors.

BACKGROUND

As per the attachment list, outlines payments made to creditors since the Council meeting on the 27th September 2013.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT20600-EFT21259	6,628,050.51
	Total	\$6,628,050.51
Cheque Payments	22293-22378	314,655.37
Written Chq Payments	92-113	82,172.36
	Total	\$396,827.73
	GRAND TOTAL	<u>\$7,024,878.24</u>

Please note the computer system allows for only a limited field for the description of goods/services purchased, therefore the description shown on the attached Schedule of Accounts may not show the entire description entered for the goods/services purchased.

CANCELLED AND UNUSED CHEQUES:

UNUSED CHEQUES

22362, EFT21039, EFT21135, EFT21256

CANCELLED CHEQUES & EFTS

101, 105, 110, 112, 22311, 22328

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government (Financial Management) Regulations 1996
Part 2 – General financial management
Reg 11

- (1) *A local government is to develop procedures for the authorisation of, and the payment of, accounts to ensure that there is effective security for, and properly authorised use of –*
 - (a) *cheques, credit cards, computer encryption devices and passwords, purchasing cards and any other devices or methods by which goods, services, money or other benefits may be obtained; and*
 - (b) *petty cash systems.*

Local Government (Financial Management) Regulations 1996
Part 2 – General financial management
Reg 12

- (1) *A payment may only be made from the municipal fund or the trust fund –*
 - (a) *if the local government has delegated to the CEO the exercise of its power to make payments from those funds – by the CEO; or*
 - (b) *otherwise, if the payment is authorised in advance by a resolution of the council.*
- (2) *The council must not authorise a payment from those funds until a list prepared under regulation 13(2) containing details of the accounts to be paid has been presented to the council.*

POLICY IMPLICATIONS/PLAN FOR THE FUTURE OF THE DISTRICT

POLICY IMPLICATIONS

Nil.

PLAN FOR THE FUTURE OF THE DISTRICT

Nil.

FINANCIAL IMPLICATIONS

Total expenses of \$7,024,878.24

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT20600-EFT21259	6,628,050.51
	Total	\$6,628,050.51
Cheque Payments	22293-22378	314,655.37
Written Chq Payments	92-113	82,172.36
	Total	\$396,827.73
	GRAND TOTAL	<u>\$7,024,878.24</u>

11.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

11.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS FOR SEPTEMBER 2013

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

REPORT PURPOSE

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

BACKGROUND

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

That status list of Council decisions is included.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

Section 2.7

The role of the council

(1) *The council –*

(a) directs and controls the local government's affairs; and

(b) is responsible for the performance of the local government's functions.

(2) *Without limiting subsection (1), the council is to -*

(a) oversee the allocation of the local government's finances and resources; and

(b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the “Status of Council Decisions” – Director Technical and Development Services for September 2013 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
16 December 2011	13.5	SIGNS – RECOGNITION THE DESERT ROADS Cr Lang Coppin asked if it was possible to get plaques/signs about the history and stories of the desert roads e.g.: rabbit proof fence. People always stop to read on their travels and Shire of East Pilbara needs recognition for these roads.	MTS-R DTDS	Gathering of information to be included on signs/plaques	In Progress
28 September 2012	13.4	NEW ROAD LINKED TO LIGHT INDUSTRIAL AREA (LIA) – NEWMAN – Cr Shane Carter asked if the road will be going ahead for heavy traffic into the Light Industrial Area from Gunn Club Road.	DTDS	Tenure of land and alignments to be investigated and feasibility assessed Align options selected. Centrelines pegged. Next step will be to survey and prepare prelim design with costings. Then seek funding.	In Progress
28 June 2013	9.3.3	EMERGENCY SERVICES REVIEW - OPTION TO TRANSFER LOCAL BUSH FIRE BRIGADES IMPACT ASSESSMENT	DDTS	DFES response received and being accessed. Item to be presented to Council	In Progress
23 August 2013	13.3	WOODIE WOODIE AREA Cr Kevin Danks has asked if it was possible to have the correct names on the signs. Cr Kevin Danks will give the correct names. Director Technical and Development Services to follow up.	MTS-R	To be actioned once names received from Cr Danks	In Progress
23 August 2013	13.6	STREET NUMBERING MARBLE BAR Cr Stephen Kiernan asked what was happening in regards to the street numbering in Marble Bar. Director Technical and Development Services to follow up.	DTDS	Staff are investigating options and costing to be presented to Corporate discussion.	In Progress

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
27 September 2013	13.2	REVIEW OF EMPLOYEE A MECHANIC Cr Dean Hatwell requested that a review be again undertaken for the employment of a Shire mechanic versus the use of external contractors. Mr Rick Miller, Director Technical and Development Services to follow up.	DTDS MTS-R	Staff to analysis cost benefits – practicality of employing a mechanic vs contractors. Also assess how many required to service total fleet or just to service light fleet. Report to be presented to Council	In Progress
27 September 2013	13.3	OLD COUNCIL CHAMBERS BUILDING MARBLE BAR TURNS 50 Cr Dean Hatwell said the old Council Chambers in Marble Bar opened on the 5th September 1963 by Hon L A Logan, Minister for Local Government, the building is 50 years old but the plaque is very hard to see if it was possible to give it a clean. Mr Rick Miller, Director Technical and Development Services to follow up.	DTDS MTS - R	Works requested to be raised	In Progress
27 September 2013	13.5	CAMPING AT OPHTHALMIA DAM Cr Gerry Parsons asked did Council find out if people can camp at the dam and if it can be put back on the action list. Mr Rick Miller, Director Technical and Development Services to follow up.	DTDS CRES MDS-P MDS-H	Staff to investigate and provide report	In Progress

**11.3.2 FINAL ADOPTION - AMENDED LOCAL PLANNING POLICY NO. 1 EAST
NEWMAN MASTER PLAN**

File Ref: PLN-2-1
Attachments: [East Newman Masterplan Rev F.pdf](#)
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Adam Majid
Manager Development Services - Planning
Location/Address: East Newman
Name of Applicant: URBIS on behalf of Landcorp
Author Disclosure of Interest: Nil

REPORT PURPOSE

Council's consideration is required for the final adoption of amendments to Local Planning Policy No. 1 – East Newman Master Plan.

BACKGROUND

Council at its meeting held on 23 August 2013 resolved the following:

THAT Council in accordance with Clause 2.4 of Town Planning Scheme No. 4 resolves to amend Local Planning Policy No. 1 – East Newman Master Plan by replacing the existing plan adopted by Council on 7 December 2012 with the plan prepared by URBIS (DWG NO 001 REV F) and dated 10 May 2013 and in doing so undertakes the following procedures:

- 1. Publish a notice of the proposed Policy amendments in a newspaper circulating within the district inviting comments to be made on the proposed Policy and such comment period shall be open for not less than 21 days;*
- 2. Upon completion of the public advertisement period, consider any such submissions received and review the policy where necessary and further resolve to proceed with the adoption of such policy with or without modification and/or resolve not to proceed with such policy.*

In accordance with the above, the proposed amendments were advertised for a 21 day period commencing on 18 September 2013 and concluding at the close of business on 9 October 2013. At the close of the advertising period, no submissions were received.

COMMENTS/OPTIONS/DISCUSSIONS

As per the report presented to Council on 23 August 2013, the proposed amendments are as follows:

- Creation of a new link road from the north of the masterplan area into the adjoining future proposed Cowra precinct;
 - The amalgamation of the two grouped dwelling sites in the north of the masterplan area into a single site and the further taking of a portion of POS area 9 (drain) to increase the overall lot size of the grouped dwelling site; and
 - The creation of an additional grouped dwelling site adjoining POS area 3.
-

Due to the above changes, there is a minor reduction in the overall area of public open space (reduction of 0.03%) and a loss of 10 single residential lots which is however compensated by the development of the grouped dwelling sites.

The proposed amendments are consistent with the future planning aspirations for the immediate area and are therefore considered appropriate for Council to grant final adoption.

STATUTORY IMPLICATIONS/REQUIREMENTS

In accordance with Clause 2.4 of Town Planning Scheme No. 4, Council must resolve to adopt the policy with or without modification(s).

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.4 Land use and development control

3.4.1 Encourage the release of adequate amounts of housing, industrial and commercial land

Responsible officer: CEO

Timing: 1-5 years

3.4.2 Plan well for the future development of the Shire

Responsible officer: CEO

Timing: 1-5 years

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

- 1. Resolves to adopt the amendments to Local Planning Policy No. 1 – East Newman Master Plan in accordance with the plan prepared by URBIS with reference number “DWG NO 001 REV F” and dated 10 May 2013; and**
- 2. Causes the adopted amendments to be advertised in a newspaper circulating within the Scheme area advising of Council’s adoption and such amendments to the Policy shall come into effect on the date of publish of such notice.**

**11.3.3 REQUIREMENT TO NAME NEW ROAD - LANDCORP INDUSTRIAL
DEVELOPMENT STAGE 3A**

File Ref:	PLN-8-3-6
Attachments:	LIA Road Name.pdf
Responsible Officer:	Mr Rick Miller Director Technical and Development Services
Author:	Mr Adam Majid Manager Development Services - Planning
Location/Address:	Industrial Area, Newman
Name of Applicant:	Whelans on behalf of Landcorp
Author Disclosure of Interest:	Nil

REPORT PURPOSE

Council's consideration is required for the proposed naming of a new road to be constructed in the Newman Industrial area as part of stage 3A subdivision works.

BACKGROUND

Stage 3A of the Newman Industrial development, which is undertaken by Landcorp, was approved by the Western Australian Planning Commission (WAPC) on 12 July 2013. The proposal includes the development of an additional twelve (12) lots and the creation of a new cul-de-sac road to service the proposed lots.

As the proposal includes the development of a new road, there is a required to have the road named in accordance with Landgate's Geographic Names Committee Policy and Standard for geographical naming in Western Australia. Accordingly, an application has been received from the applicant suggesting the following names:

- Hillside Court (first option); and
- Pilga Place (secondary option).

The location of the road is identified in the attached plan.

The following is recorded notes on both of the above mentioned place names:

- *"Hillside Station lease was taken up by George and John Gregory Withnell in 1880. It was often referred to as "Shaw River Station" in early writings. Hillside Homestead is situated on the western side of the Shaw River."*
"Hillside Station has aesthetic and historic significance. It represents a period in the evolution of pastoral stations, and has been recognised by the National Trust and the Australian Heritage Commission."
 - *"Pilga Station is a pastoral lease and sheep station located 48 kilometres (30 mi) south west of Marble Bar and 210 kilometers (130 mi) north of Newman in the Pilbara region of Western Australia.
The station occupies an area of 215,025 acres (87,018 ha) and in 1946 has 159 miles (256 km) of fencing and the property is divided into 16 paddocks. The property also*
-

has 23 wells, is equipped with mills, a homestead and shearing shed. The Shaw River flows through a portion of Pilga. In 1928 sheep from Pilga produced 134 bales of wool. Shearers shored 15,400 sheep at Pilga in 1934 including 3,000 summer lambs producing 151 bales of wool, the clip was 3 long tons (3 t) better than the previous record.

In 1954 the station owner, J. J. Doughty, took miners to the Wardens court to seek the forfeiture of 16 mining tenements for non-compliance of labour conditions and continual use of water rights at the Cooglegong tin-field situated on the property."

COMMENTS/OPTIONS/DISCUSSIONS

On review of the requested names and those within the existing developed Industrial area, it is noted that the proposed names are consistent with the overarching theme being of pastoral stations/leases. However, the name "Hillside" is already used in a hyphenated connection with "Woodstock" as the "Hillside-Woodstock" Road, Nullagine.

With respect to the proposed name of Hillside, the applicant has indicated that this was chosen based on the fact that where the road is to be constructed currently consists of a small hill resulting in the finished subdivision being slightly elevated.

Under the Geographic Names Committee Policy/Standard, there is a section which relates to road name duplication and that duplication should be avoided where the name already exists in the local government area. However, it does make exception on certain circumstances provided it is situated within another locality or greater than 50 kilometres from the existing like named road.

In considering the above, it is considered acceptable that Hillside can be used within Newman as it does not yet exist within the Newman Locality.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Landgate – Geographic Names Committee Policies and Standards.

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.4 Land use and development control

3.4.1 Encourage the release of adequate amounts of housing, industrial and commercial land

Responsible officer: CEO

Timing: 1-5 years

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Supports and recommends approval to the Geographic Names Committee for the use of "Hillside Court" as identified on the attached plan with reference number 036 Revision 00;**
- 2. Recommends the use of "Pilga Place" as an alternate name for the proposed road should one (1) above not be supported by the Geographic Names Committee.**

11.3.4 NATIONAL LOCAL ROADS 2013 / AND TRANSPORT CONGRESS

File Ref: CLR 5-6
Attachments: [2013 Itinerary National Roads Congress](#)
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek Council endorsement for Council representatives to attend the National Local Roads 2013 / and Transport Congress to be held on 12-14 November 2013 at the Alice Springs Convention Centre, Northern Territory. Attached is the itinerary.

BACKGROUND

The President of the Australian Local Government Association invited the Shire to be part of this year's National Locals Roads and Transport Congress, to be held in Alice Springs from 12-14 November 2013.

Themed **Sustaining our Roads – Good Business, Good Governance, Good Bottom Line** this year's Congress will be used to reflect on the state of our nation's roads and the future direction of roads and transport in Australia.

Local council's know how important local roads and community infrastructure are and this event will be first opportunity to hear how the Federal Government will be working with local government to build infrastructure of the 21st century across Australia. Importantly the Congress will examine details of major national transport reforms, with discussions on issues such as user pay models of charging and investment in roads, facilitating greater use of higher productivity heavy vehicles, exploring freight management options, and the general funding and provisions of local roads.

ALGA will also be launching the State of the Local Roads Assets Report 2013 at the Congress. This report, which will be discussed at the Congress, will provide a complete national data set on roads from all our local governments for the first time. To provide a much clearer picture of the State of these assets, data will be collated and assessed with associated confidences levels specified:

- In total all council;
- By State and Territory;
- By rural/urban classification; and
- By quality, functionality and capacity aspects of the local road assets

ALGA is playing a key role in contributing information across a range of major government transport reform initiatives where there is likely to be an impact on local government. We have secured speakers this year to provide information and updates on the National Freight Strategy, the heavy vehicle charging and investment reform and the ARRB research group.

The Congress has a strong history of allowing the local government sector to reflect on road and transport issues specific to local communities, and to come up with innovative ways to address these. This year's Congress will include a number of sessions that will allow us to do just that. You will hear from our host Mayor Damien Ryan, on some of the "last mile" initiatives Alice Springs Town Council is currently implementing, as well as having the opportunity to participate in a session looking at the Roads at the Heart of the Community.

COMMENTS/OPTIONS/DISCUSSIONS

Cr Lang Coppin has proposed that Council elect one or two representatives from the Shire of East Pilbara to attend National Local Roads 2013 / and Transport Congress which is run by the Australian Local Government Association.

It is an opportunity to drive to Alice Springs through the Shire Roads and for Cr Lang Coppin to travel with the Director Technical and Development Services, Mr Rick Miller to show first hand, issues of concern and interest in our remote roads and discuss signage and recognition of desert roads.

The National Local Roads and Transport Congress 2013 is an opportunity for the Shire of East Pilbara to meet and discuss with other local government agencies the challenges of increasing freight on local roads and the asset management of these roads with limited funding.

For your information the National Local Roads 2013 / and Transport Congress Sustaining our Roads Good Business / Good Governance / Good Bottom Line Registration Update Itinerary and registration form is attached on separate cover.

STATUTORY IMPLICATIONS/REQUIREMENTS

Functions of local governments (D3-Executive functions of local government) (sub1-Performing executive functions) 3.20 Performing Functions

POLICY IMPLICATIONS

Shire of East Pilbara Policy Manual 2014

2.3 Councillor and Senior Staff Representation at Functions and Events

Minute No: Item 11.1.5

Date: 27th May 2005

Objective

To establish means of recording Councillor and Senior Staff attendance and representation at meetings, functions and events within the Shire in accordance with the Shire of East Pilbara Plan for Future of the District.

Policy

To ensure that Councillors and senior staff have the maximum amount of notice time of an impending function. A minimum of 7 days' notice is to be given to Councillors and senior staff of the impending meeting, function or event where they are representing Council on an official basis.

If an event or function is hosted by the Council, all Councillors will be requested to attend.

Requests for attendance need to be submitted to the Executive Support Officer and include the following information:

Event – venue, time and date

Who is requested to be in attendance

Are they to speak or present at the function

(if this to occur please provide a speech, notes or further details)

Invitations for other events or functions may be given to Councillors with less notice where their attendance is not required in an official capacity. However, 7 days is preferred due to the spread of Councillors throughout the Shire.

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.1 Business diversification and promotion

3.1.2 Build a thriving and diverse economy

FINANCIAL IMPLICATIONS

The cost of attendance for the 2013 National Local Roads and Transport Congress under account number GL#121139 Conference and Seminar Expenses.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council authorise Cr Lang Coppin or a Councillor Representative and the Director Technical and Development Services to attend the 2013 National Roads and Transport Congress in Alice Springs 12-14 November 2013.

**11.3.5 APPLICATION OF SHIRE SEAL ON CONTRACT FOR THE PREPARATION
OF THE LOCAL PLANNING STRATEGY**

File Ref: LEG-13-1-19
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Adam Majid
Manager Development Services - Planning
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To advise Council on the use of the Shire Seal which was affixed to the contract between the Shire and its appointed consultant for the purposes of consultancy services to prepare the Shire of East Pilbara Local Planning Strategy.

BACKGROUND

Council, at its meeting held on 19 April 2013, resolved the following:

THAT Council awards Tender 6-2012/2013, Provision of Consultancy Services for the Preparation of the Shire of East Pilbara Local Planning Strategy, to Hames Sharley for the tendered price of \$150,320.50 inclusive of GST.

In accordance with the above, the consultant firm, Hames Sharley, was appointed to undertake the works and subsequently commenced such works in June of this year.

Although a contract should technically be completed prior to work commencing, Hames Sharley experienced some delays in dealing with their appointed sub-consultants which was otherwise resolved in early August.

COMMENTS/OPTIONS/DISCUSSIONS

The contract is based on the Australian Standard 4122-2010 – General Conditions of Contract for Consultants just the same as all other consultant contracts with the Shire. However, a variation was sought with regards to professional indemnity insurance. The variation was reducing it from the standard of 10 million dollars to 5 million dollars.

As the scope of works is for a strategic document that does not include physical items the variation is acceptable.

All other provisions of the contract remain unchanged from normal Shire practices for consultants.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

STRATEGIC COMMUNITY PLAN

Goal 3 – Economic – Planned Actions

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

3.4 Land use and development control

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council note the application and use of the common seal of the Shire of East Pilbara on the contract between the Shire of East Pilbara and appointed consultant Hames Sharley for the preparation of the Shire of East Pilbara Local Planning Strategy.

11.3.6 ASSET MANAGEMENT PLAN – WASTE MANAGEMENT

File Ref:	FIN-23-2
Attachments:	<u>Asset Management Plan-Waste Management</u>
Responsible Officer:	Mr Rick Miller Director Technical and Development Services
Author:	Mr Rick Miller Director Technical and Development Services
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to endorse the Asset Management Plan – Waste Management (Landfill Tip Sites) as a key component of the Shire’s asset management strategy, and fulfils the requirement for the Integrated Planning & Reporting framework.

BACKGROUND

The Department of Local Government (DLG) has released a number of local government reform initiatives to strengthen the ability of local governments to deliver services to the community. A key initiative of the Local Government Reform Program is to improve asset management capability within the local government sector. The objective of the asset management initiative is to:

- Raise the skills and understanding of asset management principles and systems across the sector; and
- Have all local governments implement “core level” asset management systems aligned to national frameworks.

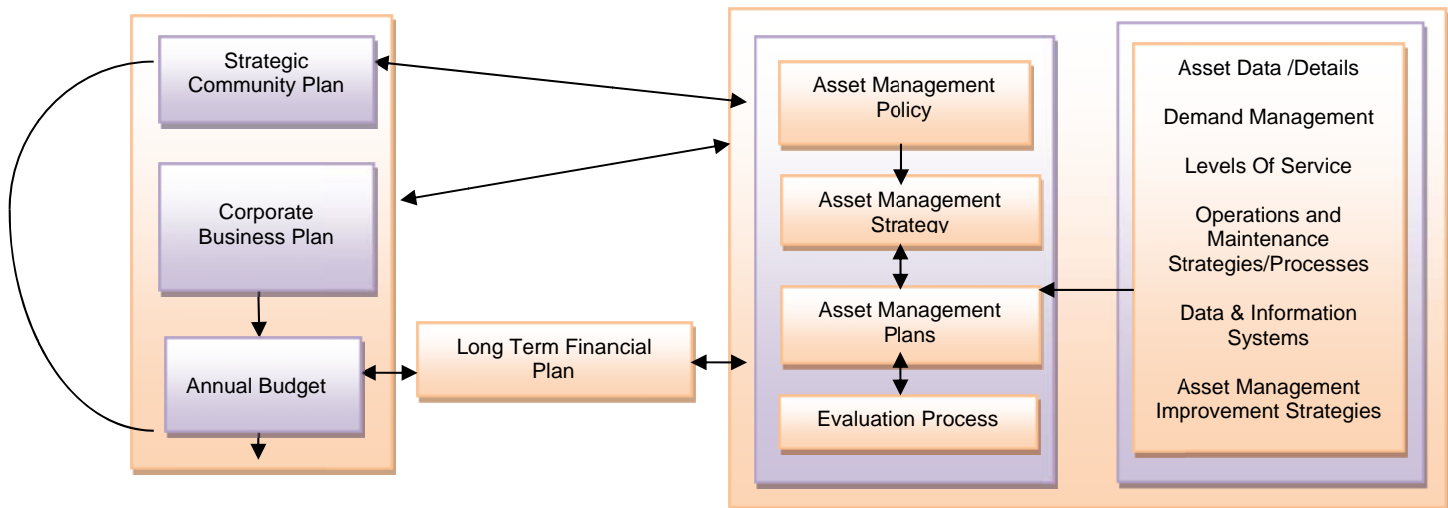
The DLG has developed an Integrated Planning and Reporting Framework, which identifies a strong link between asset management and key corporate documents such as the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan and Annual Reports.

The Shire of East Pilbara has developed an asset management framework which incorporates the elements of the DLG’s Integrated Planning and Reporting Framework. The asset management framework encompasses this asset management strategy as well as a number of asset management plans and in accordance with the requirements identified by the DLG, it is aimed at improving and enhancing:

- Sustainable management of local government assets and financial resources through a ‘whole of life’ and ‘whole of organisation’ approach.
 - The link between asset management plans, long term financial and strategic planning.
-

- The Process of continuous improvement in their asset management practice to match:
 - the changing service delivery needs of their communities; and
 - the increasing integration of asset management with their strategic directions.

The Shire of East Pilbara's Asset Management Framework is illustrated below:



COMMENTS/OPTIONS/DISCUSSIONS

This Asset Management Plan has been developed to:

- Provide an overview of the current infrastructure owned and/or managed by the Shire;
- Identify the service delivery levels required for the assets;
- Identify the current status of the infrastructure portfolio, including asset values and expenditure projections;
- Document the Shire's asset management practices in relation to planning, acquisition, operation, maintenance, renewal and disposal of these assets.
- Identify the tasks and resources required to manage and maintain the Shire's waste management infrastructure portfolio to an agreed standard; and
- Provide an outline of the strategies and actions to improve the planning and management of the Shire's waste infrastructure assets.

The document will be a living document and provides an assessment of where we are now and a guide on what we need to do to maintain the waste management asset's to an acceptable level of service and the philosophy of maintaining the asset in a sustainable manner. Costings in the document will give a guide to proposed future expenditure but, with ongoing and future analysis they aren't to be seen as final. Further review and checking of calculations will be completed for future budgets.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Asset Management

Minute No: Item 10.3.6

Date: 29th January 2010

Objective

To set out the Council's commitment to manage and care for its assets in a way that ensures continuity of service delivery.

Policy

"Asset – anything of material value or usefulness that is controlled by the Council."

Asset Management in the Shire of East Pilbara means the utilisation of optimum practices to ensure that the wide variety of assets under its control are provided and maintained in a secure, safe and operational condition for the purpose those assets have been provided and replaced as required.

Asset Management involves all areas of Council from those that plan services, provide services and manage assets and services to those who use the assets. Council will ensure that integrated decision making will be utilised in order that the built, social, economic and natural impacts of asset provision and maintenance are properly considered throughout the asset management cycle

This policy shall be read in conjunction various strategic documents including:

- Financial Strategic Plan
- Corporate Plans
- Asset Management Plan and Strategies
- Information Technology Strategy Plan
- Waste Management Plan

Council is committed to:

- Achieving financial sustainability of its assets over a period of time through the following measures:
 - Ensuring that the asset base is not increased without considering the impact on the ability to fund future maintenance and rehabilitation;
 - Not replacing those assets that are determined to be under utilised, at the end of their useful lives;
 - Accessing grant funding and increasing other funding to ensure assets are maintained at least in their current condition;
 - Integrated management linking asset management strategy, policy and procedures to other Council policies, strategies and procedures;
 - Utilisation of technological advances relevant to asset management;
-

- An integrated planning approach which ensures manager roles are understood and documented and that communication procedures are in place which ensure assets are planned and delivered in a sustainable manner;
- Implementation of optimum practices;
- Improving its maintenance and rehabilitation practices;
- Maintaining and rehabilitating its existing assets in a manner which is acceptable in terms of financial burden, safety, quality, impact on the environment, meeting needs and Council's ability to fund those works;
- Maximising resources to achieve the best outcome for the community;
- Regularly consulting and surveying the community to determine whether its needs are being satisfied;
- Preparation of an Asset Management Plan which details how this policy is to be implemented;
- Preparation and review of detailed asset management plans for all major classes of assets and using these plans to assist in determining the priorities for capital and maintenance expenditure;

Monitoring its performance in accordance with measures developed as part of its Asset Management Plan.

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.2 Continued strong financial management

Responsible officer: DCEO

Timing: 1 year

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council endorse the Shire of East Pilbara Asset Management Plan – Waste Management.

**11.3.7 ASSET MANAGEMENT PLAN – WASTEWATER TREATMENT PLANT,
NEWMAN**

File Ref:	FIN 23-2
Attachments:	<u>Asset Management Plan – Wastewater Treatment Plan, Newman</u>
Responsible Officer:	Mr Rick Miller Director Technical and Development Services
Author:	Mr Rick Miller Director Technical and Development Services
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to endorse the Asset Management Plan – Wastewater Treatment Plant, Newman as a key component of the Shire’s asset management strategy, and fulfils the requirement for the Integrated Planning & Reporting framework.

BACKGROUND

The Department of Local Government (DLG) has released a number of local government reform initiatives to strengthen the ability of local governments to deliver services to the community. A key initiative of the Local Government Reform Program is to improve asset management capability within the local government sector. The objective of the asset management initiative is to:

- Raise the skills and understanding of asset management principles and systems across the sector; and
- Have all local governments implement “core level” asset management systems aligned to national frameworks.

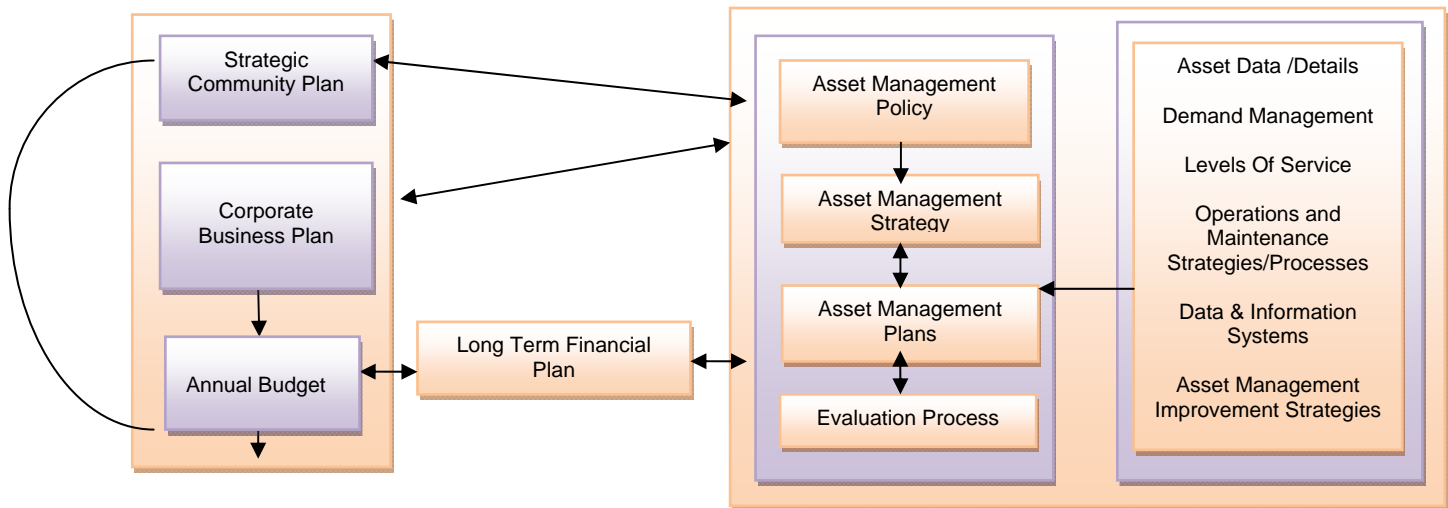
The DLG has developed an Integrated Planning and Reporting Framework, which identifies a strong link between asset management and key corporate documents such as the Strategic Community Plan, Corporate Business Plan, Long Term Financial Plan and Annual Reports.

The Shire of East Pilbara has developed an asset management framework which incorporates the elements of the DLG’s Integrated Planning and Reporting Framework. The asset management framework encompasses this asset management strategy as well as a number of asset management plans and in accordance with the requirements identified by the DLG, it is aimed at improving and enhancing:

- Sustainable management of local government assets and financial resources through a ‘whole of life’ and ‘whole of organisation’ approach.
-

- The link between asset management plans, long term financial and strategic planning.
- The Process of continuous improvement in their asset management practice to match:
 - the changing service delivery needs of their communities; and
 - the increasing integration of asset management with their strategic directions.

The Shire of East Pilbara's Asset Management Framework is illustrated below:



COMMENTS/OPTIONS/DISCUSSIONS

This Asset Management Plan has been developed to:

Provide an overview of the current infrastructure owned and/or managed by the Shire;

Identify the service delivery levels required for the assets;

Identify the current status of the infrastructure portfolio, including asset values and expenditure projections;

Document the Shire's asset management practices in relation to planning, acquisition, operation, maintenance, renewal and disposal of these assets.

Identify the tasks and resources required to manage and maintain the Shire's waste management infrastructure portfolio to an agreed standard; and

Provide an outline of the strategies and actions to improve the planning and management of the Shire's waste infrastructure assets.

The document will be a living document and provides an assessment of where we are now and a guide on what we need to do to maintain the Wastewater Treatment Plant, Newman asset's to an acceptable level of service and the philosophy of maintaining the asset in a sustainable manner. Costings in the document will give a guide to proposed future expenditure but, with ongoing and future analysis they aren't to be seen as final. Further review and checking of calculations will be completed for future budgets.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

3.2 ASSET MANAGEMENT

Minute No: Item 10.3.6

Date: 29th January 2010

Objective

To set out the Council's commitment to manage and care for its assets in a way that ensures continuity of service delivery.

Policy

"Asset – anything of material value or usefulness that is controlled by the Council."

Asset Management in the Shire of East Pilbara means the utilisation of optimum practices to ensure that the wide variety of assets under its control are provided and maintained in a secure, safe and operational condition for the purpose those assets have been provided and replaced as required.

Asset Management involves all areas of Council from those that plan services, provide services and manage assets and services to those who use the assets. Council will ensure that integrated decision making will be utilised in order that the built, social, economic and natural impacts of asset provision and maintenance are properly considered throughout the asset management cycle

This policy shall be read in conjunction various strategic documents including:

- Financial Strategic Plan
- Corporate Plans
- Asset Management Plan and Strategies
- Information Technology Strategy Plan
- Waste Management Plan

Council is committed to:

- Achieving financial sustainability of its assets over a period of time through the following measures:
 - Ensuring that the asset base is not increased without considering the impact on the ability to fund future maintenance and rehabilitation;
 - Not replacing those assets that are determined to be under utilised, at the end of their useful lives;
 - Accessing grant funding and increasing other funding to ensure assets are maintained at least in their current condition;
 - Integrated management linking asset management strategy, policy and procedures to other Council policies, strategies and procedures;
 - Utilisation of technological advances relevant to asset management;
-

- An integrated planning approach which ensures manager roles are understood and documented and that communication procedures are in place which ensure assets are planned and delivered in a sustainable manner;
- Implementation of optimum practices;
- Improving its maintenance and rehabilitation practices;
- Maintaining and rehabilitating its existing assets in a manner which is acceptable in terms of financial burden, safety, quality, impact on the environment, meeting needs and Council's ability to fund those works;
- Maximising resources to achieve the best outcome for the community;
- Regularly consulting and surveying the community to determine whether its needs are being satisfied;
- Preparation of an Asset Management Plan which details how this policy is to be implemented;
- Preparation and review of detailed asset management plans for all major classes of assets and using these plans to assist in determining the priorities for capital and maintenance expenditure;

Monitoring its performance in accordance with measures developed as part of its Asset Management Plan.

STRATEGIC COMMUNITY PLAN

N/A

FINANCIAL IMPLICATIONS

The Asset Management Plan will be an informing document of lifecycle costs that will feed into the Long Term Financial Plan.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the Shire of East Pilbara Asset Management Plan – Wastewater Treatment Plant, Newman.

**11.3.8 EMERGENCY SERVICES REVIEW - OPTION TO TRANSFER LOCAL
BUSH FIRE BRIGADES IMPACT ASSESSMENT**

File Name: DD EMERGENCY SERVICES REVIEW OPTION TO TRANSFER LOCAL BUSH FIRE BRIGADES IMPACT.docx -
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File Ref: RNG-7-10-1

Responsible Officer: Mr Rick Miller
Director Technical and Development Services

Author: Ms Helen Taulapiu
Technical Services Administration Officer

Proposed Meeting Date: 25 October 2013

Location/Address: N/A

Name of Applicant: Department of Fire & Emergency Services
(DFES)

Author Disclosure of Interest: Nil

REPORT PURPOSE

To report back to Council the DFES “Local Government Report Summary” in relation to the administration and operation of bush fire brigades and to assess the options of entering into an agreement or transferring this responsibility to DFES.

BACKGROUND

At the Ordinary Council Meeting on 28th June 2013, it was resolved:

“THAT Council authorise the Chief Executive Officer to liaise with Department of Fire and Emergency Services (DFES) to obtain additional information in regards to transferring the administration and operation of bush fire brigades to DFES and to develop an informed recommendation that can be reported back to Council for consideration.”

The following correspondence was received from DFES on the 30th August 2013.

Dear CEO

The project team would like to thank local governments who took the time to respond to our correspondence dated 23rd May 2013, regarding the proposed option to transfer local bush fire brigades to DFES. The response rate has been tremendous with responses from over 86% of all local governments, including 96% of local governments with registered brigades.

As discussed in our initial correspondence, the information provided will assist the project team in assessing the potential resource and cost impact’s that may result from the proposed option.

We recognise it was difficult for some local governments to provide an indicative response when the details and circumstances concerning how the proposed option would be implemented are yet to be determined. However we appreciate your comments and views as to whether this option should be explored further.

I would like to reassure you that the information provided does not obligate your local government in any way. All responses will be kept in confidence and on; the aggregate of the data will be used to calculate the potential impact to the state for this option.

We have received numerous requests to release the aggregate data. As such, please find attached a breakdown of responses received. This information will be made available on our website www.dfes.wa.gov.au/legislationreview and will be used to inform the upcoming expert panel meeting.

Should you or any of your stakeholders have questions regarding this matter, please feel free to contact me on 9395 9763 or at legislation@dfes.wa.gov.au

Once again thank you for your contribution to the Legislation Review.

LOCAL GOVERNMENT RESPONSE SUMMARY – Proposed Option to Transfer Bush Fire Brigades

The Emergency Services Acts Review project team sent a letter dated 23 May 2013 to all local governments asking them to respond to the below question:

If future legislation provided the option for local governments to transfer the responsibility for bush fire brigade operations and administration to DFES, would your local government be likely to retain or transfer the responsibility?

This question was asked in order to better understand the quantity and location of brigades whose operation and administration could possibly be transferred to DFES if such an option was to exist. This option was raised in submissions, discussions and previous reviews, and was specifically raised in 2006 in recommendations 55, 56 and 58 of the Community Development and Justice Standing Committee (CDJSC) – Inquiry into Fire and Emergency Services Legislation. Although the CDJSC recommendation has been heavily commented on, there has been limited objective data and research into the potential costs and resourcing impacts.

It is important to note that the proposed option does not mandate the transfer of brigades, it only provides an opportunity to do so by mutual agreement between DFES and the local government.

Over 86% of all local governments (121 of 140), including 96% of local governments with registered bush fire brigades, provided a response.

The indicative views are summarised in the table below:

LOCAL GOVERNMENT RESPONSE SUMMARY

Indicative View Expressed	
Yes (Transfer)	37
Likely to Explore	16
No (Retain)	44
Not Likely to Explore	13
LG with No Brigades, Support Opinion	2
LG with No Brigades , Oppose Option	0
Total Views Expressed	112

Responded, But No View Expressed	
Abstain	3
LG with No Brigades, No View	6
Total Responses Received	121

COMMENTS/OPTIONS/DISCUSSIONS

DFES requested a response from the Shire by the 10 June 2013 but, they have subsequently been contacted and advised that officers would present this matter to Council for consideration.

Currently the coordination of Emergency Services and administration of the Emergency Services Levy (ESL) is carried out on behalf of the shire by the shire's Coordinator Ranger and Emergency Services. Shire Officers submitted a list of issues to DFES for consideration in regards to the questions, as detailed in Council Meeting held on 28th June 2013.

Due to timelines the Shire did not submit a formal response but advice received indicated that many of the issues staff officers raised were reflected by other Council's.

The DFES report is presented in the 'Background' section of this report and has been an information gathering exercise for DFES to assist in future decisions in regards to operations of bush fire brigades and other emergency services.. Also it is important to note the DFES statement that the proposed options does not mandate the transfer of brigades, it only provides opportunity to do so by ,mutual agreement between DFES and the local government.

STATUTORY IMPLICATIONS/REQUIREMENTS

Emergency Management Act 2005
Bush Fire Act 1954
Emergency Services Levy Act 2001
Fire and Emergency services Authority of WA Act 1998
Local Government Act 1995

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

- 1.1 Efficient and effective local government
- 1.3 Engaged Community

FINANCIAL IMPLICATIONS

N/A

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council receive the DFES report - "Local Government Response Summary – Proposed Option To Transfer Bush Fire Brigades."

11.3.9 TENDER 01-2013/14 - STAFF HOUSING NEWMAN AIRPORT

File Ref: FAC 23-10
Attachments: Confidential
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Leon Burger
Manager Airport Services
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To request Council to award tenders for the Supply and Delivery of up to six (6) staff housing units at designated sites within the residential precinct on the Newman Airport Reserve.

BACKGROUND

Pursuant to the Local Government Act, it is a requirement of Council to call for tenders for all contracts that exceed \$100,000.

The tender for extra staff housing reflects the increase in current/future requirements for employees for the Shire of East Pilbara and on the 31 August 2013 a tender for the above works was advertised in The Western Australian, Local Government Tender section, in accordance with requirements.

The Tender closed on 7 October 2013, 4.00pm

Although 33 applications for tender documents were received, only the following contractors submitted tenders:

- Megara
- Hutchinson Builders
- WBS Group
- Thermal Comfort Homes
- McGrath Homes
- Fleetwood
- Mitie Construction
- Nordic Homes
- TR Homes

- Aussie Modular Solutions

The Shire of East Pilbara received notification from Parsons Brinckerhoss to withdrawn their application.

One late tender submitted by BGC Modular was received on 8 October after closure of tenders and was not considered in the tender evaluation process.

COMMENTS/OPTIONS/DISCUSSIONS

The need to provide staff housing is ongoing and there is a greater demand than previously required. This demand is driven by the requirement for more specialised staff, which generally is not available locally. As identified in the 2013-14 budgets and subsequent organisation structure reviews, there is a need to increase airport staff accommodation stock by building two 3 x 2 bedroom houses for shire employed airports staff.

Concurrent to the shire staff accommodation requirements, Airservices Australia (AsA) is establishing a permanent Airfield Rescue and Fire Fighting (ARFF) station at Newman Airport. To this effect they have entered into an agreement to lease Lease Area 5 with runway access – Council Resolution 201314/94 dated 27 September 2013. The ARFF is scheduled for completing by June/July 2014, and will provide critical emergency response capacity at this airport.

The ARFF will be fully funded and staffed by AsA. They will employ a fulltime station manager at Newman Airport. The emergency response staff will comprise of a 7-man crew, rotate on a fortnightly roster using the FIFO model. This corresponds with the norms at regional airports. As such this crew is not large enough to man two rosters; the operational requirement is to accommodate them as close to their place of work as possible to reduce reaction times. With the Newman Airport located some 11kms from the town of Newman, an option is to lease them some accommodation at the airport.

Their requirement is for a 3 x 2 bedroom house for the station manager, and suitable accommodation for the FIFO crews. Evaluation of the possible accommodation options resulted in opting for houses as compared to single person accommodation units. Houses will always be in high demand in future and, in the event that the presence or corporate identity of AsA should change in future, these houses will be available for shire staff accommodation. Another 3 x 2 and two 2 x 2 housing units will provide this accommodation. AsA has indicated their commitment towards long term rental agreements at market related rentals. For this purpose a Business Plan will be submitted in due course for Council's consideration if required in terms of the Local Government Act Part 3 (s 3.59). If the value of this tender is below \$2,000,000 (GST excl) such a Business Plan is not required.

Council's Executive Management have evaluated possible solution and as a result it was decided to proceed to tender for 6 houses/units, given that the supply and delivery times and the cost are at an acceptable level.

The proposal is therefore to build six houses within the existing residential precinct at Newman Airport Reserve.

The range of housing configuration is as follows:

Lot 2.	900m ²	3 Bed X 2 Bath	Design And Construct
Lot 3.	900m ²	3 Bed X 2 Bath	Design And Construct
Lot 4	900m ²	3 Bed X 2 Bath	Design And Construct
Lot 12.	900m ²	3 Bed X 2 Bath	Design And Construct
Lot 14.	1200m ²	2 x (2 Bed X 2 Bath)	Design And Construct

All the houses will be of modern design with verandas for solar efficiency, steel framed construction, and a high standard of finish, and ready to move into with tiled floors in living and wet areas, carpet in bedrooms, solar hot water systems, reticulated gardens, double car ports and garden sheds, and ducted air-conditioning. Transportable and Modular units are acceptable.

Given the need to recruit much needed staff and to house them, as well as accommodate critical operational support staff in the form ARFF crews, it is recommended that there is little option but to build these houses.

The tender documentation outlined the selection criteria with the associated weightings for the evaluation of the tenders:

- Compliance criteria (Yes/No)
- Relevant experience 15%
- Key personal skills & experience 10%
- Building Design 15%
- Demonstrated Understanding 10%
- Tendered price 50%

Although not all tenders met the compliance criteria to the full letter of the word, their submissions were still assessed to ensure that the Shire of East Pilbara would achieve best value for money. A full assessment of the tender submissions is attached under a separate confidential cover.

The following assessment process was adopted:

- Independent weighted qualitative assessments of all ten submissions were conducted by two shire officers and combined into a final assessment.
- Based on the weighted scores tenderers were rated on a scale of 1 to 10 with 1 being the best performer.
- Basic tendered prices were then divided by the actual construction footprints as was obtained from the design proposals. This provided a best value for money indication.
- Tenderers were again rated from 1 to 10 in this performance category, with 1 being the best performer. It should be noted that where design information was incomplete or not available (footprints) a value of 1 was allocated by the evaluation team.
- The weighting and value for money ratings were then combined to produce a single performance rating; the overall lowest score indicating the best performer.

From this evaluation the top four performers were selected. These include:

1. McGrath Homes
2. TR Homes
3. Nordic Homes & Thermal Comfort Homes shared position
4. Thermal Comfort Homes

Due to a weaker performance in the weighted score, and basic lay-out designs, Thermal Comfort Homes was eliminated at the next stage, even though they offered best value for money.

Nordic Homes was then eliminated based on the fact that they offered only one design option for each of the categories. This limited the overall ambience of the residential housing precinct and would lead to a rather uniform look. One of the project deliverables was to provide 3 floor plan options for each unit type.

In a final comparison between McGrath Homes and TR Homes, TR Homes was eliminated based on only one design option being offered in each category, and also on ultimate price.

The results of the tender assessment indicate that McGrath Holmes is the most advantageous tender to council based on the quality of their proposal, compliance with all criteria, good value for money, and a variety of design option to select from. Although their basic tendered price is based on selection of the lowest cost design option, the additional options offered make it possible to select different design for

the various lots and still remain below the threshold of \$2,000,000 (LGA s 3.59), as is indicated in the price analysis contained within the confidential report.

STATUTORY IMPLICATIONS/REQUIREMENTS

The requirements of the Local Government Act 1995 and the Local Government (Functions and General Regulations) 1996.

POLICY IMPLICATIONS

TENDER PROCEDURES

The Shire of East Pilbara "Tender Procedures" policy Tender Procedures

Minute No: Item 9.

Date: 27th June 2003

5th May 2006

Objective

To set guidelines which must be followed when inviting tenders for works and services within the Shire Policy.

This policy is to be read in conjunction with the Local Government (Functions and General) Regulations.

In relation to the inviting of any tenders, the following policy procedures are to apply:

1. A lockable tender box is to be provided and kept at the Council's Office, management of which is to be the responsibility of the Chief Executive Officer.
2. Advertisements or specifications are to contain the words "no tender necessarily accepted" and "canvassing of Councillors will disqualify."
3. A tender document form is to be prepared and circulated to prospective tenderers for their compulsory use in tendering to Council. The use of such form is optional in the case of procurements worth less than \$50,000.00 plus GST.
4. For each tender invited, a tender reference number shall be allocated by the Chief Executive Officer and such number shall be quoted in the heading of all tender advertisements and shall be quoted in all references to the particular tender, i.e. on the Council correspondence, files, Council Minutes, Minutes, etc.
5. Tender notices shall insist that all tenders be either clearly marked, and in a sealed envelope, facsimiled with a correctly title cover sheet or emailed with a correctly titled 'subject line'.

6. Tenders submitted by the medium of a facsimile machine or email shall immediately on receipt be placed in a sealed envelope with the tender number clearly marked on the outside of the envelope and placed in the tender box. Tenderers must advise the nominated officer of the intended use of this method of delivery. The facsimile telephone number shall be that located nearest the Chief Executive Officer's office (08 9175 1522), and emails shall be sent to the address tenders@eastpilbara.wa.gov.au.

7. Notices inviting tenders for any item/s, works, etc which are provided for in the Council's budget or works program may be placed prior to approval by Council.

8. Tenders shall be opened in the presence of at least two officers, including at least one senior employee. They should be opened as soon as possible after the closing date.

9. No member, employee or agent of Council shall barter or negotiate with tenderers, except where Council has so resolved to nominate a preferred tenderer for that purpose.

In terms of the Regional Price Preference Policy no contractor qualified for this price reduction:

Construction (building) Services – 5%, or to a maximum price reduction of \$50,000.

Minute No: Item 9.4.2

DATE: 5TH MAY 2006

STRATEGIC COMMUNITY PLAN

Goal 1 - Community Viability

Supporting Opportunities that Encourage Growth and Diversity

1.2 Asset Management

1.2.2 Develop and apply asset management principles to support the maintenance and management of Councils assets.

Goal 3 - Community Leadership

To Provide Sound Leadership and Strong Representation

3.4 Maintaining a High Standard of Governance

3.4.2 Implement an organisation structure that supports Council direction

Annual review of organisation structure

How funded – Municipal Funds

Responsible Directorate - Executive

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

1. **THAT Council award Tender 01-2013/14 Staff Housing at Newman Airport - Design and Construction to McGrath Homes.**
2. **THAT Council authorises the Chief Executive Officer to negotiate the selection of preferred designs to suit the building sites and time frame based on the building costs as submitted by McGrath Homes which tendered a price of \$1,994,626.40 excluding GST.**

12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

**13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A
DECISION OF COUNCIL**

14 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

**14.1.1 ENDORSEMENT OF COMFORT LETTERS BETWEEN THE SHIRE OF
EAST PILBARA AND MARTUMILI ARTISTS**

File Ref: Martumili Artists ABA-15-2-1
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Megan Barham
Coordinator Martumili
Proposed Meeting Date: 25 October 2013
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

OFFICER'S RECOMMENDATION

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:

(2) If a meeting is being held by a council or by a committee referred to in subsection (1)(b), the council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following —

(e) a matter that if disclosed, would reveal —

(ii) information that has a commercial value to a Person.

REPORT PURPOSE

To seek Council endorsement of two Comfort Letters (one for internal and one for external purposes) between the Shire of East Pilbara (SoEP) and Martumili Artists, being an activity of the SoEP.

OFFICER'S RECOMMENDATION

THAT Council endorse:

1. a Comfort Letter between Shire of East Pilbara and Martumili Artists for internal use only (confidential);
2. a Comfort Letter between Shire of East Pilbara and Martumili Artists for external use as a public document.

OFFICER'S RECOMMENDATION

THAT in accordance with Section 5.23 (1) of the Local Government Act 1995 the meeting is open to members of the public.

15 GENERAL BUSINESS

16 DATE OF NEXT MEETING

17 CLOSURE