



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, 27 OCTOBER, 2017.

Allen Cooper
CHIEF EXECUTIVE OFFICER



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, part (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>
Lang Coppin OAM	North	October 2021
Dean Hatwell	Central	October 2021
Position 1	East	October 2021
Position 1	South	October 2021
Position 2	South	October 2021
Position 3	South	October 2021

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 OAM
Cr Michael Kitchin
Cr Bidy Schill
Cr Craig Hoyer
Cr Jeton Ahmedi
Cr Dean Hatwell

Ward

South
North
North West
Lower Central
South
South
Central

Officers

Ms Sian Appleton
Mr Rick Miller

Mrs Sheryl Pobrica

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

Public Gallery

4.2 APOLOGIES

Councillor Apologies

Officer Apologies

Mr Allen Cooper

Chief Executive Officer

4.3 LEAVE OF ABSENCE

5 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

6 PUBLIC QUESTION TIME

7 PETITIONS/DEPUTATIONS/PRESENTATIONS

8 APPLICATIONS FOR LEAVE OF ABSENCE

9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

9.1 CONFIRMATION OF MINUTES

[Minutes September 22 2017 Council.DOCX](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of Council held on 22 September 2017, be confirmed as a true and correct record of proceedings.

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 2017

File Ref:	CLR-4-5
Responsible Officer:	Mr Allen Cooper Chief Executive Officer
Author:	Mrs Sheryl Pobrica Executive Services Administration Officer
Proposed Meeting Date:	27 October 2017
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	N/A

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

The status list of Council decisions is included as an attachment to the agenda.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 2 Constitution of local government
Division 2 Local governments and councils of local governments
Section 2.7

- (1) The council –
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to -
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

RISK MANAGEMENT CONSIDERATIONS

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

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the Chief Executive Officer “Status of Council Decisions” Report for the month of September 2017 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
28 July 2017	9.1.2	SEEKING PUBLIC COMMENT ON A PROPOSED PLASTIC BAG REDUCTION LOCAL LAW	CES	Process underway	In Progress
25 August 2017	12.1.2	AVIAIR PILBARA-RPT AIR SERVICE MOU	CEO		On Going
25 August 2017	8.1.2	UNCONVENTIONAL GAS EXPLORATION AND PRODUCTION ACTIVITIES (FRACKING)	CES	Oct 2017 Council Meeting	Oct 2017
22 September 2017	13.5	DESERT ROAD TRAIL SITES Cr Lang Coppin asked if a letter could be written to the mining companies in the Shire of East Pilbara region for sponsoring the Desert Road Trail whether it is to donate towards signage on the Trail especially Newcrest, Nifty, Woodie Woodie where the trail is close to their mining site. Mr Allen Cooper, Chief Executive Officer to follow up.	CEO	Letter sent awaiting on response	Dec 2017

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

27 OCTOBER, 2017

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
22 September 2017	13.6	SPONSORSHIP FOR COMMUNITY AREAS Cr Lang Coppin asked if a letter could be written to the mining companies within the Shire of East Pilbara for sponsorship e.g. Rio Tinto, Millennium, FMG, Roy Hill, e.g. Marble Bar Skate Park, Marble Bar Golf Course, shade over community facilities, Nullagine. Mr Allen Cooper, Chief Executive Officer to follow up.	CEO	Letter sent awaiting on response	Dec 2017
22 September 2017	13.7	MARBLE BAR ROAD Cr Shane Carter asked if a letter could be written again to the Minister for Transport regarding the sealing program for the Marble Bar Road. Mr Allen Cooper, Chief Executive Officer to follow up.	CEO	Letter sent awaiting on response	Dec 2017

**11.1.2 WA LOCAL GOVERNMENT ASSOCIATION CONVENTION AUGUST 2017
– REVIEW REPORTS FROM COUNCILLORS**

Attachments: [Councillor Information Only](#)
File Ref: WALGA
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Proposed Meeting Date: 27 October 2017
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To review Councillors reports on attendance to the WA Local Government Association (WALGA) Convention 5-6 August 2017.

BACKGROUND

At the Ordinary Council Meeting 3rd February 2017 – No: 9.1.4 Council resolved the following;

THAT:

- 1. The Shire President, Deputy Shire President, and all other interested Councillors, including the Chief Executive Officer to attend the WA Local Government Association (WALGA) Convention and Trade Exhibition 2017 on behalf of the Shire of East Pilbara; and*
- 2. The Deputy Shire President, Cr Lang Coppin and Cr Michael Kitchin to be Council's voting delegates at the WALGA Annual General Meeting.*
- 3. Attendees be required to submit a brief summary report on their attendance including benefits to the individual, the Shire, the Pilbara and the State within one (1) month of returning from the conference*

COMMENTS/OPTIONS/DISCUSSIONS

Councillors, Lang Coppin, Gerry Parsons, Michael Kitchin, Shane Carter, and Anita Grace, attended the Convention.

Cr Lynne Craigie attended as the WA Local Government Association Convention as the WALGA President.

Only reports from Cr Michael Kitchin, Cr Gerry Parsons and Cr Anita Grace have been received.

Common themes from the reports were:

- * the ability to interact and seek ideas from other state wide Councillors;
- * the need to innovate and trying to do more with less; and
- * the quality of the trade exhibition.

A copy of the submitted reports is included with the agenda for Councillors information only.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

- 1.1 Efficient and effective local government
 - 1.1.1 *Ethical, accountable and transparent decision-making*
 - 1.1.2 *Continued strong financial management*

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council receive the Councillor’s reports and information on the Western Australia Local Government Association Convention 2017.

11.1.3 COUNCILLORS MONTHLY MEET & GREET 2017-2018

File Ref: CLR-4-5
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Proposed Meeting Date: 27 October 2017
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 for 2017-2018 year.

BACKGROUND

Generally, Newman Councillors hold a meet and greet with the community, once a month at the Newman Boulevard Shopping Centre. This gives community members an opportunity to ask questions, raise concerns and to seek updates on Shire of East Pilbara projects.

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

COMMENTS/OPTIONS/DISCUSSIONS

For 2016/17 the Councillors meet at the Newman Boulevard Shopping Centre and at the Square for the Fusion Festival in September 2017.

As the Town Square and the Parnawarri Shopping Centre has opened, Councillors can choose where they would like to hold the monthly Meet and Greet.

The dates are to be set at the October meeting of Council annually.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

1.6] Dress Code for Councillors Representing Council on External Business and Events

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	CLR 4-6

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

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

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council;

1. Endorse the time and dates listed below for the Councillors Monthly Meet and greet.

DAY	TIME	DATE	WHERE
Saturday	10am – 12pm	25 th November 2017	
Saturday	10am – 12pm	10 th February 2018	
Saturday	10am – 12pm	10 th March 2018	
Saturday	10am – 12pm	7 th April 2018	
Saturday	10am – 12pm	12 th May 2018	
Saturday	10am – 12pm	9 th June 2018	
Saturday	10am – 12pm	7 th July 2018	
Saturday	10am – 12pm	11 th August 2018	
Saturday	10am – 12pm	8 th September 2018	
Saturday	10am – 12pm	13 th October 2018	

2. Advertise in the local newspaper, notice boards, Shire website and face book.

11.1.4 ELECTED MEMBERS ON COMMITTEES 2017-2019

Attachments:	Development Assessment Panel Letters
File Ref:	CLR-4-4
Responsible Officer:	Mr Allen Cooper Chief Executive Officer
Author:	Mrs Sheryl Pobrica Executive Services Administration Officer
Proposed Meeting Date:	27 October 2017
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

To elect Councillors to represent the Council on various committees, to delete committees that no longer exist and to include new committees to the list.

BACKGROUND

Normally after each Local Government election Council allocates representation on various committees to represent Council.

Note: The *Planning and Development (Development Assessment Panels) Regulations 2011* (the regulations), which establish the operational framework for Development Assessment Panels (DAPs), were gazetted on 24 March 2011. These panels became operational as of 1 July 2011.

On the 26th of July 2017, (ICR17-38306) as attached letters were sent to Council and the Councillors who were nominated from the Minister for Transport; Planning; Lands, The Hon Rita Saffioti, MLA, appointed under DAP regulation 26, the two local members and the two alternate local members to sit on the Development Assessment Panel as below:

Nominated Local DAP Members	Nominated Alternate Local Members
Cr Dean Hatwell Cr Michael Kitchin	Cr Lynne Craigie Cr Jenton (Jay) Ahmedi

Local Government Elections – 21 October 2017

Local government elections which are scheduled for 21 October 2017 may result in a change to JDAP membership if current councillors, who are DAP members, are not re-elected. Council must consider replacement of DAP members where there is a vacancy.

***Note:** The Local Government Elections – 21 October 2017 will NOT result in a change to the Development Assessment Panel due to Cr Hatwell, being re-elected unopposed.

It is mandatory for all DAP members to attend training before they sit on a DAP and new members will be advised of DAP training dates and times. .

Local DAP members are entitled to be paid for their attendance at DAP training and at DAP meetings, unless they fall within a class of persons excluded from payment.

Members who are not entitled to payment of sitting, training and State Administrative Tribunal attendance fees include Federal, State and local government employees, active or retired judicial officers and employees of public institutions. These DAP members are not entitled to be paid without the Minister for Planning's consent, and such consent can only be given with the prior approval of Cabinet. This position is in accordance with *Premier's Circular - State Government Boards and Committees Circular (2010/02)*.

Further information on membership requirements, including the Premier's Circular, is available online at <http://daps.planning.wa.gov.au>.

Sadly, Cr John Jakobson passed away on Saturday April 22nd after a long battle with cancer.

It was agreed by the Councillors for the Committees which, Cr Jakobson was a member for the proxy to become the member and if Cr Jakobson was a proxy then it was only one councillor as the member, until after the October 2017, Local Government Elections.

Below is the list of committees and the nominated Councillors representative and proxies listed below as 23rd October 2015.

10.1.5 ELECTION OF COUNCIL MEMBERS ON COMMITTEES 2015-2017

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201516/65

MOVED: Cr Anita Grace

SECONDED: Cr Craig Hoyer

THAT the Councillors listed below be appointed as Council delegates to the following committees.

Committee	Councillor	Proxy
Pilbara Regional Road Group	Cr Anita Grace Cr Lynne Craigie	Cr Gerry Parsons Cr Jay Ahmedi
Pilbara Regional Council (2 reps)	Cr Anita Grace Cr Lynne Craigie	Cr Gerry Parsons Cr Jay Ahmedi
Newman Mainstreet Project Inc	Cr John Jakobson	Cr Craig Hoyer
Local Recovery Committee	Cr Craig Hoyer	Cr Lynne Craigie

LEMC - Newman	Cr Craig Hoyer	Cr Lynne Craigie
LEMC – Marble Bar	Cr Dean Hatwell	Cr Michael Kitchin
LEMC – Nullagine	Cr Bidy Schill	Cr Dean Hatwell
Audit Committee	Cr Lynne Craigie Cr Gerry Parsons Cr Craig Hoyer Cr Jay Ahmedi Cr Shane Carter Cr Anita Grace Cr John Jakobson	
*Recognised Biosecurity Group (RBG)	Cr Lang Coppin	N/A
Bush Fire Advisory Committee	Cr Craig Hoyer	N/A
*De Grey Land Conservation District Committee	Cr Lang Coppin	N/A
Marble Bar Tourist Association	Cr Dean Hatwell	Cr Lang Coppin
Marble Bar FESA Unit	Cr Lang Coppin	Cr Michael Kitchin
Newman Chambers of Commerce and Industry Inc.	Cr Gerry Parsons	Cr Anita Grace
East Pilbara Independence Support (EPIS)	Cr Craig Hoyer	Cr Jay Ahmedi
Newman Recreation Centre Management Committee	Cr Gerry Parsons	Cr Anita Grace
Newman Visitors Centre Management Committee	Cr Shane Carter	Cr John Jakobson
Nullagine Volunteer Bush Fire Brigade	Cr Bidy Schill	Cr Dean Hatwell
Newman Neighbourhood Centre	Cr Anita Grace	Cr Jay Ahmedi
Nullagine Community Resource Centre	Cr Bidy Schill	Cr Dean Hatwell
Pilbara Prospectors Associations	Cr Michael Kitchin	Cr Lang Coppin
Newman Women’s Shelter	Cr Lynne Craigie	Cr Anita Grace
Newman Turf Committee	Cr Gerry Parsons	Cr Craig Hoyer

*Ministerial Appointments

*CARRIED
RECORD OF VOTE: 10 - 0*

COMMENTS/OPTIONS/DISCUSSIONS

To maintain open lines of communication, it is considered that Councillors should nominate as a delegate for a committee or committees.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

1.3.1 Increase community awareness

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

RISK MANAGEMENT CONSIDERATIONS

To maintain open lines of communication.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the Councillors listed below be appointed as Council delegates to the following committees.

Committee	Councillor	Proxy
Pilbara Regional Road Group		
Pilbara Regional Council (2 reps)		
Newman Mainstreet Project Inc		
Local Recovery Committee		
LEMC - Newman		
LEMC – Marble Bar		
LEMC – Nullagine		
Audit Committee		
*Recognised Biosecurity Group (RBG)	Cr Lang Coppin	N/A
Bush Fire Advisory Committee		
*De Grey Land Conservation District Committee	Cr Lang Coppin	N/A
Marble Bar Tourist Association		
Marble Bar FESA Unit		
Newman Chambers of Commerce and Industry Inc.		
East Pilbara Independence Support (EPIS)		
Newman Recreation Centre Management Committee		
Newman Visitors Centre Management Committee		
Nullagine Volunteer Bush Fire Brigade		
Newman Neighbourhood Centre		
Nullagine Community Resource		

Centre		
Pilbara Prospectors Associations		
Newman Women's Shelter		
Newman Turf Committee		
<p>*Development Assessment Panel (DAP) x 4</p> <p><i>Appointed on 26th July 2017, (ICR17-38306) expiry 26th July 2018, with the possibility of extension for the remainder of the maximum term up to three years</i></p>	<p>Local Government Member</p> <p>Cr Dean Hatwell Cr Michael Kitchin</p>	<p>Local Government Alternate Member</p> <p>Cr Lynne Craigie Cr Jeton Ahmedi</p>

*Ministerial Appointments

**11.1.5 PROPOSED PLASTIC BAG REDUCTION LOCAL LAW PUBLIC
FEEDBACK AND NEXT STEPS**

File Ref: LEG-5
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr Grant Watson
Coordinator Executive Services
Proposed Meeting Date: 27 October 2017
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to note the public feedback received and to decide on the next steps regarding the proposed *Plastic Bag Reduction Local Law*.

BACKGROUND

AT THE ORDINARY COUNCIL MEETING 28 JULY 2017, COUNCIL RESOLVED:

THAT Council support the advertising of a draft *Plastic Bag Reduction Local Law* for public comment prior to the formal introduction of a Local Law.

On the 6th September, a media release was distributed seeking public comment on the proposed Plastic Bag Reduction Local Law.

A page was setup on the Shire's website to provide more information and for visitors to download a draft copy of the proposed law. Additional promotion was done on Facebook and a letter was sent to all local businesses within the Shire who may be affected by the introduction of the local law.

A period of three weeks was given for comments to be submitted with the deadline being 4:00pm Wednesday 27th September. At the close of the deadline, two comments had been received from the public, both in favour.

On the 12th September 2017 Hon Stephen Dawson MLC, Minister for the Environment announced that lightweight single-use plastic bags will be banned in Western Australia from the 1st July 2018.

COMMENTS/OPTIONS/DISCUSSIONS

The State Government's announcement does not prevent local governments from passing their own local laws. However, if state legislation is passed then any local laws on the subject would be rendered ineffectual in the event of any inconsistency (section 3.7 of the Local Government Act 1995).

The final enactment of the proposed state legislation is not entirely guaranteed as it requires approval of the Legislative Council where Labor does not hold a majority. Nonetheless, given the widespread public support for the ban it would be unlikely that the legislation fails to pass.

Given the likelihood that the State Government's ban will be implemented from the 1st July 2018, it is recommended that at this stage Council does not progress its plans to introduce the proposed Plastic Bag Reduction Local Law.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 3 Functions of local government
Division 2 Legislative functions of local governments
Subdivision 2 -- Local laws made under any Act
Section 3.12 Procedure for making local laws

(1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

(2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.

(2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.

(3) The local government is to —

(a) give Statewide public notice stating that —

(i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and

(ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

(iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;

and

(b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and

(c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.

(3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.

(4) After the last day for submissions, the local government is to consider any submissions made and may make the local law as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*

(5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.

(6) After the local law has been published in the Gazette the local government is to give local public notice —

(a) stating the title of the local law; and

(b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and

(c) advising that copies of the local law may be inspected or obtained from the local government's office.

(7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.

(8) In this section — making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Local Government Act 1995
Part 3 Functions of local government
Division 2 Legislative functions of local governments
Subdivision 1 -- Local laws made under this Act
Section 3.7 Inconsistency with written laws

A local law made under this Act is inoperative to the extent that it is inconsistent with this Act or any other written law.

POLICY IMPLICATIONS

4.4 Environmental Council Recognition



4.4 Environment Council Recognition

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	ENV 1-12

Objective

To recognise the importance of our environment.

Policy

1. The term 'environment' means living things, their physical, biological and social surroundings, and interaction between all of these.
2. The good management of the environment is a primary task of the Council and should be considered in all of Council's decisions.
3. Council decisions affecting the environment shall be based on the development of sound policies developed through consultation with the community.
4. A coordinated approach to all environmental matters is required. Activities of the Council should be coordinated with each other as well as with those of outside bodies wherever necessary to ensure that maximum benefit is obtained.
5. The Council will initiate measures to identify environmental issues important to the residents of the Shire and will take action as necessary to address those issues.
6. The Council will inform the public of issues concerning the environment through press releases, and other methods as appropriate.
7. Council will encourage the use of calico bags as an alternative to plastic.
8. Council will develop alternative administration processes to reduce the amount of paper required in Councils Minutes and Agendas, Councillors will use an electronic means to receive correspondence from Council.

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

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

- 1.1 Efficient and effective local government
 - 1.1.1 Ethical, accountable and transparent decision making
Responsible officer: DCEO
Timing: As appropriate
 - 1.1.2 Continued strong financial management
Responsible officer: DCEO
Timing: 1 year
 - 1.1.3 Effective business management
Responsible officer: DCEO
Timing: 1-3 years

Goal 4 – Environmental – Planned Actions

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

- 4.1 Reduce the Shire’s ecological footprint
 - 4.1.2 Promote recycling
Responsible officer: DTDS
Timing: 1-3 Years
- 4.2 Promote a sustainable environment
 - 4.2.1 Cultivate clean green towns
Responsible officer: MCW
Timing: 1 Year

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

1. **Notes the public feedback received regarding the proposed *Plastic Bag Reduction Local Law*;**
2. **Not progress the proposed Plastic Bag Reduction Local Law subject to the State Government implementing a ban on single use plastic bags from the 1st July 2018; and**
3. **Review the implementation program of the State Government's ban at the Ordinary Council Meeting in April 2018.**

**11.1.6 NEW POLICY – UNCONVENTIONAL GAS EXPLORATION AND
PRODUCTION ACTIVITIES (FRACKING)**

File Ref:	LEG-2-1
Attachments:	Policy Manual Unconventional Gas Exploration and Production Activities DRAFT.pdf DMIRS Hydraulic Fracture Policy Statement.pdf
Responsible Officer:	Mr Allen Cooper Chief Executive Officer
Author:	Mr Grant Watson Coordinator Executive Services
Proposed Meeting Date:	27 October 2017
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to adopt a new Unconventional Gas Exploration and Production Activities (Fracking) Policy to be included within the Shire's Policy Manual.

BACKGROUND

At the Ordinary Council Meeting 25 August 2017, Council resolved to:

- 1. Note that unconventional gas exploration and production activities are regulated by the State Government under the Australian Petroleum and Geothermal Energy Resources Act 1967 ; and*
- 2. Consider the establishment of a policy / statement in relation to 'Unconventional Gas Exploration and Product Activities (Fracking)' to be presented at the next Corporate Discussion Session of Council on 22nd September 2017, in line with Council's Policy making procedure*

The draft policy was presented to Council at the Corporate Discussion Sessions held on 22 September 2017.

On the 5th September 2017, the State Government announced an independent scientific panel inquiry into the effects on the environment of the process of fracking. Pending the outcome of this inquiry, the Stave Government has implemented a ban on fracking in the South-West, Peel and Perth metropolitan areas and placed a moratorium on the use of fracking throughout the rest of the WA.

COMMENTS/OPTIONS/DISCUSSIONS

The Policy has been drafted to establish Council's position on the unconventional gas exploration and production industry.

Council may support, not support or amend the Policy.

Alternatively, given the State Government's state-wide moratorium on fracking, Council may decide to delay any decisions pending the outcome of the State's scientific inquiry.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

The Shire of East Pilbara's New Policy Making Guidelines state:

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 the 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 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
Responsible officer: DCEO
Timing: 1-5 years

- 3.1.2 Build a thriving and diverse economy
Responsible officer: DCEO
Timing: 1-5 years

Goal 4 – Environment – Planned Actions

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

- 4.2 Promote a sustainable environment
- 4.2.1 Cultivate clean green towns
Responsible officer: MCW
Timing: 1 years
- 4.2.2 Promote improved water management
Responsible officer: DTDS
Timing: 1-3 years

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council:

- 1. Delay any consideration until the State Government's scientific inquiry into fracking has been completed and a further statement has been made; or**
- 2. Adopt the Unconventional Gas Exploration and Production Activities (Fracking) Policy for inclusion in the Shire of East Pilbara Policy Manual.**

**11.1.7 AFFIXING COMMON SEAL TO EMPLOYMENT CONTRACT - MANAGER
AIRPORT COMPLIANCE**

File Ref: ADM-1-1
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr David Kular
Manager Human Resources
Proposed Meeting Date: 27 October 2017
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek approval to affix the common seal of the Shire of East Pilbara to the employment contract of the Manager Airport Compliance.

BACKGROUND

The employment contract of Mr George Christianson, Manager Airport Compliance has been extended by a one (1) year term; from 7th January 2018 to 6th January 2019.

COMMENTS/OPTIONS/DISCUSSIONS

Nil

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Policy:
Council's Policy Manual 2017-2018
4.5 Execution of Documents

EXECUTION OF DOCUMENTS

Minute No: Item 9.2.4
Date 9th December 2016

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and any two of the following: the Shire President, Chief Executive Officer or Deputy 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

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr George Christianson for a one (1) year term, expiring on 6th January 2019.

**11.1.8 AFFIXING COMMON SEAL TO EMPLOYMENT CONTRACT - MANAGER
DEVELOPMENT AIRPORTS**

File Ref: ADM-1-1
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr David Kular
Manager Human Resources
Proposed Meeting Date: 27 October 2017
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek approval to affix the common seal of the Shire of East Pilbara to the employment contract of the Manager Development Airports.

BACKGROUND

The employment contract of Mr Salomon Kloppers, Manager Development Airports has been extended by a one (1) year term; from 14th January 2018 to 13th January 2019.

COMMENTS/OPTIONS/DISCUSSIONS

Nil

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Policy:
Council's Policy Manual 2017-2018
4.5 Execution of Documents

EXECUTION OF DOCUMENTS

Minute No: Item 9.2.4
Date 9th December 2016

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and any two of the following: the Shire President, Chief Executive Officer or Deputy 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

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr Salomon Kloppers for a one (1) year term, expiring on 13th January 2019.

**11.1.9 AFFIXING OF COMMON SEAL TO EMPLOYMENT CONTRACT –
MANAGER DEVELOPMENT SERVICES HEALTH**

File Ref: ADM-1-1
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr David Kular
Manager Human Resources
Proposed Meeting Date: 27 October 2017
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek approval to affix the common seal of the Shire of East Pilbara to the employment contract of the Manager Development Services – Health.

BACKGROUND

The employment contract of Mr Edmore Masaka, Manager Development Services – Health has been extended by a two year term from 8th August 2017 to 7th August 2019.

COMMENTS/OPTIONS/DISCUSSIONS

Nil

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Policy:
Council's Policy Manual 2017-2018
4.5 Execution of Documents

EXECUTION OF DOCUMENTS

Minute No: Item 9.2.4
Date 9th December 2016

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and any two of the following: the Shire President, Chief Executive Officer or Deputy 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

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr Edmore Masaka, Manager Development Services - Health for a term of two years, expiring on 7th August 2019.

**11.1.10 AFFIXING OF COMMON SEAL TO EMPLOYMENT CONTRACT –
MANAGER HUMAN RESOURCES**

File Ref:	ADM-1-1
Responsible Officer:	Mr Allen Cooper Chief Executive Officer
Author:	Mr David Kular Manager Human Resources
Proposed Meeting Date:	27 October 2017
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Author is the current Manager Human Resources

REPORT PURPOSE

To seek approval to affix the common seal of the Shire of East Pilbara to the employment contract of the Manager Human Resources.

BACKGROUND

The employment contract of Mr David Kular, Manager Human Resources has been extended by a two year term from 21st August 2017 to 20th August 2019.

COMMENTS/OPTIONS/DISCUSSIONS

Nil

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Policy:

Council's Policy Manual 2017-2018
4.5 Execution of Documents

EXECUTION OF DOCUMENTS

Minute No: Item 9.2.4
Date 9th December 2016

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and any two of the following: the Shire President, Chief Executive Officer or Deputy 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

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr David Kular, Manager Human Resources for a term of two years, expiring on 20th August 2019.

**11.1.11 AFFIXING OF COMMON SEAL TO EMPLOYMENT CONTRACT –
MANAGER DEVELOPMENT SERVICES PLANNING**

File Ref: ADM-1-1
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr David Kular
Manager Human Resources
Proposed Meeting Date: 27 October 2017
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

To seek approval to affix the common seal of the Shire of East Pilbara to the employment contract of the Manager Development Services – Planning.

BACKGROUND

Council recently employed Mr Ryan Del Casale, Manager Development Services - Planning, for a three year contract term, expiring on 21st May 2020.

COMMENTS/OPTIONS/DISCUSSIONS

Nil

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Policy:
Council's Policy Manual 2017-2018
4.5 Execution of Documents

EXECUTION OF DOCUMENTS

Minute No: Item 9.2.4
Date 9th December 2016

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and any two of the following: the Shire President, Chief Executive Officer or Deputy 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

- 1.2.1 Engaged and valued workforce
- 1.2.3 Plan, attract and maintain staff

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.

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the common seal of the Shire of East Pilbara be affixed to the employment contract between the Shire of East Pilbara and Mr Ryan Del Casale, Manager Development Services – Planning for a term of three years, expiring on the 21 May 2020.

11.2 DEPUTY CHIEF EXECUTIVE OFFICER

**11.2.1 DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL
DECISIONS - SEPTEMBER 2017**

File Ref: CLR-4-5
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Proposed Meeting Date: 27 October 2017
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

The status list of Council decisions is included as an attachment to the agenda.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 2 Constitution of local government
Division 2 Local governments and councils of local governments
Section 2.7

- (1) The council –
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to -
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

RISK MANAGEMENT CONSIDERATIONS

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

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the Deputy Chief Executive Officer “Status of Council Decisions” Report for the month of September 2017 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
28 July 2017	13.2	NULLAGINE CARAVAN PARK Cr Bidy Schill said the toilet block at the Nullagine Caravan Park requires an urgent upgrade as they are unacceptable for use; especially it is now tourist season. Cr Bidy Schill would like this brought back to Council regarding the condition of the toilet block. Ms Sian Appleton, Deputy Chief Executive Officer to follow up.	DCEO	Report being provided re-future of Nullagine Caravan Park	December 2017

11.2.2 PROPOSED COUNCIL MEETING DATES FOR 2017/18 AND COUNCIL WORKSHOPS 2018

File Ref:	CLR-1-1
Attachments:	Council Meet Dates Opt2.xls
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mrs Batsi Masaka Coordinator Governance
Proposed Meeting Date:	27 October 2017
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

1. To set Council meeting dates, times and venues for the next twelve months for 2017-2018.
2. To set quarterly Council workshop dates for 2018.

BACKGROUND

1. It is a requirement under the *Local Government Act 1995* (s5.25(g)), to set and advertise the meeting dates, times and venues for Council meetings for the next twelve months.
2. At the workshop held on the 23rd October 2014, the Councillors present agreed to consider setting dates for quarterly workshops. Workshops provide Councillors with an opportunity to review and discuss various items not listed on Council agendas but need significant time to discuss. Alternatively it could be a time for training or consideration/presentation on strategic direction.

The general consensus was to set quarterly meetings which would allow the dates to be pre-determined and locked in.

COMMENTS/OPTIONS/DISCUSSIONS

1. 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.
2. Workshops are to be held prior to a Council meeting day for logistics purposes. Topics for discussion are to be determined prior to workshop dates.

STATUTORY IMPLICATIONS/REQUIREMENTS

1. *Local Government Act 1995*
-

Part 5 – Administration (Division 2 – Meetings) (Subdivision 3 – Matters affecting meetings)

5.25 *Regulations about council and committee meetings*

- (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.*

2. NIL

POLICY IMPLICATIONS

1.3 Council Meetings - Dates and Times

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	CLR 1-1

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.

2. NIL

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

RISK MANAGEMENT CONSIDERATIONS

1. It is a requirement of the Local Government (Administration) Regulations 1996 that Council adopts Council meeting dates and times for the next twelve months to be advertised.
2. Workshops afford Council the opportunity to effectively review and discuss the items that require more time for discussion. Failure to do this is likely to negatively impact the desired logistics.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATIONS

1. THAT the dates, times and place for Ordinary Council meetings for the next twelve months for 2017-18, as listed below, be adopted and advertised in accordance with the *Local Government (Administration) Regulations 1996 s12(1)(a)*.

MEETING DATE	VENUE	COMMENCEMENT TIME
8 th December 2017	Newman	10:00am
2 nd February 2018	Newman	10:00am
9 th March 2018	Marble Bar	10:00am
13 th April 2018	Newman	10:00am
18 th May 2018	Newman	10:00am
29 th June 2018	Nullagine	10:00am
27 th July 2018	Newman	10:00am
24 th August 2018	Newman	10:00am
21 st September 2018	Marble Bar	10:00am
26 th October 2018	Newman	10:00am

2. THAT the following dates be set aside for workshops in 2018;

- Thursday 12th April 2018.
- Thursday 26th July 2018.
- Thursday 25th October 2018.

11.2.3 AFFIXING COMMON SEAL UNDER DELEGATED AUTHORITY

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Dawn Brown
Contract and Procurement Officer

Proposed Meeting Date: 27 October 2017

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

This report is to advise Council of the documents that have had the Shire of East Pilbara's Common Seal affixed under delegated authority since the Council Meeting held 22nd September, 2017.

BACKGROUND

The four documents that have had the Shire's Common Seal affixed under delegated authority are in relation to:

- Contract awarded to Wideglide Constructions to supply labour and materials for the kitchen refurbishment of 1 Ella Street, Newman.
- Contract awarded to Mesh Points for business activation in Newman.
- Contract with The Public Transport Authority for the RPT Bus Service.
- Contract awarded to Rentokil Initial to supply and service the sanitary bins and sharps containers in Newman and Marble Bar as per Scope of Works – RFQ 01-2017/18

COMMENTS/OPTIONS/DISCUSSIONS

There are four documents that have had the Shire's Common Seal affixed under delegated authority since the last Council meeting as per:

Document	Details	Parties	Synergy TC No.
Contract	Kitchen Refurbishment 1 Ella	Wideglide Constructions	TC2017551
Contract	Business Activation - Newman	Mesh Points	TC2017546
Contract	Provision of the Pilbara Regional Town Bus Service	Public Transport Authority	TC2012112
Contract	Sanitary Bins/Sharps Containers RFQ 01-2017/18	Rentokil Initial	TC2017542

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995, Part 9, Division 3, s.9.49A Execution of Documents.

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

Minute No: Item 9.2.4

Date: 9th December 2016

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and any two of the following: the Shire President, Chief Executive Officer or Deputy 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.

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

And Delegated Authority as per:

Power/Duty/Authorisation Delegated:

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

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

Authority for exercise of Power/Duty/Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law

Date of Delegation _____

Delegator (Shire President) _____

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

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

RISK MANAGEMENT CONSIDERATIONS

Should Council not be informed of the documents that have had the Common Seal affixed under delegated authority, the Shire will fail to abide by their Execution of Documents Policy which clearly states that *“Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied”*.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

- 1. Have been advised that the Common Seal has been affixed under delegated authority to the Contract between the Shire of East Pilbara and Wideglide Constructions to supply labour and materials for the kitchen refurbishment of 1 Ella Street, Newman.**
- 2. Have been advised that the Common Seal has been affixed under delegated authority to the Contract between the Shire of East Pilbara and Mesh Points for business activation in Newman.**
- 3. Have been advised that the Common Seal has been affixed under delegated authority to the Contract between the Shire of East Pilbara and The Public Transport Authority for the RPT Bus Service.**
- 4. Have been advised that the Common Seal has been affixed under delegated authority to the Contract between the Shire of East Pilbara and Rentokil Initial to supply and service the sanitary bins and sharps containers in Newman and Marble Bar as per RFQ 01-2017/18.**

11.2.4 PROPOSAL TO DEVELOP A RECONCILIATION ACTION PLAN

Attachments:	Reflect RAP Template docx
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mr Pip Parsonson Manager Community Wellbeing
Proposed Meeting Date:	27 October 2017
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

The purpose of this report is for Council to support the development and implementation of a Reconciliation Action Plan to be endorsed by Reconciliation Australia.

BACKGROUND

At its September 2012 meeting, Council endorsed the 2012 Shire of East Pilbara Reconciliation Action Plan (RAP).

The RAP was never formally implemented however as it was never endorsed by Reconciliation Australia due to the omission of fundamental elements required by Reconciliation Australia under their RAP program.

In the past few years the Shire's association with organisations such as Kanyirninpa Jukurrpa (KJ), East Pilbara Independent Support (EPIS), Aboriginal Men's Healing Centre Inc. and Ashburton Aboriginal Corporation has grown with the emergence of regular event partnerships and increased liaison and consultation. The Shire's own connection to our local indigenous community has also grown substantially with the delivery of events such as NAIDOC concerts and this year, the East Pilbara's first Reconciliation Week Ball.

The Shire has an Aboriginal Affairs Policy (No.8.4). The guiding principles of the policy are,

1. "create a better understanding in the general community of Aboriginal and Torres Strait Islander history and culture
2. improve co-ordination and cooperation between the three spheres of government and recognised Aboriginal Community Organisations to assist in the development of Aboriginal and Torres Strait Islander People aspirations."

Consistent with the principles and purpose of the Aboriginal Affairs Policy and as the Shire's first RAP was never formally implemented and as there is a positive and growing connection with our local indigenous population, it is recommended that a new RAP is created that meets the guidelines of Reconciliation Australia's RAP program.

3. The development of a fully endorsed RAP provides the opportunity for the Shire to not only realise the objectives of the Shire's Aboriginal Affairs Policy but to also be a leader in Reconciliation in regional WA.

COMMENTS/OPTIONS/DISCUSSIONS

WALGA supports the efforts of Local Government to produce RAPs. The Association's Advocacy Position Statement on RAPs is as follows.

RECONCILIATION

Position Statement

The Association supports the efforts of the Local Government sector to recognise and respect Aboriginal cultural practices and places of meaning, through the development of Reconciliation Action Plans.

Background

Many Aboriginal places and objects remain significant in the lives of Aboriginal people today and contribute to an understanding by the whole community of our place and history. Reconciliation is about building better relationships between Aboriginal and Torres Strait Islander peoples and the wider Australian community for the benefit of all Australians.

State Council Resolution

September 2012 – 118.5/2012"

Reconciliation Australia provides the following information on its RAP program and the benefits of working with them to produce a fully endorsed RAP.

“What is the RAP program?”

The Reconciliation Action Plan (RAP) program is a framework for organisations to realise their vision for reconciliation.

Through the program, organisations develop a RAP—a business plan that documents what an organisation commits to do to contribute to reconciliation in Australia.

A RAP will enable your organisation to commit to implementing and measuring practical actions that build respectful relationships and create opportunities for Aboriginal and Torres Strait Islander peoples.

There are four different RAPs within the Program:

- Reflect
- Innovate
- Stretch
- Elevate.

Joining the RAP Program offers your organisation:

- Access to a tried and tested program based on evidence
- A framework for action, developed in consultation with Aboriginal and Torres Strait Islander communities and organisations as well as government and corporate Australia
- Membership to a dynamic, supportive and fast growing community of RAP organisations who are paving the way.

Benefits of developing a RAP

A RAP gives your organisation the best chance of achieving Aboriginal and Torres Strait Islander engagement objectives, and delivering broader outcomes including:

- The opportunity to become an employer of choice for Aboriginal and Torres Strait Islander peoples.
- A more dynamic, innovative and diverse workforce.
- A more culturally safe and tolerant workplace.
- Access to new markets and better penetration of existing markets.
- Better service delivery to Aboriginal and Torres Strait Islander peoples and communities.
- The opportunity to contribute to new projects, industries, services, products and ways of doing business.

Working with Reconciliation Australia

Reconciliation Australia is an independent, national not-for-profit organisation promoting reconciliation by building relationships, respect and trust between the wider Australian community and Aboriginal and Torres Strait Islander peoples.

Our vision is for a reconciled, just and equitable Australia.

Through our programs and initiatives we work to connect people and organisations; provide frameworks for action, resources; and policy advice and promote success and engagement activities.

We support hundreds of organisations across Australia to participate in the RAP program. We can provide advice, templates and resources as well as provide feedback on your draft RAP.

In some cases, we may also be able to help engage your staff and management group, connect your organisation with Aboriginal and Torres Strait Islander stakeholders and promote your organisation's good work.

REFLECT

A Reflect RAP is for organisations just starting out on their reconciliation journey and who need to build the foundations for relationships, respect and opportunities.

A Reflect RAP will give your organisation the time and opportunity to raise awareness and support for your RAP inside your organisation. It will also assist you to develop a solid RAP governance model and build the business case for future commitments to cultural learning, and practising cultural protocols considering Aboriginal and Torres Strait Islander employment.

INNOVATE

An Innovate RAP is for organisations that have developed relationships with their Aboriginal and Torres Strait Islander stakeholders and are ready to develop or implement programs for cultural learning, Aboriginal and Torres Strait Islander employment and supplier diversity.

An Innovate RAP will give your organisation the freedom to develop and test new and innovative approaches, and embed the RAP in your organisation.

STRETCH

A Stretch RAP is for organisations ready to challenge themselves by setting targets for the actions outlined in their RAP.

A Stretch RAP will give your organisation the opportunity to focus on tried and tested strategies and programs and set clear and measurable targets to deepen its impact.

ELEVATE

An Elevate RAP is for organisations with a long, successful history in the RAP Program; a current Stretch RAP and a willingness to significantly invest in reconciliation.

Elevate RAP organisations are among an elite group of leaders driving reconciliation in their sector.”

As the shire has not formally implemented its 2012 RAP it is recommended that a Reflect RAP is produced. A Reflect RAP has a recommended maximum duration of twelve months for development and implementation.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

8.4 ABORIGINAL AFFAIRS POLICY

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

Responsible officer: MCW

Timing: 1 year

1.3.2 Excellence in customer service

Responsible officer: MFA

Timing: 1-3 years

1.3.3 Implement civic engagement projects

Responsible officer: MCW

Timing: 1-3 years

Goal 2 – Social – Planned Actions

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

2.4 Diverse and inclusive communities

2.4.1 Promote diverse, harmonious and caring communities

Partnering With: Federal Government, State Government, Industry and NGO’s

Responsible officer: MCW

Timing: 1-3 years

2.4.4 Equity and opportunities for all

Partnering With: Federal Government, State Government, Industry, NGO’s and Indigenous groups

Responsible officer: MCW

Timing: 1-3 years

Goal 3 – Economic – Planned Actions

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

3.2 Employment opportunities

RISK MANAGEMENT CONSIDERATIONS

There is a minor to moderate reputational risk to the Shire if it is not seen as being pro-active in establishing a program of positive initiatives that contribute to 'Reconciliation' within the Shire.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

- 1. Support the development of a Reconciliation Action Plan (RAP) that meet, at least, the minimum standards required by Reconciliation Australia.**
- 2. Consider appointing a Councillor Representative to sit on the Reconciliation Action Plan Working Group for a period of twelve months from the date of the first meeting of the Working Group.**

11.2.5 MONTHLY FINANCIAL REPORT - JULY 2017

Attachments:	July 2017 Financial Report.pdf July 2017 Variance Report.pdf
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mrs Noelene Holmes Coordinator Financial Services
Proposed Meeting Date:	27 October 2017
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 11-page report details the financial activities of the Council for the period 1st July 2017 to 31st July 2017 of the 2017/2018 financial year –

There are 4 sections of the monthly report:

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

COMMENTS/OPTIONS/DISCUSSIONS

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

Reportable variations in accordance with accounting policies are as follows:

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 6 Financial Management
Division 4 General financial provisions
Section 6.4(2)

“The financial report is to –

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

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

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

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

POLICY IMPLICATIONS

3.1 ACCOUNTING POLICIES

STRATEGIC COMMUNITY PLAN

Nil

Goal 1 – Civic Leadership – Planned Actions

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

- 1.1 Efficient and effective local government
 - 1.1.1 Ethical, accountable and transparent decision-making
Responsible officer: DCEO
Timing: As appropriate
 - 1.1.2 Continued strong financial management
Responsible officer: DCEO
Timing: 1 year
 - 1.1.3 Effective business management
Responsible officer: DCEO
Timing: 1-3 years

RISK MANAGEMENT CONSIDERATIONS

The report is part of ensuring that risk matters are reviewed periodically

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

That the monthly financial statements for the period 1st July 2017 to 31st July 2017 of the 2017/2018 financial year as presented be received.

11.2.6 MONTHLY FINANCIAL REPORT - AUGUST 2017

Attachments:	August 2017 Variance Report.pdf August 2017.pdf
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mrs Noelene Holmes Coordinator Financial Services
Proposed Meeting Date:	27 October 2017
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 11-page report details the financial activities of the Council for the period 1st July 2017 to 31st August 2017 of the 2017/2018 financial year –

There are 4 sections of the monthly report:

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

COMMENTS/OPTIONS/DISCUSSIONS

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

Reportable variations in accordance with accounting policies are as follows:

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 6 Financial Management
Division 4 General financial provisions
Section 6.4(2)

“The financial report is to –

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

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

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

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

POLICY IMPLICATIONS

3.1 ACCOUNTING POLICIES

STRATEGIC COMMUNITY PLAN

Nil.

Goal 1 – Civic Leadership – Planned Actions

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

- 1.1 Efficient and effective local government
 - 1.1.1 Ethical, accountable and transparent decision-making
Responsible officer: DCEO
Timing: As appropriate
 - 1.1.2 Continued strong financial management
Responsible officer: DCEO
Timing: 1 year
 - 1.1.3 Effective business management
Responsible officer: DCEO
Timing: 1-3 years

RISK MANAGEMENT CONSIDERATIONS

The report is part of ensuring that risk matters are reviewed periodically

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

That the monthly financial statements for the period 1st July 2017 to 31st August 2017 of the 2017/2018 financial year as presented be received.

11.2.7 CREDITORS FOR PAYMENT

File Ref: FIN10-2
Attachments: [Schedule of Accounts EFT 1.pdf](#)
[Schedule of Accounts Chq 1.pdf](#)
[Schedule of Accounts Direct Debits.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Memory Mandaza
Expenditure Finance Officer
Proposed Meeting Date: 27 October 2017
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 22 SEPTEMBER 2017.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT #40263 - #40780	3,033,332.66
	Total	\$3,033,332.66
Cheque Payments	CHQ #24356 - #24385	12,031.43
Direct Debits	DD10853.1 – DD10967.1	160,316.79
Manual Cheques		0
	Total	\$172,348.22
	GRAND TOTAL	<u>\$3,205,680.88</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

CANCELLED CHEQUES & EFTS
EFT #40337

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

Nil

STRATEGIC COMMUNITY PLAN

Nil.

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Total expenses of \$3,205,680.88

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT #40263 - #40780	3,033,332.66
	Total	\$3,033,332.66
Cheque Payments	CHQ #24356 - #24385	12,031.43
Direct Debits	DD10853.1 – DD10967.1	160,316.79
Manual Cheques		0
	Total	\$172,348.22
	GRAND TOTAL	<u><u>\$3,205,680.88</u></u>

11.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

**11.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF
COUNCIL DECISIONS - SEPTEMBER 2017**

File Ref: CLR-4-5
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Proposed Meeting Date: 27 October 2017
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

The status list of Council decisions is included as an attachment to the agenda.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 2 Constitution of local government
Division 2 Local governments and councils of local governments
Section 2.7

- (1) The council –
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to -
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

RISK MANAGEMENT CONSIDERATIONS

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

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the Director Technical and Development Services “Status of Council Decisions” Report for the month of September 2017 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
28 Jul 2017	11.2.1	DESERT ROAD MASTER PLAN Project Implementation - Cr Lang Coppin	MDS-P	<i>Refer to Information Bulletin</i>	<i>Ongoing</i>
28 September 2012	13.4	NEW ROAD LINKED TO LIGHT INDUSTRIAL AREA (LIA) – NEWMAN - Cr Shane Carter	MDS-P	<i>Refer to Information Bulletin</i>	<i>Jun 2018</i>
28 th October 2016	13.7	GARDEN BED NEWMAN DRIVE Cr Lynne Craigie said the garden beds on Newman Drive, next to the Chicken Treat Van needs attention.	DTDS WSPG	Design and costings to be reviewed. Will discuss options with BHP to partner on costings and works.	Nov 2017
9 December 2016	13.5	SIGNAGE REGARDING NEWMAN TOWN Cr Lynne Craigie asked if it is possible for signs to be erected on Great Northern Highway to advise of what services are available in Newman.	MDS-P	Communication has been had with NCCI regarding this matter. We are waiting on feedback from the NCCI on next steps. To be followed up by Manager Development Services – Planning.	Nov 2017

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

27 OCTOBER, 2017

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
28 July 2017	13.3	<p>SIGNAGE NULLAGINE Cr Bidy Schill asked regarding the signage policy as there is a sign at the front entrance of the triangle park and is very distracting, does it require permission by the Shire?</p> <p>Mr Rick Miller, Director Technical and Development Services to follow up.</p>	MDSP	<p>To be investigated by Planning Manager as to the sign locations and approvals. Site investigations have been undertaken and discussion held with hotel owner about 2 unauthorised Hotel signs, one on the Hotel's property and one in our road reserve (not UCL 248. Options to be assessed and relevant actions undertaken.</p>	Nov 17
22 September 2017	13.1	<p>NEWMAN TOWN SQUARE MAINTENANCE Cr Craig Hoyer asked about the maintenance to the Town Square as there is alot of rocks/stones scattered on the paths and road from the garden beds.</p> <p>Mr Allen Cooper, CEO replied MDS-P are investigating this problem.</p>	MDS-P MTSN	<p>Offending stone material has been removed and replaced with compacted sand grit. A more permanent solution will be investigated and costed for budget consideration.</p>	Complete
22 September 2017	13.8	<p>PARNAWARRI SHOPPING CENTRE – NEWMAN Cr Anita Grace said there is a smell outside the new Parnawarri Shopping Centre, wafting around; can the Shire please investigated.</p> <p>Mr Clint Swadling, Acting Director Technical and Development Services to follow up.</p>	MDSH	<p>Investigation conducted by MDSH & Water Corporation plumber on 22/9/17. Source could not be isolated. Escape of sewer gases via disused grease traps with no water traps suspected. Disused grease traps in vicinity filled with water. Smell no longer there. Confirmed with Councillor Anita Grace on 11/10/17</p>	Complete
22 September 2017	13.9	<p>NEWMAN AIRPORT Cr Anita Grace said she had a few complaints by the Hotels about picking up guests at the Newman Airport, as their shuttles should be the same as the taxi drivers drop off and pick up area.</p> <p>Mr Clint Swadling, Acting Director and Technical Services to investigate.</p>	MDA	<p>There is limited parking at the front of Terminal which is why it is restricted to drop off only. 1 Hour free parking is allocated for pick up/drop off in the short term car park and 30 min in the long term car park. It is suggested that Hotels utilise the allocated spaces for picks ups in theses-term car parks. Salomon will contact the hotels to advise on options and listen to</p>	Complete

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
				complaints.	

**11.3.2 AFFIXING COMMON SEAL TO AGREEMENT WITH BUREAU OF
METEOROLOGY**

Attachments:	Licence Agreement BOM
Responsible Officer:	Mr Rick Miller Director Technical and Development Services
Author:	Mr Salomon Kloppers Manager Development Airports
Proposed Meeting Date:	27 October 2017
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

To seek Council approval to apply the Common Seal of the Shire of East Pilbara (the Shire) to the Agreement between the Shire and the Bureau of Meteorology (the BOM).

BACKGROUND

BOM maintains a site dedicated to the measuring of weather parameters for aviation safety at Newman Airport. This site was made available to the BOM at no cost as a public service.

At the time of its establishment the site was located away from other infrastructure. However, over the course of the previous agreement (10 years) the site was slowly built in by other lease areas and buildings.

For technical reasons the site must have uninterrupted airflow and be situated away from interferences.

BOM approached the Shire with an offer to create a new lease for the BOM weather site with a duration of ten years during 2016.

The Shire discussed the location of the current BOM site with BOM. It was recognised that although currently suitable, any additional development of the lease areas surrounding the site may negatively impact on the accuracy of the readings collected.

The lots around the current BOM weather site is likely to be built up over the course of a long term agreement.

The parties recognised the possibility that the site may have to be relocated (at the expense of BOM) at some point in the future.

Also identified was the fact that the Shire is about to embark on a new Master Plan process that will provide guidance as to land use. Until the finalisation of that Master

Plan, it would be premature to identify a new location for the BOM weather site that will be future proof.

Council Resolution 201617/103 approved the Chief Executive Officer to affix the Common Seal to a Lease Agreement between the Shire of East Pilbara and the Bureau of Meteorology for period UP TO of two years (12MONTHS + 12 MONTH OPTION) all inclusive.

Due to administrative delays the signed documents was only received by the Shire of East Pilbara from BOM during September 2017. Effectively this means that the first period is about to expire.

COMMENTS/OPTIONS/DISCUSSIONS

Due to non Shire administrative delays the signed Lease documents authorised by Council Resolution 201617/103 was only received by the Shire of East Pilbara during September 2017. Effectively this means that the first period is about to expire.

Considering the above, the parties are still agreeable to a short term lease of two years (a twelve month period with an option held by the parties of an additional twelve months).

This will provide ample time for the Master Plan to be completed and a new site to be identified. Effectively, this new proposed Lease will have the following terms:

- The original term expiring on 21 October 2017;
- A further term expiring on 21 October 2018; and
- A final term expiring on 21 October 2019.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Delegation From: Council

Delegation To: Chief Executive Officer

Council File Reference: ADM 14-9

Legislative Authority for Delegation S 5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

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

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

Authority for exercise of Power/ Duty/ Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law.

Date of Delegation _____
Delegator (Shire President) _____

EXECUTION OF DOCUMENTS

Minute No: Item 9.1.3

Date: 27th June 2003

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

Objective

To allow for the proper execution of documents.

Policy

Council's Policy Manual 27 June 2004 on page 78.

Execution of Documents

Minute No: Item 9.1.3

Date: 27th June 2003

Objective:

To allow for the proper execution of documents.

Policy:

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

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

- 1.1 Efficient and effective local government
 - 1.1.1 Ethical, accountable and transparent decision-making
Responsible officer: DCEO
Timing: As appropriate

Goal 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
Partnering With: Federal Government, State Government, Industry, NCCI, other relevant stake holders
Responsible officer: MBA
Timing: 1-5 years

3.3.3 Provide infrastructure to support economic development
Partnering With: State Government, Industry, NCCI, other relevant stake holders
Responsible officer: DCEO
Timing: 1-5 years

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council approves the Chief Executive Officer to affix the Common Seal to a Lease Agreement between the Shire of East Pilbara and the Bureau of Meteorology for period up to 21 October 2019.

- 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**
- 15 GENERAL BUSINESS**
- 16 DATE OF NEXT MEETING**
As per Council Resolution OCM27102017
- 17 CLOSURE**