

Unconfirmed copy of Minutes of
Meeting held on 27 October 2017
subject to confirmation at meeting to be
held on 8 December 2017



EAST PILBARA SHIRE COUNCIL

MINUTES

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council was 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

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS.....	5
2	SWEARING IN OF NEWLY ELECTED COUNCILLORS.....	5
3	ELECTION OF OFFICE BEARERS – PRESIDENT AND DEPUTY PRESIDENT	5
3.1	NOMINATIONS FOR THE POSITION OF SHIRE PRESIDENT	5
3.2	NOMINATIONS FOR THE POSITION OF DEPUTY SHIRE PRESIDENT	6
4	RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE	6
4.1	ATTENDANCES	6
4.2	APOLOGIES	7
4.3	LEAVE OF ABSENCE	7
5	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	7
6	PUBLIC QUESTION TIME	7
7	PETITIONS/DEPUTATIONS/PRESENTATIONS.....	7
8	APPLICATIONS FOR LEAVE OF ABSENCE	7
9	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING.....	7
9.1	CONFIRMATION OF MINUTES.....	7
10	MEMBERS REPORT	8
10.1	ITEMS FOR RECOMMENDATION	8
10.2	ITEMS FOR INFORMATION.....	8
11	OFFICER'S REPORTS	12
11.1	CHIEF EXECUTIVE OFFICER.....	12
11.1.1	CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - SEPTEMBER 2017.....	12

11.1.2	WA LOCAL GOVERNMENT ASSOCIATION CONVENTION AUGUST 2017 – REVIEW REPORTS FROM COUNCILLORS .	15
11.1.3	COUNCILLORS MONTHLY MEET & GREET 2017-2018.....	18
11.1.4	ELECTED MEMBERS ON COMMITTEES 2017-2019.....	22
11.1.5	PROPOSED PLASTIC BAG REDUCTION LOCAL LAW PUBLIC FEEDBACK AND NEXT STEPS.....	28
11.1.6	NEW POLICY – UNCONVENTIONAL GAS EXPLORATION AND PRODUCTION ACTIVITIES (FRACKING).....	34
11.1.7	.AFFIXING COMMON SEAL TO EMPLOYMENT CONTRACT - MANAGER AIRPORT COMPLIANCE.....	38
11.1.8	AFFIXING COMMON SEAL TO EMPLOYMENT CONTRACT - MANAGER DEVELOPMENT AIRPORTS.....	40
11.1.9	AFFIXING COMMON SEAL TO EMPLOYMENT CONTRACT – MANAGER DEVELOPMENT SERVICES HEALTH.....	42
11.1.10	AFFIXING COMMON SEAL TO EMPLOYMENT CONTRACT – MANAGER HUMAN RESOURCES.....	44
11.1.11	AFFIXING COMMON SEAL TO EMPLOYMENT CONTRACT – MANAGER DEVELOPMENT SERVICES PLANNING.....	46
11.2	DEPUTY CHIEF EXECUTIVE OFFICER	48
11.2.1	DEPUTY CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISIONS - SEPTEMBER 2017.....	48
11.2.2	PROPOSED COUNCIL MEETING DATES FOR 2017/18 AND COUNCIL WORKSHOPS 2018.....	50
11.2.3	AFFIXING COMMON SEAL UNDER DELEGATED AUTHORITY.....	54
11.2.4	PROPOSAL TO DEVELOP A RECONCILIATION ACTION PLAN.....	57
11.2.5	MONTHLY FINANCIAL REPORT - JULY 2017.....	63
11.2.6	MONTHLY FINANCIAL REPORT - AUGUST 2017.....	66
11.2.7	CREDITORS FOR PAYMENT.....	69
11.3	DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES ...	72
11.3.1	DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF COUNCIL DECISIONS - SEPTEMBER 2017.....	72

11.3.2	AFFIXING COMMON SEAL TO AGREEMENT WITH BUREAU OF METEOROLOGY.....	76
12	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	80
13	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL	80
13.1	RELATED PARTY DISCLOSURES REPORT BE ACCEPTED AS AGENDA ITEM 13.1.1	80
13.1.1	RELATED PARTY DISCLOSURES	80
13.2	FEES AND CHARGES FOR THE NEWMAN TOWN SQUARE AND THE EDGE BE ACCEPTED AS AGENDA ITEM 13.2.1	83
13.2.1	FEES AND CHARGES FOR THE NEWMAN TOWN SQUARE AND THE EDGE.....	83
13.3	REALLOCATE FUNDS FOR 2017/18 APPROVED PROJECTS BE ACCEPTED AS AGENDA ITEM 13.3.1.....	89
13.3.1	REALLOCATE FUNDS FOR 2017/18 APPROVED PROJECTS	89
13.4	DELEGATION TO THE CHIEF EXECUTIVE OFFICE TO AWARD OR REJECT TENDERS FOR PERIOD TO 8 DECEMBER 2017 REPORT BE ACCEPTED AS AGENDA ITEM 13.4.1	94
13.4.1	DELEGATION TO THE CHIEF EXECUTIVE OFFICE TO AWARD OR REJECT TENDERS FOR PERIOD TO 8 DECEMBER 2017	94
14	CONFIDENTIAL MATTERS BEHIND CLOSED DOORS.....	103
14.1	CONSIDERATION OF THE CEO SHORTLIST BE ACCEPTED AS A CONFIDENTIAL ITEM 14.1.1 AND TO BE DISCUSSED AFTER NO: 15 GENERAL BUSINESS	103
15	GENERAL BUSINESS.....	103
15.1	MARBLE BAR PIONEER CEMETERY	103
15.2	ROAD SIGNAGE	103
15.3	NEWMAN SQUARE.....	103
15.4	WINDAMARRA CRES STREET LIGHTING	103
15.5	OPHTHALMIA DAM ROAD GRADED	104

15.6	POT HOLES, PARDOO STREET	104
15.7	SHADE SAIL NULLAGINE	104
15.8	GALLOP HALL TOILET BLOCK.....	104
15.9	BHP LOCAL BUSINESS ADVISORY PROGRAM	104
14.1.1	CONFIDENTIAL CONSIDERATION OF THE CEO SHORTLIST	105
16	DATE OF NEXT MEETING	106
17	CLOSURE	106

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairman, Acting CEO, Ms Sian Appleton declared the meeting open at 10:09AM.

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 were sworn in and made their declaration as an Elected Member.

<u>Councillors</u>	<u>Ward</u>	<u>Expiry of Term</u>
Langtree (Lang) Coppin OAM	North	October 2021
Dean Hatwell	Central	October 2021
Geraldine (Gerry) Parsons	South	October 2021
Anita Grace	South	October 2021
Anthony Middleton	South	October 2021
Carol Williams	East	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 next Ordinary Election.

Nominations were given to the Acting CEO in writing before the meeting or during the meeting before the close of nominations.

One nomination was received and accepted; Cr Lynne Craigie was declared elected to the position of Shire President and was sworn into office.

*Ms Sian Appleton vacated the Chair
Cr Lynne Craigie assumed the Chair*

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 next Ordinary Election.

Nominations were given to the Acting CEO in writing before the meeting or during the meeting before the close of nominations.

Three nominations were received and accepted; Cr Lang Coppin, Cr Jeton Ahmedi, Cr Craig Hoyer.

This being more nominations than position available an election was held.

The results of election were as follows;

Cr Jeton Ahmedi (6)

Cr Craig Hoyer (4)

Cr Lang Coppin (1)

Cr Jeton Ahmedi was declared elected to the position of Deputy Shire President and was sworn into office.

4 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

4.1 ATTENDANCES

Councillors

Cr Lynne Craigie	Shire President
Cr Jeton (Jay) Ahmedi	Deputy Shire President
Cr Langtree (Lang) Coppin OAM	
Cr Geraldine (Gerry) Parsons	
Cr Michael Kitchin	
Cr Bidy Schill	
Cr Craig Hoyer	
Cr Dean Hatwell	
Cr Anita Grace	
Cr Anthony Middleton	
Cr Carol Williams	

Officers

Ms Sian Appleton	Acting Chief Executive Officer
Mr Rick Miller	Director Technical and Development Services
Mrs Sheryl Pobrica	Executive Services Administration Officer

Public Gallery

Nil

4.2 APOLOGIES

Councillor Apologies

Nil

Officer Apologies

Mr Allen Cooper

Chief Executive Officer

4.3 LEAVE OF ABSENCE

Nil

5 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

6 PUBLIC QUESTION TIME

Nil

7 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

8 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

9 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

9.1 CONFIRMATION OF MINUTES

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

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/57

MOVED: Cr Michael Kitchin

SECONDED: Cr Gerry Parsons

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

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

To be actioned by Mr Allen Cooper, Chief Executive Officer

10 MEMBERS REPORT

10.1 ITEMS FOR RECOMMENDATION

Nil

10.2 ITEMS FOR INFORMATION

Cr Dean Hatwell attended:

- Art at the Heart Official Opening 22/09/2017
- Strategic Community Plan Workshop 26/10/2017

Cr Craig Hoyer attended:

- Art at the Heart Official Opening 22/09/2017
- Newman Airport Desktop Exercise (LEMC) 23/09/2017
- Meet the Councillors Candidate Session NCCI 26/09/2017 – Cancelled
- Strategic Community Plan Workshop 26/10/2017
- Foreign Object Debris (FOD) walk of the aircraft movement area 18/10/2017
- Meeting with Codeswitch – BHP Local Business Advisory Program 19/10/2017

Cr Gerry Parsons attended:

- Bush Tucker Brunch for Mental Health at the Square Newman
- PDC meeting in Karratha
- Business After Hours NCCI (Golf Club)
- Meet & Greet at Newman Boulevard Shopping Centre 07/10/2017
- Art at the Heart Official Opening 22/09/2017

Cr Michael Kitchin attended:

- Urban Tree Canopy Framework 28/08/2017 was not written in the September 2017 Minutes.
- Training WALGA CEO Performance Appraisal 11/10/2017
- WALGA State Public Health – Ideas Ignition 19/10/2017
- Strategic Community Plan Workshop 26/10/2017
- Art at the Heart Official Opening 22/09/2017

Cr Jeton Ahmedi attended:

- Strategic Community Plan Workshop 26/10/2017
- Art at the Heart Official Opening 22/09/2017

Cr Anita Grace attended:

- Newman Women's Shelter Committee Meeting
- BloodySlow Cup Memorial Service – Newman Police
- Strategic Community Plan Workshop 26/10/2017
- Art at the Heart Official Opening 22/09/2017
- Newman Liquor Accord Meeting

Cr Lang Coppin attended:

- Strategic Community Plan Workshop 26/10/2017
- Art at the Heart Official Opening 22/09/2017

Cr Biddy Schill attended:

- Attended Presentation for Ms Peta Asplin from Marble Bar Community School by the Hon Minister Alannah MacTieranan 30 years Long Service.
- BOM presentation regarding Cyclone Season
- Chaired LEMC Meeting regarding fire surrounding Nullagine 20/10/2017
- Strategic Community Plan Workshop 26/10/2017
- Art at the Heart Official Opening 22/09/2017

Cr Carol Williams attended:

- Strategic Community Plan Workshop 26/10/2017
- Ngurra Kujungka (Inc.) AGM & EGM at Telfer Gold Mine 21/10/2017

Cr Lynne Craigie attended:

- Pilbara Regional Council (PRC) – Corporate Business Plan
- Lord Mayors Disaster Relief Committee
- Meeting with Nicole Rocke – Chamber Minerals and Energy
- Meet the Minister Breakfast – Rita Saffiotti
- Local Government Insurance Scheme Board Meeting.
- City of Belmont Community Mayoral Function
- Newman Visitors Centre Meeting
- EPIS opening of new Day Centre & Office
- Bush Tucker Brunch for Mental Health
- Local Government Convention meeting x 2
- Welcome to Newman Event
- Meeting with Prof Julie Crews ECU – Voters and elections
- Regional Development Australia Pilbara – AGM
- Regional Development Australian Pilbara Meeting
- Meeting with Monica Chetty and Henry from Pardoo Beef
- Launch of Elected Member Census with Minister Templeman
- WALGA Meetings x 2 regarding CEO application process
- BloodySlow Cup Memorial Service – Newman Police
- BloodySlow Cup Sponsors Afternoon Tea
- LG Election Night at Council
- RAC Breakfast re: Drink Driving Campaign
- Indigenous Girls Education Forum
- Road Funding Campaign Meeting
- Presentation for AIM WA – re: Strat Planning
- Strategic Community Plan Workshop 26/10/2017
- Newman Women’s Shelter Meeting
- EPIS Meeting
- ABC Interviews x 5
- 6PR Interview x 1
- Budget Meeting with Minister for Education and Training, Sue Ellery and Kevin Michel Minister for Pilbara
- Art at the Heart Official Opening
- Meeting with Share the Dignity “Sheroes”
- LGISWA Board Meeting

- Welcome to Newman 15/10/2017
- Regional Development Australia Meeting 17/10/2017

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/COUNCIL RESOLUTION: 201718/58

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

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.	CEO	Letter sent awaiting on response	Dec 2017

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

27 OCTOBER, 2017

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		Mr Allen Cooper, Chief Executive Officer to follow up.			
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

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

To be actioned by Mr Allen Cooper, Chief Executive Officer

**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/COUNCIL RESOLUTION: 201718/59

MOVED: Cr Michael Kitchin

SECONDED: Cr Jeton Ahmedi

THAT Council receive the Councillor's reports and information on the Western Australia Local Government Association (WALGA) Convention 2017.

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

To be actioned by Mr Allen Cooper, Chief Executive Officer

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.

COUNCIL RESOLUTION: 201718/60

MOVED: Cr Gerry Parsons

SECONDED: Cr Anita Grace

THAT item 11.1.3 Councillors Monthly Meet & Greet be deferred until next Ordinary Council Meeting on 8th December 2017.

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

Reason for Non Acceptance of Officer's Recommendation and deferred item 11.1.3: Council felt it would be better to hold the Councillors Meet and Greet aligning with the Newman Markets and to include Nullagine and Marble Bar, Officer to provide dates to Council at OCM08122017.

To be actioned by Mrs Sheryl Pobrica, Executive Services Administration Officer

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 Jeton (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/COUNCIL RESOLUTION: 201718/61

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

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

Committee	Councillor	Proxy
Pilbara Regional Road Group	Cr Lynne Craigie Cr Anita Grace	Cr Gerry Parsons Cr Dean Hatwell
Pilbara Regional Council (2 reps)	Cr Lynne Craigie Cr Anita Grace	Cr Gerry Parsons Cr Dean Hatwell
Newman Mainstreet Project Inc	Cr Jeton Ahmedi	Cr Anthony Middleton
Local Recovery Committee	Cr Craig Hoyer	Cr Anthony Middleton
LEMC - Newman	Cr Craig Hoyer	Cr Anthony Middleton
LEMC – Marble Bar	Cr Dean Hatwell	Cr Michael Kitchin
LEMC – Nullagine	Cr Bidy Schill	Cr Dean Hatwell
Audit Committee	Cr Lynne Craigie Cr Anita Grace Cr Gerry Parsons Cr Craig Hoyer Cr Jeton Ahmedi Cr Anthony Middleton	
*Recognised Biosecurity Group (RBG)	Cr Lang Coppin	Cr Michael Kitchin
Bush Fire Advisory Committee	Cr Craig Hoyer	Cr Anthony Middleton
*De Grey Land Conservation District Committee	Cr Lang Coppin	Cr Michael Kitchin
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 Jeton Ahmedi
Newman Recreation Centre Management Committee	Cr Gerry Parsons	Cr Anita Grace
Newman Visitors Centre Management Committee	Cr Lynne Craigie	Cr Gerry Parsons
Nullagine Volunteer Bush Fire Brigade	Cr Bidy Schill	Cr Dean Hatwell

Newman Neighbourhood Centre	Cr Anita Grace	Cr Jeton Ahmedi
Nullagine Community Resource Centre	Cr Bidy Schill	Cr Michael Kitchin
Pilbara Prospectors Associations	Cr Michael Kitchin	Cr Lang Coppin
Newman Women's Shelter	Cr Lynne Craigie	Cr Anita Grace
Newman Turf Committee	Cr Jeton Ahmedi	Cr Gerry Parsons
Ngurra Kujungka (Inc)	Cr Carol Williams	
*Development Assessment Panel (DAP) x 4 <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>	Local Government Member Cr Dean Hatwell Cr Michael Kitchin	Local Government Alternate Member Cr Lynne Craigie Cr Jeton Ahmedi

*Ministerial Appointments

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

To be actioned by Mrs Sheryl Pobrica, Executive Services Administration Officer

**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/COUNCIL RESOLUTION: 201718/62

MOVED: Cr Dean Hatwell

SECONDED: Cr Anthony Middleton

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.

CARRIED
RECORD OF VOTE: 11 - 0

To be actioned by Mr Grant Watson, Coordinator Executive Services

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

File Ref: LEG-2-1
Attachments: [Attachments 11.1.6](#)
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

11:30 AM Cr Carol Williams left Chambers.
11:33 AM Cr Carol Williams returned to the Chambers
11:33 AM Mr Rick Miller left Chambers.
11:36 AM Mr Rick Miller returned to the Chambers

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

MOVED: Cr Michael Kitchin

SECONDED: Cr Biddy Schill

THAT Council:

- 1. Adopt the Unconventional Gas Exploration and Production Activities (Fracking) Policy for inclusion in the Shire of East Pilbara Policy Manual.**

**LOST
RECORD OF VOTE: 4 - 7**

COUNCIL RESOLUTION: 201718/63

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

THAT Council:

- 1. Delay the adoption of the policy until the State Government's scientific inquiry into fracking has been completed and a further statement has been made**

**CARRIED
RECORD OF VOTE: 10 - 1**

Cr Michael Kitchin has requested his name be recorded against the motion.

Reason for Non Acceptance of Officer's Recommendation: Council felt it was necessary to delay the adoption of the policy until further investigation has been made.

To be actioned by Mr Grant Watson, Coordinator Executive Services

**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

11:37 AM Cr Anita Grace left Chambers.

11:39 AM Cr Anita Grace returned to the Chambers

COUNCIL RESOLUTION: 201718/64

MOVED: Cr Gerry Parsons

SECONDED: Cr Michael Kitchin

THAT the following unopposed items 11.1.7, 11.1.8, 11.1.9, 11.1.10 and 11.1.11 for affixing common seal to employment contracts be adopted "En Bloc", as Officers Recommendation:

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

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

MOVED: Cr Gerry Parsons

SECONDED: Cr Michael Kitchin

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.

**CARRIED "EN-BLOC"
RECORD OF VOTE: 11 - 0**

To be actioned by Mr David Kular, Manager Human Resources

**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

MOVED: Cr Gerry Parsons

SECONDED: Cr Michael Kitchin

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.

**CARRIED “EN-BLOC”
RECORD OF VOTE: 11 - 0**

To be actioned by Mr David Kular, Manager Human Resources

**11.1.9 AFFIXING 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

MOVED: Cr Gerry Parsons

SECONDED: Cr Michael Kitchin

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.

**CARRIED “EN-BLOC”
RECORD OF VOTE: 11 - 0**

To be actioned by Mr David Kular, Manager Human Resources

**11.1.10 AFFIXING 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

MOVED: Cr Gerry Parsons

SECONDED: Cr Michael Kitchin

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.

**CARRIED “EN-BLOC”
RECORD OF VOTE: 11 - 0**

To be actioned by Mr David Kular, Manager Human Resources

**11.1.11 AFFIXING 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

MOVED: Cr Gerry Parsons

SECONDED: Cr Michael Kitchin

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.

**CARRIED “EN-BLOC”
RECORD OF VOTE: 11 - 0**

To be actioned by Mr David Kular, Manager Human Resources

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

11:45 AM Meeting adjourned.

11:55 AM Meeting resumed, All Councillors and staff returned to Chambers
except for Cr Lang Coppin and Mr Rick Miller

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/COUNCIL RESOLUTION: 201718/65

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

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

**CARRIED
RECORD OF VOTE: 10 - 0**

To be actioned by Ms Sian Appleton, Deputy Chief Executive Officer

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

11:57 AM Mr Rick Miller returned to the Chambers

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 RECOMMENDATION/COUNCIL RESOLUTION: 201718/66

MOVED: Cr Michael Kitchin

SECONDED: Cr Jeton Ahmedi

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.

CARRIED
RECORD OF VOTE: 10 - 0

To be actioned by Mrs Batsi Masaka, Coordinator Governance

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

11:58 AM Cr Lang Coppin returned to the Chambers

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/COUNCIL RESOLUTION: 201718/67

MOVED: Cr Jeton Ahmedi

SECONDED: Cr Michael Kitchin

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.**

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

To be actioned by Mrs Dawn Brown, Contract and Procurement Officer

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/COUNCIL RESOLUTION: 201718/68

MOVED: Cr Dean Hatwell

SECONDED: Cr Biddy Schill

THAT Council

- 1. Support the development of a Reconciliation Action Plan (RAP) that meet, at least, the minimum standards required by Reconciliation Australia.**
- 2. Cr Carol Williams to be the 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.**

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

To be actioned by Mr Pip Parsonson, Manager Community Services

11.2.5 MONTHLY FINANCIAL REPORT - JULY 2017

Attachments:	July 2017 Financial 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/COUNCIL RESOLUTION: 201718/69

MOVED: Cr Gerry Parsons

SECONDED: Cr Craig Hoyer

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.

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

To be actioned by Mrs Noelene Holmes, Coordinator Financial Services

11.2.6 MONTHLY FINANCIAL REPORT - AUGUST 2017

Attachments:	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/COUNCIL RESOLUTION: 201718/70

MOVED: Cr Gerry Parsons

SECONDED: Cr Dean Hatwell

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.

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

To be actioned by Mrs Noelene Holmes, Coordinator Financial Services

11.2.7 CREDITORS FOR PAYMENT

File Ref: FIN10-2
Attachments: [Schedule of Accounts](#)
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/COUNCIL RESOLUTION: 201718/71

MOVED: Cr Dean Hatwell

SECONDED: Cr Michael Kitchin

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>\$3,205,680.88</u>

CARRIED
RECORD OF VOTE: 11 - 0

To be actioned by Ms Memory Mandaza, Expenditure Finance Officer

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 Rick Miller
Director Technical & Development Services
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/COUNCIL RESOLUTION: 201718/72

MOVED: Cr Gerry Parsons

SECONDED: Cr Michael Kitchin

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

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.</p> <p>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.	

CARRIED
RECORD OF VOTE: 11 - 0

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

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

12:13 PM Ms Sian Appleton left Chambers.

12:16 PM Ms Sian Appleton returned to the Chambers

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/COUNCIL RESOLUTION: 201718/73

MOVED: Cr Craig Hoyer

SECONDED: Cr Anita Grace

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.

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

To be actioned by Mr Salomon Kloppers, Manager Development Airports

12 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

12:19 PM Cr Carol Williams left Chambers.

12:21 PM Cr Carol Williams returned to the Chambers

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

13.1 RELATED PARTY DISCLOSURES REPORT BE ACCEPTED AS AGENDA ITEM 13.1.1

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/74

MOVED: Cr Gerry Parsons

SECONDED: Cr Biddy Schill

THAT the Related Party Disclosures report be accepted as agenda item 13.1.1

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0

13.1.1 RELATED PARTY DISCLOSURES

File Ref: LEG-20

Attachments: [Related Party Disclosure Forms](#)
[INFOPAGE Related Party Disclosure June 2017](#)

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

The purpose of this report is for Council to determine which related party transactions are unlikely to influence the decisions that users of the Council's financial statements make and therefore need not be disclosed on the quarterly related party disclosure declaration.

BACKGROUND

As a result of changes in the accounting standards from 1 July 2017, it is a requirement for all local governments to disclose the nature of related party

relationships when general financial reports are prepared in order to comply with AASB 124- Related Party Disclosures.

COMMENTS/OPTIONS/DISCUSSIONS

The accounting standard AASB 124- Related Party Disclosures is applicable to the following transactions. However it can be determined that these transactions are unlikely to influence the decisions the users of the Council's financial statements make and therefore need not be disclosed:

- Paying Rates
- Fines
- Use of Shire owned facilities such as Recreation Centre , Civic Centre, library , parks, ovals and other public spaces (whether charged a fee or not)
- Attending Council functions that are open to the public

Where these services were not provided at arm's length and under the same terms and conditions applying to the general public, elected Council members and Key Management Personnel will be required to make a declaration in the Related Party Disclosures- Declaration form about the nature of any discount or special terms received.

STATUTORY IMPLICATIONS/REQUIREMENTS

AASB 124-Related Party Disclosures

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

Responsible officer: DCEO

Timing: As appropriate

RISK MANAGEMENT CONSIDERATIONS

To ensure compliance with AASB 124-Related Party Disclosures.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/75

MOVED: Cr Gerry Parsons

SECONDED: Cr Jeton Ahmedi

THAT Council determine that the following items be exempt from being disclosed on the quarterly related party disclosure declaration unless these services were not provided at arm's length and under the same terms and conditions applying to the general public:

- **Paying Rates**
- **Fines**
- **Use of Shire owned facilities such as Recreation Centre , Civic Centre, library , parks, ovals and other public spaces (whether charged a fee or not)**
- **Attending Council functions that are open to the public**

CARRIED
RECORD OF VOTE: 11 - 0

To be actioned by Mrs Batsi Masaka, Coordinator Governance

**13.2 FEES AND CHARGES FOR THE NEWMAN TOWN SQUARE AND THE
EDGE BE ACCEPTED AS AGENDA ITEM 13.2.1**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/76

MOVED: Cr Gerry Parsons

SECONDED: Cr Michael Kitchin

**THAT the Fees and Charges for the Newman Town Square and The Edge report
be accepted as agenda item 13.2.1**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

**13.2.1 FEES AND CHARGES FOR THE NEWMAN TOWN SQUARE AND THE
EDGE**

Attachments: [Attachment 1 - Town Square Map.pdf](#)

Responsible Officer: Mr Rick Miller
Director Technical and Development Services

Author: Mr Ryan Del Casale
Manager Development Services - Planning

Proposed Meeting Date: 27 October 2017

Location/Address: Newman Town Square, Lot 105 (No. 10) Lee
Lane, Newman

Name of Applicant: N/A

Author Disclosure of Interest: Nil

An Interest was declared by Cr Anita Grace for Item No. 13.2.1

Nature of Interest: Financial

Extent of Interest: Provide Security Services at the Town Square for events

12:33 PM Cr Anita Grace left Chambers.

12:34 PM Cr Lang Coppin left Chambers.

12:35 PM Cr Lang Coppin returned to the Chambers

REPORT PURPOSE

Approval is sought from Council to amend the existing fees and charges for the use of the facilities associated with the Newman Town Square and the Edge. It is proposed to extend the additional discount period in the fees until 4 March 2018.

BACKGROUND

The facilities associated with the Newman Town Square (the Square) include the grassed common area, large television screen and the buildings on the southern boundary of the Square. These buildings are known as the 'Edge' and comprise a community commercial grade kitchen (and a food court), a mezzanine space for office purposes and two retail units known as the 'Pop-Ups' (**Refer to Attachment 1 – Town Square Map**). The development of the Square and the Edge were identified

as part of the Newman Revitalisation Project. The aim was to provide a space to encourage people to test businesses without the initial burden of high start-up costs.

An initial fee structure was adopted at the end of July 2017 in the 2017/18 budget to coincide with the opening of the facilities as shown below. It was recognised that the Shire needed to encourage groups to use the facilities. To do so a discount was applied via the CEO's ability to waive up to \$5000.00 in fees. The discount was applied as per the different phases shown in Tables 1.0 and 2.0 below.

Table 1.0

Shire of East Pilbara	GST Applic	17/18 Fee Incl. GST	Description
Newman Town Square and the Edge Kitchen (Includes the Food Court) Commercial			
Hourly	Yes	50.00	
Half Day (4 hours)	Yes	180.00	
Full Day (8 hours)	Yes	350.00	
Food Court Only			
Hourly	Yes	25.00	
Half Day (4 hours)	Yes	90.00	
Full Day (8 hours)	Yes	180.00	
Shop/Office A & B			
Hourly	Yes	10.00	
Half Day (4 hours)	Yes	35.00	
Full Day (8 hours)	Yes	70.00	
Newman Town Square - Other			
Hourly	Yes	75.00	
Grassed Area/Paved Area/Car Park			
Hourly	Yes	FREE	
Not For Profit/ Individuals/ Small Home Based Businesses			40% discount from commercial rates
Bonds Apply			

Table 2.0

Phasing of the Fee Structure

Phases	Details
Phase 1 29/07/17 – 30/09/17	No charge Facilities are free to all users
Phase 2 1/10/17 – 31/12/17	Reduced Rates Facilities are to be charged at the full rate with a with a 50% discount to offered (off the normal rates) to non-profit groups, home based business users and individuals. Commercial users will be charged at the full commercial rate.
Phase 3 1/01/18 - 30/06/18	Full Fee Structure Full Rates to be charged to all users per the fee structure

Waiving of all fees was carried for all users from the launch of the facilities until 30 September 2017. A second phase with an additional discount of 50% was applied to every user other than a commercial user. This commenced on 1 October 2017 and was scheduled to run until 31 December 2017. Full rates were then to apply from 1 January 2018.

The facilities have been in operation for almost three (3) months. Numerous community events have been held in this time frame. However, it has been difficult to attract home based and start up business users, with only three (3) different groups using the space. The \$5000 limit which the CEO can waive for fees was reached in mid-October 2017. Shire staff would like to collect more data concerning the costs of operating the facilities and how they are used. With the delegated limit of the CEO now reached staff have assessed options and determined further research is required to assist in decision making on future fees and to amend the current fees and charges to allow extension of the discount period. Including definitions for user groups which are consistent with the Australian Tax Office is also recommended.

COMMENTS/OPTIONS/DISCUSSIONS

Given that the facilities were designed to encourage home based businesses and start-ups, it is recommended that additional discount period offered to these groups as well as not for profits, community groups and individuals as per amended phasing process shown in Table 3.0 below.

Table 3.0 New Phasing of the Fee Structure	
Phases	Details
Phase 1 29/07/17 – 30/09/17	No charge Bookings held between the date range are free, bond still applies.
Phase 2 1/10/17 – 4/03/18	Reduced Rates 50% discount off all booking fees for not for profits, at home based businesses, individuals and community groups. Full commercial rate applies for commercial users.
Phase 3 6/03/18 - 30/06/18	Full Fee Structure Full rates to be charged to all users as per the fee structure

Extending the discount period will encourage more use by these groups providing Shire staff with more data and feedback from their use. This will assist staff in the preparation of adequate management plans for the facilities and inform how the fees are structured in the future. Extending the discount period until early March 2018 is considered sufficient time to achieve this. The inclusion of definitions for these user groups as shown in Table 4.0 below which are consistent with Australian Tax Office provide clearer definitions than what is provided in the current fees and charges.

Table 4.0 User Groups Definitions	
Users	Definition
Commercial	For profit organisation or enterprise engaged in commercial, industrial or professional activities. The business is based at an external facility and not in the house hold.
Not for Profit Businesses	Associations, charities, cooperatives and other voluntary organisations formed that does not operate for the profit, personal gain or to the benefit of its members. A not for profit to further cultural, education, religious, professional, or public service objectives.
At Home Business (Home Based)	A small business operated out of the owner's primary residence.
Individual	Any individual who may want to use The Square facilities. Individuals can range from business start-ups, students, individuals pursuing hobbies, professionals looking for hot

	desks, and casual users.
Community Groups	Community sporting groups, clubs, social groups, religious groups, not for profit groups, charities

STATUTORY IMPLICATIONS/REQUIREMENTS

SUBDIVISION 2 — FEES AND CHARGES

6.16. Imposition of fees and charges

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

** Absolute majority required.*

- (2) A fee or charge may be imposed for the following —
 - (a) providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;
 - (b) supplying a service or carrying out work at the request of a person;
 - (c) subject to section 5.94, providing information from local government records;
 - (d) receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;
 - (e) supplying goods;
 - (f) such other service as may be prescribed.
- (3) Fees and charges are to be imposed when adopting the annual budget but may be —
 - (a) imposed* during a financial year; and
 - (b) amended* from time to time during a financial year.

** Absolute majority required.*

6.17. Setting the level of fees and charges

- (1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —
 - (a) the cost to the local government of providing the service or goods;
 - (b) the importance of the service or goods to the community; and
 - (c) the price at which the service or goods could be provided by an alternative provider.
- (2) A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.
- (3) The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —
 - (a) under section 5.96;
 - (b) under section 6.16(2)(d); or

- (c) prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.
- (4) Regulations may —
 - (a) prohibit the imposition of a fee or charge in prescribed circumstances; or
 - (b) limit the amount of a fee or charge in prescribed circumstances.

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and
- (b) the date from which it is proposed the fees or charges will be imposed.

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

FINANCIAL IMPLICATIONS

The proposed fee structure has been taken into consideration for the 2017 / 2018 financial year.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/77

MOVED: Cr Dean Hatwell

SECONDED: Cr Gerry Parsons

THAT Council

1. Amend the wording for noting who can obtain the 40% discount off the commercial rates to include the deletion of the word "small" from Small Home Based Businesses and add wording "Community Groups"
2. Adopt the following amended fees and charges effective from 28 October 2017 to include the extended discount period for the Newman Town Square and the Edge as detailed below;

Shire of East Pilbara	GST Applic	17/18 Fee Incl. GST	Description
Discount Period 28/10/17 – 4/03/18; Not For Profit, Home Based Businesses, Individual, Community Groups			50% (additional to std 40% discount)

3. Provide notice of the adopted Fees as advertised, pursuant to Section 6.19 of the Local Government Act 1995

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 10 - 0

*To be actioned by Mr Ryan Del Casale, Manager Development Services -
Planning*

**13.3 REALLOCATE FUNDS FOR 2017/18 APPROVED PROJECTS BE
ACCEPTED AS AGENDA ITEM 13.3.1**

12:36 PM Cr Anita Grace returned to the Chambers

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/78

MOVED: Cr Dean Hatwell

SECONDED: Cr Craig Hoyer

**THAT Reallocate Funds for 2017/18 Approved Projects report be accepted as
agenda item 13.3.1**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE:11 - 0**

13.3.1 REALLOCATE FUNDS FOR 2017/18 APPROVED PROJECTS

File Ref: LEG-13-17-04
Attachments: [201718 Drainage Path Kerb Road Works Map](#)
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mr Bhavesh Modi
Manager Technical Services Newman
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 consider reallocating funding between Roads to Recovery (R2R) FY2017/18 Council adopted projects. This is to assist in the efficient and timely delivery of the annual works program and continue ongoing asset preservation of infrastructure.

BACKGROUND

Ordinary Council meeting held 28 July 2017 adopted the annual budget which included grant funded projects through the Roads to Recovery Federal Funding Scheme.

This will allow major works involving improvements and asset preservation of drainage, road and pathway infrastructure to the value of \$1,840,000.

The Shire undertook Newman Drainage Capacity Study to assist in planning future works which was concluded during early 2017. With the outcomes of this drainage infrastructure study in June/July 2017, staff recommended budgets for various drainage infrastructure works in Newman.

With detailed design and survey works completed after the Council adopted budget, staff reviewed Scope of Works and costings as identified in the detailed design for RFT 04- 2017/18 Drainage Works Newman.

This identified a budget underestimate of about \$350,000 which also includes costs incurred to date for design and tendering. The drainage works are considered the highest priority and it is proposed to reallocate some of the existing grant funds between the projects.

There will be nil impact on the overall budget and no impact on grant requirements. This will allow the complete proposed drainage works to be undertaken and a deferment of some of the lower risk street seal program. Hence, it is recommended to reallocate \$350,000 from the GL129610 Newman Town Streets - Reseals (R2R) and move part to GL129617 Pavement Failure and Drainage Works and part to GL129627 Drainage Works.

This will allow the proposed packaged works to occur for various streets including Mindarra Dr, Hilditch Av, O'Flaerty St and Nyablee St.

The final budget scenario for each affect GL Project Account would be as tabled below;

GL Account	Adopted Budget	Amended Budget	Difference in Each GL With Adjusted Budgets
129617	\$620,000	\$870,000	\$250,000
129627	\$320,000	\$420,000	\$100,000
129610	\$900,000	\$550,000	-\$350,000
Total	\$1,840,000	\$1,840,000	\$00

COMMENTS/OPTIONS/DISCUSSIONS

It will be recommended that the Council approve reallocation of budget \$350,000 from GL 129610 Newman Town Streets - Reseals (R2R) to the following GLs as per approved 2017/18 budget allocations;

GL Account	Adopted Budget	Amended Budget
129617	\$620,000	\$870,000
129627	\$320,000	\$420,000
129610	\$900,000	\$550,000
Total	\$1,840,000	\$1,840,000

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 6 - Financial management (Division 4 - General financial provisions) 6.8. Expenditure from municipal fund not included in annual budget (pg 214)

POLICY IMPLICATIONS



3.4 Budget Amendments

Responsible Directorate	Corporate Services
Responsible Officer	Deputy Chief Executive Officer
File Number	FIN 23-10

Objective

To determine when and how a budget amendment can be made.

Policy

1. Budget amendments generally will occur only in line with the budget review.
2. Wherever budget versus actual cost savings become reasonably likely or definitely do occur, Council may then permit by an absolute majority resolution, that budget amendments occur. Such amendments will appear on the monthly statements as a separate item.
3. Before over-budget expenditure is incurred on the premise of likely or definite savings in other cost areas the officer concerned **MUST** approach and discuss the matter with the Chief Executive Officer. On no account can "windfalls" or budget savings be expended on any item without Council's ratification. The Chief Executive Officer is to place the proposed budget amendment before Council prior to it being actioned.
4. Budget amendments will be dealt with by Council so as to protect the interests of kindred cost areas before any others e.g. if under the broad cost heading "libraries" savings result in building maintenance the remaining cost areas under this heading should be checked as to budget adequacy before removing funds from this area. Similarly this applies to Planning and Development, Building, Parks and Gardens etc.

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
 - 1.1.2 Continued strong financial management
 - 1.1.3 Effective business management

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
Partnering With: State Government, Industry, NCCI, other relevant stake holders
- 3.3 Provide Adequate Community Infrastructure

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.

- 4.2 Promote a sustainable environment
 - 4.2.1 Cultivate clean green towns

RISK MANAGEMENT CONSIDERATIONS

The risk to Council reputation will be increased by not taking opportunity to avoid seasonal constraints and maintaining continuous operations. Risk is reduced as it will allow programed works to occur in a more timely manner and will reduce the risk of not completing the works in accordance with Council policy requirements.

FINANCIAL IMPLICATIONS

The net impact on the budget is nil. Resource requirements are in accordance with the requested adjustments in the existing budgetary allocations as listed in the table below;

GL Account	Adopted Budget	Amended Budget
129617	\$620,000	\$870,000
129627	\$320,000	\$420,000
129610	\$900,000	\$550,000
Total	\$1,840,000	\$1,840,000

VOTING REQUIREMENTS

Absolute

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/79

MOVED: Cr Dean Hatwell

SECONDED: Cr Jeton Ahmedi

THAT Council

1. **Reallocate \$350,000 from GL129610 Newman Town Streets - Reseals (R2R) to GL129617- Pavement Failure and Drainage Works (R2R) and GL129627- Drainage Works (R2R) as detailed in Table 1;**

Table 1

GL Account	Adopted Budget	Amended Budget
129617- Pavement Failure and Drainage Works (R2R)	\$620,000	\$870,000
129627- Drainage Works (R2R)	\$320,000	\$420,000
129610 Newman Town Streets-Reseals (R2R)	\$900,000	\$550,000
Total	\$1,840,000	\$1,840,000

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

To be actioned by Mr Bhavesh Modi, Manager Technical Services Newman

**13.4 DELEGATION TO THE CHIEF EXECUTIVE OFFICE TO AWARD OR
REJECT TENDERS FOR PERIOD TO 8 DECEMBER 2017 REPORT BE
ACCEPTED AS AGENDA ITEM 13.4.1**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/80

MOVED: Cr Michael Kitchin

SECONDED: Cr Craig Hoyer

**THAT Delegation to the Chief Executive Office to Award or Reject Tenders for
Period to 8 December 2017 report be accepted as agenda item 13.4.1**

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0**

**13.4.1 DELEGATION TO THE CHIEF EXECUTIVE OFFICE TO AWARD OR
REJECT TENDERS FOR PERIOD TO 8 DECEMBER 2017**

File Ref: LEG-13-7
**Responsible Officer: Mr Rick Miller
Director Technical and Development Services**
**Author: Mr Rick Miller
Director Technical and Development 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 consider delegating authority to the CEO to award or reject tenders for the period to the next Council meeting to be held 8 December 2017. This will assist in the efficient and timely delivery of the annual works program for major projects and timely processing of lease submissions.

For Council to approve the Common Seal to be affixed under delegated authority to the CEO, for the contracts between the Shire of East Pilbara and the successful tenderers.

BACKGROUND

This report deals with three current approved budgeted projects which includes a leasing submission for the airport kiosk and two major construction projects with RFT 06-2017/18 Refurbishment of Sewage Treatment Plant Clarifier and RFT 04-2017/18 Newman Town Drainage. The two construction projects are reasonably complex, labour intensive and can involve long lead times for delivery of goods. Therefore it is important to award these projects as soon as practical to ensure delivery before the end of the financial year. Normally these would be presented to Council to consider but with the next meeting not due to 8 December 2017, it could jeopardise the delivery of these projects. Particularly when you take into account that a lot of

businesses close over the Christmas period and we come into our wet season. Through delegation created by Council they can delegate to the CEO to award/reject tenders on their behalf to consider tenders as soon as practical to ensure efficient delivery of projects. Any delegation that is used is then reported back to Council at the next meeting.

Project 1 – RFT 05-2017/18 Newman Airport Terminal Lease of Kiosk

Newman Airport is owned and operated by the Shire of East Pilbara (the Shire) and serves as a vital link between the community of Newman and surrounding communities to Perth.

The Shire of East Pilbara (SoEP) is committed to providing efficient and effective services that represents “value for money” to its residents/community. The current lease provides the shire with an income of about \$8,000 per annum.

As the kiosk lease in the main passenger terminal has expired it was required that it be readvertised and this was through a Request for Tender (RFT) process. Tenders closed at 10am, Thursday 19th October 2017. At the closing of tenders three (3) tender submissions were received. These are currently being evaluated and a confidential report will be completed next week for consideration.

Project 2 – RFT 06-2017/18 Refurbishment of an Existing 18.3m diameter Secondary Clarifier at Newman Sewage Treatment Facility

The SoEP operates Newman Sewage Treatment Plant which is an activated sludge plant based on a two channel Orbal process and presently has two operating secondary clarifiers one recently installed and the other original settling tank installed in 1981. The original clarifier is now in need of a refurbishment through mechanical and electrical upgrade. The cost to maintain and operate the facility is about \$550,000 to \$600,000 per year. The budget has allocated an approved capital expenditure of \$1,033,000 to complete the subject project plus other improvements. Calculated cost estimates place the expected value of this capital project to be in the range of \$600,000 to \$700,000.

The tender is currently open and closes Friday 3 November 2017. A mandatory site meeting was held on the 19 October 2017 of which 2 tenderers attended the meeting.

As the mechanical equipment is propriety and will likely come from America there can be long lead times of up to 24 weeks. Both tenderers indicated the importance of awarding as early as possible to ensure and design and ordering can be completed before Christmas.

Project 3 – RFT 04-2017/18 Drainage Works Newman

The works incorporating drainage installation and fixing of failed pavement sections are to align with *the Shire of East Pilbara Strategic Community Plan 2013-2022 “Our Planned Actions- 3.3 “Provide Adequate Community Infrastructure”*.

Water pooling issues in various streets of Newman have caused a number of pavement section failures and posed risks to pedestrians and traffic on those streets. Therefore, in the FY 2016/17, an analysis of drainage capacity of the existing drainage infrastructure in town was carried out to identify issues. There were a number of street drainage infrastructure identified that was under capacity and would

need new drainage infrastructure to efficiently drain stormwater from the streets. As many as, five of those streets were covered under the drainage infrastructure projects carried out in the FY 2016/17. There are four streets, being Mindarra Drive West (between Rudall Avenue and Burrows Street), Hilditch Avenue (between Mindarra Drive and Windamarra Street), Nyabalee Road (between Turner Street and O’Flaherty Street) and entire O’Flaherty Street listed for drainage infrastructure works under this project for the FY 2017/18. The identified streets covered under this project listed as top priorities to reduce, if not completely eliminate, flooding issues in Newman Streets.

The Tender Scope of Works includes supply and installation of drainage of varying pipe and pit sizes plus associated kerbing and pathway reconstruction as detailed in Table 1.

Table 1.					
Road/Street	Pipe Size (mm)	Pipe Quantity (m)	Pits/Manhole	Kerbing (m)	Pathway (m2)
Mindarra Drive	375/450/600	770	17	671	630
Hilditch Avenue	375/450	175	6	153	140
O’Flaherty Street	375/600	185	4	162	200
Nyabalee Road	375/450/525/600	200	5	160	200
Total		1,330	32	1,146	1,170

The tender has been advertised and closed 2.00pm on Monday 16th October 2017. At the closing of tenders one (1) tender submission was received. This is currently being evaluated and a confidential report will be completed next week.

The project works were allocated a budget approved capital expenditure of \$940,000 (GL129617 Pavement Failure and Drainage Works \$620,000 and GL129627 Drainage Works \$320,000). Detailed design and survey works were completed after the Council adopted budget. Staff reviewed scope of works and costings in the detailed design for RFT 04- 2017/18 Drainage Works Newman. This identified a budget underestimate of about \$350,000 which also includes costs incurred to date for design and tendering.

A late agenda item 13.3.1 has requested reallocation of funds to allow and ensure these high priority works can be carried out. If approved this will change the project budgets for GL129617 to \$870,000 and GL 129627 to \$420,000. It should also be noted that these are all Roads to Recovery Projects which are 100% Federally funded and will therefore have nil impact on the budget bottom line.

COMMENTS/OPTIONS/DISCUSSIONS

Officers normally align tenders and works to align with Council meeting dates however, with number of projects being progressed, a few do not quite align and that is when officers seek consideration for the use of CEO delegated authority to allow projects to proceed in a timely manner. Constraints as mentioned, that can impact on project delivery is the Christmas close down period, the wet season(December to March) and delays in material deliveries to name but a few. Any use of delegation is noted and reported at the next Council meeting. It should also be mentioned that the tender process that is undertaken is carried out in accordance with all relevant legislation to select contractors that offer the most advantageous proposal to Council. The tenders are evaluated by a staff panel and a confidential recommendation report is provided to the CEO for approval.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 3 - Functions of local governments (Division 3 - Executive functions of local governments) (Subdivision 6 - Various executive functions) 3.57. Tenders for providing goods or services (pg 70)

Part 5 - Administration (Division 4 – Local government employees) 5.42. Delegation of some powers and duties to CEO (pg 153)

- (1) A local government may delegate (absolute majority required) to the CEO the exercise of any of its powers or the discharge of any of its duties under-
 - (a) this act other than those referred to in section 5.43; or
- (2) A delegation under this section is to be in writing and may be general or otherwise provided in the instrument of delegation.

Part 5 - Administration (Division 4 – Local government employees) 5.43. Limits on delegations to CEO (pg 153)

A local government cannot delegate to a CEO any of the following powers or duties –

- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph.

POLICY IMPLICATIONS

4.5 Execution of Documents

Minute No: Item 9.1.3
Date: 27th June 2013

Objective

To allow for the proper execution of documents.

Policy

All documents validly executed will have the common seal affixed and the Shire 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.

Delegation From: Council

Delegation To: Chief Executive Officer

Council File Reference: ADM-14-9

Legislative Authority for Delegation: S5.42 Local Government Act 1995

Power/Duty/Authorisation Delegated:

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

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

Authority for exercise of Power/Duty/Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law

Date of Delegation _____

Delegator (Shire President) _____

3.14 Purchasing and Tender Procedures

Responsible Directorate	Corporate Services
Responsible Officer	Chief Executive Officer Deputy Chief Executive Officer Manager Assets and Procurement
File Number	FIN-25-2

Objective

1. To provide compliance with the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996* (as amended).
2. To set guidelines which must be followed when inviting tenders for works and services within the Shire.
3. To ensure consistency that purchasing activities integrate within all Shire of East Pilbara operational areas.

Purchase Procedures

NOTE: All Figures in this policy are exclusive of GST

The following procedures will be adhered to when purchasing items and other goods and services as per the adopted budget. All purchase orders are to be completed as set out below.

\$0 - \$50	Under direction from the authorised supervisor, petty cash may be utilised for purchases in this range.
\$51 - \$5,000	Under direction from the authorised supervisor, a purchase order book will be utilised without quotes necessarily being obtained.
\$5,001 - \$39,999	Under direction from the authorised supervisor, a purchase or other order will be utilised and three verbal or written quotes shall be obtained.
\$40,000 - \$149,999	Under direction from the authorised supervisor, and in consultation with the Chief Executive Officer, the Deputy Chief Executive Officer and/or the Director Technical and Development Services a purchase order will be utilised and three written quotes shall be obtained. In obtaining written quotations the Council Purchasing Service shall be utilised wherever practicable.
\$150,000 & greater	Under direction from the authorised supervisor tenders will be invited as follows. If work is allowed for in the budget a request for tender form is to be submitted to the Chief Executive Officer for approval. If the work is not allowed for in the budget permission to go to tender must be obtained from Council.

Capital Expenditure

All capital purchase orders will be signed by the Chief Executive Officer, Deputy Chief Executive Officer or the Director Technical & Development Services with the exception of road construction and plant fleet which can be signed by Manager Technical Services – Rural.

Definition of a Capital Item for the purpose of the Shire of East Pilbara:

1. Any item budgeted as a capital item in the adopted budget;
2. Any item to be purchased, which involves the replacement of an existing asset through the sale, trade-in, write-off or disposal of an item on the fixed asset register.

Refer to the Accounting Policy in the Council's Policy Manual for the further treatment of non-current assets.

No item of a capital nature may be purchased unless included in the adopted budget, or if unbudgeted, has been approved by "absolute majority" of Council prior to the purchase of the item. (Council has no retrospective right of approval of purchase of non-budgeted items of capital).

In order to preserve the cash flow of the Shire, major items of budgeted capital expenditure should be deferred, where possible, until the second or third quarter of the financial year. However all capital orders must be raised by the 30 April to allow adequate time for payment by June 30 of each year. In all cases, the timing of the expenditure on major items of capital should be discussed and agreed with the Deputy Chief Executive Officer.

Orders for Goods & Services

Purchase orders must be made out and signed by authorised persons for all goods and services ordered for the Shire at the time that the order is placed. **Orders should never be raised retrospectively.**

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$150,000. If the purchase is in excess of \$150,000 a requisition is to be authorised by the Chief Executive Officer prior to the order being issued:

1. Deputy Chief Executive Officer
2. Director Technical & Development Services
3. Manager Technical Services – Rural (road construction and plant only)

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$30,000. If the purchase

is in excess of \$30,000 a requisition is to be authorised by their supervisor prior to the order being issued;

1. Managers
2. Coordinator Property Services

The following staff may raise a purchase order in accordance with value procedures as previously set out in this clause to the maximum value of \$10,000.

1. Coordinators
2. Works Supervisor (Newman and Marble Bar)

If the purchase is in excess of \$10,000 a requisition is to be authorised by their supervisor prior to the order being issued.

Other officer's in line with relevant procedures will have authority to authorise purchases to the value of \$2,000.

Light Vehicle Purchases

The designated Fleet Officer is authorized to purchase light vehicles under \$150,000 utilising the WA State Purchasing Agreement and adhering to Council's budget decisions and Councils Light Vehicle Policy. Any vehicle incurring the luxury car tax will have to be approved by the Chief Executive Officer or the Deputy Chief Executive Officer.

Consultants Services

Services separately identified in the adopted budget to be at officer's discretion up to \$20,000.

Between \$20,001 and \$150,000 a Request For Quote procedure shall be utilised, in compliance with purchase thresholds.

A request for services, which it is envisaged, will exceed \$150,000 shall undergo the full tender process.

Light Vehicle Disposals

The preference for the disposal of light vehicles (less than \$150,000) is by public auction.

The reserve sale price is to be determined by the Manager Technical Services – Rural in conjunction with the Chief Executive Officer and/or the Director Technical and Development Services.

The following information sources will be utilised in determining the reserve sale price:

1. Valuation by the auction house.
2. Valuation from a recognised source i.e.: red book.
3. Internet research.
4. Past sales by auction house.

Disposals are to be completed within the same financial year, or within 3 months of receipt of a new vehicle, whichever is the sooner to maximise sales return

Regulatory Compliance

In the following instances public tenders or quotation procedures are exempt (regardless of the value of expenditure):

1. An emergency situation as defined by the Local Government Act 1995;
2. The purchase is under a contract of WALGA (Preferred Supplier Arrangements), Department of Treasury and Finance (permitted Common Use Arrangements), Regional Council, or another Local Government;
3. The purchase is under auction which has been authorised by Council;
4. The contract is for petrol, oil, or other liquid or gas used for internal combustion engines;
5. Any of the other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 apply;
6. The purchase is under the Shire of East Pilbara Supplier Panel and is under \$30,000 exc GST.
7. The goods or services are obtained through a person registered on the Aboriginal Business Directory WA for contracts worth \$250,000 or less.
8. The goods or services are obtained through an Australian Disability Enterprise.

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 3 – Economic – Planned Actions

- 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

3.2.1 Promote a variety of choice in local employment

Partnering With: State Government, Industry, NCCI, other relevant stake holders

Responsible officer: DCEO

Timing: 1-5 years

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

Partnering With: State Government, Industry, NCCI, other relevant stake holders

Responsible officer: DCEO

Timing: 1-5 years

3.1.2 Build a thriving and diverse economy

Partnering With: State Government, Industry, NCCI, other relevant stake holders

Responsible officer: DCEO

Timing: 1-5 years

RISK MANAGEMENT CONSIDERATIONS

The negative risk to Council reputation is through being perceived in not progressing tenders and expenditure in a timely manner. Risk is reduced by avoiding seasonal constraints and maintaining continuous operations. By awarding contracts as soon as possible will reduce risk of not completing the works in accordance with Council policy requirements and meeting grant acquittal conditions.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

Late Agenda Item 13.3.1 "Reallocation Funds for 2017/18 Approved Projects" of this agenda if approved, will alter to the following figures.

Account number 129617 budget \$620,000 to amended budget \$870,000

Account number 129627 budget \$320,000 to amended budget \$420,000

Note nil net impact on budget

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/81

MOVED: Cr Dean Hatwell

SECONDED: Cr Michael Kitchin

THAT Council

1. Delegate authority to the CEO (or in the absence of the CEO the Acting CEO) under s.5.42(1) and (2) and s.5.43(b) of the Local Government Act, to accept or reject the following tenders for the period to the 8th December 2017, up to the total budget detailed in Table 1:

Tender No.	Description	Fund Source	Account Expenditure	Total Budget (ex GST)
RFT 05-2017/18	Leasing of Kiosk at Newman Airport	N/A	N/A (Income)	N/A
RFT 04-2017/18	Drainage Works Newman	Roads to Recovery	129617 Pavement Failure and Drainage Works \$870,000 129627 Drainage Works \$420,000	\$1,290,000
RFT 06-2017/18	Refurbishment of existing 18.3m Diameter Secondary Clarifier at Sewage Treatment Facility-Newman	Bank Loan	109002 Sewage Plant Capital Improvements	\$1,033,000

2. Approve the Common Seal to be affixed under delegated authority to the CEO (or in the absence of the CEO the Acting CEO) for contracts between the Shire of East Pilbara and the successful tenderers.

CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 11 - 0

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

14 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

14.1 CONSIDERATION OF THE CEO SHORTLIST BE ACCEPTED AS A CONFIDENTIAL ITEM 14.1.1 AND TO BE DISCUSSED AFTER NO: 15 GENERAL BUSINESS

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/82

MOVED: Cr Michael Kitchin

SECONDED: Cr Gerry Parsons

THAT the Consideration of the CEO Shortlist be accepted as a Confidential item 14.1.1 and to be discussed after No: 15 GENERAL BUSINESS.

CARRIED BY ABSOLUTE MAJORITY

RECORD OF VOTE: 11 - 0

Confidential Item 14.1.1 Consideration of the CEO Shortlist was discussed and resolved after item no:15 GENERAL BUSINESS.

15 GENERAL BUSINESS

15.1 MARBLE BAR PIONEER CEMETERY

Cr Michael Kitchin asked if the Marble Bar Pioneer Cemetery could be whipper snipped as it is over grown in the NE & SE area.

Mr Rick Miller, Director Technical & Development Services to follow up.

12:55 PM Meeting adjourned for Lunch

1:58 PM Meeting resumed, All Councillors and staff returned to Chambers except for Cr Lang Coppin.

15.2 ROAD SIGNAGE

Cr Dean Hatwell said road signage has disappeared, heading to Nullagine on the intersection 8km of Limestone Road and Hillside Road floodway level indicator is missing.

Mr Rick Miller, Director Technical and Development Services to follow up.

15.3 NEWMAN SQUARE

Cr Anita Grace said the T section next to the old ANZ is it possible to put a give way sign as this is dangerous because people do not give way.

Mr Rick Miller, Director Technical and Development Services said this requires approval by Main Roads WA as it is not a Shire road and will follow this up.

15.4 WINDAMARRA CRES STREET LIGHTING

Cr Gerry Parsons said she has completed lighting forms and spoken with BHP Electrical regarding the street lighting on Windamarra Cres as it is very dark.

Mr Rick Miller Director Technical and Development Services to follow up.

15.5 OPTHALMIA DAM ROAD GRADED

Cr Gerry Parsons asked if the Ophthalmia Dam Road has been graded as it was so corrugated.

Mr Rick Miller, Director Technical and Development Services replied yes it was his understanding the road has been graded.

15.6 POT HOLES, PARDOO STREET

Cr Gerry Parsons spoke about the pot holes on Pardoo Street as this is very dangerous and requires urgent repairs.

Mr Rick Miller, Director Technical and Development Services replied a work order request has been completed and will be repaired.

15.7 SHADE SAIL NULLAGINE

Cr Bidy Schill said the sail shade between the Gallop Hall and Community Resource Centre-Nullagine has a tear and requires repairing if a work order can be created.

Ms Sian Appleton, Deputy Chief Executive Officer to follow up.

15.8 GALLOP HALL TOILET BLOCK

Cr Bidy Schill said the toilets next to Gallop Hall have been refurbished but when people are using the hall they can only use one toilet, as the other one is used for the CRC staff, and asking why they are locked and should be used for public using the Gallop Hall.

Ms Sian Appleton, Deputy Chief Executive Officer to follow up

15.9 BHP LOCAL BUSINESS ADVISORY PROGRAM

Cr Hoyer asked if the Shire could invite BHP Local Business Advisory Program to the next meeting to speak with Council regarding the program that will provide local business support to grow and develop.

Ms Sian Appleton, Deputy Chief Executive Officer to follow up.

14.1.1 CONFIDENTIAL CONSIDERATION OF THE CEO SHORTLIST

File Ref: CLR-1-1
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Sian Appleton
Deputy Chief Executive Officer
Proposed Meeting Date: 27 October 2017
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

CLOSED TO THE PUBLIC

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/83

MOVED: Cr Michael Kitchin

SECONDED: Cr Gerry Parsons

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

- (a) a matter affecting an employee or employees; and
- (b) the personal affairs of any person; and
- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 10 - 0**

2:31 PM Ms Sian Appleton, Mr Rick Miller, Mrs Sheryl Pobrica left Chambers.

REPORT PURPOSE

For Council to consider the list of applicants for the new Chief Executive Officer position and determine a shortlist of applicants for interview.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/84

MOVED: Cr Michael Kitchin

SECONDED: Cr Gerry Parsons

THAT Council consider the list of applicants for the Chief Executive Officer and determine a shortlist of applicants for interview and details of where and when interviews will be held.

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 10 - 0**

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201718/85

MOVED: Cr Michael Kitchin

SECONDED: Cr Gerry Parsons

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

**CARRIED BY ABSOLUTE MAJORITY
RECORD OF VOTE: 10 - 0**

2:50 PM Ms Sian Appleton, Mr Rick Miller, Mrs Sheryl Pobrica returned to the Chambers.

16 DATE OF NEXT MEETING

8th December 2017, Newman

17 CLOSURE

2:51 PM