

**SHIRE OF EAST PILBARA
ORDINARY MEETING
28 February 2025**



Minutes to be confirmed at the next Ordinary Council Meeting on 28 March 2025.

I hereby certify that these Minutes are a true and correct record as confirmed by Council at the Ordinary Council Meeting on 28 March 2025

Presiding Member's Signature

Date

28/3/2025

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President declared the Shire of East Pilbara Council Meeting of 28 February 2025 open at 10.30am held in the Newman Council Chambers.

The President acknowledged the Traditional Owners of the land on which the Council met, the Nyiyaparli People, and their continuing connection to the land, waters and community. Council also acknowledged the Martu People as the Custodians of Jigalong which sits in Nyiyaparli Country. The Council paid its respects to all their Elders, past, present and emerging.

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

All present were advised that the meeting was being live streamed and audio recorded which can be accessed by members of the public and the media, as such Council Members were reminded to refrain from making any defamatory statements. All present were also advised that the meeting was also being live streamed, a recording of which is available on the Shire's YouTube channel.

Members of the public in attendance were advised that anyone who has any application lodged with the Shire of East Pilbara must obtain and should only rely on the 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.

The Shire President welcomed Mr Emil Moul to the Shire and to his first Council Meeting as the Acting Director Corporate Services.

2 ATTENDANCE BY ELECTRONIC MEANS

Requests to attend the meeting via a virtual platform were received from:

- Cr Wendy McWhirter-Brooks
- Cr Lou Lockyer

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

3 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3.1 ATTENDANCES

Council Members

Anthony Middleton	Shire President
Cr Wendy McWhirter-Brooks	Deputy Shire President / Councillor (MS Teams)
Cr Lee Anderson	Councillor
Cr Peta Baer	Councillor
Cr David Evrett	Councillor
Cr David Kular	Councillor
Cr Karen Lockyer	Councillor (MS Teams)
Cr Annabell Landy	Councillor
Cr Milton Chapman	Councillor

Executive Team

Steven Harding	Chief Executive Officer
Nicole O'Neill	Director Community Experience
Etienne Vorster	Director Infrastructure Services
Emil Moul	Acting Director Corporate Services
Scott Greenhill	Acting Director Corporate Services
Malcolm Somers	Acting Director Regulatory Services

Shire Officers

Joshua Brown	Manager Governance, Risk and Procurement
Sally Fry	Governance Administration Officer (<i>MS Teams</i>)

Public Gallery

Nil

3.2 APOLOGIES

Nil

3.3 LEAVE OF ABSENCE

Nil

4 DISCLOSURE OF INTEREST

Name	Cr Lou Lockyer
Item No and Title of Report	12.1.4 - Sponsorship Request from Banjima Native Title Aboriginal Corporation
Nature of Interest	Pursuant to section of 5.60A of the Local Government Act 1995, the nature of the interest is: ' <u>FINANCIAL</u> '
Reason	Cr Lockyer is a financial beneficiary of the named group.
Action Taken	Cr Lockyer was attending the meeting via MS Teams and will disconnect electronically for the discussion and vote for this item.

5 DECLARATIONS BY COUNCIL MEMBERS TO HAVE GIVEN DUE CONSIDERATION TO ALL MATTERS CONTAINED IN THE BUSINESS PAPER BEFORE THE MEETING

The following declarations were made by the below listed Council Members:

"I have given due consideration to all matters that are contained in the Business Papers before this meeting."

Anthony Middleton	Shire President
Cr Wendy McWhirter-Brooks	Deputy Shire President / Councillor
Cr Lee Anderson	Councillor
Cr Peta Baer	Councillor
Cr David Evrett	Councillor
Cr David Kular	Councillor
Cr Karen Lockyer	Councillor
Cr Annabell Landy	Councillor
Cr Milton Chapman	Councillor

6 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

Nil

7 PUBLIC QUESTION TIME

Nil

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

9 APPLICATION FOR LEAVE OF ABSENCE

Nil

10 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETINGS

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 84)**

Moved: Cr Baer

Seconded: Cr Anderson

That the Minutes of the Ordinary Council Meeting held on 13 December 2024 and the Special Council Meeting held on 7 February 2025 as published on the Shire Website and Councillor Portal be confirmed as true and correct records of proceedings.

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

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Chapman, Cr Evrett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

11 MEMBERS REPORTS

Council Members were advised that their Members Reports should be forwarded to Governance for inclusion in the Minutes of the meeting.

Shire President, Anthony Middleton:

- Attended Canberra Meeting with Government Ministers with the Chief Executive Officer.

12 OFFICER REPORTS

12.1 DIRECTORATE - EXECUTIVE

12.1.1 NOTIFICATION OF SUCCESSFUL GRANT APPLICATIONS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 85)

Moved: Cr Baer

Seconded: Cr Evrett

That Council notes the success of five grant applications by the Shire by various funding bodies.

CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0

For: Shire President Middleton, Deputy Shire President, Cr Anderson, Cr Baer, Cr Chapman,
Cr Evrett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

12.1.2 APPOINTMENT OF PRESIDING PERSON TO EXISTING COMMITTEES

COUNCIL RESOLUTION
(Resolution No: 2025 / 86)

Moved: Cr Anderson

Seconded: Cr Kular

That Council:

1. Renames the Audit, Risk and Governance Committee to the Audit Committee;
2. Appoints Shire President, Anthony Middleton as Presiding Member of the Audit Committee;
3. Appoints Shire President, Anthony Middleton as Presiding Member of the Chief Executive Officer Performance Review Committee;
4. Appoints Cr Lee Anderson as Presiding Member of the Marble Bar Local Emergency Management Committee;
5. Appoints Shire President, Anthony Middleton as Presiding Member of the Newman Local Emergency Management Committee;
6. Appoints Cr Wendy McWhirter-Brooks as Presiding Member of the Nullagine Local Emergency Management Committee;
7. Adopts the consequential amendments to the Terms of Reference of each Committee (Appendix 1); and
8. That LEMC Terms of Reference be amended to include Station Owners as non-voting members.

CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 9/0

For: Shire President Middleton, Deputy Shire President, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer
Against: None

An amendment to the original Officers Recommendation was proposed by Cr Wendy McWhirter-Brooks to add Point 8 as detailed in the substantive recommendation above. The amendment was carried with the agreement of the Mover and Seconder.

12.1.3 COUNCIL MEMBER SUPERANNUATION

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 87)

Moved: Cr Everett
Seconded: Cr Baer

That Council authorises the payment of superannuation contributions to Council Members from 1 March 2025, in accordance with sections 5.99B to 5.99E of the *Local Government Act 1995*, and Commonwealth *Superannuation Guarantee (Administration) Act 1992*.

CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 9/0

For: Shire President Middleton, Deputy Shire President, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer
Against: None

12.1.4 SPONSORSHIP REQUEST FROM BANJIMA NATIVE TITLE ABORIGINAL CORPORATION

Cr Lockyer declared an interest in this item and left the virtual platform she was attending on (MS Teams) at 10.45am, and returned virtually at 10.47am.

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 88)

Moved: Cr Baer
Seconded: Cr Chapman

That Council:

- Declines the Sponsorship request from Banjima Native Title Aboriginal Corporation for the Karijini Experience 2025 on the following grounds: that the application is ineligible for funding as the event is held outside the East Pilbara District, and insufficient supporting evidence has been provided to quantify the economic and social benefits to the East Pilbara District; and**

2. Invites the Banjima Native Title Aboriginal Corporation to submit a funding application for its 2026 Karijini Experience, detailing the economic and social benefits for the District, with a focus on partnerships with East Pilbara District businesses and visitor service providers.

CARRIED
RECORD OF VOTE 8/0

(Resulting from a Disclosure of Interest Cr Lockyer was absent for vote)

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy
Against: None

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12.1.5 LOCAL GOVERNMENT SECTOR FEEDBACK - LOCAL GOVERNMENT REGULATIONS AMENDMENT REGULATIONS 2024

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 89)

Moved: Cr Baer

Seconded: Cr Landy

That Council endorses the draft submission (attached as Appendix 1) for consideration by the WA Local Government Association in its preparation of its submission to the Department of Local Government, Sports and Cultural Industries in relation to proposed amendment regulations for online registers and Chief Executive Officer recruitment and key performance indicators.

CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0

For: Shire President Middleton, Deputy Shire President, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer
Against: None

12.1.6 RENEWAL OF LEASE - PORTION OF LOT 531, DP 61934 (RADIO HILL, NEWMAN)

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 90)**

Moved: Cr Anderson

Seconded: Cr Kular

That Council:

1. Authorises the Chief Executive Officer to write to the Department of Planning, Land and Heritage to express interest in exercising the renewal of the Shire's Lease (P442973) over Lot 531 on Deposited Plan 61934 (Radio Hill, Newman); and
2. Authorises the Chief Executive Officer to implement the decision immediately following the conclusion of this Council Meeting, in order to meet the DPLH deadline.

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

For: Shire President Middleton, Deputy Shire President, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

12.1.7 MINUTES AND DECISIONS OF THE 2023/24 GENERAL ELECTORS' MEETING - 7 FEBRUARY 2025

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 91)**

Moved: Cr Baer

Seconded: Cr Everett

That Council:

1. Notes the Unconfirmed Minutes of the 2023/24 General Meeting of Electors held on 7 February 2024;
2. Notes the General Meeting of Electors decisions to receive the President's Report and the Annual Report for the 2023/24 Financial Year, for the reasons that the report to the General Meeting of Electors was in accordance with regulation 15 of the Local Government (Administration) Regulations 1996, which requires that the contents of the annual report for the previous financial year must be considered before all other general business.

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

For: Shire President Middleton, Deputy Shire President, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

12.1.8 STATUS OF COUNCIL DECISIONS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 92)

Moved: Cr Anderson

Seconded: Cr Baer

That Council notes the report.

CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0

For: Shire President Middleton, Deputy Shire President, Cr Anderson, Cr Baer, Cr Chapman,
Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

12.1.9 AFFIXING THE COMMON SEAL UNDER DELEGATED AUTHORITY

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 93)

Moved: Cr Baer

Seconded: Cr Kular

That Council notes the report.

CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0

For: Shire President Middleton, Deputy Shire President, Cr Anderson, Cr Baer, Cr Chapman,
Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

12.2 DIRECTORATE - CORPORATE SERVICES

12.2.1 STATUTORY BUDGET REVIEW AS AT 31ST DECEMBER 2024

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 94)**

Moved: Cr Baer

Seconded: Cr Landy

That Council:

- 1. Adopts the Shire of East Pilbara Revised Annual Budget 2024/2025 Financial Activity Statement included as Appendix 1; and**
- 2. Authorises the Chief Executive Officer to submit the Budget Review to the Department of Local Government, Sport and Cultural Industries.**

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

For: Shire President Middleton, Deputy Shire President, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

**12.2.2 MONTHLY FINANCIAL STATEMENTS, INSURANCE AND INVESTMENT
REPORT AS AT 31 JANUARY 2025**

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 95)**

Moved: Cr Baer

Seconded: Cr Lockyer

That Council adopts the Monthly Financial Statements for the period ending 31 January 2025 of the 2024/2025 financial year included as Appendices 1 and 2 to the report.

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

For: Shire President Middleton, Deputy Shire President, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

**12.2.3 MONTHLY FINANCIAL STATEMENTS, INSURANCE AND INVESTMENT
REPORT AS AT 31 DECEMBER 2024**

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: 2025 / 96)

Moved: Cr Baer

Seconded: Cr Everett

That Council adopts the Monthly Financial Statements for the period ending 31 December 2024 of the 2024/2025 financial year included as Appendices 1 and 2 to the report.

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

For: Shire President Middleton, Deputy Shire President, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

**12.2.4 LIST OF PAYMENTS - MONTHS ENDING 31 DECEMBER 2024 AND 31
JANUARY 2025**

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: 2025 / 97)

Moved: Cr Baer

Seconded: Cr McWhirter-Brooks

That Council endorses the below payments for the period of 1 December 2024 to 31 January 2025:

EFT Payments	\$9,944,243.07
MasterCard Cheque	\$22,371.66
Payments Direct	\$0
Payments	\$158,808.21

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

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

12.3 DIRECTORATE - REGULATORY SERVICES

12.3.1 SHIRE OF EAST PILBARA LOCAL PLANNING SCHEME NO. 4 - REPORT OF REVIEW

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: 2025 / 98)

Moved: Cr Baer

Seconded: Cr Anderson

That Council:

- 1. Adopts the Shire of East Pilbara Local Planning Scheme No. 4 - Report of Review and supports its recommendation to prepare a new Local Planning Scheme for the Shire of East Pilbara.**
- 2. Requests that the Shire forward the Council's resolution and the Report of Review to the Western Australian Planning Commission for its consideration.**

CARRIED UNANIMOUSLY

RECORD OF VOTE 9/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Chapman, Cr Evrett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

12.4 DIRECTORATE - INFRASTRUCTURE SERVICES

12.4.1 POLICY REVIEW - RUBBISH BIN REPLACEMENT

COUNCIL RESOLUTION

(Resolution No: 2025 / 99)

Moved: Cr Baer

Seconded: Cr Landy

That Council accepts the review of and adopts the revised Rubbish Bin Replacement Policy (attached as Appendix 2), according to the schedule of fees and charges.

CARRIED UNANIMOUSLY

RECORD OF VOTE 9/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Chapman, Cr Evrett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

An amendment to the original Officers Recommendation was proposed adding the following narrative: 'according to the schedule of fees and charges'.

With the agreement of the Mover and Seconder this addition was carried and forms part of the substantive motion detailed above.

13 COMMITTEE REPORTS

13.1 DIRECTORATE - EXECUTIVE

13.1.1 COMPLIANCE AUDIT RETURN 2024

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 100)

Moved: Cr Baer

Seconded: Deputy Shire President McWhirter-Brooks

That Council, pursuant to regulation 14(3)(b) of the *Local Government (Audit) Regulations 1996* that Council adopts the Compliance Audit Return for the period 1 January to 31 December 2024 and authorises the Chief Executive Officer to submit the completed Return to the Department of Local Government, Sports and Cultural Industries.

CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 9/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

13.1.2 MINUTES OF THE AUDIT, RISK AND GOVERNANCE COMMITTEE MEETING - 13 DECEMBER 2024

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 101)

Moved: Cr Baer

Seconded: Cr Anderson

That Council notes the unconfirmed minutes of the Ordinary Meeting of the Audit, Risk and Governance Committee held on 13 December 2025 as published on the Shire's website.

CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

**13.1.3 MINUTES OF THE SPECIAL AUDIT, RISK AND GOVERNANCE COMMITTEE
MEETING - 18 FEBRUARY 2025**

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 102)

Moved: Cr Baer

Seconded: Cr Anderson

That Council:

- 1. Notes the unconfirmed minutes of the Special Meeting of the Audit, Risk and Governance Committee held on 18 February 2025 as published on the Shire's website.**
- 2. Notes the Committee's review of the Compliance Audit Return 2024 and its recommendation.**

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

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson,
Cr Baer, Cr Chapman, Cr Evrett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

14 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

**15 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN
GIVEN**

Nil

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

A late item was circulated to Council Members. Item 16.1 is a report for Council to consider a motion in relation to the Country Health Services Strategic Plan.

COUNCIL DECISION

(Resolution No: 2025 / 103)

Moved: Shire President Middleton

Seconded: Cr Baer

That Council consider Item 16.1 as new business of an urgent nature immediately.

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

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson,
Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

16.1 NOTICE OF MOTION - COUNTRY HEALTH SERVICE STRATEGIC PLAN 2025-30

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No: 2025 / 104)

Moved: Shire President Middleton

Seconded: Cr Baer

1. **That Council:Authorises the Chief Executive Officer to write to the Premier, the Minister for Health and the WA Country Health Services in response to the community consultation on the proposed development of the WA Country Health Services Strategic Plan 2025-30, detailing Council's concern for improved access to primary health care services in the District of East Pilbara; and**
2. **Authorises the Chief Executive Officer to undertake further direct advocacy activities in support of improved access to primary health care services throughout the District.**

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

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson,
Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

17 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

COUNCIL DECISION

(Resolution No: 2025 /105)

Moved: Cr Baer

Seconded: Cr Evrett

That items:

17.1.1	PROPOSED PROPERTY ACQUISITION - STAFF HOUSING
17.2.1	AWARD OF TENDER - RFT 09-2024/25 - REPLACEMENT OF EXISTING REINFORCED CONCRETE FLOODWAY - MUCCAN SHAY GAP ROAD DE GREY RIVER CROSSING
17.2.2	AWARD OF TENDER - RFT 11-2024/25 - NULLAGINE AQUATIC CENTRE CONCRETE AND ROCK PITCHING WORKS
17.2.3	AWARD OF TENDER - RFT 14-2024/25 - FLOODWAY CONSTRUCTION WORKS - SKULL SPRINGS ROAD

of the Agenda be dealt with behind closed doors, in accordance with Section 5.23(2) of the Local Government Act 1995.

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

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Chapman, Cr Evrett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

The meeting was closed to the public at 11:18 am and live streaming of the meeting was interrupted by Governance Staff at this point.

Cr Wendy McWhirter-Brooks and Cr Lou Lockyer, attending the meeting via a virtual platform (MS Teams) in accordance with the regulation on members attending by electronic means, both declared that they will maintain confidentiality during the closed part of the meeting in accordance with regulations.

The Councillors were advised that their declarations will be recorded in the Minutes.

17.1 DIRECTORATE - REGULATORY SERVICES

17.1.1 PROPOSED PROPERTY ACQUISITION - STAFF HOUSING

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 106)**

Moved: Cr Baer

Seconded: Deputy Shire President McWhirter-Brooks

That Council:

1. Pursuant to section 6.8 of the Local Government Act 1995, adopts the following budget amendment:

Account	Amendment
Reduction of projected FY24 Surplus Funds	(\$362,000)
Capital Expenditure Staff Housing - Acquisition of Property	362,000

2. Authorises the Chief Executive Officer to negotiate the purchase of the following property detailed in the confidential report, up to the amount not exceeding the ceiling price identified in the confidential report:

a. Property A

3. Authorises the Chief Executive Officer to finalise the purchase of the property, to sign and execute the contract documents for sale, subject to undertaking all necessary due diligence, and within the ceiling price identified in the confidential report.

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

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

17.2 DIRECTORATE - INFRASTRUCTURE SERVICES

**17.2.1 AWARD OF TENDER - RFT 09-2024/25 - REPLACEMENT OF EXISTING
REINFORCED CONCRETE FLOODWAY - MUCCAN SHAY GAP ROAD DE
GREY RIVER CROSSING**

Cr Lee Anderson left the Chamber at 11.30am and returned at 11.31am. Cr Anderson was absent for the vote of this item.

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 107)**

Moved: Cr Anderson

Seconded: Deputy Shire President McWhirter-Brooks

That Council:

- 1. Awards Tender RFT 09-2024/25 - Replacement of Existing Reinforced Concrete Floodway - Muccan Shay Gap Road De Grey River Crossing to WA Concrete Pty Ltd for the contracted price \$927,659 (GST excl);**
- 2. Authorises the Chief Executive Officer to finalise the Contract between the Shire of East Pilbara and WA Concrete Pty Ltd;**
- 3. Authorises the Chief Executive Officer to approve any minor contract variations during the Contract duration in accordance with Council's Minor Variations Policy; and**
- 4. Authorises the Chief Executive Officer to apply the Common Seal of the Shire of East Pilbara to a Contract between WA Concrete Pty Ltd and the Shire of East Pilbara.**

CARRIED

RECORD OF VOTE 8/0

(Cr Anderson was absent for the vote of this item)

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Baer, Cr Chapman, Cr Evrett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

**17.2.2 AWARD OF TENDER - RFT 11-2024/25 - NULLAGINE AQUATIC CENTRE
CONCRETE AND ROCK PITCHING WORKS**

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 108)**

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Baer

That Council:

1. Rejects all tenders received for RFT 11-2024/25 Nullagine Aquatic Centre Concrete and Rock Pitching Works and authorises the Chief Executive Officer to terminate RFT 11-2024/25; and
2. Notes a new procurement process will be undertaken in relation to the concrete and rock pitching works for the Nullagine Aquatic Centre.

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

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson,
Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

**17.2.3 AWARD OF TENDER - RFT 14-2024/25 - FLOODWAY CONSTRUCTION
WORKS - SKULL SPRINGS ROAD**

**COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 109)**

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Everett

That Council:

1. Rejects Tender RFT 14-2024/25 - Floodway Construction Works - Skull Springs Road and open direct negotiations with any suitably qualified contractors for the same scope.

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

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson,
Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer

Against: None

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION
(Resolution No: 2025 / 110)

Moved: Cr Baer

Seconded: Cr Anderson

That the meeting return to Open Council in accordance with 5.23(2) of the *Local Government Act 1995*.

CARRIED UNANIMOUSLY
RECORD OF VOTE 9/0

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Anderson, Cr Baer, Cr Chapman, Cr Everett, Cr Kular, Cr Landy, Cr Lockyer
Against: None

18 DATE OF NEXT MEETING

The next meeting of Council is scheduled for 28 March 2025 and will be held in the Marble Bar Council Chambers.

19 CLOSURE

The Shire President declared the Shire of East Pilbara Ordinary Council Meeting of 28 February 2025 closed at 11 44am and thanked Council Members and Staff for their attendance.

He also acknowledged the service of outgoing Acting Director Corporate Services, Mr Scott Greensill and outgoing Acting Director Regulatory Services, Mr Malcolm Somers, and thanked them both for their service to Shire.

Please hover cursor below and click for access to 28 February 2025 Agenda: