



EAST PILBARA SHIRE COUNCIL

AGENDA

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council will be held,
in Council Chambers, Newman,
10.00 AM, FRIDAY, 28 JULY, 2017.

Allen Cooper
CHIEF EXECUTIVE OFFICER



DISCLAIMER

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

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

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

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

WRITTEN CONFIRMATION

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

Signed: _____
Allen Cooper
Chief Executive Officer

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1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Cr Lynne Craigie	Shire President
Cr Lang Coppin OAM	Deputy Shire President
Cr Anita Grace	Councillor
Cr Bidy Schill	Councillor
Cr Craig Hoyer	Councillor
Cr Shane Carter	Councillor
Cr Gerry Parsons	Councillor
Cr Jeton Ahmedi	Councillor
Cr Dean Hatwell	Councillor
Cr Michael Kitchin	Councillor

Officers

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

Public Gallery

2.2 APOLOGIES

Councillor Apologies

Officer Apologies

2.3 LEAVE OF ABSENCE

3 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

4 PUBLIC QUESTION TIME

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

5.1 ABORIGINAL MALE'S HEALING CENTRE

Mr Devon Cuimara, Founder CEO, Aboriginal Male's Healing Centre will speak to Council regarding Reserve 47747 proposal.

6 APPLICATIONS FOR LEAVE OF ABSENCE

7 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

7.1 CONFIRMATION OF MINUTES

[Minutes June 30 2017 Council.DOCX](#)

OFFICER'S RECOMMENDATION

THAT the minutes of the Ordinary Meeting of Council held on 30 June 2017, be confirmed as a true and correct record of proceedings.

8 MEMBERS REPORT

8.1 ITEMS FOR RECOMMENDATION

8.2 ITEMS FOR INFORMATION

9 OFFICER'S REPORTS

9.1 CHIEF EXECUTIVE OFFICER

9.1.1 CHIEF EXECUTIVE OFFICER STATUS OF COUNCIL DECISION - JUNE 2017

Attachments:	Letter-Email
File Ref:	CLR-4-5
Responsible Officer:	Mr Allen Cooper Chief Executive Officer
Author:	Mrs Sheryl Pobrica Executive Services Administration Officer
Proposed Meeting Date:	28 July 2017
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

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

STATUTORY IMPLICATIONS/REQUIREMENTS

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

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

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.1 *Ethical, accountable and transparent decision-making*

RISK MANAGEMENT CONSIDERATIONS

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

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT the Chief Executive Officer "Status of Council Decisions" Report for the month of June 2017 be received.

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	RESPONSIBLE OFFICER	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
26 May 2017	13.5	<p>APPRENTICESHIPS WESTRAC</p> <p>Cr Gerry Parsons asked if a letter can be written to Westrac to ask why they are not offering apprenticeships in the Pilbara as it is advertised for Perth only.</p> <p>Mr Allen Cooper, CEO follow up.</p>	CEO	<p>Letter sent awaiting response</p> <p>Response via email 03/07/2017 (as attached)</p>	In Progress
30 June 2017	13.9	<p>BIKE LOCK REGISTER</p> <p>Cr Lynne Craigie said the Karratha Police have issued bike locks and maintain a bike lock register. It is running very well. Is it possible our police in Newman can do the same?</p> <p>Mr Allen Cooper, Chief Executive Officer to follow up.</p>	CEO	Email sent awaiting response	In Progress

**9.1.2 SEEKING PUBLIC COMMENT ON A PROPOSED PLASTIC BAG
REDUCTION LOCAL LAW**

File Ref:	LEG-5
Attachments:	DRAFT SoeP Plastic Bag Reduction Local Law 2017.pdf
Responsible Officer:	Mr Allen Cooper Chief Executive Officer
Author:	Mr Grant Watson Coordinator Executive Services
Proposed Meeting Date:	28 July 2017
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to seek public comment on the possible introduction of a Plastic Bag Reduction Local Law for the Shire of East Pilbara prior to formal consideration by Council.

BACKGROUND

The newly elected WA Labor party has stated that it would not oppose local governments introducing local laws to reduce waste to protect the environment. At least 7 other local governments are currently considering or progressing a local law to prohibit the supply of single use plastic bags by retailers.

Legislation to prohibit retailers from providing customers with single use plastic bags is now in force in South Australia, Tasmania, the ACT and the Northern Territory.

COMMENTS/OPTIONS/DISCUSSIONS

The environmental impact of plastic bags on the environment is well documented. Reducing the availability of single use plastic bags to the public via retail outlets is likely to reduce this type of plastic as a source of litter and reduce the waste stream disposed of to landfill.

The definition of a 'single use plastic bag' would refer to a bag with a thickness of less than 35 microns. This would be in alignment with similar legislation currently in place in the SA, ACT, NT, Tasmania and other local governments.

STATUTORY IMPLICATIONS/REQUIREMENTS

The *Local Government Act 1995* empowers local governments to make local laws on certain matters. Should Council resolve to make the proposed local law, it will be advertised for public comment in accordance with requirements specified under section 3.12 of the *Local Government Act 1995*. In summary, this required advertising via a State wide public notice and a period for submissions of not less than 6 weeks.

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.

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 4 – Environmental – Planned Actions

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

4.1 Reduce the Shire's ecological footprint

4.1.2 Promote recycling
Responsible officer: DTDS
Timing: 1-3 Years

4.2 Promote a sustainable environment

4.2.1 Cultivate clean green towns
Responsible officer: MCW
Timing: 1 Year

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

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

9.2 DEPUTY CHIEF EXECUTIVE OFFICER

**9.2.1 DEPUTY CHIEF EXECUTIVE OFFICER - STATUS OF COUNCIL DECISION
- JUNE 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: 28 July 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

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COMMENTS/OPTIONS/DISCUSSIONS

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 - (b) determine the local government's policies.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

RISK MANAGEMENT CONSIDERATIONS

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

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

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

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
17 March 2017 21 April 2017	9.2.4 9.2.2	COMMUNITY ASSISTANCE GRANTS MARCH 2017	MCW		Completed
21 April 2017	9.2.4	DRAFT 2017-2018 DIFFERENTIAL RATING MODEL	DCEO	With Dept for Approval	
26 May 2017	9.2.2	REVIEW OF MEMBER MEETING ATTENDANCE FEES 2017/18	DCEO		Completed
26 May 2017	9.2.3	BUDGET REALLOCATION	CBS		Completed
26 May 2017	9.2.4	ADOPTION OF PROPOSED FEES AND CHARGES 2017/18	DCEO	Will be included in budget deliberations	
26 May 2017	9.2.5	AMENDMENT TO PROCUREMENT AND TENDER PROCEDURES POLICY	CPO		Completed
26 May 2017	9.2.6	IRON PERSONS GYM INC LOCATED AT LOT 702, NORTH NEWMAN RESERVE - AGREEMENT OPTION TERM	CPS		Completed
26 May 2017	9.2.7	NEWMAN HOUSE LEASE – agreement with NEMMS JV PTY LTD FOR OFFICE	CPS		Completed

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

28 JULY, 2017

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		ACCOMMODATION.			
26 May 2017	9.2.8	COMMUNITY ASSISTANCE GRANTS MAY 2017	MCW		Completed
26 May 2017	9.2.9	SEEKING COUNCILLOR REPRESENTATION ON NEWMAN YOUTH AND FAMILY HUB STEERING COMMITTEE	MCW		Completed
26 May 2017	9.2.10	SWIMMING POOL MAINTENANCE WORKS	MRE		Completed
26 May 2017	9.2.11	SUNDRY DEBTORS WRITE OFF	RFO		Completed
26 May 2017	11.1.1	DIFFERENTIAL RATE SUBMISSIONS 2017/18	DCEO		Completed
26 May 2017	13.1	JUNIOR SPORTING PAVLION COMPLEX Councillor Gerry Parsons said the toilets at the Junior Sporting Complex had not been cleaned and was unacceptable. Ms Sian Appleton, Deputy CEO to follow up.	DCEO		Completed

9.2.2 COUNCIL BUDGET 2017 2018

File Ref:	FIN-23-10
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Sian Appleton Deputy Chief Executive Officer
Proposed Meeting Date:	28 July 2017
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

To adopt Council's budget for the 2017/2018 year.

BACKGROUND

Council is required to adopt its budget for 2017/2018 by the 31st August 2017. The draft budget (under separate cover) has been compiled with regard to Council's strategic documents, resolutions of Council over the last 12 months and input from Councillors and Council Officers.

COMMENTS/OPTIONS/DISCUSSIONS

Council must adopt the budget by the 31st August 2016, or seek an extension from the Minister for Local Government.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995

6.2. *Local government to prepare annual budget*

(1) *During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt*, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the 30 June next following that 31 August.*

** Absolute majority required.*

Local Government (Financial Management) Regulations 1996

Part 3 — Annual budget — s. 6.2

22. *Form and content of annual budget (Act s. 6.2(1))*

- (1) *The annual budget of a local government is to be in a form that includes the following —*
- (a) *an income statement;*
 - (b) *a cash flow statement;*
 - [(c) *deleted*]
 - (d) *a rate setting statement showing details of —*
 - (i) *the revenue and expenditure that have been taken into account to determine the budget deficiency; and*
 - (ii) *the total amount of the general rates to be imposed; and*
 - (iii) *any deficit or surplus remaining after the imposition of the general rates;*
 - (e) *in relation to the rates proposed to be imposed by the local government, the information set forth in regulation 23;*
-

- (f) *in relation to the service charges proposed to be imposed by the local government, the information set forth in regulation 24;*
 - (g) *in relation to the fees and charges proposed to be imposed by the local government, whether under the Act or under any other written law, the information set forth in regulation 25;*
 - (h) *in relation to —*
 - (i) *any discount or other incentive proposed to be granted for early payment of any amount of money; or*
 - (ii) *the proposed waiver or grant of a concession in relation to any amount of money; or*
 - (iii) *the proposed writing off of any amount of money,*
the information set forth in regulation 26;
 - (i) *notes containing the information set forth in regulation 27 and such other supporting notes, tables and other information as the local government considers will assist in the interpretation of the annual budget.*
- (2) *The financial information disclosed in the annual budget, other than the cash flow statement, is to be compiled on an accrual accounting basis.*

POLICY IMPLICATIONS

3.3 BUDGET PREPARATION

3.5 BUDGET MANAGEMENT – CAPITAL ACQUISITIONS

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.

1.1 Efficient and effective local government

1.1.2 Continued strong financial management
Responsible officer: DCEO

RISK MANAGEMENT CONSIDERATIONS

The budget is legislatively required. A budget is necessary for solid financial management and good governance.

FINANCIAL IMPLICATIONS

To allow for the Council’s financial operations for the 2017/2018 financial year.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council

1. **Adopt the 2017/2018 draft budget as presented;**
2. **Adopt the schedule of rates, sewerage rates, fees and charges and rubbish, as detailed.**

**9.2.3 AFFIXING COMMON SEAL UNDER DELEGATED AUTHORITY – HEART
AT ART RESIDENCY**

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Dawn Brown
Contract & Procurement Officer

Proposed Meeting Date: 28 July 2017

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

This report is to advise Council of the documents that have had the Shire of East Pilbara's Common Seal affixed under delegated authority since the Council meeting held 30th June, 2017.

BACKGROUND

The three documents that have had the Shire's Common Seal affixed under delegated authority are in relation to the 2017 Art at the Heart Residency Program.

The 2017 Art at the Heart Residency Program will consist of each of the three Artists from the Art at the Heart program in 2014, 2015 and 2016 working together with the Residency Curator (Damian Smith) to present an exhibition that showcases all three artists' Art at the Heart residencies. The exhibition should be cognisant of the previous Art at the Heart themes of Landscape, Aquatic Environment and Light.

The exhibition will showcase the previous and new works produced by Hannah Quinlivan, Yasuaki Onishi and Olaniyi Rasheed Akindiya, to be installed in the East Pilbara Arts Centre in September 2017.

COMMENTS/OPTIONS/DISCUSSIONS

There are three documents that have had the Shire's Common Seal affixed under delegated authority since the last Council meeting.

The three documents are:

Document	Details	Parties	Synergy TC No.
Agreement	2017 Art at the Heart Residency	Hannah Quinlivan	TC2017527
Agreement	2017 Art at the Heart Residency	Olaniyi Rasheed Akindiya	TC2017529
Agreement	2017 Art at the Heart Residency	Yasuaki Onishi	TC2017528

The Agreements all commenced on the 12th June, 2017 and expire on the 25th September, 2017.

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.

And Delegated Authority as per:

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) _____

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

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

RISK MANAGEMENT CONSIDERATIONS

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

- 1. Have been advised that the Common Seal has been affixed under delegated authority to the Agreement between the Shire of East Pilbara and Hannah Quinlivan in relation to the 2017 Art at the Heart Residency.**
- 2. Have been advised that the Common Seal has been affixed under delegated authority to the Agreement between the Shire of East Pilbara and Olaniyi Rasheed Akindiya in relation to the 2017 Art at the Heart Residency.**
- 3. Have been advised that the Common Seal has been affixed under delegated authority to the Agreement between the Shire of East Pilbara and Yasuaki Onishi in relation to the 2017 Art at the Heart Residency.**

9.2.4 AFFIXING COMMON SEAL UNDER DELEGATED AUTHORITY – ART AT THE HEART CURATORSHIP & WORLD VISION AUSTRALIA

Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer

Author: Ms Dawn Brown
Contract and Procurement Officer

Proposed Meeting Date: 30 June 2017

Location/Address: N/A

Name of Applicant: N/A

Author Disclosure of Interest: Nil

REPORT PURPOSE

This report is to advise Council of the documents that have had the Shire of East Pilbara's Common Seal affixed under delegated authority since the Council meeting held 26th May, 2017.

BACKGROUND

There are two documents that have had the Shire's Common Seal affixed under delegated authority since the last Council meeting.

The two documents are:

Document	Details	Parties	Synergy TC No.
Agreement	EOI 02-2016/17 Art at the Heart Curatorship	Damian Smith	TC2017520
Lease	Newman House – Further Option Term 1 year to 30/6/2018	World Vision Australia	TC2016462

There is also a third document (Ethnic Disability Services Centre – Newman House Option Term) that an individual Report to Council is being prepared for the June 2017 Ordinary Council meeting in relation to the Common Seal being affixed.

COMMENTS/OPTIONS/DISCUSSIONS

Nil

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

Power/Duty/Authorisation Delegated:

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

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

Authority for exercise of Power/Duty/Authorisation

Conditions attached to Delegation

Also refer to Council's Standing Orders Local Law

Date of Delegation _____

Delegator (Shire President) _____

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

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

RISK MANAGEMENT CONSIDERATIONS

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

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council

- 1. That Council have been advised that the Common Seal has been affixed under delegated authority to the Agreement between the Shire of East Pilbara and Damian Smith in relation to the 2017 Art at the Heart Curatorship.**
- 2. That Council have been advised that the Common Seal has been affixed under delegated authority to the Lease between the Shire of East Pilbara and World Vision in relation to the further option term for office space at Newman House to the 30th June, 2018.**

9.2.5 STRATEGIC WORKFORCE PLAN 2017/2018

File Ref:	STR-3-12
Attachments:	Workforce Plan 17-21 V1.0 2.docx
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Sian Appleton Deputy Chief Executive Officer
Proposed Meeting Date:	28 July 2017
Location/Address:	N/A
Name of Applicant:	N/A
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to endorse the Strategic Workforce Plan Review as part of the continuing Local Government Reform initiatives.

BACKGROUND

Council adopted the Strategic Workforce Plan on the 24th May 2013 as part of the informing strategies for the Integrated Planning Framework and was reviewed in 2015.

COMMENTS/OPTIONS/DISCUSSIONS

Economic and financial conditions constantly change and it is important that the Strategic Workforce Plan acknowledges this.

Workforce planning is seen as a continuous process of shaping the workforce to ensure that it is cable of delivering organisational objectives now and into the future.

This document informs the production of the Corporate Business Plan and Long Term Financial Plan and therefore the annual budget.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part of the State Government's Local Government Reform Initiatives.

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

1.1.2 Continued strong financial management

1.2 Foster a great place to work

1.2.3 Plan, attract and maintain staff

RISK MANAGEMENT CONSIDERATIONS

The acceptance of a Strategic Workforce Plan is good governance and allows for transparent and accountable decisions.

FINANCIAL IMPLICATIONS

Any additional costs will be considered in the long term financial plan and the annual budget process.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorses the Strategic Workforce Plan 2017/2018.

9.2.6 REQUEST FOR FIVE YEARS OF FUNDING BY NEWMAN AMATEUR SWIMMING CLUB

Attachments:	NASC Funding Shire Letter 2017.pdf
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Ms Simmone Van Buerle Manager Recreation & Events
Proposed Meeting Date:	28 July 2017
Location/Address:	N/A
Name of Applicant:	Lisa Parker
Author Disclosure of Interest:	Nil

REPORT PURPOSE

For Council to consider a request from Newman Amateur Swimming Club (NASC) for support over the next five years including; free lane hire, free entry for members and additionally, for subsidised out of hours use for Club nights for the 2017/2018 season.

BACKGROUND

At the 3 December 2013 Council meeting, Council resolved that Council offer free lane hire for training and trial sessions that occur within normal opening hours of the Newman Aquatic Centre to NASC for the next consecutive five years, up to the maximum value of \$5,000 per year. In addition to this, NASC members also received free entry to the Aquatic Centre for club sessions.

At the 23 October 2015 Council meeting, Council endorsed a further subsidy to NASC of approximately \$3,500 for subsidised out of hours use of the Aquatic Centre for Club Nights.

Last financial year the approximate total of the subsidy was \$11,293.00

COMMENTS/OPTIONS/DISCUSSIONS

NASC has written to Council on 28 June 2017 requesting further support for the club. The letter is attached for Councillor's information and is summarised below:

We are requesting the following as per the previous support:

- *Free lane hire for training sessions that occurs within normal opening hours of the Newman Aquatic Centre up to 2022/23 to the maximum value of \$5000 per financial year*
- *Free entry for club members, registered with the club for the purpose of club activities only up to 2022/23*

We wish to apply for additional support which was proposed in 2015 of the following as well:

- *Use of the pool outside of normal opening hours of the Newman Aquatic Centre for Club nights/activities (up to 10) per year for the total cost of \$2000, for the 2017/18 season, this will then be applied for on a yearly basis.*

NASC currently lease their club rooms from Council for an annual service fee of \$500. The clubs pays the electricity charges for these club rooms. The club currently has around 45 members who train on average two to three times per week. In 2016/2017, the Club was given free entry for their members at a cost of \$6964.30, which was incurred by the Shire.

The proposed 2017/2018 Fees and Charges for Newman Aquatic Centre will charge \$15 per hour for lane hire and \$280 per hour for the Centre's out of hours use. The Club booked Lane Hire charges to the value of \$5,558.26 in 16/17 of which NASC was invoiced for \$558.25 (the Shire incurring \$5,000).

Costing of the additional subsidy request is calculated at \$560 per night (based on two hours of out of hours use) for ten occasions per year = \$5,600 annually, of which NASC are prepared to pay \$2,000. The subsidy requested is thus \$3,600 annually.

Other junior sporting clubs are not charged usages fees for ovals and green spaces but are charged sports ground lighting fees if they elect to train and/or play at night. The level of support Council provided for some other junior clubs in 2016/2017 is below:

- Newman Junior Football Council \$9,600
- Newman Junior Soccer Association \$8,280
- Newman Junior Cricket Association \$2,864
- Net-Set-Go \$1,848

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 2 – Social – Planned Actions

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

2.1 Health and recreation

- 2.1.1 Promote safe and healthy communities
Partnering With: NGO's, State Government
Responsible officer: MCW
Timing: 1-3 years

- 2.1.2 Encourage active lifestyles
Partnering With: State Government, Industry
Responsible officer: MCW
Timing: 1-3 years
- 2.1.3 Encourage high rates of participation in community activities and events
Partnering With: Industry
Responsible officer: MCW
Timing: 1 year
- 2.1.4 Support individual and community health
Partnering With: NGO's, State Government, Industry
Responsible officer: MCW
Timing: 1-5 years

RISK MANAGEMENT CONSIDERATIONS

- 1. Possible reputational risk to Council if funding is not provided due to the precedence of previous support provided to NASC
- 2. An inequity between the support for NASC and other junior sporting clubs may also give rise to reputational risk to Council.

FINANCIAL IMPLICATIONS

There are no current resources allocated, will need to be considered as part of next budgetary process. Total financial implication is \$14,600 annually.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council consider subject to annual budget consideration to:

- 1. Offer free lane hire for training sessions that occur within normal opening hours of Newman Aquatic Centre for the next five consecutive years (to 2022/2023), up to the maximum value of \$5,000 per year.
- 2. Provide free entry for Club members for the purpose of Club activities for the next five consecutive years (to 2022/2023) to the maximum value of \$6,000 per year.
- 3. Provide a subsidy to Newman Amateur Swimming Club for out of hour use of Newman Aquatic Centre in 17/18 for a maximum amount of \$3,600.
- 4. Subsidise the above upon submission of an annual report which includes membership numbers and detailed financial statement by September 30th of each year.

**9.2.7 FINANCIAL REPORTING AND MATERIALITY THRESHOLD - 1ST JULY
2017 - 30 JUNE 2018**

File Ref: FIN-23-5
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Mrs Lisa Davis
Acting Manager Finance
Proposed Meeting Date: 28 July 2017
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

For Council to consider and approve the level of materiality required under the Local Government (Financial Management) Regulations 1996, Regulation 34(5), for financial reporting in respect of variances to the original adopted budget.

BACKGROUND

Local Government (Financial Management) Regulations 1996, Regulation 34(5) requires that each financial year, a Local Government is to adopt a percentage or value, calculated in accordance with Australian Accounting Standards Board (AASB) 1031, to be used in the statement of financial activity for reporting material variances. Council need to take into account the level of materiality which it is to adopt, as explanations for each material variance is required as per the Local Government (Financial Management) Regulations 1996, Regulation 34(2).

COMMENTS/OPTIONS/DISCUSSIONS

Under Local Government (Financial Management) Regulations 1996, Regulation 34(5), each financial year a Local Government is to adopt a percentage or value, calculated in accordance with AASB 1031 (formerly AAS 5), to be used in the statement of financial activity for reporting material variances.

Local Government (Financial Management) Regulations 1996, Regulation 34(2) requires an explanation for each material variance in the Statement of Financial Activity against the original adopted budget.

As per AASB 1031.9, information is material if its omission, misstatement or non-disclosure has the potential to adversely affect decisions about the allocation of scarce resources made by users. It also can affect the discharge of accountability by the management or governing body of the entity.

As local governments are not for profit entities that are primarily concerned with the achievements of objectives rather than the generation of profit, the material variance needs to be assessed carefully.

The Shire of East Pilbara Financial Management Reports use a materiality threshold to measure, monitor and report on the financial performance and position of the Shire. Currently the materiality threshold used is variances greater or lower than 10% of the original adopted budget, and greater than \$10,000 in value.

Under AASB 1031.15, quantitative thresholds are used as guidance for determining the materiality of the amount of an item or an aggregate of items. It is therefore recommended that in the Financial Management Reports this materiality be applied to a sub function level.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1996 (Part 4) – Section 6.4

Local Government (Financial Management) Regulations 1996

Part 4—Financial reports—s.6.4

34. Financial activity statement required each month (LGA s.6.4)

(1A)

(5) Each financial year, a local government is to adopt a percentage or value, calculated in accordance with the AAS, to be used in statements of financial activity for reporting material variances.

AASB 1031 – Materiality – July 2004

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

1.1.2 Continued strong financial management
Responsible officer: DCEO

RISK MANAGEMENT CONSIDERATIONS

The acceptance of the material variance levels are a legislative requirement. The amount of 10% of the original budget and a value greater than \$10,000 allows for transparency and accountability in financial reporting.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION

THAT Council adopt a material variance of plus or minus 10% of the original budget and a value greater than \$10,000, to be applied per sub-function level, for the financial year 2017/2018.

9.2.8 MONTHLY FINANCIAL REPORT - MAY 2017

Attachments:	Monthly Statement - May 2017.pdf May 2017 Variance Report.doc
Responsible Officer:	Ms Sian Appleton Deputy Chief Executive Officer
Author:	Mrs Noelene Holmes Coordinator Financial Services
Proposed Meeting Date:	28 July 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 2016 to 31st May 2017 of the 2016/2017 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

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

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

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

That the monthly financial statements for the period 1st July 2016 to 31st May 2017 of the 2016/2017 financial year as presented be received.

9.2.9 CREDITORS FOR PAYMENT

File Ref: FIN10-2
Attachments: [Schedule of Accounts EFT 1.pdf - May.pdf](#)
[Schedule of Accounts Chq 1.pdf - May.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Memory Mandaza
Expenditure Finance Officer
Proposed Meeting Date: 30 June 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 26 MAY 2017.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments		2,787,226.94
	Total	\$2,787,226.94
Cheque Payments		6,631.28
Manual Cheques		0
	Total	\$6,631.28
	GRAND TOTAL	<u>\$2,793,858.22</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

Nil

CANCELLED CHEQUES & EFTS

EFT#s 38136, 38148, 38154, 38215, 38218, 38274, 38436 & 38473

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 \$2,793,858.22

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments		2,787,226.94
	Total	\$2,787,226.94
Cheque Payments		6,631.28
Manual Cheques		0
	Total	\$6,631.28
	GRAND TOTAL	<u>\$2,793,858.22</u>

9.2.10 CREDITORS FOR PAYMENT

File Ref: FIN10-2
Attachments: [Schedule of Accounts Chq 1.pdf](#)
[Schedule of Accounts EFT 1.pdf](#)
Responsible Officer: Ms Sian Appleton
Deputy Chief Executive Officer
Author: Ms Memory Mandaza
Expenditure Finance Officer
Proposed Meeting Date: 28 July 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 30 JUNE 2017.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	VOUCHER	AMOUNT
EFT Payments	EFT #38562 - #39393	5,166,571.03
	Total	\$5,166,571.03
Cheque Payments	CHQ #24305 - 24315	7,054.15
Manual Cheques		0
	Total	\$7,054.15
	GRAND TOTAL	<u><u>\$5,173,625.18</u></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

Nil

CANCELLED CHEQUES & EFTS

EFT#s 38501-38561, 38621, 38631-38779, 38786-38894, 38963 & 39359

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 \$5,173,625.18

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

THAT Council endorse the payments:

FUND	VOUCHER	AMOUNT
EFT Payments	EFT #38562 - #39393	5,166,571.03
	Total	\$5,166,571.03
Cheque Payments	CHQ #24305 - #24315	7,054.15
Manual Cheques		0
	Total	\$7,054.15
	GRAND TOTAL	<u>\$5,173,625.18</u>

9.3 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES

**9.3.1 DIRECTOR TECHNICAL AND DEVELOPMENT SERVICES STATUS OF
COUNCIL DECISION - JULY 2017**

File Ref: CLR-4-5
Responsible Officer: Mr Rick Miller
Director Technical and Development Services
Author: Mrs Sheryl Pobrica
Executive Services Administration Officer
Proposed Meeting Date: 28 July 2017
Location/Address: N/A
Name of Applicant: N/A
Author Disclosure of Interest: Nil

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

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

STATUTORY IMPLICATIONS/REQUIREMENTS

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

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

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

Goal 1 – Civic Leadership – Planned Actions

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

1.1 Efficient and effective local government

1.1.1 Ethical, accountable and transparent decision-making

RISK MANAGEMENT CONSIDERATIONS

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

FINANCIAL IMPLICATIONS

Nil

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION

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

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
16 December 2011	13.5	SIGNS – RECOGNITION ON THE DESERT ROADS	MDS-P	<i>Refer to Information Bulletin</i>	<i>In Progress</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>In Progress</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	Design and costings to be reviewed. Will discuss options with BHP to partner on costings and works	Aug 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 when by Manager Development Services - Planning	Aug 2017
26 May 2017	9.3.2	Affixing of the common seal to the memorandum of understanding – all Pilbara local governments & shire of East Pilbara	MCS	Further discussions are in progress to incorporate Council's additional comments Awaiting response from applicant	Aug 2017
26 May 2017	13.6	NEW CONTRETE DRAINS Cr Shane Carter asked will a fence be erected where the new concrete drains are being installed behind St John's or who is responsible for liability if someone gets hurt? Mr Rick Miller, Director Technical and Development Services to follow up.	DTDS	The Shire has insurance to cover these types of risk. It is expected that the risk would not have significantly changed. In light of the query Shire Officers will review the risk associated with all town open drains.	Aug 2017
30 June 2017	13.3	MOSQUITO CONTROL MARBLE BAR Cr Lang Coppin asked about the Mosquito control program in Marble Bar – particularly mosquito repellent for septic tanks? Mr Rick Miller, Director Technical and Development Services replied that changes have been made to make the process simpler. Instead of having to insert tablets into the septic tank; a simple mixed chemical solution can either be flushed in the toilet or poured into the external house gully trap, once a month. The shire	DTDS	Refer to Information Bulletin 28 July 2017	Complete

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

28 JULY, 2017

COUNCIL MEETING DATE	ITEM NO	COUNCIL RESOLUTION	DIRECTORATE	ACTION TAKEN/ STATUS	ESTIMATED COMPLETION DATE
		is trialling this activity to collate time and costings. We are also in discussions with who are interested in carrying out this activity at no cost to the shire.			
30 June 2017	13.4	WATER ISSUE MARBLE BAR Cr Lang Coppin asked if a letter could be written regarding the replacement programme of pipework for the town's water supply after the recent outage from burst pipes. Mr Rick Miller, Director Technical and Development to follow up	DTDS CTDS	Correspondence has been sent to Water Corporation.	Aug 2017
30 June 2017	13.6	OLD POST OFFICE - NEWMAN Cr Anita Grace said the old post office building is becoming run down, can this be brought to the attention of the owner. Mr Rick Miller, Director Technical and Development Services to follow up.	DTDS	Development Services team inspected building and there are no actionable issues with the building. MDSB will contact the owner and request information on their future plans for the site	Complete
30 June 2017	13.8	LEMC MEETING NULLAGINE Cr Bidy Schill said at the last LEMC meeting in Nullagine the emergency evacuation centre was notified incorrectly, it should be the school not the Gallop Hall. Mr Allen Cooper, Chief Executive Officer to follow up with Mr Clint Swadling, Manager Community Safety.	MCS	MCS advised the local Police OIC Nullagine, that the School is the evacuation Centre. This will also be reconfirmed at the next LEMC meeting.	Complete
30 June 2017	13.10	COMPLAINTS ABOUT BARKING DOGS Cr Lynne Craigie said barking dogs are an issue on face book. Can we provide information for community regarding complaints? Can we provide pamphlets? Mr Rick Miller, Director Technical and Development Services stated information is readily available?	MCS	An information session will be discussed on radio on 17/07/2017. A fact sheet will also be put together and available on shire social media sites.	Complete

10 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

12 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

12.1.1 AVIAIR PILBARA-RPT AIR SERVICE PROPOSAL DISCUSSIONS

File Ref: STR-9
Responsible Officer: Mr Allen Cooper
Chief Executive Officer
Author: Mr Grant Watson
Coordinator Executive Services
Proposed Meeting Date: 28 July 2017

PURPOSE

To seek Council approval for the Chief Executive Officer to continue discussions on the Aviair Pilbara-Link Proposal.

OFFICER'S RECOMMENDATION

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

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

- (i) a trade secret; or
- (ii) information that has a commercial value to a person; or
- (iii) information about the business, professional, commercial or financial affairs of a person,

where the trade secret or information is held by, or is about, a person other than the local government.

OFFICER'S RECOMMENDATION

THAT Council approves for the Chief Executive Officer to continue discussions with Aviair and the other three Pilbara local governments on the *Aviair Pilbara-Link* Proposal.

OFFICER'S RECOMMENDATION

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

13 GENERAL BUSINESS

14 DATE OF NEXT MEETING

25 August 2017, Newman

15 CLOSURE