Unconfirmed copy of Minutes of Meeting held on 28 June 2019 subject to confirmation at meeting to be held on 26 July 2019

EAST PILBARA SHIRE COUNCIL

MINUTES

ORDINARY COUNCIL MEETING

NOTICE IS HEREBY GIVEN that an
ORDINARY Meeting of the Council was held,
in Gallop Hall, Nullagine,
12:30PM, FRIDAY, 28 JUNE 2019.

Jeremy Edwards
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: _____
Jeremy Edwards
Chief Executive Officer

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	4
2	SWEARING IN OF DEPUTY PRESIDENT	4
3	RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE	4
	3.1 ATTENDANCES	4
	3.2 APOLOGIES	4
	3.3 LEAVE OF ABSENCE	5
4	RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE	6
5	PUBLIC QUESTION TIME	6
	5.1 MR NICK INGRAM	6
	5.2 MR WERNER SCHILL	8
6	PETITIONS/DEPUTATIONS/PRESENTATIONS	9
7	APPLICATIONS FOR LEAVE OF ABSENCE	9
	7.1 CR DEAN HATWELL	9
8	CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING	9
	8.1 24 MAY 2019	9
	8.2 SPECIAL COUNCIL MEETING 20 JUNE 2019	10
9	MEMBERS REPORT	11
	9.1 ITEMS FOR RECOMMENDATION	11
	9.2 ITEMS FOR INFORMATION	11
10	OFFICER'S REPORTS	14
	10.1 CHIEF EXECUTIVE OFFICER	14
	10.1.1 STATUS OF COUNCIL DECISION - MAY 2019	14
	10.1.2 AUTHORISATIONS AND DELEGATIONS MANUAL ANNUAL REVIEW	21

10.1.3 POLICY MANUAL ANNUAL REVIEW 160

10.1.4 REVIEW OF STANDING ORDERS LOCAL LAW 2010 453

10.2 EM CORPORATE SERVICES 560

10.2.1 AUDIT COMMITTEE 24TH MAY 2019 560

10.2.2 STATUS OF CAPITAL PROJECT UPDATE AS AT 31 MAY 2019 617

10.2.3 CORPORATE BUSINESS PLAN ANNUAL REVIEW 654

10.2.4 CORPORATE BUSINESS PLAN UPDATE 681

10.2.5 DIFFERENTIAL RATE SUBMISSION 2019/20 694

10.2.6 CREDITORS FOR PAYMENT 700

10.2.7 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 APRIL 2019 733

10.3 EM COMMERCIAL SERVICES 761

10.3.1 NEWMAN HOUSE - APPROVAL TO ENTER A NEW LEASE AGREEMENT WITH PILBARA COMMUNITY LEGAL SERVICES 761

10.3.2 EAST PILBARA RACE CLUB - NEW LEASE AGREEMENT FOR RESERVE 39519 764

10.4 EM CUSTOMER & COMMUNITY SERVICES 769

10.4.1 AFFIXING THE COMMON SEAL TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE MARBLE TOURIST ASSOCIATION INC. AND THE SHIRE OF EAST PILBARA 769

10.4.2 SENIOR SCHOOL ENGAGEMENT PROGRAM TO BE LOCATED AT NEWMAN YOUTH CENTRE 775

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 783

11.1 CR LANG COPPIN OAM 783

12 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN 786

12.1 CR LANG COPPIN OAM 786

12.2 CR MICHAEL KITCHIN 788

13 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY A DECISION OF COUNCIL 790

14 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS 790

14.1 ABANDON THE PURCHASE OF LOT 1412 (16) HILDITCH AVENUE, NEWMAN WA 6753 791

14.2 NEWMAN VISITORS CENTRE 792

14.3 INTER-REGIONAL FLIGHTS 794

14.4 AIRPORT SECURITY SERVICES NEWMAN AIRPORT 796

14.5 RECOMMENDATION REPORT RFT 12-2018 19 AIRPORT LIGHTING DESIGN 797

14.6 CHIEF EXECUTIVE OFFICER - ANNUAL LEAVE DELEGATION 798

15 DATE OF NEXT MEETING 799

16 CLOSURE 799

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Chairman declared the meeting open at 12:34PM and welcomed the visitors in the public gallery.

2 SWEARING IN OF DEPUTY PRESIDENT

Councillor Anita Grace was elected to the office of Deputy President on 24 May 2019. Councillor Grace having been elected to the Position of Deputy President of the Shire of East Pilbara made her declaration of office on 28 June 2019 at Nullagine before Mr Jeremy Edwards Chief Executive Officer of the Shire of East Pilbara.

3 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

3.1 ATTENDANCES

Councillors

Cr Lynette Craigie OAM	Shire President
Cr Anita Grace	Councillor
Cr Anthony Middleton	Councillor
Cr Geraldine Parsons	Councillor
Cr Michael Kitchin	Councillor
Cr Langtree Coppin OAM	Councillor
Cr Carol Williams	Councillor
Cr Bridget Schill	Councillor

Officers

Mr Jeremy Edwards	Chief Executive Officer
Ms Sian Appleton	Executive Manager Corporate Services
Mr Ben Lewis	Executive Manager Commercial Services
Ms Lisa Clack	Executive Manager Customer & Community Services
Mr Raees Rasool	Executive Manager Infrastructure Services
Mrs Kylie Bergmann	Coordinator Governance
Mrs Gabrielle Anderson	Governance Administration Officer

Public Gallery

Mr Nick Ingram	Nullagine Police Office
Mr Werner Schill	Nullagine resident
Ms Tracey Wild	Nullagine resident

3.2 APOLOGIES

Councillor Apologies

Cr Dean Hatwell	Councillor

Officer Apologies

3.3 LEAVE OF ABSENCE

4 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

5 PUBLIC QUESTION TIME

5.1 MR NICK INGRAM

QUESTION 1: Can the Shire of East Pilbara and Nullagine Police form a memorandum of understanding regarding the use and hire of the Gallop Hall for community events? (Wave the bond and hire fee in the interest of having more community orientated events at the premises, and stream line the hire process).

RESPONSE: It is possible that the Shire could enter into a memorandum of understanding (MOU) with WAPOL – Nullagine Police, however it is not recommended as a MOU creates its own level of administration without necessarily achieving a more streamlined hire process.

The Nullagine Police could consider running activities in partnership with the Shire's Community Wellbeing – Rural team. A partnership approach would mean that the Police would be relieved of the burden of administration and costs relating to the use of the Shire facilities and therefore facilitating an increase in community events in Gallop Hall. A partnership approach would also mean speedier responses to event/activity proposals as many would be considered add-ons to existing approved programs.

Shire Officers will be in contact with Nullagine Police to discuss this option.

QUESTION 2: What is the allocated budget and funding for community engagement events in Nullagine for the 2019/2020 financial year?

RESPONSE: The draft budget for Community Engagement in Nullagine in 2019/20 is $22,969, which includes $10,619 in direct staff costs and $12,350 in direct program costs.
In addition to this amount, further funding and programs are made available to Nullagine through Recreation and Events area. Scheduled activities during 2019/20 include a Colour Run, Easter activity as well as educational workshops such as the Erth's Dinosaur Zoo Show in August. These additional activities are valued at approximately $5,000 to $6,000 per annum.
The Shire also supports external providers through in-kind support and advice to enable them to bring programs to Nullagine including the likes of Fairgame and Ngurra Kujungka.

QUESTION 3: **The existing children's playground area at the north end of Gallop Park has extensive damage to the mat ground covering, and the playground itself is outdated and not 'fit for purpose' for the youth in Nullagine. Can the Shire of East Pilbara replace the playground with an updated more suitable structure, such as an 'adventure' style playground with climbing wall, rope challenges, tall slide and similar features? This proposal would provide the youth, young and old, of Nullagine with a facility that would challenge their coordination and fitness and would also enhance the town for visitor/tourists with children.**

RESPONSE: Gallop Hall Park was inspected by a third party consultant on the 13th of May 2019 and a condition report was produced. Overall the condition of the infrastructure based on the below scale is considered to be average to poor. This indicates that renewal is warranted but not urgent based on the Institute of Public Works Engineers Australia asset management guidelines. As such council will budget for the design and costings of renewing this playground in the 19/20 financial year with the construction in the 20/21 financial year. Staff will attend to minor maintenance items outlined in the report.

Playground Component	Condition Rating
Play Structure	Average/Poor
Swing Set	Average
Spring Rocker	Average
Soft fall	Poor

Condition Ratings

(Individual items of equipment detailed on the following page)

1 - Excellent - No damage. Condition as new or near new. No maintenance requirements.
2 - Good - Only minor signs deterioration to surface finishes. No major defects. Minor maintenance may be required.
3 - Average - Moderate wear and tear, including surface deterioration. Minor maintenance intervention and/or minor component replacement required.
4 - Poor - Significant deterioration and/or equipment damage. Maintenance and/or component replacement required.
5 - Failed - Severe deterioration or equipment damage and/or serious structural problems. Equipment requires decommissioning and/or replacement.

** Based on IPWEA asset condition assessment guidelines.*

5.2 MR WERNER SCHILL

QUESTION 1: **What is happening with the radio antennas in Nullagine?**

RESPONSE: *Question taken on notice.*

QUESTION 2: **What is happening with the 5 mile crossing?**

RESPONSE: *Question taken on notice.*

6 PETITIONS/DEPUTATIONS/PRESENTATIONS

7 APPLICATIONS FOR LEAVE OF ABSENCE

7.1 CR DEAN HATWELL

Cr. Dean Hatwell has applied for a leave of absence for the period 12th August 2019 to 3rd September 2019

COUNCIL RESOLUTION: 201920/157

MOVED: Cr Michael Kitchin SECONDED: Cr Geraldine Parsons

THAT Cr Dean Hatwell be granted leave of absence for the period 12th August 2019 to 3rd September 2019

CARRIED UNANIMOUSLY

To be actioned by Mr Jeremy Edwards, Chief Executive Officer

8 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL MEETING

8.1 24 MAY 2019

Minutes May 24 2019 Council.DOCX

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/158

MOVED: Cr Geraldine Parsons SECONDED: Cr Anita Grace

THAT the minutes of the Ordinary Meeting of Council held on 24 May 2019, be confirmed as a true and correct record of proceedings, with the following added:

NOMINATIONS FOR THE POSITION OF DEPUTY SHIRE PRESIDENT
The Chief Executive Officer called for nominations for the position of Deputy Shire President at the Ordinary Council meeting 24 May 2019.

Three nominations were received and accepted; Cr Anita Grace, Cr Dean Hatwell and Cr Anthony Middleton.

Being more nominations than positions available, an election was held.

The results of the election were as follows:

Cr Anita Grace	(4)
Cr Anthony Middleton	(3)
Cr Dean Hatwell	(1)

Cr Anita Grace was declared elected to the position of Deputy Shire President.

CARRIED UNANIMOUSLY

To be actioned by Mr Jeremy Edwards. Chief Executive Officer

8.2 SPECIAL COUNCIL MEETING 20 JUNE 2019

Minutes June 20 2019 Council.DOCX

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/159

MOVED: Cr Geraldine Parsons **SECONDED: Cr Anita Grace**

THAT the minutes of the Special Meeting of Council held on 20 June 2019, be confirmed as a true and correct record of proceedings.

CARRIED UNANIMOUSLY

To be actioned by Mr Jeremy Edwards, Chief Executive Officer

9 MEMBERS REPORT

9.1 ITEMS FOR RECOMMENDATION

9.2 ITEMS FOR INFORMATION

Cr Lynette Craigie OAM

- Reconciliation Ball
- Reconciliation Family Day
- Teleconference Councillor Catch up
- Teleconference Special Council Meeting
- Dinner/Meeting with Kerry Sanderson and Helen Hardcastle
- History Project Meeting x 2
- Meeting with WDLAC – Tony McCrae & Melvin Farmer
- Meeting with Martu Farm – Angela Wilmott
- Mens Shed Meeting with Dave Garland, Tony Carroll, Cr Middleton and CEO
- Catch up with BHP General Manager Marie
- Catch up with Sue Michoff BHP
- Citizenship Ceremony
- Meeting with Minister Saffiotti
- Opening of Coongan Gorge Road
- Visitor Centre Meeting
- Catch up with CME Rob Caruthers
- Catch up with Minister Templeman
- Meeting with Brendan Grylls – Aviair
- ALGA Board Meeting
- NGA Conference
- WA Delegate Breakfast/Meeting
- ALGWA Breakfast/Meeting

- City of Swan/SoEP Awards
- City of Swan catch up
- LMDR Meeting
- Meeting with Alannah McTiernan
- Newman Women's Empowerment Series – Guest Speaker
- BHP Catch up with Danielle

Cr Anita Grace

- Reconciliation Ball
- Teleconference Councillor Catch up
- Special Council Meeting
- Meeting with Director General for Communities and Simon Taylor Regional Director for Communities

Cr Lang Coppin OAM

- Teleconference Special Council Meeting
- Teleconference Councillor Catch up

Cr Gerry Parsons

- Reconciliation Ball
- Reconciliation Family Fun Day
- NCCI Meeting
- Teleconference Councillor Catch up
- Special Council Meeting
- Meeting with DG Communities and Simon Taylor Regional Director Communities

Cr Anthony Middleton

- Reconciliation Ball
- Pilbara Kimberley Regional Forum
- Teleconference Councillor Catch up

Cr Bridget Schill

- LEMC Meeting Nullagine
- Teleconference Board Meeting Visitor Centre Newman
- Teleconference Councillors Catch-up
- Teleconference Special Council Meeting

Cr Dean Hatwell

- Teleconference Special Council Meeting
- Road Opening and Dinner with the Planning Commission in Port Hedland
- LEMC Meeting

Cr Michael Kitchin

- Pilbara Kimberley Regional Forum
- Pilbara Economic Development
- Design WA Stage One – for Metro DPLH members Decision Maker Information
- Teleconference Special Council Meeting

Cr Carol Williams

- NIL

10 OFFICER'S REPORTS

10.1 CHIEF EXECUTIVE OFFICER

10.1.1 STATUS OF COUNCIL DECISION - MAY 2019

File No:	**CLR-4-5**
Attachment:	**Appendix 1 – Council Resolution Register**
Responsible Officer:	**Mr Jeremy Edwards Chief Executive Officer**
Author:	**Mrs Gabrielle Anderson Governance Administration Officer**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

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

BACKGROUND

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

COMMENTS/OPTIONS/DISCUSSIONS

The status of Council Decisions is included as an attachment (***Appendix 1 refers***)

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

RISK MANAGEMENT CONSIDERATIONS

In order to remain transparent and to facilitate timely and appropriate decision making, it is requested that action items be reviewed at each Council meeting.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/160

MOVED: Cr Michael Kitchin **SECONDED: Cr Geraldine Parsons**

THAT the "Status of Council Decisions" report for the month of May 2019 be received.

CARRIED UNANIMOUSLY

To be actioned by Mrs Gabrielle Anderson, Governance Administration Officer

Appendix 1

Council Resolution Register

SHIRE OF EAST PILBARA - COUNCIL RESOLUTIONS REGISTER
24/05/2019 - Ordinary Council Meeting

Item No	Responsible Officer	Report Title	Accepted Recommendation	Council Resolution No.	Actioning Officer	Comments/Action Taken	Completion Date
CHIEF EXECUTIVE OFFICER							
8.1	CEO	Confirmation of Minutes of Previous Council Meeting	THAT the minutes of the Ordinary Meeting of Council held on 26 April 2019 be confirmed as a true and correct record of proceedings.	201819/120	CEO	Noted.	28/05/2019
10.1.1	CEO	Status of Council Decisions - December 2018	THAT the "Status of Council Decisions" report for the month of April 2019 be received.	201819/121	GO	Completed.	24/05/2019
13.1	CEO	Late Item: Extraordinary Vacancy - South Ward	THAT Council seek the approval of the Western Australian Electoral Commissioner for the South Ward vacancy to remain vacant, and to fix the ordinary election day of 19 October 2019, as the day for the extraordinary election to fill the vacancy.	201819/152	CG	Complete. Letter sent to the WAEC on 28/05/2019	28/05/2019
13.2	CEO	Late Item: Purchase of Lot 1412 (16) Hilditch Avenue, Newman	THAT Item 13.2 – Purchase of Lot 1412 (16) Hilditch Avenue, Newman be considered under confidential matters behind closed doors.	201819/153	CEO	Noted.	28/05/2019
14.1	CEO	Late Item: Purchase of Lot 1412 (16) Hilditch Avenue, Newman	THAT Council revoke the previous decision of Council made on 14th December 2018 – Item 12.1.2 Acquisition of Lot 1412 (16) Hilditch Avenue, Newman WA 6753 – Council resolution 201819/96.	LOST	CEO	An item to consider abandoning this purchase is being presented to the Council meeting of 28 June 2019.	17/06/2019
14.4	CEO	Chief Executive Officer Performance Review 2018/19		201819/156	CEO	This matter is being progressed with the Shire President.	17/06/2019
EXECUTIVE MANAGER CORPORATE SERVICES							
10.2.1	EMCS	Adoption of Proposed Fees & Charges 2019/2020	1. Approve the proposed schedule of fees and charges, with the following changes; • Delete Direct Debit Joining Fee for Newman Recreation Centre - $69 • Casual gym class for the Recreation Centre shall remain the same as 18/19 at $15 • Group Fitness Membership 3 months shall remain the same as 18/19 at $175 • Group Fitness Membership 6 months shall remain the same as 18/19 at $255 • Group Fitness Membership 12 months shall remain the same as 18/19 at $420 • Adult Pool Entry shall remain the same as 18/19 at $5 2. Include the proposed schedule of fees and charges in Council's draft 2019/2020 annual budget for consideration.	201819/141	MCS	Noted.	14/06/2019
10.2.2	EMCS	Creditors for Payment	**THAT Council endorse the payments:** **FUND** / **VOUCHER** / **AMOUNT** EFT Payments / EFT #47659 - #48008 / $1,680,063.07 MasterCard Payments / EFT #47935 / $3,071.70 **Total** / **$1,683,134.77** Cheque Payments / CHQ #24730 - #24740 / $13,051.97 Direct Debit Payments / DD12537.1 – DD12559.9 / $100,162.45 Manual Cheque Payments / - / 0 **Total** / **$113,214.42** **GRAND TOTAL** / **$1,796,349.19**	201819/142	EFO	Completed.	14/06/2019

10.2.3	EMCS	Draft 2019/20 Differential Rates	That Council 1. Endorse the advertising of the Council's intention to levy the following differential rates in 2019/2020 <table><tr><th>Category</th><th>2018-19 Rate in Dollar Proposed</th><th>2019-20 Minimum</th></tr><tr><td>Gross Rental Value</td><td>0.073662</td><td>$663</td></tr><tr><td>Unimproved Value – Pastoral/Other</td><td>0.085900</td><td>$230</td></tr><tr><td>Unimproved Value – Mining Leases</td><td>0.171800</td><td>$430</td></tr></table> 2. Endorse the Objects and Reasons for the proposed differential rates as presented at Appendix 1;	201819/143	EMCS	Advertised	14/06/2019
10.2.4	EMCS	Review of Meeting Attendance Fees and Member Allowance	1. Endorse the following annual allowances and meeting attendance fees for inclusion in the 2019/20 budget to be paid quarterly in arrears based on a 1% rise on sitting fees and allowances – a) Councillor's Meeting Fees - $162,610 (An Annual Fee of $16,260 per Councillor) b) President's Meeting Fees - $21,820 2. A Telecommunications Allowance per annum to be paid quarterly in arrears of $1,000 to all councillors and $2,000 to the Shire President. 3. A Presidential Allowance of $44,440 per annum to be paid quarterly in arrears. 4. A Deputy Presidential Allowance of $11,110 per annum to be paid quarterly in arrears. AMENDMENT MOVED: Cr Dean Hatwell SECONDED: Cr Anita Grace Remove the words "in arrears" on paragraphs 1-4. Para 1. Change the percentage to 80% of the maximum = $18,584 per councillor and $24,919 for President's Meeting Fees	LOST	MCS	Noted.	14/06/2019
10.2.5	EMCS	Statement of Financial Activity for the Period ending 31 March 2019	That the monthly financial statements for the period 1st July 2018 to 31st March 2019 of the 2018/2019 financial year as presented be received.	201819/144	MCS	Completed.	14/06/2019
10.2.6	EMCS	Status of Capital Works as at 30 April 2019	That Council receive the Capital Works Program Report for the period 1st July 2018 to 30th April 2019 as presented.	201819/145	EMCS	Completed.	14/06/2019

10.2.7	EMCS	Amended Occupational Health and Safety Policy	That Council adopt the amended Occupational Health and Safety Policy to replace the current Policy.	201819/146	CG	Complete. Policy Manual updated and email sent to all staff on 28/05/2019	28/05/2019
EXECUTIVE MANAGER COMMERCIAL SERVICES							
10.3.1	EMCM	Newman House - Office Accommodation Puntukurna Aboriginal Medical Services (PAMS) New Lease for the East Wing	That Council 1. Approves entering into a new agreement with Puntukurna Aboriginal Medical Services for office accommodation located at Newman House for a term of 12 months commencing from the 1st June 2019 with one x 12 month option. 2. Approve the common seal to be applied to the agreement between the Puntukurna Aboriginal Medical Services and the Shire of East Pilbara.	201819/147	CPS	Completed.	14/06/2019
10.3.2	EMCM	Affixing the Common Seal to the Lease of the Bureau of Meteorology site at Newman Airport	That Council, 1. Approves entering into a Lease Agreement with the Bureau of Meteorology for a portion of land on Reserve R44775 located at Newman Airport for a term of 10 years commencing on 1 July 2019 with two (2) x 10 year option terms; and 2. Approves the common seal to be applied to the agreement between the Shire of East Pilbara and the Bureau of Meteorology.	201819/148	MCA	Awaiting site survey of the portion of land to be completed by BoM which will then need the approval of the Minister for inclusion in the licence agreement.	14/06/2019
14.2	EMCM	Supply of Master Plan for Newman Airport	That Council 1. Award Tender RFT 09-2018/19 for the Supply of a Master Plan for the Newman Airport to JJ Ryan Consulting Pty Ltd at the tendered price of $99,915.00 Ex GST. 2. Approve the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contract between the Shire and JJ Ryan Consulting Pty Ltd with respect to this Tender	201819/154	CPO	Letters to all Tenderers prepared & Contract for JJ Ryan being prepared.	4/06/2019
14.3	EMCM	Airport Security Services - Newman Airport	That Council 1. Award Tender RFT 11-2018/19 for the Supply of Airport Security Services for the Newman Airport to MSS Security Pty Ltd at the tendered price of $4,789,856.02 Ex GST for three (3) years. 2. Approve the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the Contract between the Shire and MSS Security Pty Ltd with respect to this Tender	2018/155	EMCM	Letters to all Tenderers prepared & Contract for MSS being prepared.	4/06/2019
EXECUTIVE MANAGER CUSTOMER AND COMMUNITY SERVICES							
10.4.1	EMCCS	Capital Expenditure at Marble Bar Aquatic Centre for the 2019/20 Financial year	That Council allocate capital expenditure of up to $250,000 to be included in the 2019/2020 budget, for capital upgrades to Marble Bar Aquatic Centre.	201819/149	MRS	Allocation has been included in the draft budget for 2019/20	17/06/2019
EXECUTIVE MANAGER INFRASTRUCTURE SERVICES							
10.5.1	EMIS	Upgrades to the Newman Wastewater Treatment Plant	**That Council** **Allocate the following budget for the 19/20 financial year:** **Budget Items** / **Value** Temporary process reactor / $2,248,549 New inlet works / $2,334,042 Orbal clean-out and refurbishment / $880,243 Clarifier refurbishment / $796,556 **Total of Proposed Works** / **$6,259,390** Budget Approved by Council / $597,000 Carry Forward Budget / $118,282 **Total Budget Request 19/20** / **$5,544,108**	201819/150	PE	The Shire is developing an MOU with the Water Corporation for the delivery of this project.	17/06/2019
MOTIONS FROM COUNCILLORS							

11.1	Cr Schill	Nullagine Caravan Park	THAT Council: 1. Instruct the administration to undertake a review of available land within the town site of Nullagine for the consideration of a new caravan park to be constructed. 2. Once the review is completed that the item be presented back through corporate discussion and then Council by December 2019.	201819/151	CEO	This matter is being investigated by the administration.	17/06/2019
12.3	Cr Coppin OAM	Questions	**QUESTION 1**: Can the Shire write to the Australian Electoral Commission and ask why the towns of Marble Bar and Nullagine were treated like remote communities and had no polling booths to vote at the Australian Federal Election on Saturday 18th May 2019. RESPONSE: A letter will be drafted and sent to the Australian Electoral Commission. Approach the Minister regarding what is required to be classified as a town/remote community? And what services are provided for each. **QUESTION 2:** Potash is badly needed by Australian farmers and is about to be mined on our desert lakes. Will it be available to our Australian farmers or will it be exported overseas? RESPONSE: This is unknown however a letter can be sent to the Hon. Bill Johnston MLA Minister for Mines and Petroleum asking this question. **QUESTION 3:** Urea is badly needed by Australian farmers and will be produced at the Burrup Peninsula. Will it be available to our Australian farmers or will it be exported overseas? RESPONSE: This is unknown however a letter can be sent to the Hon. Bill Johnston MLA Minister for Mines and Petroleum asking this question. **QUESTION 4:** That Council consider not to send an official representative to the opening of the Coongan Gorge. RESPONSE: At this stage the Shire is not aware of an official opening date for the Coongan Gorge however it would be in the best interests of the Shire of East Pilbara to send representatives to this opening.		CG	28/05/2019 - Drafted letter to AEC and Minister for Mines for CEO review.	28/05/2019

10.1.2 AUTHORISATIONS AND DELEGATIONS MANUAL ANNUAL REVIEW

Attachments:	**Appendix 1 – Draft Authorisations and Delegations Manual 2019-2020**
Responsible Officer:	**Mr Jeremy Edwards** **Chief Executive Officer**
Author:	**Mrs Kylie Bergmann** **Coordinator Governance**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

For Council to adopt the 2019-2020 Authorisations and Delegations Manual.

BACKGROUND

Pursuant to section 5.46(2) of the *Local Government Act 1995,* the delegations register shall be reviewed at least once every financial year. Council last reviewed the Authorisations and Delegations Manual on 29 June 2018.

Council will recall that since the last review, we have introduced a new compliance system (ATTAIN) to manage all aspects of the organisations delegations (as well as other things). The system is working really well, and is used to:

- Keep track of all organisational positions with delegated authority;
- Print individual instruments of delegation;
- Print the delegations register; and
- Edit, amend and remove delegations easily (which includes an audit trail).

The program developers have recently launched an upgrade which will see even more improvements and uses.

COMMENTS/OPTIONS/DISCUSSIONS

The current Authorisations and Delegations Manual has been reviewed. There have only been minor amendments with regards to title changes. Details of the proposed changes are listed below:

No.	Delegation	Proposed Amendment
3.2	Caravan Parks and Camping Grounds Act 1995 – Appointments	Change title Manager Development Services Planning to Manager Land Use & Strategy
3.3	Cat Act 2011 – Appointments	Under paragraph 1 of the conditions add "Customer Service Administration Officer."
3.5	Dog Act 1976 – CEO's	Under paragraph 1 of the conditions add

	Delegated Authority and Appointments	"Customer Service Administration Officer."
6.1	Community Assistance Grants and Quick Grants	In paragraphs 1 and 2 under conditions remove the word "Director" and replace with "Executive Manager."
5.4	Grants and subsidies – Application and acceptance	In paragraph 1 and 2 under Power or Duty remove the words "The Chief Executive Officer is delegated the…"
5.6	Power to Invest	In paragraph 1 and 2 under Power or Duty remove the words "The Chief Executive Officer is delegated the…"
7.2	Building Act 2011 – Building and demolition permits	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.
7.3	Building Act 2011 – Building Information	Change title Manager Development Services Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.
7.4	Building Act 2011 – Building Orders	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.
7.5	Building Act 2011 – Enforcement – Authorised Persons	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.
7.6	Building Act 2011 – Infringement Notices	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services. In paragraph 1 under conditions remove EM Infrastructure Services and replace with EM Commercial Services. Remove Manager Development Services Planning and replace with Manager Land Use & Strategy. Under the Power/Duty – delete the paragraph that was previously there and replace with:

		Authority to appoint authorised officers under Regulation 70(2) of the *Building Regulations 2012* and section 9.16 of the *Local Government Act 1995,* for the purpose of issuing *Building Act 2011* infringement notices in accordance with section 6(b) of the *Criminal Procedures Act 2004,* and/or to extend the period for payment of, or the withdrawal of infringement notices.
7.7	Building Act 2011 – Occupancy permits	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.
7.8	Building Act 2011 – Private swimming pools	Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.
7.9	Building Act 2011 – Smoke Alarms	Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.
7.10	Building Permit fees – refunds and exemptions	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services. In paragraphs 1 and 2 under Power or duty remove the words “The Chief Executive Officer has the…”
4.11	Development and performance bonds	Remove EM Infrastructure Services from subdelegates & replace with EM Commercial Services
4.12	Administration of Town Planning Scheme No. 4	Remove EM Customer & Community Services and EM Infrastructure Services from subdelegates and replace with EM Commercial Services.
7.12	Food Act 2008 – Prohibition order	Remove EM Infrastructure Services from subdelegates and replace with EM Commercial Services.
7.13	Food Act 2008 – Prosecutions	Remove EM Infrastructure Services from subdelegates and replace with EM Commercial Services.
7.14	Food Act 2008 – Registration of a food business	Remove EM Infrastructure Services from subdelegates and replace with EM Commercial Services.
4.13	Planning and Development Act 2005	Remove EM Infrastructure Services from subdelegates and replace with EM

		Commercial Services.
6.6	Cat Act 2011 – Delegations	Remove "Commercial & Development Services Administration Officer" from the list of subdelegates. This position is not required to register cats.
6.8	Impounded non-perishable goods	Add EM Commercial Services to subdelegates.
6.9	Notice to collect goods if not confiscated	Add EM Commercial Services to subdelegates
6.10	Power to remove and impound goods	Add EM Commercial Services to subdelegates.
6.12	Disposal of sick or injured animals	Remove EM Infrastructure Services from subdelegates.
6.13	Declare vehicle is abandoned wreck.	Remove EM Infrastructure Services from subdelegates.

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 5 - Administration (Division 4 – Local government employees) 5.46. Register of, and records relevant to, delegations to CEO and employees (pg 155)

POLICY IMPLICATIONS

Nil.

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

RISK MANAGEMENT CONSIDERATIONS

Pursuant to section 5.46(2) of the *Local Government Act 1995,* Council is required to review the delegations register at least once every financial year. Failure to do so will result in non-compliance.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/161

MOVED: Cr Anthony Middleton **SECONDED: Cr Anita Grace**

That Council adopt the 2019-2020 Authorisations and Delegations Manual as presented.

CARRIED UNANIMOUSLY

NOTE: **There was an additional amendment made to delegation 6.11 – Administration of Town Planning Scheme No.4. The amendment was circulated to all Councillors at the meeting. The mover and seconder were in agreeance with the additional information being provided within the attached delegations manual therefore, there was no need to move an amendment.**

To be actioned by Mrs Kylie Bergmann, Coordinator Governance

Appendix 1
Draft Authorisation and Delegation Manual

Shire of EAST Pilbara
AUSTRALIA'S LARGEST SHIRE

Shire of East Pilbara
Authorisations and Delegations Manual 2019-2020

Adopted by Council on 28 June 2019

Table of Contents

INTRODUCTION **4**
1. INTRODUCTION 4
2. BACKGROUND 5

DELEGATIONS OF AUTHORITY **8**
A. AUTHORISATIONS from Council 8
3.1 - Bush Fires Act 1954 - Appointment of Bush Fire Control Officers 8
3.2 - Caravan Parks and Camping Grounds Act 1995 - Appointments 10
3.3 - Cat Act 2011 - Appointments 12
3.4 - Control of Vehicles (Off-road Areas) Act 1978 14
3.5 - Dog Act 1976 - CEO's Delegated Authority and Appointments 16
3.6 - Public Health Act 2016 - Delegation to the Chief Executive Officer 18
3.7 - Public Health Act 2016 - Appointments and Designations of Authorised Officers 19
B. EXECUTIVE SERVICES 21
4.0 - Election of Presiding Members and Deputies - Delegation 21
4.1 - Acting Chief Executive Officer 23
4.2 - Administer Local Laws 25
4.3 - Certain Provisions About Land 27
4.4 - Disposing of Property 28
4.5 - Execution of Documents 30
4.6 - Issue of Notices, Cautions and Infringements 32
4.7 - Legal Matters 34
4.8 - Expressions of Interest for Goods & Services 36
4.9 - Authority to invite tenders 37
4.10 - Payments to employees in addition to contract or award 39
4.11 - Development and performance bonds 41
4.12 - Administration of Town Planning Scheme No. 4 42
4.13 - Planning and Development Act 2005 45
C. CORPORATE SERVICES 47
5.1 - Authority to waive fees 47
5.2 - Authority to write off monies 49
5.3 - Extension of payment time, waiver or reduction of penalties, withdrawal of infringement notices 50
5.4 - Grants and subsidies - Application and acceptance 52
5.5 - Payment of accounts 54
5.6 - Power to invest 56
5.7 - Rate record 58
5.8 - Recovery of impounding expenses 60
D. CUSTOMER & COMMUNITY SERVICES 61
6.1 - Community Assistance Grants and Quick Grants 61
6.2 - Bush Fires Act 1954 - Powers and duties 63
6.3 - Bush Fires Act 1954 - Prohibited and restricted burning times 64

DRAFT

6.4 - Bush Fires Act 1954 - Prosecutions 65
6.5 - Disposing of confiscated or uncollected goods 67
6.6 - Cat Act 2011 - Delegations 69
6.7 - Entry to property 71
6.8 - Impounded non-perishable goods 73
6.9 - Notice to collect goods if not confiscated 75
6.10 - Power to remove and impound goods 77
6.11 - Graffiti Vandalism Act 2016 - Notices 78
6.12 - Disposal of sick or injured animals 80
6.13 - Declare Vehicle is Abandoned Wreck 82
6.14 - Graffiti Vandalism Act 2016 - Remove Graffiti on Private Property 84
6.15 - Bush Fires Act 1954 - Firebreaks 86
E. COMMERCIAL SERVICES 87
7.1 - Exemptions under clause 3.1(2) - Public Places and Local Government Property Local Law 2011 87
7.2 - Building Act 2011 - Building and demolition permits 89
7.3 - Building Act 2011 - Building information 91
7.4 - Building Act 2011 - Building orders 93
7.5 - Building Act 2011 - Enforcement - Authorised persons 95
7.6 - Building Act 2011 - Infringement notices 97
7.7 - Building Act 2011 - Occupancy permits and building approval certificates 99
7.8 - Building Act 2011 - Private swimming pools 101
7.9 - Building Act 2011 - Smoke Alarms 103
7.10 - Building permit fees - refunds and exemptions 104
7.11 - Food Act 2008 - Appointment of authorised persons and designated officers 106
7.12 - Food Act 2008 - Prohibition orders 108
7.13 - Food Act 2008 - Prosecutions 110
7.14 - Food Act 2008 - Registration of a food business 112
F. INFRASTRUCTURE SERVICES 114
8.1 - Acquisition of land 114
8.2 - Road train and extra mass permits 116
8.3 - Temporary road closures 117
8.4 - Traffic regulatory and other signs 118
AMENDED, REVOKED AND ARCHIVED DELEGATIONS OF AUTHORITY 119

Introduction to Delegations of Authority

1. INTRODUCTION

1.1 Legislation

The *Local Government Act 1995* ("the Act"), was introduced on 1 July 1996 and made significant changes to the way local government conducts its business. Its general aim is to enable local governments to provide good, open and accountable government to the community.

One of the changes is the degree of delegated authority available to be passed onto the Chief Executive Officer (CEO) or a Committee in order to perform the functions of a local government.

The Act allows the Council, as the governing body of a local government, to delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under the Act, subject to some exceptions. However, all delegations made by the Council must be by absolute majority decision (s5.42 (1) of the Act).

1.2 Associated Legislation

Legislation other than the *Local Government Act 1995* ("the Act"), its regulations and the local government's local laws created under the Act, where delegations or authorisations may occur, are as follows:

- *Building Act 2011* and regulations;
- *Bush Fires Act 1954*, regulations and local laws created under that Act;
- *Caravan Parks and Camping Grounds Act 1995*;
- *Cat Act 2011*, regulations and local laws created under that Act;
- *Control of Vehicles (Off-road Areas) Act 1978* and regulations;
- *Dog Act 1976* regulations and local laws created under that Act;
- *Food Act 2008* and regulations;
- *Freedom of Information Act 1992*;
- *Public Health Act 2016*, subsidiary legislation and local laws created under that Act;
- *Land Administration Act 1997* (as amended) and regulations;
- *Local Government (Miscellaneous Provisions) Act 1960* (as amended);
- *Planning and Development Act 2005*, including regulations and adopted policies.

NB: This is not an exhaustive list.

1.3 Delegations by the Chief Executive Officer

The *Local Government Act 1995* ("the Act"), allows the CEO to delegate any of the powers to another employee (s5.44(1) of the Act). This must be done in writing (s5.44(2) of the Act). The Act allows the CEO to place conditions on any delegations if desired (s5.44(4) of the Act).

A register of delegations relevant to the CEO and other employees is to be kept and reviewed at least once every financial year (s5.46(1), (2) of the Act). If a person is exercising a power or duty that they have been delegated, the Act requires that records be kept whenever the delegated authority is used (s5.46(3) of the Act).

The record is to contain the following information:

- How the person exercised the power or discharged the duty;
- When the person exercised the power or discharged the duty; and
- The persons or classes of persons, other than Council or Committee members or employees of the local governments, directly affected by the exercise of the power or the discharge of the duty (reg 19 *Local Government (Administration) Regulations 1996*).

A person to whom a power is delegated under the Act is considered to be a 'designated employee' under s5.74(b) and is required to complete a primary and annual return each year.

There is no power for a person, other than the CEO to delegate a power (s5.44(1) of the Act).

1.4 Matters which cannot be delegated

There are a number of matters that cannot be delegated and which remain the right of Council.

Refer to s5.43 of the *Local Government Act 1995*:

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

(a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
(b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
(c) appointing an auditor;
(d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
(e) any of the local government's powers under sections 5.98, 5.98A, 5.99, 5.99A or 5.100;
(f) borrowing money on behalf of the local government;
(g) hearing or determining an objection of a kind referred to in section 9.5;
(ha) the power under section 9.49A(4) to authorise a person to sign documents on behalf of the local government;
(h) any power or duty that requires the approval of the Minister or the Governor; or
(i) such other power or duties as may be prescribed."

2. BACKGROUND

Delegations and authorisations are the means by which decision making bodies can access the power to undertake certain statutory functions.

A delegation is the conferral of the ability to exercise a power or duty to a person or body from a person or body that is vested with the responsibility to exercise that power or duty.

An authorisation is the designation of an officer or a body as a person or body that is capable of exercising a specific statutory power or duty.

When a person or body exercises delegated authority they do so "on behalf" of the delegator and in doing so the person or body exercising delegated authority forms the relevant state of mind to make the decision "on behalf" of the delegator. An authorised person or body exercises a statutory function in their own right.

The Western Australian local government statutory regime also provides for the Council and CEO to "act through" other officers, agents and bodies to achieve statutory functions. "Acting through" in this manner is not the exercise of delegated authority or an authorised power and must be handled differently.

2.1 The governance structure

The Western Australian local government governance regime provides that the Council appoints a CEO and the CEO appoints employees. Similarly, all local government employees are responsible to the CEO who in turn is responsible to the Council.

Wherever possible, the Shire of East Pilbara will endeavor to ensure authorisations and delegations conform to this governance structure. Delegations will be established from the Council to the CEO and this will enable the CEO to either delegate power to officers or authorise officers as the CEO sees fit.

Delegations and authorisations from the Council directly to officers other than the CEO will be avoided unless legislation specifically provides that this is the only manner in which the power can be provided to an officer other than the CEO.

2.2 Delegations

This section provides guidance on the statutory framework for delegated authority. It addresses the two statutory requirements for delegated authority – the power to delegate and the power being delegated. This section also addresses some common conditions on delegation that apply in the local government setting.

2.3 The power to delegate

The ability to delegate a statutory function, power or duty must be described in a piece of legislation and is known as the power of delegation. This is the first statutory requirement for an effective delegation; the ability to delegate powers. The following powers of delegation are contained in legislation relevant to local government.

Building Act 2011 - s.127
Bush Fires Act 1954 - s.48 and s.59(3)
Cat Act 2011 - s.44 and s.45
Food Act 2008 - s.118
Local Government Act 1995 - s.5.16, s.5.42, and s.5.44
Western Australian Planning Commission Act 1985 - s.19A and s.20

2.4 The power being delegated

The second statutory requirement for an effective delegation is the existence of a power to be delegated. The power must be able to be exercised by the person or body wanting to delegate that power and it must be contained in legislation that has an associated power of delegation.

A range of different powers can be delegated. An important aspect of any delegation of power is certainty as to the power being delegated. The person or body delegating authority should clearly specify in the instrument of delegation the statutory power or duty being delegated. This will ensure that the person exercising delegated authority can be certain of the extent of authority conferred by the delegation. The statutory reference to the power being delegated should be included in the instrument of delegation.

Reviewing the above list it is clear that there is a limited range of legislation under which powers can be delegated. There is no express provision for a local government to delegate its functions under any other legislation. However, this does not prohibit the local government from "acting through" its officers for the purpose of other legislation and the manner in which this can be achieved is discussed below.

2.5 General conditions of delegations

Each power of delegation may be subject to its own conditions and these are noted in the above list. However, there are some broad conditions of delegation that are discussed as follows:

2.6 The Interpretation Act 1984

Sections 58 and 59 of the *Interpretation Act 1984* place restrictions upon the exercise of the power of delegation and effects of delegation. These sections apply to all delegations under written laws however they may be varied by the statute which provides the power of delegation.

"58. Delegates, performance of functions by

Where under a written law the performance of a function by a person is dependent upon the opinion, belief, or state of mind of that person in relation to a matter and that function has been delegated under a written law, the function may be performed by the delegate upon the opinion, belief, or state of mind of the delegate in relation to that matter."

"59. Power to delegate, construction of

(1) Where a written law confers power upon a person to delegate the exercise of any power or the performance of any duty conferred or imposed upon him under a written law –

(a) such a delegation shall not preclude a person so delegating from exercising or performing at any time a power or duty so delegated;

(b) such a delegation may be made subject to such conditions, qualifications, limitations or exceptions as the person so delegating may specify;

(c) if the delegation may be made only with the approval of some person, such delegation, and any amendment of the delegation, may be made subject to such conditions, qualifications, limitations or exceptions as the person whose approval is required may specify;

(d) such a delegation may be made to a specified person or to persons of a specified class, or may be made to the holder or holders for the time being of a specified office or class of office;

(e) such a delegation may be amended or revoked by instrument in writing signed by the person so delegating;

2.7 The concept of acting through

(Extracted from DLGRD Guideline 17 – Delegations)

In addition to covering delegations, the Local Government Act 1995 ("the Act") introduces the concept of 'acting through'. Section 5.45 of the Act states that in relation to delegations, nothing prevents a "local government from performing any of its functions by acting through a person other than the CEO" or "a CEO from performing any of his or her functions by acting through another person." The Act does not specifically define the meaning of the term 'acting through.' However, the key difference between a delegation and 'acting through' is that a delegate exercises the delegated decision making function in his or her own right. The principal issue is that where a person has no discretion in carrying out a function, then that function may be undertaken through the 'acting through' concept. Alternatively, where the decision allows for discretion on the part of the decision maker, then that function needs to be delegated for another person to have that authority.

For administrative purposes, a person may sign a letter in his or her name on behalf of the CEO while, with delegated powers, the person would sign a letter in his or her own name, in accordance with the delegated authority.

An appropriate method for a council of a local government to make a decision which will be implemented by its officers is for it to make a

policy about particular functions that it performs. In that case there is no need for a delegation as it will be the role of the organisation to implement those policy decisions.

DRAFT

A. AUTHORISATIONS from Council

Delegation

Reference	3.1
Subject	Bush Fires Act 1954 - Appointment of Bush Fire Control Officers

Delegated by
Council

Delegates
CEO

Subdelegates
Manager Community Safety
Coordinator Ranger & Emergency Services
Ranger
Chief Bush Fire Control Officer

Power or Duty
The Chief Executive Officer is authorised to appoint such persons, as is necessary, to be bush fire control officers under and for the purposes of the *Bush Fires Act 1954*. Of those people, appoint the following:

- Department of Fire & Emergency Services Hedland Area Officer as Chief Bush Fire Control Officer.
- Manager Community Safety as the Deputy Chief Bush Fire Control Officer.
- Coordinator Ranger & Emergency Services & Rangers as Fire Control Officers.

Conditions
The local government shall cause notice of an appointment to be published at least once in a newspaper circulating in its district (s38(2A) of the *Bush Fires Act 1954*).

A bush fire control officer appointed by the local government shall be issued with a certificate of appointment (s38(2E) of the *Bush Fires Act 1954*).

Statutory Framework
Bush Fires Act 1954

s38(1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

s48(1) A local government may, in writing, delegate to its chief executive officer the performance of any of its functions under this Act.

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	In accordance with the MOU signed between the SoEP and DFES - change the bush fire control officers as below: DFES Hedland Area Officer as Chief Bush Fire Control Officer Manager Community Safety as Deputy Chief Bush Fire Control Officer Coordinator Ranger & Emergency Services & Rangers as Fire Control Officers	
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	3.2
Subject	Caravan Parks and Camping Grounds Act 1995 - Appointments

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Building
Manager Development Services - Health
Manager Land Use & Strategy
Manager Community Safety
Coordinator Ranger & Emergency Services
Ranger
Environmental Health Officer
Executive Manager Infrastructure Services
Executive Manager Customer & Community Services

Power or Duty

The Chief Executive Officer is authorised to exercise the powers and duties of a local government, and to administer and enforce the provisions of the *Caravan Parks and Camping Grounds Act 1995*.

To appoint certain persons as Authorised Persons for the purpose of s23(11) of the *Caravan Parks and Camping Grounds Act 1995*.

Conditions

Authorised Persons for the purposes of s17 of the Act:
- Chief Executive Officer
- Executive Manager Infrastructure Services
- Executive Manager Customer & Community Services
- Manager Development Services – Building
- Manager Development Services – Health
- Manager Land Ue & Strategy
- Manager Community Safety
- Coordinator Ranger and Emergency Services
- Rangers
- Environmental Health Officer

In accordance with s23 (2) and (3) the following are appointed as authorised persons for the purpose of serving infringement notices :

- Rangers
- Coordinator Ranger and Emergency Services
- Manager Community Safety
- Environmental Health Officer

Authorised Persons for the purposes of s23 (5): extension period and 23 (7): infringement notice withdrawal are:

- Chief Executive Officer
- Executive Manager Infrastructure Services
- Executive Manager Customer & Community Services

ss17 and 23 of the *Caravan Parks and Camping Grounds Act 1995*:

A local government must issue each person appointed as an Authorised Person, with an identity card, in the prescribed form, certifying that the person is an Authorised Person for the purposes of this Act (s17(1)(b) *Caravan Parks and Camping Grounds Act 1995*).

Statutory Framework

Caravan Parks and Camping Grounds Act 1995

s17(1) The chief executive officer of the Department or a local government —
(a) may appoint such persons to be authorised persons for the purposes of this Act as the Chief Executive Officer or the local government considers necessary.

s23(5) an authorised person may, in a particular case, extend the period of 28 days within which the modified penalty may be paid and the extension may be allowed whether or not the period of 28 days has elapsed.

s23(7) an authorised person may, whether or not the modified penalty has been paid, withdraw an infringement notice by sending to the alleged offender a notice in the prescribed form stating that the infringement notice has been withdrawn.

s23(11) A local government may in writing, appoint persons or classes of persons to be authorised persons for the purposes of subsection (2),(3), (5) or (7) or for the purposes of 2 or more of those subsections, but a person who is authorised to give infringement notices under subsection (2) is not eligible to be an authorised person for the purposes of any of the other subsections.

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1980	XX	28 June 2019	30 June 2020

DRAFT

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	
28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy	Nil

Delegation

Reference	3.3
Subject	Cat Act 2011 - Appointments

Delegated by

Council

Delegates

CEO

Subdelegates

Coordinator Administration Services
Coordinator Technical & Development Services
Customer Services Officer
Coordinator Ranger & Emergency Services
Ranger
Manager Community Safety
Manager Development Services - Health
Environmental Health Officer
Executive Manager Corporate Services
Executive Manager Infrastructure Services
Executive Manager Commercial Services
Executive Manager Customer & Community Services
Customer Service Administration Officer

Power or Duty

The Chief Executive Officer is delegated the authority of the local government to, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions under the *Cat Act 2011*.

Conditions

Authorised persons for all purposes under the *Cat Act 2011* and *Cat Regulations 2012*, including the registration of cats under Section 9 of the *Cat Act 2011*, excluding the issuing or withdrawal of infringement notices under Sections 62, 64 and 65 of the *Cat Act 2011*.

- Coordinator Administration Services
- Coordinator Technical and Development Services
- Customer Service Officers
- Customer Services Administration Officers

Authorised persons for all purposes under the *Cat Act 2011* and *Cat Regulations 2012*, including the registration of cats under section 9 of the *Cat Act 2011* including the issue of infringement notices but excluding the withdrawal of infringement notices.

- Coordinator Ranger and Emergency Services
- Rangers
- Manager Community Safety
- Manager Development Services-Health
- Environmental Health Officer

Authorised Persons for the purposes of s9 of the Act and to withdraw infringement notices.

- Chief Executive Officer
- Executive Manager Corporate Services
- Executive Manager Infrastructure Services
- Executive Manager Commercial Services
- Executive Manager Customer & Community Services

Authorised Persons for the purposes of s9 of the *Cat Act 2011* and the power to commence a prosecution in accordance with section 73 for an offence against the *Cat Act 2011* or a local law made under the *Cat Act 2011*.

s73 (1) Persons that are performing their duties as local government employees or have been authorised by the local government to implement the Act are authorised to commence a prosecution for an offence against this Act

s73(2) Persons that are performing their duties as local government employees or have been authorised by the local government to implement the local law are authorised to commence a prosecution for an offence against the local law

- Chief Executive Officer
- Executive Manager Corporate Services
- Executive Manager Commercial Services
- Executive Manager Customer & Community Services
- Executive Manager Infrastructure Services
- Manager Development Services-Health
- Manager Community Safety

The local government is to issue each Authorised Person a certificate stating that the person is an authorised person for the purposes of this Act (s48(5) *Cat Act 2011*).

Statutory Framework

Cat Act 2011

s42 A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.

s44(1) *Cat Act 2011*: The local government may delegate to its Chief Executive Officer the exercise of any of its powers or the discharge of any of its duties under another provision of this Act.

s48(1) A local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions under this Act.

s.9(1)(a) Grant or refuse to grant the registration of a cat.
s.9(1)(b) Renew or refuse to renew the registration of a cat.
s.9(5) Require an applicant to provide any document or information required to determine an application for registration.
s.9(6) Refuse to consider an application, where an applicant has not complied with a request for information.
s10 Cancel the registration of a cat.
s13 Give notice of decisions.

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	
28 June 2019	Under paragraph 1 of the conditions add "Customer Service Administration Officer."	Nil

Delegation

Reference	3.4
Subject	Control of Vehicles (Off-road Areas) Act 1978

Delegated by

Council

Delegates

CEO
Manager Community Safety
Coordinator Ranger & Emergency Services
Ranger
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Subdelegates

N/A

Power or Duty

The Chief Executive Officer is delegated the authority to exercise the powers and duties of a local government and to administer and enforce the provisions in accordance with s38(3) of the *Control of Vehicles (Off-road Areas) Act 1978*.

For the Chief Executive Officer to sign withdrawals of infringement notices on behalf of the local government. as an authorised person.

Conditions

s38(3) *Control of Vehicles (Off-road Areas) Act 1978*, requires a resolution of Council to approve the authorisation.

Authorised persons to issue infringement notices:
- Manager Community Safety
- Coordinator Ranger & Emergency Services
- Rangers

Only the Chief Executive Officer or Executive Manager may sign a withdrawal of a Control of Vehicle (Off-Road Areas) infringement notice.

The local government shall issue each Authorised Person with a certificate of his/her appointment as an authorised person, in the prescribed form, evidencing the area of jurisdiction entrusted to him/her under this Act, which he/she shall, on reasonable demand, produce for inspection by any person (s38(4)(a) *Control of Vehicles (Off-road Areas) Act 1978*).

Statutory Framework

Control of Vehicles (Off-road Areas) Act 1978

s38(3)(a) A local government may by resolution appoint —
(a) any employee of the local government to be an 'authorised officer' for the purposes of the *Control of Vehicles (Off-Road Areas) Act 1978*
.

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	3.5
Subject	Dog Act 1976 - CEO's Delegated Authority and Appointments

Delegated by

Council

Delegates

CEO

Subdelegates

Coordinator Administration Services
Coordinator Technical & Development Services
Customer Services Officer
Ranger
Coordinator Ranger & Emergency Services
Environmental Health Officer
Manager Development Services - Health
Manager Community Safety
Executive Manager Corporate Services
Executive Manager Infrastructure Services
Executive Manager Commercial Services
Executive Manager Customer & Community Services
Customer Service Administration Officer

Power or Duty

The Chief Executive Officer is delegated authority to appoint certain persons as Registration Officers, Authorised Persons and Pound Administration Persons to exercise the powers and duties of a local government, and to administer and enforce the provisions of the *Dog Act 1976*.

Conditions

Authorised persons for registering the dogs within the Shire

- Coordinator Administration Services
- Coordinator Technical and Development Services
- Administration Officer
- Customer Services Officers
- Customer Service Administration Officers

Authorised Persons for the purposes of the *Dog Act 1976* to withdraw infringements:

- Chief Executive Officer
- Executive Manager Corporate Services
- Executive Manager Infrastructure Services
- Executive Manager Commercial Services
- Executive Manager Customer & Community Services

Registration Officers and Authorised Persons for the purposes of s29 of the Act:

- Rangers
- Coordinator Ranger and Emergency Services
- Environmental Health Officer

Registration Officers and Authorised Persons for the purposes of s29 and s33E of the Act and the power to initiate court proceedings under s44(2)(b) of the Act, regulations and local laws:

- Chief Executive Officer
- Executive Manager Corporate Services

* Executive Manager Commercial Services
* Executive Manager Customer & Community Services
* Executive Manager Infrastructure Services
• Manager Development Services – Health
• Manager Community Safety

A person who is authorised by a local government to exercise any power under this Act, shall be furnished with a certificate in the prescribed form evidencing his/her appointment, and shall produce that certificate on being required to do so by a person in respect of whom he/she exercises, has exercised, or is about to exercise any such power (s11(3) Dog Act 1976).

Statutory Framework

Dog Act 1976

s10AA (1) A local government may, by absolute majority as defined in the Local Government Act 1995 section 1.4, delegate to its Chief Executive Officer any power or duty of the local government under another provision of this Act.

s10AA (5) Nothing in this section limits the ability of a local government's Chief Executive Officer to perform a function through an officer or agent.

s10AB Register of, and review of, delegations.

s11(1) Establish and maintain dog management facilities .

s14(1) Keep a register of dogs.

s20(3) Grant an exemption regarding the number of dogs that may be kept.

s27 Approve kennel establishments

s29(1) Appoint persons to seize dogs

s33(E) Declare a dog to be a dangerous dog

DRAFT

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	
28 June 2019	Under paragraph 1 of the conditions add "Customer Service Administration Officer."	Nil

Delegation

Reference	3.6
Subject	Public Health Act 2016 - Delegation to the Chief Executive Officer

Delegated by
Council

Delegates
CEO

Subdelegates
N/A

Power or Duty
The Chief Executive Officer is delegated the authority in writing to exercise the power or duty to fulfill the functions stipulated under s16 of the *Public Health Act 2016* on behalf of the local government which is an enforcement agency.

s16 A local government has the following functions in relation to the administration of this Act —
(a) to initiate, support and manage public health planning for its local government district;
(b) to develop and implement policies and programmes to achieve the objects of this Act within its local government district;
(c) to perform the functions that are conferred on local governments by or under this Act;
(d) to administer and enforce this Act within its local government district in accordance with the objects and principles of this Act.

Conditions
s21(2) A delegation under subsection (1)(b) or (c) must be in writing.

DRAFT

Statutory Framework
Public Health Act 2016

s21. Enforcement agency may delegate
(1) A power or duty conferred or imposed on an enforcement agency may be delegated —
(b) if the enforcement agency is a local government, to —
(i) the chief executive officer of the local government;

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Nil

Delegation

Reference	3.7
Subject	Public Health Act 2016 - Appointments and Designations of Authorised Officers

Delegated by

CEO

Delegates

Manager Development Services - Health
Environmental Health Officer

Subdelegates

N/A

Power or Duty

The Chief Executive Officer is delegated the authority of the local government in writing to appoint one or more persons as Environmental Health Officers.

The Chief Executive Officer is delegated the authority of the local government in writing to designate the Environmental Health Officers as authorised officers under and for the purposes of the *Public Health Act 2016* to perform such duties as the local government from time to time directs and also such as are specially prescribed by any order addressed by the Chief Health Officer, Public Health to the local government.

Conditions

Public Health Act 2016

s17(3) A local government must not appoint a person as an environmental health officer unless the person has the qualifications and experience approved by the Chief Health Officer under section 18.

s27 Each enforcement agency must prepare and maintain a list of —
(a) the persons (if any) who are individually designated as authorised officers by the agency; and
(b) the classes of persons (if any) who are designated as authorised officers by the agency.

s30 Certificates of authority
(1) An enforcement agency must issue to each person who is an authorised officer by virtue of a designation by the agency a certificate of authority as an authorised officer.
(2) The certificate of authority must —
(a) state that it is issued under this Act; and
(b) state the name of the person to whom it is issued and bear —
(i) a photograph or digital image of that person; and
(ii) the person's signature; and
(c) state the date, if any, on which it expires; and
(d) specify —
(i) the Acts or the provisions of the Acts for the purposes of which the person is designated as an authorised officer; and
(ii) any provisions of an Act that are excluded from the designation; and
(e) specify any conditions or restrictions to which the person's authority is subject; and
(f) bear the signature of the person by whom it is issued and state the capacity in which the person is acting in issuing the certificate.
(3) An authorised officer must produce the certificate of authority —
(a) if asked to do so by the person in charge of any premises entered under this Act by the authorised officer; or
(b) if asked to do so by a person who, under this Act, is required by the authorised officer to produce anything or to answer any question.

Authorised Persons are empowered to perform the following functions:

Issue improvement notices according to s212.

s214 Before the end of the period specified in the improvement notice under section s213(2)(e), an authorised officer may, on his or her own initiative or on the application of the person given the notice, extend by written notice given to the person the period within which the person must take action in accordance with the improvement notice.

Authority for the Manager Development Services includes the ability to sign such documents and initiate appropriate legal action on behalf of the local government when a breach of the Act and related legislation warrants such action, provided that the power to prosecute any person is ONLY exercised with the agreement of the Chief Executive Officer.

Statutory Framework

Public Health Act 2016

s17(1) A local government may appoint one or more persons as environmental health officers.

s24(1) An enforcement agency may designate a person or class of person as authorised officers

s24(3) An enforcement agency that is a local government may designate under subsection (1) —(a) an environmental health officer or environmental health officers as a class

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

DRAFT

Amendments

Nil

B. EXECUTIVE SERVICES

Delegation

Reference	4.0
Subject	Election of Presiding Members and Deputies - Delegation

Delegated by

CEO

Delegates

Manager Corporate Services
Executive Manager Corporate Services
Executive Manager Commercial Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Subdelegates

N/A

Power or Duty

The Chief Executive Officer delegates authority to the Executive Managers or the Manager Corporate Services to fulfill the duties of Section 3 and 4 of Schedule 2.3 of the *Local Government Act 1995* at any meeting where the Chief Executive Officer is not present and it is required.

DRAFT

Conditions

Nil

Statutory Framework

Local Government Act 1995

s2.11(1)(b) Alternative methods of filling office of mayor or president
(1) When an order is made under section 2.1 declaring an area of the State to be a district, the Governor is, by order, to specify whether the first mayor or president of the local government is to be —
(b) elected by the council from amongst the councillors under Schedule 2.3, Division 1.

s2.15 Filling office of deputy mayor or deputy president
The deputy mayor or deputy president is to be elected by the council under Schedule 2.3, Division 2.

Schedule 2.3 — When and how mayors, presidents, deputy mayors and deputy presidents are elected by the council

1. Terms used
In this Division —
extraordinary vacancy means a vacancy that occurs under section 2.34(1);
office means the office of councillor mayor or president.

2. When council elects mayor or president
(1) The office is to be filled as the first matter dealt with —
(a) at the first meeting of the council after an inaugural election or a section 4.13 or 4.14 election or after an ordinary elections day; and
(b) at the first meeting of the council after an extraordinary vacancy occurs in the office.
(2) If the first ordinary meeting of the council is more than 3 weeks after an extraordinary vacancy occurs in the office, a special meeting of the council is to be held within that period for the purpose of filling the office.

3. CEO to preside
The CEO is to preside at the meeting until the office is filled.

4. How mayor or president is elected
(1) The council is to elect a councillor to fill the office.
(2) The election is to be conducted by the CEO in accordance with the procedure prescribed.
(3) Nominations for the office are to be given to the CEO in writing before the meeting or during the meeting before the close of nominations.
(3a) Nominations close at the meeting at a time announced by the CEO, which is to be a sufficient time after the announcement by the CEO that nominations are about to close to allow for any nominations made to be dealt with.
(4) If a councillor is nominated by another councillor the CEO is not to accept the nomination unless the nominee has advised the CEO, orally or in writing, that he or she is willing to be nominated for the office.
(5) The councillors are to vote on the matter by secret ballot as if they were electors voting at an election.
(6) Subject to clause 5(1), the votes cast under subclause (5) are to be counted, and the successful candidate determined, in accordance with Schedule 4.1 (which deals with determining the result of an election) as if those votes were votes cast at an election.
(7) As soon as is practicable after the result of the election is known, the CEO is to declare and give notice of the result in accordance with regulations, if any.

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Remove reference to section 5.12 - Presiding members and deputies, election of. This is a reference to Committees. Correct section to reference is s.2.11(1)(b) and s.2.15 which refers to Council.	Nil
15 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	

DRAFT

Delegation

Reference	4.1
Subject	Acting Chief Executive Officer

Delegated by

Council

Delegates

CEO

Subdelegates

N/A

Power or Duty

The Chief Executive Officer is delegated the power to approve one of the following officers to be in the position of Acting Chief Executive Officer during unscheduled or scheduled absences of the Chief Executive Officer, and for periods of up to 35 days:

- Executive Manager Corporate Services
- Executive Manager Commercial Services
- Executive Manager Customer & Community Services
- Executive Manager Infrastructure Services

DRAFT

Conditions

Should the Chief Executive Officer be absent for more than 35 days, the authority to appoint an Acting Chief Executive Officer shall be determined by Council.

Statutory Framework

Local Government Act 1995

s5.42 Delegation of some powers and duties to CEO

s5.43 Limits on delegations to CEO

s5.44 CEO may delegate powers and duties to other employees

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change Deputy CEO title to Executive Managers. Also include the following officers to be appointed Acting CEO (CEO wanted to be able to rotate between the 4 executives): EM Corporate Services EM Commercial Services EM Customer & Community Services EM Infrastructure Services	

DRAFT

Delegation

Reference	4.2
Subject	Administer Local Laws

Delegated by
Council

Delegates
CEO

Subdelegates
N/A

Power or Duty
The Chief Executive Officer is delegated the authority to appoint certain persons to administer the Shire of East Pilbara's local laws and to do all other things that are necessary or convenient to be done for, or in connection with, performing the functions of the local government under the *Local Government Act 1995*.

Conditions
The local government is to issue to each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person (s9.10(2) *Local Government Act 1995*).

A register of Authorised Persons, appointed to administer local laws, is to be maintained.

DRAFT

Statutory Framework
Local Government Act 1995

s3.18 (1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Under conditions add the following: A register of Authorised Persons, appointed to administer local laws, is to be maintained.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	4.3
Subject	Certain Provisions About Land

Delegated by

Council

Delegates

CEO

Subdelegates

Executive Manager Corporate Services
Executive Manager Infrastructure Services
Executive Manager Commercial Services
Executive Manager Customer & Community Services

Power or Duty

The Chief Executive Officer is delegated the power to appoint any person to exercise on behalf of the Council, the powers given to it in Subdivision 2, of Division 3 of Part 3 of the Act.

Conditions

Nil

Statutory Framework

Local Government Act 1995

s3.24 The powers given to a local government by this Subdivision can only be exercised on behalf of the local government by a person expressly authorised by it to exercise those powers.

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	

Delegation

Reference	4.4
Subject	Disposing of Property

Delegated by
Council

Delegates
CEO

Subdelegates
Executive Manager Corporate Services
Executive Manager Infrastructure Services
Executive Manager Commercial Services
Executive Manager Customer & Community Services

Power or Duty
The Chief Executive Officer is delegated the authority to dispose of property:
(a) to the highest bidder at public auction [s.3.58(2)(a)].
(b) to the person who at public tender called by the local government makes what is considered by the delegate to be, the most acceptable tender, whether or not it is the highest tender [s.3.58(2)(b)].

The Chief Executive Officer is delegated authority to dispose of property by private treaty only in accordance with section 3.58(3) of the *Local Government Act 1995*, and prior to the disposal, to consider any submissions received following the giving of public notice [s.3.58(3)].

DRAFT

Conditions
Conditions and exceptions of Chief Executive Officer:

- Limit to $5,000 for the disposition of land in accordance with Reg 30(2)(a) and (c) of the *Local Government (Functions and General) Regulations 1996*.
- Limit to $20,000 for the disposition of property, other than land, in accordance with Reg 30(3) of the *Local Government (Functions and General) Regulations 1996*.

Executive Managers are each limited to $2,000.

Statutory Framework
Local Government Act 1995

s3.58: Disposing of property

Local Government (Functions and General) Regulations 1996.

r 30: Dispositions of property excluded from Act s. 3.58

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	

DRAFT

Delegation

Reference	4.5
Subject	Execution of Documents

Delegated by

Council

Delegates

CEO
Shire President
Manager Martumili
Executive Manager Corporate Services
Executive Manager Commercial Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Subdelegates

N/A

Power or Duty

Authority to sign documents on behalf of the local government.

Conditions

The Chief Executive Officer and/or Executive Managers may only sign documents where:

- The Council has authorised entering into a formal contract; or
- A formal contract is required as a part of the day to day operation of the Council; or
- A formal contract is authorised under a delegated authority of the Council.

The Manager Martumilli may only sign the following Martumilli agreements that are with and on behalf of the artists:
- Consignment agreements;
- Copyright agreements;
- Artist agreements; and
- Collaborative agreements.

There is no power to sub-delegate the authority to sign documents on behalf of the local government (s5.43 (ha) of the Act).

Statutory Framework

Local Government Act 1995

s9.49A(4) A local government may, by resolution, authorise the chief executive officer, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.

Policy

4.5 - Execution of Documents (Use of Common Seal)

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Add Manager Martumilli as a sub-delegate. Add the following condition for the Manager Martumilli: The Manager Martumilli may only sign the following Martumilli agreements that are with and on behalf of the artists: •Consignment agreements; •Copyright agreements; •Artist agreements; and •Collaborative agreements.	Nil
20 September 2018	Under the heading Policy - change policy number from 4.6 to 4.5 - Execution of Documents (Use of Common Seal). Incorrect reference was made.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	4.6
Subject	Issue of Notices, Cautions and Infringements

Delegated by

Council

Delegates

CEO

Subdelegates

N/A

Power or Duty

The Chief Executive Officer is delegated the authority to appoint persons or classes of persons to be authorised for the purpose of issuing notices, cautions and infringements relating to various Acts, Regulations and Local Laws.

Conditions

The local government is to issue each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person (s9.10(2) *Local Government Act 1995*).

A register of Authorised Persons, appointed to issue notices, cautions and infringements, is to be maintained.

DRAFT

Statutory Framework

Local Government Act 1995

s9.10(1) The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.

s9.10(1) (1) An authorised person who has reason to believe that a person has committed a prescribed offence against a regulation or local law made under this Act may, within 28 days after the alleged offence is believed to have been committed, give an infringement notice to the alleged offender.

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Add condition that a register of Authorised Persons, appointed to issue notices, cautions and infringements, is to be maintained.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	4.7
Subject	Legal Matters

Delegated by
Council

Delegates
CEO

Subdelegates
N/A

Power or Duty
The Chief Executive Officer is delegated the authority to appoint an employee to represent the local government in legal proceedings either generally or in a particular case.

Conditions
The Chief Executive Officer may only appoint the following people to represent local government in legal proceedings:
- Executive Manager Corporate Services
- Executive Manager Commercial Services
- Executive Manager Customer & Community Services
- Executive Manager Infrastructure Services
- Manager Development Services – Building
- Manager Development Services – Health
- Manager Development Services – Planning
- Manager Human Resources
- Manager Community Safety

DRAFT

An employee appointed to represent the Shire of East Pilbara in legal proceedings, must be appointed in writing signed by the CEO [s.9.29 (2)(b)].

Legal proceedings may only be initiated with prior approval from the Chief Executive Officer or Executive Manager.

Subject to adequate provision existing in the budget.

Statutory Framework
Local Government Act 1995

s9.10(1) The local government may, in writing, appoint persons or classes of persons to be authorised for the purposes of performing particular functions.

s9.29 Representing local government in court.

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Remove requirement that the CEO has authority to obtain legal advice and opinions - this is an operational matter - delegation not required. Add condition that an employee appointed to represent the Shire in legal proceedings must be appointed in writing signed by the CEO [s9.29(2)(b)].	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	4.8
Subject	Expressions of Interest for Goods & Services

Delegated by

Council

Delegates

CEO

Subdelegates

Executive Manager Commercial Services
Executive Manager Corporate Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Power or Duty

Authority to seek expressions of interest for the supply of goods or services and to choose acceptable tenderers.

Conditions

Authority to reject or accept expressions of interest to be acceptable tenderers is limited by regulation 23 of the *Local Government (Functions and General) Regulations 1996*.

Statutory Framework

Local Government (Functions and General) Regulations 1996

r 21 Limiting who can tender, procedure for

r 23 Rejecting and accepting expressions of interest to be acceptable tenderer

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Change of title from 'Limitation may be placed on who can tender' to 'Expressions of Interest for Goods & Services.' to align with wording in the Act.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

Delegation

Reference	4.9
Subject	Authority to invite tenders

Delegated by
Council

Delegates
CEO

Subdelegates
N/A

Power or Duty
The Chief Executive Officer is delegated the authority to invite tenders.

Conditions
Authority to authorise a tender to be called is subject to the allocation of funding in the budget.

Authority to authorise the decision to seek expressions of interest is subject to regulation 21(1) of the *Local Government (Functions and General) Regulations 1996*.

r21 (1) If a local government thinks that there is good reason to make a preliminary selection from amongst prospective tenderers; it may seek expressions of interest with respect to the supply of the goods or services.

Written authorisation should be prepared for the CEO's consideration. The officer seeking the tender to be called, or expression of interest, shall provide supporting information for the tender or expression of interest.

Statutory Framework
Local Government Act 1995

s3.57 (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.

s3.57 (2) Regulations may make provision about tenders.

Local Government (Functions and General) Regulations 1996

r 17(2) The tenders register is to include, for each invitation to tender —
(b) particulars of the making of —
(i) the decision to invite tenders; and
(ii) if applicable, the decision to seek expressions of interest under regulation 21(1);

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Change of title from 'Making of the decision to invite tenders' to 'Authority to invite tenders' to align with wording in the Act.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	4.10
Subject	Payments to employees in addition to contract or award

Delegated by
Council

Delegates
CEO

Subdelegates
N/A

Power or Duty

The Chief Executive Officer is delegated the authority to make a payment to an employee whose employment with the local government is finishing, and that is more than the additional amount set out in the policy prepared under section 5.50(1) of the *Local Government Act 1995* and adopted by the local government.

Authority to vary salaries payable to all staff that are not employed on performance based term contracts. The alteration may be within the employee's assigned band/classification, may involve a change of salary band/classification or may involve an appropriate over award payment.

Conditions

Where a payment is made to an employee whose employment is finishing, and is more than set out in Council's Gratuity Policy, the CEO must cause local public notice to be given in relation to the payment made [s.5.50(2)].

- Where it is proposed to vary the salary of an employee, not subject to a performance based term contract, any variation must be as a result of a satisfactory performance appraisal and appropriate funding must be available within the budget.
- Any salary change that is likely to result in expenditure over budget will require Council authorisation.
- Regard must also be made for Council's Gratuity Policy.

Statutory Framework

Local Government Act 1995

s5.50(2) (2) A local government may make a payment —
(a) to an employee whose employment with the local government is finishing; and
(b) that is more than the additional amount set out in the policy prepared under subsection (1) and adopted by the local government but local public notice is to be given in relation to the payment made,
but local public notice is to be given in relation to the payment made.

Policy

Gratuity Policy

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Add condition - where a payment is made to an employee whose employment is finishing, and is more than set out in Council's Gratuity Policy, the CEO must cause local public notice to be given in relation to the payment made [s5.50(2)].	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	4.11
Subject	Development and performance bonds

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Land Use & Strategy
Executive Manager Commercial Services

Power or Duty

The Chief Executive Officer is delegated the authority to administer the requirement for development or performance bonds as conditions of planning approval and/or subdivision approval to ensure compliance with any landscaping, car parking or other conditions of approval.

Conditions

Nil

Statutory Framework

Local Government Act 1995

s3.18(1) A local government is to administer its local laws and may do all other things that are necessary or convenient to be done for, or in connection with, performing its functions under this Act.

DRAFT

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Remove EM Infrastructure Services from subdelegates & replace with EM Commercial Services	Nil

Delegation

Reference	4.12
Subject	Administration of Town Planning Scheme No. 4

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Building
Manager Land Use & Strategy
Executive Manager Commercial Services

Power or Duty

For the purposes of this Delegation, the following definitions apply:

Deemed Provisions means the Deemed Provisions for Local Planning Schemes contained in Schedule 2 of the Planning and Development (Local Planning Schemes) Regulations 2015, as amended from time to time.

R-Codes means State Planning Policy 3.1 Residential Design Codes, as amended from time-to-time.

Scheme means Shire of East Pilbara Town Planning Scheme No.4, as amended from time-to-time.

Authority to exercise the following powers or the discharge of the following duties under the Scheme:

1. Assess an application for a structure plan under clause 17 of the Deemed Provisions;
2. Advertise a proposed structure plan under clause 18 of the Deemed Provisions;
3. Assess an application for an activity centre plan under clause 33 of the Deemed Provisions;
4. Advertise a proposed activity centre plan under clause 34 of the Deemed Provisions;
5. Provide further services or information to the Western Australian Planning Commission as required under clauses 23 and 39 of the Deemed Provisions;
6. Assess an application for a local development plan under clause 49 of the Deemed Provisions;
7. Advertise a proposed local development plan under clause 50 of the Deemed Provisions;
8. Waive the fee payable for an application for development approval where the applicant and/or owner (as appropriate) is a registered not for-profit organisation and the purpose of the development is for the benefit of the general community;
9. Refuse to accept for the purposes of assessment any application for development approval that has not complied with the form of application and/or accompanying material requirements of clauses 62 and 63 of the Deemed Provisions;
10. Determine the breadth and scope of accompanying material required for each application for development approval under clause 63 of the Deemed Provisions;
11. Determine the method and extent of advertising required under clause 64 of the Deemed Provisions for each application for development approval;
12. Assess and determine applications for development approval under Part 9 of the Deemed Provisions;
13. Amend or cancel a development approval under clause 77 of the Deemed Provisions, including extensions of time and renewal of periodic approvals;
14. Require the owner of an advertisement to repair an advertisement under clause 80 of the Deemed Provisions;
15. Refuse to accept an application for development approval under clause 85 of the Deemed Provisions where there is no agreement in place for the local government to use any copyrighted material provided in support of the application;
16. Determine the appropriate use class to be applied to each application for development approval under clause 4.3 of the Scheme;
17. Determine under clause 4.4.2(a) of the Scheme, that a use not specifically mentioned in the Zoning Table is consistent with the objectives of the particular zone in which the use is proposed and is therefore permitted;
18. Determine under clause 4.4.2(b) of the Scheme, that a use not specifically mentioned in the Zoning Table may be consistent with the objectives of the particular zone in which the use is proposed and thereafter follow the advertising procedures of clause 64 of the Deemed Provisions;
19. Approve extensions and changes to a non-conforming use under clause 4.9 of the Scheme;
20. Determine under clause 4.10 of the Scheme that a non- conforming use has been discontinued for a period of 6 months;
21. Determine under clause 4.12 of the Scheme that a building used for a non-conforming use has been destroyed by a minimum of 75%;
22. Approve variations to site and development standards and requirements under clause 5.5 of the Scheme; and

23. Determine applications under clause 5.13.2 of the Scheme for the parking of a commercial vehicle in excess of 3 tonnes combined tare weight on a residential zoned lot.

Conditions

All delegations:
I. Compliance with the Planning and Development Act 2005 and Local Government Act 1995 as these statutes relate to the carrying out of delegated authority.

Delegations 1-7 (Structure Plans, Activity Centre Plans and Local Development Plans):
I. The consideration of submissions relating to structure plans, activity centre plans and local development plans under clauses 19, 35 and 51 of the Deemed Provisions is to be undertaken by Council;
II. Local government reports to the Western Australian Planning Commission prepared under clauses 20 and 36 of the Deemed Provisions are to be endorsed by Council prior to forwarding to the Commission; and
III. A decision on a local development plan under clause 52 of the Deemed Provisions is to be made by Council.

Delegation 12 (Determination of Applications for Development Approval):
I. Any application for development approval can be approved under delegated authority, unless:
• It has been advertised and a submission by way of objection raising matters of a material planning nature has been received, and which cannot be satisfied by either modification of the application by agreement of the applicant, or by conditions of approval;
• The application has not required advertising, but by its nature, has potential to be contentious; or
• It requires significant variations to the site and development standards or requirements contained in the Scheme, R-Codes or relevant adopted Local Planning Policy;
II. An application for development approval can be refused under delegated authority in the following circumstances:
• The use proposed is identified as 'X' (use not permitted) in the Zoning Table at clause 4.4 of the Scheme; or
• An adopted local planning policy provides for refusal of an application that does not comply with the requirements therein;
III. The exercise of this delegation is to have due regard to any limitations on delegated authority contained in an adopted Local Planning Policy that is
relevant to the application; and
Iv. All determinations under delegated authority must be subject to an assessment report that outlines the level of compliance of an application with the relevant requirements of the Scheme, Local Planning Policies and Residential Design Codes of Western Australia (as applicable) and justifies the determination made.

Delegations 17 and 18 (Use-Not-Listed Applications):
I. Approval of an application for development approval under clause 4.4.2(a) of the Scheme may be granted by delegated authority.
II. Approval of an application for development approval under clause 4.4.2(b) of the Scheme may be granted by delegated authority where no objections raising matters of a material planning nature have been received; and
III. Determination that the use is not consistent with the objectives of the particular zone and the therefore not permitted shall be made by Council.

Delegation 22 (Variations to Scheme Requirements):
I. Any variation that is considered to be a significant departure from the relevant standard or requirement, or contrary to previous decision in similar applications, shall be considered by Council.

Statutory Framework

Shire of East Pilbara Town Planning Scheme No.4

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Remove EM Customer & Community Services and EM Infrastructure Services from subdelegates and replace with EM Commercial Services.	Nil

DRAFT

Delegation

Reference	4.13
Subject	Planning and Development Act 2005

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Building
Manager Land Use & Strategy
Executive Manager Commercial Services

Power or Duty

The Chief Executive Officer is delegated the authority to object to or make recommendations in response to a plan of subdivision which, in the opinion of the Western Australian Planning Commission, may affect the functions of a local government, pursuant to Section 142 of the *Planning and Development Act 2005*. This function will include:

- The setting of standards for the satisfaction of conditions;
- Advising that conditions have been satisfied;
- The acceptance and release of performance bonds.

For the purpose of the above powers of delegation, vacant lot strata and survey strata applications shall be regarded as subdivision.

Conditions

Power is delegated to the Chief Executive Officer subject to any objection to, or recommendation on, any application for subdivision which is not consistent with adopted Council Policy being referred to Council for determination.

Statutory Framework

Local Government Act 1995
5.42. Delegation of some powers and duties to CEO
(1) A local government may delegate* 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
(b) the Planning and Development Act 2005 section 214(2), (3) or (5).
* *Absolute majority required.*
(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.
Planning and Development Act 2005
Part 10 Subdivision and development control

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Under Statutory Framework add: Local Government Act 1995 5.42.Delegation of some powers and duties to CEO (1)A local government may delegate* 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 (b)the Planning and Development Act 2005 section 214(2), (3) or (5). * Absolute majority required. (2)A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Remove EM Infrastructure Services from subdelegates and replace with EM Commercial Services.	Nil

DRAFT

C. CORPORATE SERVICES

Delegation

Reference	5.1
Subject	Authority to waive fees

Delegated by
Council

Delegates
CEO

Subdelegates
Executive Manager Commercial Services
Executive Manager Corporate Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Power or Duty
1. Authority to waive a fee or grant a concession in relation to any amount of money which is owed to the Shire of East Pilbara.

2. Authority to grant an extension of time to pay in relation to any amount of money which is owed to the Shire of East Pilbara.

DRAFT

Conditions
1. The authority to waive a fee or grant a concession is limited to the amount of $5,000.

2. The authority to waive a fee or grant a concession does not apply to an amount of money owing in respect of rates and service charges [s.6.12(2)].

3. Any agreement to extend time to pay shall be made in writing.

Statutory Framework
Local Government Act 1995

s6.12. Power to defer, grant discounts, waive or write off debts
(1) Subject to subsection (2) and any other written law, a local government may —
(a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
(b) waive or grant concessions in relation to any amount of money; or
(c) write off any amount of money,
** Absolute majority required.*

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Add delegation as follows: 2. Authority to grant an extension of time to pay in relation to any amount of money which is owed to the Shire of East Pilbara. Add condition as follows: Any agreement to extend time to pay must be made in writing.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	5.2
Subject	Authority to write off monies

Delegated by
Council

Delegates
CEO

Subdelegates
N/A

Power or Duty
1. Authority to write off any amount of money which is owed to the Shire of East Pilbara.

Conditions
- The debt must not exceed $1000 for an individual;
- All necessary measures have been taken to recover the money;
- The debt has remained outstanding for not less than 90 days.

Statutory Framework
Local Government Act 1995

s0.12. Power to defer, grant discounts, waive or write off debts
(1) Subject to subsection (2) and any other written law, a local government may —
(c) write off any amount of money,

DRAFT

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Under conditions remove 'The maximum rates write off is $500' - under section 6.12(2) of the LGA the power to write off monies does not apply to an amount of money owing in respect of rates or service charges.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

Delegation

Reference	5.3
Subject	Extension of payment time, waiver or reduction of penalties, withdrawal of infringement notices

Delegated by

Council

Delegates

CEO

Subdelegates

Executive Manager Commercial Services
Executive Manager Corporate Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Power or Duty

Authority to grant extensions of time to pay, waive or reduce penalties and withdraw infringement notices related to local laws.

Conditions

1. Any agreement to extend the time to pay, waive or reduce penalties shall be made in writing.

2. Authority to waive or reduce penalties is limited to $5,000.

3. If an Executive Manager makes a decision NOT to withdraw an infringement, and an objection is received as a result of that decision being made, the matter shall be referred to the Chief Executive Officer for determination.

4. The local government is to issue each Authorised Person a certificate stating that the person is an authorised person for the purposes of granting an extension of time to pay, waive or reduce penalties and withdraw infringement notices related to local laws.

Statutory Framework

Local Government Act 1995

s6.12(1)(b) Subject to subsection (2) and any other written law, a local government may — waive or grant concessions in relation to any amount of money;

s6.12(3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.

s9.10 Appointment of authorised persons

s9.11 Persons found committing breach of Act to give name on demand

Policy

Nil.

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Added the following conditions: 1. Any agreement to extend the time to pay, waive or reduce penalties shall be made in writing. 2. Authority to waive or reduce penalties is limited to $5,000. 3. If a Director/Deputy Chief Executive Officer makes a decision NOT to withdraw an infringement, and an objection is received as a result of that decision being made, the matter shall be referred to the Chief Executive Officer for determination.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	5.4
Subject	Grants and subsidies - Application and acceptance

Delegated by

Council

Delegates

CEO

Subdelegates

Executive Manager Commercial Services
Executive Manager Corporate Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Power or Duty

Authority to apply for grants and subsidies.

Authority to accept grants and subsidies.

Conditions

All applications must be in accordance with the Council's strategic objectives.

Council approval is required prior to acceptance unless the grant or subsidy is included in the budget.

The impact on subsequent budgets must be considered prior to the acceptance of the grant or subsidy.

DRAFT

Statutory Framework

Local Government Act 1995

s0.15 (1) A local government may receive revenue or income from various sources authorised by the act or another written law or from dealings in property or grants or gifts.

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	In paragraph 1 and 2 under Power or Duty remove the words "The Chief Executive Officer is delegated the..."	Nil

DRAFT

Delegation

Reference	5.5
Subject	Payment of accounts

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Corporate Services
Coordinator Financial Services
Executive Manager Corporate Services

Power or Duty

1. Authority to make payments from the municipal fund and the trust fund within budget limits.
2. Authority to develop procedures for the authorisation of and the payment of accounts.
3. Authority to develop procedures for the approval of accounts.

Conditions

1. Each payment is to be noted on a list compiled for each month, which is to be presented to the next Ordinary Meeting of Council, showing:
   - The payee's name;
   - The amount of the payment;
   - The date of the payment; and
   - Sufficient information to identify the transaction.
2. Ensure that there is effective security for, and properly authorised use of cheques, credit cards, computer encryption devices and passwords, petty cash systems, purchasing cards and any other devices or methods by which goods, services or money or other benefits may be obtained.
3. Ensure that before payment of an account, a determination is made that:

   - The relevant debt was incurred by a person who was properly authorised to do so;
   - The goods or services to which each account relates were provided in a satisfactory condition or to a satisfactory standard, as the case requires.

Statutory Framework

Local Government (Financial Management) Regulations 1996

r.11 Payments, procedures for making etc.

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	5.6
Subject	Power to Invest

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Corporate Services
Executive Manager Corporate Services

Power or Duty

Authority to invest any monies held in the trust fund or the municipal fund that is not, for the time being, required by the local government for any other purpose, may be invested in accordance with Part III of the *Trustees Act 1962*, in association with Council's Policy.

Authority to establish and document internal control procedures to be followed by employees to ensure control over assets.

Conditions

All investment decisions and withdrawals shall be jointly signed by the Chief Executive Officer and the Executive Manager Corporate Services.

Investment decisions for sums greater than $15 million are to be made by Council. Control procedures are to enable the identification of:
- The nature and location of all investments; and
- The transactions related to each investment.

Statutory Framework

Local Government Act 1995

s6.14(1) Money held in the municipal fund or the trust fund of a local government that is not, for the time being, required by the local government for any other purpose may be invested as trust funds may be invested under the Trustees Act 1962 Part III.

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Increase level of investment authority from $5 million to $15 million. Sums over $15 million must be approved by Council.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	In paragraph 1 and 2 under Power or Duty remove the words "The Chief Executive Officer is delegated the..."	Nil

DRAFT

Delegation

Reference	5.7
Subject	Rate record

Delegated by
Council

Delegates
CEO

Subdelegates
Manager Corporate Services
Executive Manager Corporate Services

Power or Duty
Authority to:

1. Compile the necessary rate records as specified in the *Local Government Act 1995* ("the Act") and reassess rates payable;
2. Serve rates notices in accordance with the Act [s.6.41];
3. Enter into agreements in accordance with the Act for payment of rates and service charges [s.6.49];
4. Determine the date that a rate or service charge becomes due and payable under the Act [s.6.50];
5. Recover rates and service charges in accordance with the Act [s.6.56(1)];
6. Lodge caveats on land where the rates are in arrears and it is considered that the interests of the Council should be protected and the subsequent withdrawal of caveats once arrears of rates have been settled [s.6.64(3)];
7. Exercise discretion in regard to granting of any extension of time for service of objection to the rate book [s.6.76(4)];
8. Allow or disallow any objection to the rate record lodged and to serve notice of the decision and a statement of reasons for the decision upon the person lodging the objection [s.6.76(5)];
9. Extend the period for receipt of a notice and to refer notices received to the land valuation tribunal;
10. Amend the rate record for the current financial year to ensure that the information contained in the record is current and correct and that the record is in accordance with the *Local Government Act 1995* and issue an interim rate assessment, refund or credit as a result of such an amendment [s.6.39(1)]; and
11. Authority to amend the rate record for the five years preceding the current financial year [s.6.39(2)(b)].

Conditions

1. Delegates must comply with the requirements of s.6.40 of the Act;
2. Any agreement for the payment of rates or service charges must be made in writing, and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied, except in exceptional circumstances where a payment plan has been entered into.
3. A delegate who has participated in any matter contributing to a decision relating to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination to grant an extension of time or to allow or disallow any objection to the rate record.

Statutory Framework
Local Government Act 1995

Division 6 Rates and service charges
ss6.39 (1), 6.39(2), 6.41, 6.49, 6.50(1), 6.50(2), 6.56(1), 6.60(2), 6.60(3), 6.60(4), 6.64(3), 6.76(1), 6.76(4), 6.76(5), 6.76(6) and 6.69(3)

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1980	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Combine delegations 5.1 - Agreement as to payment of rates and service charges - and 5.10 - Rates or service charges recoverable in court. Add the following conditions: Delegates must comply with the requirements of s.6.40 of the Act; Any agreement for the payment of rates or service charges must be made in writing, and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied. A delegate who has participated in any matter contributing to a decision relating to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination to grant an extension of time or to allow or disallow any objection to the rate record.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
26 April 2019	As per resolution at the Council meeting on 26/04/2019. At point 2 under the conditions, add in the following words "Except in exceptional circumstances, where a payment plan has been entered into" The change is due to several owners being in financial hardship and wanting to negotiate payment arrangements.	

DRAFT

Delegation

Reference	5.8
Subject	Recovery of Impounding expenses

Delegated by
Council

Delegates
CEO

Subdelegates
Manager Development Services - Health
Manager Community Safety
Coordinator Ranger & Emergency Services
Executive Manager Commercial Services
Executive Manager Corporate Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Power or Duty
Authority to recover expenses incurred for removing, impounding and disposing of confiscated or uncollected goods [s.3.48].

Conditions
Nil

Statutory Framework
Local Government Act 1995

s3.48 If goods are removed and impounded under section 3.39 and the alleged offender is convicted, the local government may, by action in a court of competent jurisdiction, recover from the alleged offender

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Added Director Technical & Development Services as subdelegate.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

D. CUSTOMER & COMMUNITY SERVICES

Delegation

Reference	6.1
Subject	Community Assistance Grants and Quick Grants

Delegated by
Council

Delegates
CEO

Subdelegates
N/A

Power or Duty
The Chief Executive Officer is delegated the authority to approve Community Assistance Grants for cash or in-kind contributions of up to $1000.

The Chief Executive Officer is delegated the authority to approve Quick Grants for in-kind contributions of up to $500.

Conditions
Applicants must complete the Grant 2 - Community Assistance Grants Application Form - for requests up to $1000. The application is to be assessed by the relevant Executive Manager before being authorised by the Chief Executive Officer.

Applicants must complete the Grant 1 - Quick Grants Application Form - for requests under $500. The application is to be assessed by the relevant Executive Manager before being authorised by the Chief Executive Officer.

Approvals must be in accordance with budget allocations.

Statutory Framework
Local Government (Financial Management) Regulations 1996

r12(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.

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Increase the level of authority to approve Quick Grants from $300 to $500 - in line with current processes. Remove the condition that only one grant may be approved per group, per annum - in line with current processes.	Nil
28 June 2019	In paragraphs 1 and 2 under conditions remove the word "Director"and replace with "Executive Manager."	Nil

DRAFT

Delegation

Reference	6.2
Subject	Bush Fires Act 1954 - Powers and duties

Delegated by
Council

Delegates
CEO

Subdelegates
N/A

Power or Duty
1. Authority to exercise the powers and duties of a local government, and to administer and enforce the provisions of the *Bush Fires Act 1954* [s.48(1)].

Conditions
1. A delegation under this section does not include the power to sub-delegate [s.48(3)].

Statutory Framework
Bush Fires Act 1954

s48 Delegation by local governments

DRAFT

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

Delegation

Reference	6.3
Subject	Bush Fires Act 1954 - Prohibited and restricted burning times

Delegated by

Council

Delegates

Shire President
Manager Community Safety
Chief Bush Fire Control Officer
Executive Manager Customer & Community Services

Subdelegates

N/A

Power or Duty

1. Authority to vary the prohibited and restricted burning times, in accordance with s.17(7) and (8) and s.18(5) of the *Bush Fires Act 1954*, regarding:

- Shortening, extending, suspending or reimposing a period of prohibited or restricted burning times; or
- Imposing a further period of prohibited burning times.

Conditions

1. Decisions under this delegation must be a decision made jointly between the delegates and must comply with the procedural requirements of s.17(7B) and (8).

DRAFT

Statutory Framework

Bush Fires Act 1954

s17 Prohibited burning times may be declared by Minister

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

Delegation

Reference	6.4
Subject	Bush Fires Act 1954 - Prosecutions

Delegated by

Council

Delegates

CEO
Manager Community Safety
Coordinator Ranger & Emergency Services
Chief Bush Fire Control Officer
Executive Manager Commercial Services
Executive Manager Corporate Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Subdelegates

N/A

Power or Duty

1. Authority to consider allegations of offences alleged to have been committed under the *Bush Fires Act 1954*, to institute and carry on proceedings in the name of the local government against any person alleged to have committed any of those offences, and to pay out of its funds any costs and expenses incurred in or about the proceedings [s.59].

2. Authority to serve an infringement notice for an offence against the *Bush Fires Act* [s.59A].

Conditions

1. Only the Chief Executive Officer or Shire President may withdraw an infringement notice (r.4(a) of the *Bush Fires (Infringements) Regulations 1978*).

Statutory Framework

Bush Fires Act 1954

s59 Prosecution of offences

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	6.5
Subject	Disposing of confiscated or uncollected goods

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Health
Manager Community Safety
Coordinator Ranger & Emergency Services
Executive Manager Commercial Services
Executive Manager Corporate Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Power or Duty

Authority to sell or otherwise dispose of any goods which have not been collected in accordance with a notice given, as per s3.47 *Local Government Act 1995*.

Authority to recover expense incurred for removing, impounding, and disposing of confiscated or uncollected goods [s3.48].

Conditions

Authority to dispose of goods up to the value of $1500 only. Where the value of any tender exceeds the amount of $1500, it is to be determined by Council.

Statutory Framework

Local Government Act 1995

s3.47 Confiscated or uncollected goods, disposal of

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Remove reference to s3.47A sick or injured animals, disposal of. New delegation created for this.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	6.6
Subject	Cat Act 2011 - Delegations

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Health
Manager Community Safety
Coordinator Ranger & Emergency Services
Ranger
Environmental Health Officer
Coordinator Administration Services
Coordinator Technical & Development Services
Customer Services Officer
Executive Manager Commercial Services
Executive Manager Corporate Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services
Customer Service Administration Officer

DRAFT

Power or Duty

1. Authority to fulfill, carry out, undertake or enforce any power or duty of the local government under the *Cat Act 2011* and to do all other things that are necessary or convenient to be done for or in connection with performing its functions under the *Cat Act 2011*.

Conditions

Registration of Cats
The following officers are delegated authority to grant, refuse to grant or cancel cat registrations under sections 9 and 10 of the *Cat Act 2011:*

- Coordinator Administration Services
- Coordinator Technical and Development Services
- Technical & Development Services Administration Officer
- Customer Services Officers

Issue of Infringement Notices
The following officers are delegated authority to issue infringement notices under the *Cat Act 2011:*

- Manager Community Safety
- Coordinator Ranger and Emergency Services
- Rangers
- Manager Development Services - Health
- Environmental Health Officer

Extensions and Withdrawals of Infringements
The following officers are delegated authority to extend time for payment or withdraw infringements under the *Cat Act 2011:*

- Chief Executive Officer
- Executive Manager Corporate Services
- Executive Manager Commercial Services
- Executive Manager Customer & Community Services
- Executive Manager Infrastructure Services

Statutory Framework

Cat Act 2011

s.44 Delegation by local government

s.45 Delegation by CEO of local government

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Under power or duty, remove reference to local government administering local laws...we do not have a Cat Local Law.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
26 March 2019	Change of Title - Technical & Development Services Admin Officer to Commercial & Development Services Admin Officer New role - Commercial & Development Services Admin Officer - Does not deal with Ranger Admin tasks anymore.	Nil
28 June 2019	Remove "Commercial & Development Services Administration Officer" from list of subdelegates. This position is not required to register Cats.	

DRAFT

Delegation

Reference	6.7
Subject	Entry to property

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Building
Manager Development Services - Health
Executive Manager Commercial Services
Executive Manager Corporate Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Power or Duty

1. Authority to exercise powers of entry to enter land to perform any of the local government functions under the *Local Government Act 1995*, other than entry under a Local Law [s.3.28].
2. Authority to give notice of entry [s.3.32]
3. Authority to seek and execute an entry under warrant [s.3.33]
4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)].
5. Authority to give notice and effect entry by opening a fence [s.3.36].

DRAFT

Conditions

Delegated authority may only be used, where there is imminent or substantial risk to public safety or property.

Statutory Framework

Local Government Act 1995

s.3.28 Powers of entry, when this subdivision applies
s.3.32 Notice of entry
s.3.33 Entry under warrant
s.3.34 Entry in emergency
s.3.36 Opening fences

Animal Welfare Act 2002

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Re-word delegation, as below, to allow for the proper execution of officer functions and duties: (copied WALGA template) 1. Authority to exercise powers of entry to enter land to perform any of the local government functions under the Local Government Act 1995, other than entry under a Local Law [s.3.28]. 2. Authority to give notice of entry [s.3.32] 3. Authority to seek and execute an entry under warrant [s.3.33] 4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36]. Also, add the following condition: Delegated authority may only be used, where there is imminent or substantial risk to public safety or property.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	6.8
Subject	Impounded non-perishable goods

Delegated by
Council

Delegates
CEO

Subdelegates
Manager Development Services - Health
Manager Community Safety
Coordinator Ranger & Emergency Services
Ranger
Executive Manager Infrastructure Services
Executive Manager Customer & Community Services
Executive Manager Commercial Services

Power or Duty
Authority to -
(a) institute proceedings; or
(b) give a notice stating where goods may be collected from,
when any non-perishable goods have been removed and impounded under s3.39 of the *Local Government Act 1995*.

DRAFT

Conditions
Nil

Statutory Framework
Local Government Act 1995

s3.42 Impounded non-perishable goods

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Add EM Commercial Services to subdelegates.	Nil

DRAFT

Delegation

Reference	6.9
Subject	Notice to collect goods if not confiscated

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Health
Manager Community Safety
Coordinator Ranger & Emergency Services
Ranger
Executive Manager Infrastructure Services
Executive Manager Customer & Community Services
Executive Manager Commercial Services

Power or Duty

Authority to give notice that goods may be collected, where non-perishable goods have been removed and impounded under s.3.39 and a prosecution is instituted, if the alleged offender -
(a) is not convicted; or
(b) is convicted but the court does not order that the goods be confiscated.

DRAFT

Conditions

Nil

Statutory Framework

Local Government Act 1995

s.3.44 Notice to collect goods if not confiscated

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Add EM Commercial Services to subdelegates.	Nil

DRAFT

Delegation

Reference	6.10
Subject	Power to remove and impound goods

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Community Safety
Coordinator Ranger & Emergency Services
Ranger
Executive Manager Infrastructure Services
Executive Manager Customer & Community Services
Executive Manager Commercial Services

Power or Duty

Authority to remove and impound goods from a public place if the goods present a hazard to public safety or they obstruct the lawful use of any place or otherwise are involved in a contravention that can lead to impounding.

Conditions

Nil

Statutory Framework

Local Government Act 1995

s.3.39 Power to remove and impound

Policy

Nil

DRAFT

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Add EM Commercial Services to subdelegates.	Nil

Delegation

Reference	6.11
Subject	Graffiti Vandalism Act 2016 - Notices

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Community Safety
Coordinator Ranger & Emergency Services
Ranger
Executive Manager Commercial Services
Executive Manager Corporate Services
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Power or Duty

1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is removed in an acceptable manner, and within the time set out in the notice [s.18(2)].

2. Authority, where a person fails to comply with a notice, to do anything necessary to remove the graffiti in an acceptable manner [s.19(3)], and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)].

3. Authority to deal with an objection to a notice [s.22(3)].

4. Authority, where an objection has been lodged, to:
(a) determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)]; and
(b) to give notice to the affected person, before taking the necessary actions [s.24(3)].

Conditions

Authorised persons to issue infringement notices:

The following are authorised officers to issue infringement notices excluding the withdrawal of infringement notices.

- Manager Community Safety
- Coordinator Ranger and Emergency Services
- Rangers

Authorised persons to withdraw infringement notices:

- Chief Executive Officer
- Executive Manager Corporate Services
- Executive Manager Commercial Services
- Executive Manager Customer & Community Services
- Executive Manager Infrastructure Services

Certificate of Authorisation

The local government is to issue each person so authorised a certificate stating that the person is so authorised, and the person is to produce the certificate whenever required to do so by a person who has been or is about to be affected by any exercise of authority by the authorised person [s.9.10(2) *Local Government Act 1995*].

Statutory Framework

Graffiti Vandalism Act 2016

s16 (1) Delegation by local government

s17 (1) Delegation by CEO of local government

Local Government Act 1995

s9.10 Appointment of Authorised Persons

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Re-name delegation from 'Graffiti Vandalism Act 2016 - Delegations' to 'Graffiti Vandalism Act 2016 - Notices'. Re-word delegation, as follows, in line with WALGA template: 1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is removed in an acceptable manner, and within the time set out in the notice [s.18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything necessary to remove the graffiti in an acceptable manner [s.19(3)], and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)]. 3. Authority to deal with an objection to a notice [s.22(3)]. 4. Authority, where an objection has been lodged, to: (a) determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)]; and (b) to give notice to the affected person, before taking the necessary actions [s.24(3)].	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	6.12
Subject	Disposal of sick or injured animals

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Community Safety
Coordinator Ranger & Emergency Services
Ranger
Executive Manager Customer & Community Services

Power or Duty

1. Authority to determine when an impounded animal is ill or injured, that treating it is not practicable, and to humanely destroy the animal and dispose of the carcass [s3.47A(1)]

Conditions

Delegation only to be used where reasonable efforts have been made to identify and contact an owner.

Statutory Framework

Local Government Act 1995

s3.47A Sick or injured animals, disposal of

Animal Welfare Act 2002

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
29 June 2018	New delegation - previously dealt with under delegation 7.5 - Disposal of confiscated or uncollected goods. Separated out to align with Act.	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Remove EM Infrastructure Services from subdelegates.	Nil

DRAFT

Delegation

Reference	6.13
Subject	Declare Vehicle is Abandoned Wreck

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Community Safety
Coordinator Ranger & Emergency Services
Ranger
Executive Manager Customer & Community Services

Power or Duty

Authority to declare a vehicle to be an abandoned vehicle wreck if -
(a) after 7 days from the removal of the vehicle under s.3.40A(1) of the *Local Government Act 1995*, the owner of the vehicle has not collected it; or
(b) after 7 days from being given notice under s3.40A(2) of the *Local Government Act 1995*, the owner of the vehicle has not collected it.

Conditions

Disposal of a declared abandoned vehicle wreck is to be undertaken in accordance with delegated authority 7.5 Disposing of confiscated or uncollected goods.

Statutory Framework

Local Government Act 1995

s.3.40A(4) Abandoned vehicle wreck may be taken.

Policy

Nil.

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
29 June 2018	New delegation not previously accounted for. Delegation required to allow officers to properly undertaken this task.	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Remove EM Infrastructure Services from subdelegates.	Nil

DRAFT

Delegation

Reference	6.14
Subject	Graffiti Vandalism Act 2016 - Remove Graffiti on Private Property

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Community Safety
Coordinator Ranger & Emergency Services
Ranger
Executive Manager Customer & Community Services
Executive Manager Infrastructure Services

Power or Duty

1. Authority to remove graffiti, or appoint a contractor to do so, without the consent of the owner or occupier, even though the land on which it is done is not local government property, and the local government does not have consent [s.25(1)].

2. Authority to give notice of an intended entry to the owner of occupier of land, premises or thing, specifying the purpose for which entry is required [s.28].

3. Authority to obtain a warrant to enable entry onto land, premises or thing for the purposes of the *Graffiti Vandalism Act 2016* [s.29].

DRAFT

Conditions

1. Authority to remove graffiti on private property is subject to exercising Powers of Entry.

Statutory Framework

Graffiti Vandalism Act 2016

s.16 Delegation by local government

s.17 Delegation by CEO of local government

Policy

Nil.

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
29 June 2018	New delegation - not previously accounted for. Copied WALGA template.	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	6.15
Subject	Bush Fires Act 1954 - Firebreaks

Delegated by
Council

Delegates
CEO

Subdelegates
N/A

Power or Duty
1. Authority to approve format and content, and authorise the issue of the annual Shire of East Pilbara Firebreak Order.

Conditions
A delegation under this section does not include the power to subdelegate [s.48(3)].

Statutory Framework
Bush Fires Act 1954

s.33 Local government may require occupier of land to plough or clear fire-breaks

s.48 Delegation by local government

DRAFT

Policy
Nil.

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
29 June 2018	New delegation added as a matter of compliance. The approval and issue of Firebreak notice is something that CEO already undertakes on an annual basis.	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

E. COMMERCIAL SERVICES

Delegation

Reference	7.1
Subject	Exemptions under clause 3.1(2) - Public Places and Local Government Property Local Law 2011

Delegated by
Council

Delegates
CEO

Subdelegates
N/A

Power or Duty
The Chief Executive Officer is delegated the authority to determine persons or groups which may be exempt, under clause 3.1(2) of the Shire of East Pilbara *Public Places and Local Government Property Local Law 2011*, from the requirement in clause 3.1(1) of that same local law to obtain a licence and pay the applicable fees.

Conditions
- Every person or group seeking an exemption under clause 3.1(2) of the *Public Places and Local Government Property Local Law 2011*, must apply in writing in a form approved by the Shire.
- Although that person or group may be exempted from paying the appropriate application fees, they will still be required to complete the appropriate forms for the application for licence.
- Exemptions will only be available to persons or groups based in the Shire of East Pilbara which positively contribute to the wellbeing of the community.
- Exemptions will not be available to State or Federal Agencies or profit organisations.

Statutory Framework
Cl 3.1(2) Shire of East Pilbara *Public Places and Local Government Property Local Law 2011*. 3.1 Activities requiring a licence.

Cl 3.1 (2) The local government may exempt a person from compliance with subclause (1) on the application of that person.

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	7.2
Subject	Building Act 2011 - Building and demolition permits

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Building
Manager Land Use & Strategy
Executive Manager Commercial Services

Power or Duty

The Chief Executive Officer is delegated the power to perform the following functions:

1. Refer an uncertified application to a building surveyor [in circumstances set out in s.17(1)].
2. Require the applicant to provide any document or information that it requires to determine the application and to verify the information by statutory declaration [s.18(1)].
3. Refuse to consider an application [s.18(2)].
4. Grant a building permit [ss.20 and 23].
5. Refuse to grant a building permit [ss.20 and 23, including in the circumstances in ss.22(1) and (2)].
6. Grant a demolition permit [ss.21 and 23].
7. Refuse to grant a demolition permit [ss.21 and 23, including in the circumstances in ss.22(1) and (2)].
8. Refund the fee that accompanied an application to the applicant if no decision is made within the time mentioned in ss.23(1) and (2) [s.23(4)].
9. Record the grounds on which a decision to refuse to grant a building permit or demolition permit is based on and the reasons for the decision and give to the person to whom the decision relates written notice of the decision together with those grounds and reasons and the person's right of review [s.24].
10. Impose conditions on the grant of a permit in addition to any provided for in the Regulations, including specifying the way in which an outward facing side of a particular close wall must be finished [ss.27(1) and 88(3)].
11. Add, vary or revoke conditions imposed on a permit before the building work or demolition work is completed [s.27(3)].
12. Refuse to accept an application to extend the time during which a permit has effect made after the expiry day for the permit [r.23(3)].
13. Extend the time during which a permit has effect and impose conditions on the extended permits [s.32, rr.24(1) and (2)].
14. Refuse to extend the time during which a permit has effect [r.24(1)].
15. Approve a new person to be named as the builder on the building permit and amend the details set out in the permit accordingly [r.26 (3) and (4)].
16. Approve a new person to be named as the demolition contractor on the demolition permit and amend the details set out in the permit accordingly [r.26(3) and (4)].

Conditions

Authority to delegate is limited by s127 *Building Act 2011*.
s127 (6A) The CEO of a local government may delegate to any other local government employee a power or duty of the local government that has been delegated to the CEO under this section but in the case of such a power or duty —
(a) the CEO's power under this subsection to delegate the exercise of that power or the discharge of that duty; and
(b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions, qualifications, limitations or exceptions imposed by the local government on its delegation to the CEO.

Records of determinations made under delegation to be kept on appropriate file or register.

Statutory Framework

Building Act 2011

s18 (1) A permit authority to which an application is made may require the applicant to give the permit authority, within a specified time of

not more than 21 days, any document or information that it requires to determine the application and may require the applicant to verify the information by statutory declaration.

s20 (1) (a) A permit authority to which a certified application or an uncertified application is made must grant the building permit if it is satisfied — that the applicant has complied with section 16;

s21 (1) (a) The permit authority to which an application for a demolition permit is made must grant the demolition permit if it is satisfied — that the applicant has complied with section 16;

s27(1) A permit authority may impose conditions on the grant of a building permit or demolition permit in addition to any provided for in the regulations.

s127 (1) A special permit authority or a local government may delegate any of its powers or duties as a permit authority under another provision of this Act.

Building Regulations 2012

r23 Application to extend time during which permit has effect (s. 32)

r24 Extension of time during which permit has effect (s. 32(3)

r26 Approval of new responsible person (s. 35(c)

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	

Delegation

Reference	7.3
Subject	Building Act 2011 - Building Information

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Building
Manager Land Use & Strategy
Commercial & Development Services Administration Officer
Executive Manager Commercial Services

Power or Duty

The Chief Executive Officer is delegated the power to perform the following functions:

1. Keep a register of all building permits, demolition permits, occupancy permits and building approval certificates granted by it, and all building orders made by it, in an approved manner and form [s.128(1), (2)].
2. Amend the register to reflect the variation or revocation of a condition of, or any other change reflecting to that effect of, a building permit, a demolition permit, an occupancy permit, a building approval certificate or a building order resulting from a decision of the permit authority or information given to the permit authority [s.128(3)].
3. Make the register available for inspection by members of the public during normal office hours [s.129(1)].
4. On application by any person and on payment of the prescribed fee, if any, provide to the person a copy of a building permit, a demolition permit, an occupancy permit, a building approval certificate or a building order that is kept in the register [s.129(2)].
5. Keep in the manner and for the prescribed period such of the prescribed documents that comprise, accompany, are provided for in, are issued as a result of, or otherwise relate to the building or incidental structure that is the subject of -
   a. An application for a building permit or demolition permit, or
   b. An application of a kind mentioned in Part 4 Division 2; or
   c. An inspection of a prescribed kind [s.130].
6. Allow an interested person to inspect a building record and provide to the interested person a copy of the building record [s.131(2)].
7. Give the Building Commissioner prescribed information for inclusion in the annual report submitted under the Financial Management Act 2006 Part 5 by the accountable authority [s.132(1)] and provide a record or information requested by the Building Commissioner [s.132(3), r.14].

Conditions

Authority to delegate is limited by s127 *Building Act 2011*.

Records of determinations made under delegation to be kept on appropriate file or register.

Statutory Framework

Building Act 2011

s110 Building orders

s 117 Revocation of building order

s 118 Permit authority may give effect to building order if non-compliance

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	

DRAFT

Delegation

Reference	7.4
Subject	Building Act 2011 - Building orders

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Building
Manager Land Use & Strategy
Executive Manager Commercial Services

Power or Duty

The Chief Executive Officer is delegated the power to perform the following functions:

1. Make an order in respect of one or more of the following –
   a. Particular building work;
   b. Particular demolition work;
   c. A particular building or incidental structure, whether completed before or after commencement day [s.110(1)].
2. Specify the way in which an outward facing side of a particular close wall must be finished [s.88(3)].
3. Before making a building order, give each person to whom the order is proposed to be directed written notice of the terms of the proposed order and reasons for it and advise each person of time in which they may make submissions and consider each submission received [s.111(1)].
4. Serve a copy of the order on each person to whom the order is directed in accordance with s.76 of the Interpretation Act 1994 [s.1114 (1)].
5. Revoke a building order at any time [s.117(1)].
6. Decide whether the building order has been fully complied with and either revoke the building order or inform each person to whom the order is directed that the building order remains in effect, within 28 days of receiving a notification under s.112(3)(c) [s.117(2)].
7. Cause an authorised person to –
   a. Take any action specified in the order; or
   b. To commence or complete any work specified in the order; or
   c. If any specified action was required by the order to cease, to take such steps as are reasonable in the circumstances to cause the action to cease [s.118(2)].
8. Recover as a debt from a person who has been served with a copy of a building order the reasonable costs and expenses incurred in doing anything under s.118(2) [s.118(3)].

Conditions

Authority to delegate is limited by s127 *Building Act 2011*.

Records of determinations made under delegation to be kept on appropriate file or register.

Statutory Framework

Building Act 2011

s110 Building orders

s117 Revocation of building order

s118 Permit authority may give effect to building order if non-compliance

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1980	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	

DRAFT

Delegation

Reference	7.5
Subject	Building Act 2011 - Enforcement - Authorised persons

Delegated by
Council

Delegates
CEO

Subdelegates
Manager Development Services - Building
Manager Land Use & Strategy
Executive Manager Commercial Services

Power or Duty
The Chief Executive Officer: is delegated the authority to perform the following functions:

1. Designate a person employed by the local government. According to s.96 (3) of the Building Act., a local government may, by instrument in writing, designate a person employed by the local government under the Local Government Act 1995 section 5.36, as an authorised person for the purposes of this Act in relation to buildings and incidental structures located, or proposed to be located, in the district of the local government.
2. Revoke a designation at any time [s.96(6)].
3. Limit the powers of an authorised person by imposing conditions on a person's instrument of designation or by written notice and at any time revoke or vary such condition or notice [s.99(2)(3)].
4. Give an identity card to each person designated by it as an authorised person [s.97]
5. Cause an authorised person to –
   a. Take any action specified in the order; or
   b. To commence or complete any work specified in the order; or
   c. If any specified action was required by the order to cease, to take such steps as are reasonable in the circumstances to cause the action to cease [s.118(2)].
6. Recover as a debt from a person who has been served with a copy of a building order the reasonable costs and expenses incurred in doing anything under s.118(2) [s.118(3)].

Conditions
Authority to delegate is limited by s127 *Building Act 2011*.

Records of determinations made under delegation to be kept on appropriate file or register.

Statutory Framework
Building Act 2011

s96 Authorised Persons

s99 Limitation on powers of authorised person

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	Nil

DRAFT

Delegation

Reference	7.6
Subject	Building Act 2011 - Infringement notices

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Building
Manager Land Use & Strategy
Executive Manager Commercial Services

Power or Duty

Authority to appoint authorised officers under Regulation 70(2) of the *Building Regulations 2012* and section 9.16 of the *Local Government Act 1995*, for the purpose of issuing *Building Act 2011* infringement notices in accordance with section 6(b) of the *Criminal Procedures Act 2004*, and/or to extend the period for payment of, or the withdrawal of infringement notices.

Conditions

Authorised persons to issue infringement notices

- Executive Manager Commercial Services
- Manager Development Services – Building
- Manager Land Use & Strategy

Withdrawal of infringement notices

Only the Chief Executive Officer may withdraw infringement notices. Authority to delegate is limited by s127 *Building Act 2011*.

Records of determinations made under delegation to be kept on appropriate file or register.

Statutory Framework

Building Regulations 2012

Regulation 70 (2) *Building Regulations 2012* – a permit authority that is a local government may, in writing, appoint to be an authorised officer for the purposes of the *Criminal Procedure Act 2004* section 6(b) a person appointed under the *Local Government Act 1995* section 9.10(1) and authorised for the purpose of performing functions under section 9.16 of that Act.

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1980	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services. In paragraph 1 under conditions remove EM Infrastructure Services and replace with EM Commercial Services. And remove Manager Development Services Planning and replace with Manager Land Use & Strategy. Under Power/Duty - remove the paragraph that was previously there and replace with: Authority to appoint authorised officers under Regulation 70(2) of the Building Regulations 2012 and section 9.16 of the Local Government Act 1995, for the purpose of issuing Building Act 2011 infringement notices in accordance with section 6(b) of the Criminal Procedures Act 2004, and/or to extend the period for payment of, or the withdrawal of infringement notices.	

DRAFT

Delegation

Reference	7.7
Subject	Building Act 2011 - Occupancy permits and building approval certificates

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Building
Manager Land Use & Strategy
Executive Manager Commercial Services

Power or Duty

The Chief Executive Officer is delegated the power to perform the following functions:

1. Requires the applicant of an occupancy permit or building approval certificate to provide any document or information that it requires to determine the application and to verify the information by statutory declaration [s.55(1)].
2. Refuse to consider an application [s.55(2)].
3. Grant or modify the occupancy permit or grant the building approval certificate [ss.58(1) and 59].
4. Refuse to grant or modify the occupancy permit or grant the building approval certificate [including in the circumstances set out in ss.58 (2) and (3)].
5. Record the grounds on which a decision to refuse to grant or modify an occupancy permit or grant a building approval certificate is based, and the reasons for the decision and give to the person to whom the decision relates written notice of the decision together with those grounds and reasons and the person's right to review [s.60].
6. Impose conditions on the occupancy permit or modification or building approval certificate in addition to any provided for in the Regulations [s.62(1)].
7. Add, vary or revoke conditions while the occupancy permit or building approval certificate has effect [s.62(3)].
8. Give written notice of the addition, variation or revocation of a condition and ensure that the notice informs the person of the person's right of review [s.62(4) and (5)].
9. Extend the period in which the occupancy permit or modification or the building approval certificate has effect [s.65(4)].
10. Refuse to extend the time during which an occupancy permit or a building approval certificate has effect or extend the permit or certificate for shorter period than requested by the applicant and, if so, record the grounds on which a decision is based and the reasons for the decision, and give written notice of the decision together with those grounds and reasons, and the person's right of review [s.65, r.40 (5)]
11. Refuse to accept an application to extend the time during which an occupancy permit or a building approval certificate has effect [r.40 (2)].

Conditions

Authority to delegate is limited by s127 *Building Act 2011*.

Records of determinations made under delegation to be kept on appropriate file or register.

Statutory Framework

Building Act 2011

s55 Further information
s58 Grant of occupancy permit, building approval certificate
s62 Conditions imposed by permit authority
s65 Extension of period of duration

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	Nil

DRAFT

Delegation

Reference	7.8
Subject	Building Act 2011 - Private swimming pools

Delegated by
Council

Delegates
CEO

Subdelegates
Manager Development Services - Building
Executive Manager Commercial Services

Power or Duty
The Chief Executive Officer is delegated the power to:

1. Approve alternative requirements to r.50(4)(b) if satisfied that the alternative requirements will restrict access by young children to the swimming pool as effectively as if there were compliance with Australian Standard AS 1926.1 [r.51(2)].
2. Approve a door for the purposes of r.50(4)(c)(ii) if the door is in accordance with the requirements of Australian Standard AS 1926.1 and the conditions in r.51(3) are satisfied [r.51(3).
3. Arrange for an authorised person to inspect the enclosures of private swimming pools in the district at intervals of no more than 4 years for the purpose of monitoring whether the provisions in rr.50 and 52 the Regulations are complied with [rr.50, 52 and 53(1)].

Conditions
Authority to delegate is limited by s127 *Building Act 2011*.

Records of determinations made under delegation to be kept on appropriate file or register.

Statutory Framework
Building Regulations 2012

r51 Approvals by permit authority and

r53 Inspection of barrier to private swimming pool

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	Nil

DRAFT

Delegation

Reference	7.9
Subject	Building Act 2011 - Smoke Alarms

Delegated by
Council

Delegates
CEO

Subdelegates
Manager Development Services - Building
Executive Manager Commercial Services

Power or Duty
The Chief Executive Officer is delegated the authority to approve the use, in a dwelling or in part of the dwelling, of a battery powered smoke alarm and to give approval in relation to an alarm that was installed before the approval is to be given [r.60(1) and (2)].

Conditions
Authority to delegate is limited by s127 *Building Act 2011*.

Records of determinations made under delegation to be kept on appropriate file or register.

Statutory Framework
Building Regulations 2012

r61 Local government approval of battery powered smoke alarms

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	Nil

Delegation

Reference	7.10
Subject	Building permit fees - refunds and exemptions

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Building
Manager Land Use & Strategy
Executive Manager Commercial Services

Power or Duty

Authority to determine applications for the refund of building permit fees where a building project is abandoned after issue of the permit.

Authority to determine any applications from sporting, charitable or community organisations for exemption from payment of any building permit fees.

Conditions

Any refund shall not exceed 50% of the fee paid and no refund is to be made when the project is abandoned after the expiry of 12 months from the date of issue of the permit.

Refund provisions only relate to that part of the fee retained by Council and not to any other part collected on behalf of a State Government agency including the Builder's Registration Board levy that commenced on 1 August 2001.

Statutory Framework

Local Government Act 1995

s6.12(1Subject to subsection (2) and any other written law, a local government may_
(b), waive or grant concessions in relation to any amount of money or

6.12(1)(c) write off any amount of money

6.12(3) The grant of a concession under subsection (1)(b) maybe subject to any conditions determined by the local government

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services. In paragraphs 1 and 2 under Power or duty remove the words "The Chief Executive Officer has the..."	Nil

DRAFT

Delegation

Reference	7.11
Subject	Food Act 2008 - Appointment of authorised persons and designated officers

Delegated by

Council

Delegates

CEO

Subdelegates

N/A

Power or Duty

1. Authority to appoint a person to be an authorised officer for the purposes of the *Food Act 2008* [s.122(2)].

2. Authority to appoint an Authorised Officer to be a Designated Officer, for the purpose of issuing, extending time for payment or withdrawing infringement notices for offences against the *Food Act 2008* [s.126(13)].

Conditions

1. A person who is a Designated Officer for the purposes of issuing infringements, cannot be a Designated Officer for the purposes of extending time for payment or withdrawing infringements.

2. A list of authorised and designated officers must be prepared and maintained in accordance with s.122(3) of the *Food Act 2008*.

2. In accordance with s.118(3)(b). this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.

Statutory Framework

Food Act 2008

s.118 Functions of enforcement agencies and delegation

s122 Appointment of authorised officers

s126 Issuing of infringement notices

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Add conditions, as below: 1. A person who is a Designated Officer for the purposes of issuing infringements, cannot be a Designated Officer for the purposes of extending time for payment or withdrawing infringements. 2. A list of authorised and designated officers must be prepared and maintained in accordance with s.122(3) of the Food Act 2008. 2. In accordance with s.118(3)(b). this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	7.12
Subject	Food Act 2008 - Prohibition orders

Delegated by
Council

Delegates
CEO

Subdelegates
Manager Development Services - Health
Executive Manager Commercial Services

Power or Duty
1. Authority to serve a Prohibition Order on the proprietor of a food business in accordance with s65 of the *Food Act 2008* [s.65(1)].
2. Authority to give a Certificate of Clearance, where inspection demonstrates compliance with a Prohibition Order and any Improvement Notices [s.66].
3. Authority to give written notice to the proprietor of a food business on whom a Prohibition Order has been served of the decision not to give a certificate of clearance after an inspection [s.67(4)].

Conditions
1. In accordance with s.118(3)(b) of the *Food Act 2008*, this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.

Statutory Framework
Food Act 2008

s.118 Functions of enforcement agencies and delegation

s65 Prohibition order

s66 Certificate of clearance to be given in certain circumstances

s67 Request for re-inspection

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Add condition: In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Remove EM Infrastructure Services from subdelegates and replace with EM Commercial Services.	Nil

DRAFT

Delegation

Reference	7.13
Subject	Food Act 2008 - Prosecutions

Delegated by

Council

Delegates

CEO

Subdelegates

Manager Development Services - Health
Executive Manager Commercial Services

Power or Duty

1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in court [s.54(2)].

2. Authority to institute proceedings for an offence under the *Food Act 2008* [s.125].

Conditions

1. In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.

Statutory Framework

Food Act 2008

s125 Institution of proceedings

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Add delegation as follows: 1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in court [s.54(2)]. Add condition as follows: 1. In accordance with s.18(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Remove EM Infrastructure Services from subdelegates and replace with EM Commercial Services.	Nil

DRAFT

Delegation

Reference	7.14
Subject	Food Act 2008 - Registration of a food business

Delegated by
Council

Delegates
CEO

Subdelegates
Manager Development Services - Health
Environmental Health Officer
Executive Manager Commercial Services

Power or Duty
1. Authority to register a food business in respect of any premises for the purposes of Part 9 of the *Food Act 2008* and issue a certificate of registration.
2. Authority to consider applications, determine registration of a food business and to grant the application (with or without conditions) or refuse the registration [s.110(1) and (5)].
3. Authority to vary the conditions or cancel the registration of a food business [s.112].

Conditions
In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.

Statutory Framework
Food Act 2008

s.110 Registration of Food Business

s.112 Variation of conditions or cancellation of registration of food businesses

s.118 Functions of enforcement agencies and delegation

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Add condition, as below: In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.	Nil
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
28 June 2019	Remove EM Infrastructure Services from subdelegates and replace with EM Commercial Services.	Nil

DRAFT

F. INFRASTRUCTURE SERVICES

Delegation

Reference	8.1
Subject	Acquisition of land

Delegated by

Council

Delegates

CEO

Subdelegates

N/A

Power or Duty

1. Authority to take appropriate action to acquire any privately owned land that is required for the realignment of road reserves to accommodate the implementation of Council's annual road works program.

2. Authority to offer the landowner, as compensation, the valuation as determined by the Valuer General, plus an amount of 10%.

3. Authority to negotiate arrangements with affected landowners whereby the Council may carry out works to the value of the compensation payable.

Conditions

A local government can only take land under Part 9 of the *Land Administration Act 1997*, if it is in, or is to be regarded as being included in, its own district [s.3.55]

Statutory Framework

Local Government Act 1995

s.3.55 Acquisition of land

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
29 June 2018	Re-name delegation from 'Resumption of land' to 'Acquisition of land'. Add the following condition: A local government can only take land under Part 9 of the Land Administration Act 1997, if it is in, or is to be regarded as being included in, its own district [s.3.55]	
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Delegation

Reference	8.2
Subject	Road train and extra mass permits

Delegated by

Council

Delegates

Manager Technical Services - Newman
Manager Technical Services - Rural
Executive Manager Infrastructure Services

Subdelegates

N/A

Power or Duty

Authority to determine any application recommending approval or refusal, with or without conditions, for referral to Main Roads WA to use road trains and for extra mass permits on any local road within the district.

Conditions

Nil

Statutory Framework

Nil

Policy

Nil

DRAFT

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1980	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

Delegation

Reference	8.3
Subject	Temporary road closures

Delegated by
Council

Delegates
CEO

Subdelegates
Executive Manager Infrastructure Services

Power or Duty
Authority to give the necessary notices and take all appropriate actions to temporarily close any thoroughfares for any period not exceeding 4 weeks.

Conditions
- Any proposal to close a thoroughfare for longer than 4 weeks must be referred to Council.
- The permanent closure of thoroughfares is to be referred to Council.
- Roads shall only be temporarily closed for major infrastructure works, services and land developments. However, where it is likely to have a significant adverse effect on users, public notice should be given.
- All notices and advertisements are to clearly demonstrate that Council is not committed to the closure proposal, but is simply wanting comment to assist in determining whether to proceed with the closure or not.

Statutory Framework
Local Government Act 1995
s3.50 Closing certain thoroughfares to vehicles
s3.50A Partial closure of thoroughfare for repairs or maintenance

Policy
Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

Delegation

Reference	8.4
Subject	Traffic regulatory and other signs

Delegated by

CEO

Delegates

Executive Manager Infrastructure Services

Subdelegates

N/A

Power or Duty

Authority to make applications to Main Roads WA for approval to install stop and give way signs at such places as warranted and on receipt of the necessary approval to the appropriate signs erected in accordance with the approval.

Authority to arrange installation of "School Bus Stop" signs and other traffic regulatory signs as may be necessary.

Authority to erect street name signs and approved direction signs.

Conditions

Ensure that Council Policies are adhered to.

DRAFT

Statutory Framework

Nil

Policy

Nil

Adoption and Review

Date adopted	References	Last reviewed	To be reviewed
1 January 1986	XX	28 June 2019	30 June 2020

Amendments

Date	Amendment	References
26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

Amended, Revoked and Archived Delegations of Authority

Reference	Delegation	Date	Amendment	References
3.1	Bush Fires Act 1954 - Appointment of Bush Fire Control Officers	29 June 2018	In accordance with the MOU signed between the SoEP and DFES - change the bush fire control officers as below: DFES Hedland Area Officer as Chief Bush Fire Control Officer Manager Community Safety as Deputy Chief Bush Fire Control Officer Coordinator Ranger & Emergency Services & Rangers as Fire Control Officers	Nil
3.1	Bush Fires Act 1954 - Appointment of Bush Fire Control Officers	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
3.2	Caravan Parks and Camping Grounds Act 1995 - Appointments	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
3.2	Caravan Parks and Camping Grounds Act 1995 - Appointments	28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy	Nil
3.3	Cat Act 2011 - Appointments	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
3.3	Cat Act 2011 - Appointments	28 June 2019	Under paragraph 1 of the conditions add "Customer Service Administration Officer."	Nil
3.4	Control of Vehicles (Off-road Areas) Act 1978	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
3.5	Dog Act 1976 - CEO's Delegated Authority and Appointments	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
3.5	Dog Act 1976 - CEO's Delegated Authority and Appointments	28 June 2019	Under paragraph 1 of the conditions add "Customer Service Administration Officer."	Nil

DRAFT

Reference	Delegation	Date	Amendment	References
4.0	Election of Presiding Members and Deputies - Delegation	29 June 2018	Remove reference to section 5.12 - Presiding members and deputies, election of. This is a reference to Committees. Correct section to reference is s.2.11(1)(b) and s.2.15 which refers to Council.	Nil
4.0	Election of Presiding Members and Deputies - Delegation	15 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.1	Acting Chief Executive Officer	26 October 2018	Change Deputy CEO title to Executive Managers. Also include the following officers to be appointed Acting CEO (CEO wanted to be able to rotate between the 4 executives): EM Corporate Services EM Commercial Services EM Customer & Community Services EM Infrastructure Services	Nil
4.2	Administer Local Laws	29 June 2018	Under conditions add the following: A register of Authorised Persons, appointed to administer local laws, is to be maintained.	Nil
4.2	Administer Local Laws	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.3	Certain Provisions About Land	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.4	Disposing of Property	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Reference	Delegation	Date	Amendment	References
4.5	Execution of Documents	29 June 2018	Add Manager Martumilli as a sub-delegate. Add the following condition for the Manager Martumilli: The Manager Martumilli may only sign the following Martumilli agreements that are with and on behalf of the artists: •Consignment agreements; •Copyright agreements; •Artist agreements; and •Collaborative agreements.	Nil
4.5	Execution of Documents	20 September 2018	Under the heading Policy - change policy number from 4.6 to 4.5 - Execution of Documents (Use of Common Seal). Incorrect reference was made.	Nil
4.5	Execution of Documents	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.6	Issue of Notices, Cautions and Infringements	29 June 2018	Add condition that a register of Authorised Persons, appointed to issue notices, cautions and infringements, is to be maintained.	Nil
4.6	Issue of Notices, Cautions and Infringements	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.7	Legal Matters	29 June 2018	Remove requirement that the CEO has authority to obtain legal advice and opinions - this is an operational matter - delegation not required. Add condition that an employee appointed to represent the Shire in legal proceedings must be appointed in writing signed by the CEO [s9.29(2)(b)].	Nil
4.7	Legal Matters	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.8	Expressions of Interest for Goods & Services	29 June 2018	Change of title from 'Limitation may be placed on who can tender' to 'Expressions of Interest for Goods & Services.' to align with wording in the Act.	Nil

Reference	Delegation	Date	Amendment	References
4.8	Expressions of Interest for Goods & Services	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.9	Authority to invite tenders	29 June 2018	Change of title from 'Making of the decision to invite tenders' to 'Authority to invite tenders' to align with wording in the Act.	Nil
4.9	Authority to invite tenders	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
5.1	Agreement as to payment of rates and service charges	29 June 2018	Remove delegation. Already accounted for in delegation 5.9 - Rate record.	Nil
5.1	Authority to waive fees	29 June 2018	Add delegation as follows: 2. Authority to grant an extension of time to pay in relation to any amount of money which is owed to the Shire of East Pilbara. Add condition as follows: Any agreement to extend time to pay must be made in writing.	Nil
5.1	Authority to waive fees	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
5.2	Authority to write off monies	29 June 2018	Under conditions remove 'The maximum rates write off is $500' - under section 6.12(2) of the LGA the power to write off monies does not apply to an amount of money owing in respect of rates or service charges.	Nil
5.2	Authority to write off monies	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Reference	Delegation	Date	Amendment	References
5.3	Extension of payment time, waiver or reduction of penalties, withdrawal of infringement notices	29 June 2018	Added the following conditions: 1. Any agreement to extend the time to pay, waive or reduce penalties shall be made in writing. 2. Authority to waive or reduce penalties is limited to $5,000. 3. If a Director/Deputy Chief Executive Officer makes a decision NOT to withdraw an infringement, and an objection is received as a result of that decision being made, the matter shall be referred to the Chief Executive Officer for determination.	Nil
5.3	Extension of payment time, waiver or reduction of penalties, withdrawal of infringement notices	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
5.4	Grants and subsidies - Application and acceptance	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
5.4	Grants and subsidies - Application and acceptance	28 June 2019	In paragraph 1 and 2 under Power or Duty remove the words "The Chief Executive Officer is delegated the..."	Nil
5.5	Payment of accounts	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
5.6	Municipal fund and trust fund	29 June 2018	Remove delegation from the register. Duplication of delegation 5.7 - Payment of accounts	Nil
5.6	Power to invest	29 June 2018	Increase level of investment authority from $5 million to $15 million. Sums over $15 million must be approved by Council.	Nil
5.6	Power to Invest	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
5.6	Power to Invest	28 June 2019	In paragraph 1 and 2 under Power or Duty remove the words "The Chief Executive Officer is delegated the..."	Nil

DRAFT

Reference	Delegation	Date	Amendment	References
5.7	Rate record	29 June 2018	Combine delegations 5.1 - Agreement as to payment of rates and service charges - and 5.10 - Rates or service charges recoverable in court. Add the following conditions: Delegates must comply with the requirements of s.6.40 of the Act; Any agreement for the payment of rates or service charges must be made in writing, and must ensure acquittal of the rates or service charge debt before the next annual rates or service charges are levied. A delegate who has participated in any matter contributing to a decision relating to the rate record, which is the subject of a Rates Record Objection, must NOT be party to any determination to grant an extension of time or to allow or disallow any objection to the rate record.	Nil
5.7	Rate record	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
5.7	Rate record	26 April 2019	As per resolution at the Council meeting on 26/04/2019. At point 2 under the conditions, add in the following words "Except in exceptional circumstances, where a payment plan has been entered into" The change is due to several owners being in financial hardship and wanting to negotiate payment arrangements.	Nil
5.8	Recovery of Impounding expenses	29 June 2018	Added Director Technical & Development Services as subdelegate.	Nil
5.8	Recovery of Impounding expenses	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Reference	Delegation	Date	Amendment	References
6.1	Community Assistance Grants and Quick Grants	29 June 2018	Increase the level of authority to approve Quick Grants from $300 to $500 - in line with current processes. Remove the condition that only one grant may be approved per group, per annum - in line with current processes.	Nil
6.1	Community Assistance Grants and Quick Grants	28 June 2019	In paragraphs 1 and 2 under conditions remove the word "Director"and replace with "Executive Manager."	Nil
6.2	Bush Fires Act 1954 - Powers and duties	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.3	Bush Fires Act 1954 - Prohibited and restricted burning times	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.4	Bush Fires Act 1954 - Prosecutions	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.5	Disposing of confiscated or uncollected goods	29 June 2018	Remove reference to s3.47A sick or injured animals, disposal of. New delegation created for this.	Nil
6.5	Disposing of confiscated or uncollected goods	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.6	Cat Act 2011 - Delegations	29 June 2018	Under power or duty, remove reference to local government administering local laws...we do not have a Cat Local Law.	Nil
6.6	Cat Act 2011 - Delegations	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.6	Cat Act 2011 - Delegations	26 March 2019	Change of Title - Technical & Development Services Admin Officer to Commercial & Development Services Admin Officer New role - Commercial & Development Services Admin Officer - Does not deal with Ranger Admin tasks anymore.	Nil

Reference	Delegation	Date	Amendment	References
6.6	Cat Act 2011 - Delegations	28 June 2019	Remove "Commercial & Development Services Administration Officer" from list of subdelegates. This position is not required to register Cats.	Nil
6.7	Entry to property	29 June 2018	Re-word delegation, as below, to allow for the proper execution of officer functions and duties: (copied WALGA template) 1. Authority to exercise powers of entry to enter land to perform any of the local government functions under the Local Government Act 1995, other than entry under a Local Law [s.3.28]. 2. Authority to give notice of entry [s.3.32] 3. Authority to seek and execute an entry under warrant [s.3.33] 4. Authority to execute entry in an emergency, using such force as is reasonable [s.3.34(1) and (3)]. 5. Authority to give notice and effect entry by opening a fence [s.3.36]. Also, add the following condition: Delegated authority may only be used, where there is imminent or substantial risk to public safety or property.	Nil
6.7	Entry to property	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.8	Impounded non-perishable goods	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.8	Impounded non-perishable goods	28 June 2019	Add EM Commercial Services to subdelegates.	Nil
6.9	Notice to collect goods if not confiscated	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.9	Notice to collect goods if not confiscated	28 June 2019	Add EM Commercial Services to subdelegates.	Nil
7.1	Exemptions under clause 3.1(2) - Public Places and Local Government Property Local Law 2011	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

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Reference	Delegation	Date	Amendment	References
7.2	Building Act 2011 - Building and demolition permits	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
7.2	Building Act 2011 - Building and demolition permits	28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	Nil
7.3	Building Act 2011 - Building Information	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
7.3	Building Act 2011 - Building Information	28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	Nil
7.4	Building Act 2011 - Building orders	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
7.4	Building Act 2011 - Building orders	28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	Nil
7.5	Building Act 2011 - Enforcement - Authorised persons	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
7.5	Building Act 2011 - Enforcement - Authorised persons	28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	Nil
7.6	Building Act 2011 - Infringement notices	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Reference	Delegation	Date	Amendment	References
7.6	Building Act 2011 - Infringement notices	28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services. In paragraph 1 under conditions remove EM Infrastructure Services and replace with EM Commercial Services. And remove Manager Development Services Planning and replace with Manager Land Use & Strategy. Under Power/Duty - remove the paragraph that was previously there and replace with: Authority to appoint authorised officers under Regulation 70(2) of the Building Regulations 2012 and section 9.16 of the Local Government Act 1995, for the purpose of issuing Building Act 2011 Infringement notices in accordance with section 6(b) of the Criminal Procedures Act 2004, and/or to extend the period for payment of, or the withdrawal of Infringement notices.	Nil
7.7	Building Act 2011 - Occupancy permits and building approval certificates	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
7.7	Building Act 2011 - Occupancy permits and building approval certificates	28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	Nil
7.8	Building Act 2011 - Private swimming pools	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
7.8	Building Act 2011 - Private swimming pools	28 June 2019	Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	Nil
7.9	Building Act 2011 - Smoke Alarms	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Reference	Delegation	Date	Amendment	References
7.9	Building Act 2011 - Smoke Alarms	28 June 2019	Remove EM Infrastructure Services from subdelegate and add EM Commercial Services.	Nil
8.1	Acquisition of land	29 June 2018	Re-name delegation from 'Resumption of land' to 'Acquisition of land'. Add the following condition: A local government can only take land under Part 9 of the Land Administration Act 1997, if it is in, or is to be regarded as being included in, its own district [s.3.55]	Nil
8.1	Acquisition of land	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
8.2	Road train and extra mass permits	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
8.3	Temporary road closures	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
8.4	Traffic regulatory and other signs	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.10	Payments to employees in addition to contract or award	29 June 2018	Add condition - where a payment is made to an employee whose employment is finishing, and is more than set out in Council's Gratuity Policy, the CEO must cause local public notice to be given in relation to the payment made [s5.50(2)].	Nil
4.10	Payments to employees in addition to contract or award	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.11	Development and performance bonds	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.11	Development and performance bonds	28 June 2019	Remove EM Infrastructure Services from subdelegates & replace with EM Commercial Services	Nil

DRAFT

Reference	Delegation	Date	Amendment	References
4.12	Administration of Town Planning Scheme No. 4	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.12	Administration of Town Planning Scheme No. 4	28 June 2019	Remove EM Customer & Community Services and EM Infrastructure Services from subdelegates and replace with EM Commercial Services.	Nil
4.13	Planning and Development Act 2005	29 June 2018	Under Statutory Framework add: Local Government Act 1995 5.42.Delegation of some powers and duties to CEO (1)A local government may delegate* 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 (b)the Planning and Development Act 2005 section 214 (2), (3) or (5). * Absolute majority required. (2)A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.	Nil
4.13	Planning and Development Act 2005	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
4.13	Planning and Development Act 2005	28 June 2019	Remove EM Infrastructure Services from subdelegates and replace with EM Commercial Services.	Nil
5.10	Rates or service charges recoverable in court	29 June 2018	Remove delegation from the register. Already accounted for in delegation 5.9 - Rate record	Nil
6.10	Power to remove and impound goods	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.10	Power to remove and impound goods	28 June 2019	Add EM Commercial Services to subdelegates.	Nil

DRAFT

Reference	Delegation	Date	Amendment	References
6.11	Graffiti Vandalism Act 2016 - Notices	29 June 2018	Re-name delegation from 'Graffiti Vandalism Act 2016 - Delegations' to 'Graffiti Vandalism Act 2016 - Notices'. Re-word delegation, as follows, in line with WALGA template: 1. Authority to give written notice to a person who is an owner or occupier of property on which graffiti is applied, requiring the person to ensure that the graffiti is removed in an acceptable manner, and within the time set out in the notice [s.18(2)]. 2. Authority, where a person fails to comply with a notice, to do anything necessary to remove the graffiti in an acceptable manner [s.19(3)], and to take action to recover costs incurred as a debt due from the person who failed to comply with the notice [s.19(4)]. 3. Authority to deal with an objection to a notice [s.22(3)]. 4. Authority, where an objection has been lodged, to: (a) determine and take action to give effect to the notice, where it is determined that there are urgent reasons or an endangerment to public safety or likely damage to property or serious nuisance, if action is not taken [s.24(1)(b)]; and (b) to give notice to the affected person, before taking the necessary actions [s.24(3)].	Nil
6.11	Graffiti Vandalism Act 2016 - Notices	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.12	Disposal of sick or injured animals	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.12	Disposal of sick or injured animals	28 June 2019	Remove EM Infrastructure Services from subdelegates.	Nil
6.13	Declare Vehicle is Abandoned Wreck	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Reference	Delegation	Date	Amendment	References
6.13	Declare Vehicle is Abandoned Wreck	28 June 2019	Remove EM Infrastructure Services from subdelegates.	Nil
6.14	Graffiti Vandalism Act 2016 - Remove Graffiti on Private Property	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
6.15	Bush Fires Act 1954 - Firebreaks	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
7.10	Building permit fees - refunds and exemptions	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
7.10	Building permit fees - refunds and exemptions	28 June 2019	Change title Manager Development Services - Planning to Manager Land Use & Strategy. Remove EM Infrastructure Services from subdelegate and add EM Commercial Services. In paragraphs 1 and 2 under Power or duty remove the words "The Chief Executive Officer has the..."	Nil
7.11	Food Act 2008 - Appointment of authorised persons and designated officers	29 June 2018	Add conditions, as below: 1. A person who is a Designated Officer for the purposes of issuing Infringements, cannot be a Designated Officer for the purposes of extending time for payment or withdrawing Infringements. 2. A list of authorised and designated officers must be prepared and maintained in accordance with s.122(3) of the Food Act 2008. 2. In accordance with s.118(3)(b). this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.	Nil
7.11	Food Act 2008 - Appointment of authorised persons and designated officers	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil

DRAFT

Reference	Delegation	Date	Amendment	References
7.12	Food Act 2008 - Prohibition orders	29 June 2018	Add condition: In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.	Nil
7.12	Food Act 2008 - Prohibition orders	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
7.12	Food Act 2008 - Prohibition orders	28 June 2019	Remove EM Infrastructure Services from subdelegates and replace with EM Commercial Services.	Nil
7.13	Food Act 2008 - Prosecutions	29 June 2018	Add delegation as follows: 1. Authority to recover costs incurred in connection with the lawful destruction or disposal of an item (seized) including any storage costs [s.54(1)] and the costs of any subsequent proceedings in court [s.54(2)]. Add condition as follows: 1. In accordance with s.18(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.	Nil
7.13	Food Act 2008 - Prosecutions	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
7.13	Food Act 2008 - Prosecutions	28 June 2019	Remove EM Infrastructure Services from subdelegates and replace with EM Commercial Services.	Nil
7.14	Food Act 2008 - Registration of a food business	29 June 2018	Add condition, as below: In accordance with s.118(3)(b), this delegation is subject to relevant Department of Health CEO Guidelines, as amended from time to time.	Nil
7.14	Food Act 2008 - Registration of a food business	26 October 2018	Change DCEO and DTDS titles to Exec Managers in accordance with Council resolution on 26 October 2018.	Nil
7.14	Food Act 2008 - Registration of a food business	28 June 2019	Remove EM Infrastructure Services from subdelegates and replace with EM Commercial Services.	Nil

DRAFT

10.1.3 POLICY MANUAL ANNUAL REVIEW

File No:	**LEG-2-1**
Attachments:	**Appendix 1 – Draft Policy Manual 2019 - 2020**
Responsible Officer:	**Mr Jeremy Edwards Chief Executive Officer**
Author:	**Mrs Kylie Bergmann Coordinator Governance**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

For Council to adopt the 2019-2020 Policy Manual.

BACKGROUND

S2.7 of the *Local Government Act 1995* specifically mentions the making of policies as a role of Council. However, there is no requirement under the Act to review the Council's policies. In this regard, the Council has determined that it's Council Policies should be reviewed on an annual basis in order to reflect the current position of Council and work practices at the Shire.

COMMENTS/OPTIONS/DISCUSSIONS

Council last reviewed its Policy Manual on 29 June 2018.

A review of the current Policy Manual has been undertaken with minor amendments suggested.

A summary of the changes is presented below:

Policy No.	Policy Title	Nature of Change
All	All	Change officer titles to reflect current org structure.
1.7	Councillors & Vehicle Insurance Cover	Delete the paragraph under Policy and insert the following: <u>*Corporate Travel Policy*</u> *Councillors and accompanying spouse/partner and dependent children shall be covered by a policy of insurance if, on behalf of the Shire of East Pilbara, travel is required to a destination beyond fifty kilometres from the insured persons normal place of residence or business premises, up to and including $500,000 (five hundred*

		thousand). *<u>Management Liability Policy</u>* *Councillors and Officers shall be covered by a policy of insurance up to a maximum limit of liability of $8,000,000.00 (eight million) in the aggregate.* *<u>Motor Vehicle Policy</u>* *The Extension "Gap" cover shall provide cover in excess of any amount for which the Councillors are otherwise insured up to $75,000 (seventy five thousand). This will cover any shortfall that may occur whilst doing business in connection with the Shire of East Pilbara including (but not limited to):* • *Being used in connection with Shire business* • *Attending meetings of Council* • *Attending meetings of municipal or association conferences or regional/country councils or committees.*
1.8	Distribution of Council Agendas and Minutes	Remove dot points – North West Telegraph, WA newspapers and ABC Karratha. Add dot points – Shire website and Newman Boulevard Shopping Centre
1.9	Dress Code for Councillors Representing Council on External Business & Events	Remove paragraph 1. Under Policy at dot point 1. – remove the words 'a pair of' and insert 2.
1.10	Dress Standard for Council Chambers	Council to review minimum dress standards for male and female.
1.13	Public Question Time	Delete this policy. Covered by the Standing Orders Local Law and Local Government (Administration) Regulations 1996.
1.21	Councillor Conferences – Study Tours	Under Policy delete paragraph iv. There has previously been some Council discussion around not penalising someone if they fail to submit a written report. Instead they should be able to give a verbal report at the next Ordinary Council Meeting.
2.2	Councillor and Senior Staff Representation at Functions and Events	Delete? Is this policy necessary?
3.1	Accounting Policies	The Finance team have undertaken a review of this policy and it will require some major changes. The changes will be presented to

		Council in a separate agenda item.
3.11	Financial Reserves Policy	Changes are made to some of the reserve names and purposes as indicated in the tracked changes.
4.1	Advertising Statutory and General	At paragraph 1. Delete the words 'and the Newman News 'and insert Notice Boards at Newman and Marble Bar Administration Offices, and Notice Board at Newman, Nullagine and Marble Bar Libraries.
4.12	Risk Management	ISO Standard has been updated to 31000:2018. Also add in the following paragraph: *Review* *This Risk Management Policy shall be reviewed at least every 2 years.*
6.1	Piri Smith Retirement Units – Marble Bar	Under policy remove Manager Community Wellbeing and Deputy Chief Executive Officer and replace with Executive Manager Commercial Services, or a nominated representative.
6.3	Youth – Planning Community Facilities and Youth Recreation Programs	Add in point 7. The need for services that contribute to the mental wellbeing and resilience of young people.
7.2	Free Standing Garden Sheds	Delete this policy. Policy content is accounted for in the Building Regulations 2012 and the Residential Design Codes.
7.5	Sea Containers	Point 4. Under *Planning Approval* – delete "a lodgement fee of $50 (GST free)" and replace with "the required regulatory fee." Point 2. Under *Building Permit* – delete Building Act 2011 and replace with Building Regulations 2012. At point 6 under *Building Permit* – delete the words "be screened from view of the street" and insert "is not to detract from the amenity of the street."
8.7	Stall Holder and Street Trading's	This policy will be undergoing a complete overhaul to make it relevant and to capture the recent developments in town and to also try and address the concerns raised by traders over the past few years. This will come back to Council as a separate agenda item.
10.16	Use of Closed Circuit Television Monitoring Equipment	Under the heading Ethical Use of Recording Equipment and Recorded Material: • At paragraph 3. Remove Deputy Chief Executive Officer and Manager Building Assets and replace with Executive Manager Customer & Community Services, and

		Manager Community Safety. • Delete paragraph 5 and replace with the following in line with CCTV Standard Operating Procedures: *Certified copy of video tapes and still photographs may only be released to the WA Police, lawyers acting on behalf of individuals engaged in legal proceedings relating to a recorded incident, or individuals acting as their own legal counsel in relation to a recorded incident. Certified copies will only be released to the parties named above when permission to do so has been received from an authorised officer of the Shire of East Pilbara.*

The infrastructure area intends to undertake a significant review of all related policies (as listed below) and these will be brought back to Council for consideration:

- 8.2 – Pastoral Stations Rubbish Pits
- 8.3 - Rubbish Bin Replacement Policy
- 8.5 – Rubbish Pits – Aboriginal Communities
- 10.1 – Aboriginal Communities – Road and Airstrip Designation and Maintenance
- 10.2 – Pastoral Stations – Road and Airstrip Designation and Maintenance
- 10.3 – Cattle Grids
- 10.4 – Crossover Subsidies and Specifications
- 10.5 – New Development Road Reserves
- 10.6 – Light Vehicle Policy
- 10.7 – Mining & Other Leases – Road Designation & Maintenance (not pastoral)
- 10.8 – Plant Replacement Policy
- 10.10 – Road Verge Development Criteria
- 10.11 – Road Verge Directional Signs
- 10.13 – Use of native plants, shrubs and grasses
- 10.14 – Naming of Parks, Reserves and Buildings

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

1. Policies relate to issues of an on-going nature; policy decisions on single issues are not to be recorded in the manual.
2. The objectives of the Council's Policy Manual are:
   a. To provide Council with a formal written record of all policy decisions;
   b. To provide staff with precise guidelines in which to act in accordance with Council wishes;
   c. To enable staff to act promptly in accordance with Council's requirements, but without continual reference to Council;

d. To enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Council;
e. To enable Councillors to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances;
f. To enable residents and ratepayers to obtain immediate advice on matters of Council policy.

3. Changes to Council Policy shall be made only on:
   a. Notice of Motion; or
   b. An agenda item clearly setting out details of the amended policy; or
   c. At the annual review of Council's Policy Manual, subject to verification from the Chief Executive Officer.

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

RISK MANAGEMENT CONSIDERATIONS

Although not legislatively required, Council should review its Council Policies annually to ensure that policies reflect the current position of Council and work practices at the Shire of East Pilbara.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/162

MOVED: Cr Michael Kitchin **SECONDED: Cr Bridget Schill**

That Council adopt the 2019-2020 Policy Manual as presented.

CARRIED UNANIMOUSLY

To be actioned by Mrs Kylie Bergmann, Coordinator Governance

Appendix 1
2019-2020 Draft Policy Manual

Shire of EAST Pilbara

POLICY MANUAL

~~2018 -~~ 2019 ~~-~~ - 2020



Shire of EAST Pilbara



Policy Manual 2013 Page 2 of 287

Rev No	Date	Title	Prepared By	Checked By	Approved By
0.1	2009	Policy Manual Review			SA
0.2	2010	Policy Manual Review			SA
0.3	2011	Policy Manual Review			SA
0.4	2012	Policy Manual Review			SA
0.5	2013	Policy Manual Review	KB	KB	SA
0.6	2014	Policy Manual Review	KB	KB	SA
0.7	2015	Policy Manual Review	EW	EW	SA
0.8	24/06/2016	Policy Manual Review	RM	RM	SA
0.9	26/08/2016	Policy amendments	RM	RM	SA
1.0	05/10/2016	Policy amendments 23/09/2016	RM	RM	SA
1.1	30/12/2016	Policy amendments 09/12/2016	RM	RM	SA
1.2	06/02/2017	New Policy & amendments 03/02/2017	RM	RM	SA
1.3	04/04/2017	Policy amendments 17/03/2017	RM	RM	SA
1.4	08/05/2017	New Policy and amendments 21/04/2017	RM	RM	SA
1.5	01/06/2017	Policy Amendments 26/05/2017	RM	RM	SA
2.0	30/06/2017	Policy Manual Review	RM	RM	SA
3.0	19/12/2017	Policy Amendments 06/12/2017	KB	KB	SA
4.0	23/04/2018	Policy Amendments 13/04/2018 Council Meeting	KB	SA	Council
5.0	29/06/2018	Policy Manual Annual Review	KB	SA	Council
6.0	27/07/2018	Policy 4.5 Amendments 27/07/18	KB	SA	Council
7.0	24/08/2018	Amendments to Policy 3.12 and 10.6	KB	SA	Council
8.0	26/10/2018	Amendment to Policy 3.14 Procurement and Tender Procedures Policy	KB	JE	Council
9.0	23/11/2018	New Policy – Bereavement Recognition	KB	JE	Council
10.0	25/01/2019	New Policy – Award of the Title "Honorary Freeman of the Shire of East Pilbara"	KB	JE	Council
11.0	26/04/2019	New Policy – Councillor Allowances & Expenses and delete Policy 1.13 – Shire President & Councillors – Attendance Fees, Expenses & Allowances. Update Procurement Policy – remove item 6.6 Consultant Services	KB	JE	Council
12.0	28/06/2019	Policy Manual Annual Review	KB	JE	Council
DISTRIBUTION		1 Corporate Library			
		2 Shared (S) Drive / Document Centre / Manuals			
		3 Shire Officers as required			
		4 Shire Website			

Shire of EAST Pilbara

CONTENTS

PREFACE ..... 3~~6~~
NEW POLICY MAKING GUIDELINES ..... 10~~9~~
POLICY DEFINITION ..... 11~~10~~
COUNCIL'S ROLE ..... 12~~11~~
1.1 Availability of Agendas and Minutes – DELETED ..... 13~~12~~
1.2 Award of the Title "Honorary Freeman of the Shire of East Pilbara" ..... 14~~13~~
1.3 Bereavement Recognition ..... 16~~15~~
1.4 Confidential Business – DELETED ..... 19~~18~~
1.5 Council Meetings - Dates and Times ..... 20~~19~~
1.6 Councillor Allowances & Expenses ..... 21~~20~~
1.7 Councillors & Vehicle Insurance Cover ..... 29~~28~~
1.8 Distribution of Council Agendas and Minutes ..... 31~~29~~
1.9 Dress Code for Councillors Representing Council on External Business and Events ..... 33~~30~~
1.10 Dress Standard for Council Chambers ..... 34~~31~~
1.11 Local Government Elected Members' Recordkeeping Policy ..... 35~~32~~
1.12 Location of Council Meetings ..... 40~~37~~
1.13 Public Question Time – Council Meetings ..... 41~~38~~
1.14 Shire President & Councillors – Attendance Fees, Expenses & Allowances - DELETED ..... 42~~39~~
1.15 Smoke Free Policy ..... 43~~40~~
1.16 Use of Council Chambers ..... 44~~41~~
1.17 Formal Communication Policy – Elected Members ..... 45~~42~~
1.18 Fraud and Corruption Prevention Policy ..... 49~~46~~
1.19 Access to Local Government Provided Services ..... 51~~48~~
1.20 Use of Presidential Chain Policy ..... 53~~50~~
1.21 Councillor Conferences – Study Tours ..... 56~~53~~
STAFF ..... 58~~55~~
2.1 Human Resources ..... 59~~56~~

2.2 Councillor and Senior Staff Representation at Functions and Events ..... 61~~56~~
2.3 Designated Senior Employees and Contracted Employees ..... 62~~59~~
2.4 Gratuity Policy ..... 64~~60~~
2.5 Occupational Health and Safety Policy ..... 66~~64~~
FINANCE ..... 72~~67~~
3.1 Accounting Policies ..... 73~~68~~
3.2 Asset Management ..... 85~~80~~
3.3 Budget Preparation ..... 86~~82~~
3.4 Budget Amendments ..... 89~~83~~
3.5 Budget Management – Capital Acquisitions ..... 91~~84~~
3.6 Management Accounts ..... 92~~85~~
3.7 Self-Supporting Loans ..... 93~~86~~
3.8 Rates Incentive Policy ..... 94~~87~~
3.9 Investment Policy ..... 95~~88~~
3.10 Debt Policy ..... 100~~93~~
3.11 Financial Reserves Policy ..... 102~~96~~
3.12 Corporate Credit Card ..... 106~~98~~
3.13 Regional Price Preference Policy ..... 110~~102~~
3.14 Procurement and Tender Procedures Policy ..... 113~~105~~
ADMINISTRATION ..... 128~~120~~
4.1 Advertising Statutory and General ..... 129~~121~~
4.2 Complaints Against Third Parties ..... 130~~122~~
4.3 Conferences – Study Tours - DELETED ..... 131~~123~~
4.4 Environment Council Recognition ..... 132~~124~~
4.5 Execution of Documents ..... 133~~125~~
4.6 Insurance – Professional Indemnity use of disclaimers ..... 136~~128~~
4.7 Logo ..... 137~~129~~
4.8 Public Relations – Press Releases ..... 138~~130~~
4.9 Tourism – Objectives and Guidelines ..... 139~~131~~

Shire of EAST Pilbara

4.10 Vandalism – Reward for Conviction ..... 142~~134~~
4.11 Legislative Compliance ..... 143~~135~~
4.12 Risk Management ..... 145~~137~~
4.13 Social Media Policy ..... 148~~139~~
4.14 Advocacy Policy ..... 150~~141~~
4.15 Internal Controls Policy ..... 152~~143~~
RECREATION ..... 154~~145~~
5.1 Newman Aquatic Centre Alcohol Policy 155~~146~~
5.2 Newman Recreation Centre – Commercial and Group use 156~~147~~
5.3 Public Liability – Sporting and Community Organisations 158~~149~~
5.4 Standard conditions for use of active reserves (Ovals) 159~~150~~
COMMUNITY RELATIONS ..... 162~~153~~
6.1 Piri Smith Retirement Units – Marble Bar ..... 163~~154~~
6.2 Citizenship Ceremonies ..... 165~~155~~
6.3 Youth – Planning Community Facilities and Youth Recreation Programs ..... 167~~157~~
6.4 Hire of Recreation Facilities for Youth Activities ..... 168~~158~~
6.5 Community Banner Poles ..... 170~~159~~
6.6 Community Assistance Grants ..... 170~~160~~
6.7 Council Supported/Recognised Events of Community Interest - DELETED ..... 175~~164~~
6.8 Photographing people and publishing photos ..... 176~~165~~
6.9 Annual Community Survey ..... 179~~168~~
6.10 Public Art ..... 180~~169~~
6.11 Junior Community and Sporting Organisations Assistance ..... 183~~172~~
BUILDING ..... 185~~174~~
7.1 Staff Housing – Home Improvements ..... 186~~175~~
7.2 Free Standing Garden Sheds ..... 187~~176~~
7.3 Shade Cloth Covering Pergolas - DELETED ..... 189~~177~~
7.4 Relocated Buildings ..... 190~~178~~

7.5 Sea Containers ..... 192~~180~~

HEALTH ..... 194~~182~~

6.1 Home Occupation – MOVED TO PLANNING ..... 195~~183~~

6.2 Pastoral Stations Rubbish Pits ..... 196~~184~~

6.3 Rubbish Bin Replacement Policy ..... 197~~185~~

6.4 Aboriginal Affairs Policy ..... 198~~186~~

6.5 Rubbish Pits – Aboriginal Communities ..... 202~~190~~

6.6 Uranium Policy ..... 203~~191~~

6.7 Stall Holder and Street Trading's ..... 204~~192~~

6.8 Authority to Issue Section 39 and 40 Certificates under the Liquor Control Act 1988 ..... 206~~196~~

PLANNING ..... 210~~198~~

9.1 Camping Other than in a Caravan Park ..... 211~~199~~

9.2 East Newman Master Plan – Local Planning Policy No. 1 ..... 215~~203~~

9.3 Newman Town Centre Plan – Local Planning Policy No. 2 ..... 216~~204~~

9.4 Vehicle Parking Standards – Local Planning Policy No 4 ..... 218~~206~~

9.5 Newman Town Centre Redevelopment Plan – Local Planning Policy No.3 – RECINDED BY LOCAL PLANNING POLICY NO.5 ..... 228~~216~~

9.6 Local Planning Policy No.5 ..... 230~~217~~

9.7 Native Title Act 1993 – Registration of Interest ..... 231~~218~~

9.8 Mining Act 1978 ..... 232~~219~~

9.9 Local Planning Policy No. 8 – Residential Development Policy ..... 233~~220~~

9.10 Local Planning Policy No. 9 – Newman Town Centre Style Guide and Design Guidelines ..... 236~~223~~

9.11 Home Occupations ..... 237~~224~~

TECHNICAL ..... 241~~228~~

10.1 Aboriginal Communities – Road and Airstrip Designation and Maintenance ..... 242~~229~~

10.2 Pastoral Stations – Road and Airstrip Designation and Maintenance ..... 244~~231~~

10.3 Cattle Grids ..... 248~~235~~

10.4 Crossover Subsidies and Specifications ..... 249~~236~~

10.5 New Development Road Reserves ..... 256~~243~~

10.6 Light Vehicle Policy ..... 261~~245~~
10.7 Mining & Other Leases – Road Designation & Maintenance (Not Pastoral) ..... 266~~253~~
10.8 Plant Replacement Policy ..... 267~~254~~
10.9 Regional Price Preference Policy:-MOVED TO FIN 3.13 ..... 269~~256~~
10.10 Road Verge Development Criteria ..... 270~~257~~
10.11 Road Verge Directional Signs ..... 273~~260~~
10.12 Purchasing and Tender Procedures : MOVED TO FIN 3.14 ..... 276~~263~~
10.13 Use of native plants, shrubs and grasses ..... 277~~264~~
10.14 Naming of Parks, Reserves and Buildings ..... 278~~265~~
10.15 Subdivisional Development ..... 281~~268~~
10.16 Use of Closed Circuit Television Monitoring Equipment ..... 282~~269~~
NEWMAN AIRPORT ..... 284~~271~~
11.1 Newman Airport Advertising Policy - DELETED ..... 285~~272~~
CODES, PROCEDURES AND STATEMENTS ..... 286~~273~~
12.1 Code of Conduct – Separate Agenda Item ..... 287~~274~~

Shire of EAST Pilbara

Preface

1. Policies relate to issues of an on-going nature; policy decisions on single issues are not to be recorded in the manual.

2. The objectives of the Council's Policy Manual are:

   a) To provide Council with a formal written record of all policy decisions.

   b) To provide staff with precise guidelines in which to act in accordance with Council's wishes.

   c) To enable staff to act promptly in accordance with Council's requirements, but without continual reference to Council.

   d) To enable Councillors to adequately handle enquiries from electors without undue reference to the staff or the Council.

   e) To enable Council to maintain a continual review of Council policy decisions and to ensure they are in keeping with community expectations, current trends and circumstances.

   f) To enable residents and ratepayers to obtain immediate advice on matters of Council Policy.

3. Changes to Council Policy shall be made only on:

   a) Notice of motion; or

   b) An agenda item clearly setting out details of the amended policy; or

   c) At the annual review of Council's Policy Manual, subject to verification from the Chief Executive Officer.

Shire of EAST Pilbara

New Policy Making Guidelines

1. Draft policies are to be in standard format and include policy objectives and the policy statement.
2. Discuss reasons for the policy with your supervisor and prepare an amended/final draft.
3. The Policy is to be presented and discussed at the Executive Management meeting.
4. The Policy is to be presented at 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.***

Shire of EAST Pilbara

Policy Definition

Although section 2.7(2) (b) of the *Local Government Act 1995* ("the Act") specifically mentions the making of policies as a role of the Council, there is no definition of "Policy" in the Act.

A suitable definition would appear to be:

POLICY

As a general rule, a policy is to be applied in the exercise of a function (power or duty) and includes a statement of conditions under which an authorisation may, or is to be, given or withheld.

In that it is a 'rule', a policy can be regarded as the fourth layer in a legislative hierarchy, i.e.

- Acts of Parliament
- Regulations
- Local Laws
- Policies

A good Policy will:

- Be consistent with other written laws
- Be easily understood and applied
- Be fair and equitable
- Facilitate prompt customer service (Decisions)
- Avoid repetitive submissions to the Council

Shire of EAST Pilbara

Council's Role

To quote directly from the *Local Government Act 1995* (section 2.7), Council's role is defined as:

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.

Section 3.1 provides that the general function of local government is:

1. The general function of a local government is to provide for the good government of persons in its district.

2. The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.

3. A liberal approach is to be taken to the construction of the scope of the general function of a local government.

Taking the above information into consideration three manuals have been developed, those being:

1. The Policy Manual;

2. The Delegations Register; and

3. The ~~Chief Executive Officer's Operations Manual~~ Staff Procedures Manual

The aim of the manuals is to ensure a consistent response in dealing with people be they residents, councillors, staff, ratepayers, contractors, visitors or any other individual or organisation with a relationship with the Council.

Shire of EAST Pilbara

1.1 Availability of Agendas and Minutes – DELETED

Version	Item No.	Synopsis
1.	27 June 2003	Adopted by Council
2.	24 June 2011	Deleted by Council – Policy content is accounted for in regulations 13 & 14 of the *Local Government (Administration) Regulations 1996* – no need for duplication in Policy Manual.

Shire of EAST Pilbara

1.2 Award of the Title "Honorary Freeman of the Shire of East Pilbara"

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	CLR-6-9

Objective

To provide a policy on the awarding of the title "Honorary Freeman of the Shire of East Pilbara", including how, why and whom it should be awarded.

Policy

From time to time, the Shire of East Pilbara may wish to recognise members of the community who demonstrate an outstanding commitment and contribution to the Shire.

Recognition may include award of the title "Honorary Freeman of the Shire of East Pilbara", provided that the relevant circumstances meet the criteria of this policy.

This honour will only be awarded on rare and exceptional occasions. A maximum of four living persons will be entitled to bear the title of "Honorary Freeman of the Shire of East Pilbara" at any one time.

Selection Criteria

Residency Eligibility

Nominees should have lived within the Shire of East Pilbara for a significant number of years (significant would usually mean at least 20 years) and have had a long and close association and identification with the Shire.

Service

The nominee should have given extensive and distinguished service to the community that goes beyond local government service (ie, service to other community organisations and groups) in a largely voluntary capacity.

The nominee must have made an outstanding contribution to the Shire of East Pilbara, such that their contribution can be seen to stand above the contributions made by most other people.

Outcomes

The nominee's community endeavour will have demonstrable benefits to both the community of the Shire of East Pilbara and the wider community of WA.

Shire of EAST Pilbara

Specific Achievements

The nominee's specific achievement/s must be of a nature that would encourage the Shire to nominate that person for an honour under the Australian honours system.

Nomination Procedure

Nominations must be made in the strictest confidence, without the nominee's knowledge.

Any resident or elector of the Shire of East Pilbara may initiate a nomination, but each nomination must be sponsored by an elected member.

Nominations must be made in writing to the Chief Executive Officer (CEO). The nomination will then be submitted by the CEO as a confidential report for consideration at an ordinary meeting of Council.

Entitlements

Any person declared an Honorary Freeman of the Shire may designate him/herself "Honorary Freeman of the Shire of East Pilbara".

The award shall be made at a small ceremony, which may take place at a Council meeting.

The recipient shall be awarded a plaque and a lapel pin to commemorate the occasion and shall be included on the invitation list for all subsequent civic events and functions.

Implementation

The Office of the CEO will be responsible for undertaking the commissioning of commemorative plaques and lapel pins and for ensuring that Honorary Freemen are invited to civic events and functions.

Related Procedures	Nil		
Date Adopted by Council	25 January 2019	Item No	9.1.4
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

1.3 Bereavement Recognition

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

Objective

To ensure proper and appropriate recognition of deceased persons closely associated with the Shire of East Pilbara and/or its history.

Scope

The Shire of East Pilbara is proud of its history. By recognising individual deceased persons who have been closely associated with the Shire and/or its history, Council can acknowledge the contribution made to the district by those persons and their immediate families, as a mark of respect on behalf of the community.

This policy applies to all Shire of East Pilbara residents and ratepayers, as well as other persons closely associated with the Shire (including Shire of East Pilbara staff).

The policy ensures that persons who have been closely associated with the Shire and/or its history are appropriately acknowledged and recognised for their contribution to the district.

Entitlement to Recognition:

The following persons will be entitled to recognition in accordance with this policy:

- Freemen of the Shire of East Pilbara;
- Members of the immediate family of Freemen;
- Current State and Federal MPs whose electorate includes the Shire of East Pilbara;
- Current and former Elected Members of the Shire of East Pilbara;
- Members of the immediate family of current Elected Members;
- Former Shire Clerks and Chief Executive Officers;
- Shire of East Pilbara staff who are currently employed by the Shire at the time of their passing; and
- Other persons as agreed by the Shire President and Chief Executive Officer.

Form of Recognition:

1. The Shire will recognise the death of a person closely associated with the district by following established funeral etiquette, respecting the wishes of the immediate family (if known) and by being sensitive to the deceased's cultural or religious beliefs (if known).

   Recognition for all persons referenced under the *Entitlement to Recognition* section of this policy (with the exception of immediate family members) will generally take the following form:

Shire of EAST Pilbara

a. Placement of an appropriate notice, on behalf of the district, in the *Deaths* section of *The West Australian*;

b. Forwarding of an official Shire of East Pilbara condolence card to the immediate family (if known) on behalf of Councillors and staff;

c. A floral tribute at the funeral or memorial service if considered acceptable by the family; and

d. Where considered appropriate by the Shire President and Chief Executive Officer, making arrangements for an Elected Member/s and/or senior staff member/s to represent the Shire at the funeral or memorial service. (Refer to Council Policy [insert no.] Councillor Allowances and Expenses).

2. Recognition for immediate family members as specified under this policy will be in the form of:

a. Forwarding an official Shire of East Pilbara condolence card to the Freeman or Elected Member concerned; and

b. Where considered appropriate by the Shire President and Chief Executive Officer, making arrangements for an Elected Member/s and/or senior staff member/s to represent the Shire at the funeral or memorial service.

3. Nothing in this policy limits the ability for a different form of recognition to be made if considered appropriate by the Shire President and Chief Executive Officer.

Note: Where an Elected Member or staff member has a personal connection to the deceased, then that individual will have the prerogative to attend the funeral on their own behalf.

Implementation of Policy:

1. The Personal Assistant to the Chief Executive Officer will be responsible for making appropriate arrangements in accordance with this policy.

2. Advice with respect to the passing away of persons entitled to recognition under this policy should be forwarded through to the Chief Executive Officer as soon as possible.

3. The Chief Executive Officer will notify Elected Members and staff, as appropriate.

Timing of Recognition

Funeral etiquette dictates that formal recognition should occur either at the time of death or at the funeral or memorial service.

In circumstances where the Shire is not notified of a death until after the funeral or memorial service has taken place, then a condolence card or personal note of condolence may still be forwarded to the immediate family, if considered appropriate by the Shire President and Chief Executive Officer.

Related Procedures	Nil		
Date Adopted by Council	23 November 2018	Item No	9.1.3
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

1.4 Confidential Business – DELETED

Version	Item No.	Synopsis
1.	27 June 2003	Adopted by Council
2.	24 June 2011	Deleted by Council – Policy content is accounted for in section 5.23 of the *Local Government Act 1995*– no need for duplication in Policy Manual.

Shire of EAST Pilbara

1.5 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 12:30pm. 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.

References	Regulation 12 *Local Government (Administration) Regulations 1996*		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	29 June 2016	Item No	9.2.4
Next Review			

Shire of EAST Pilbara

1.6 Councillor Allowances & Expenses

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	CLR-4-2

Objective

To clearly outline the support and entitlements that are available to Shire of East Pilbara Councillors, and to ensure that the allowances and entitlements are within the provisions of the *Local Government Act 1995* (the Act) and the most recent determination from the Salaries and Allowances Tribunal.

PART 1 - FEES AND ALLOWANCES

Meeting fees and allowances are determined by the Salaries and Allowances Tribunal. All local governments in Western Australia fall into one of four bands which then provides a range within which Council can set fees and allowances for its Councillors.

1.1 Annual Meeting Attendance Fees [s5.99]

Councillors will receive an annual meeting attendance fee, within the range set by the Salaries and Allowances Tribunal, as determined annually by Council.

1.2 Presidential and Deputy Presidential Allowances [s5.98 and s5.98A]

The Shire President and Deputy Shire President will receive an annual meeting attendance fee, within the range set by the Salaries and Allowances Tribunal, as determined annually by Council.

1.3 Information and Communication Technology (ICT) Annual Allowance [s5.99A(b), Regulation 31(1)]

All Councillors will receive an annual ICT allowance, within the range set by the Salaries and Allowances Tribunal, as determined annually by Council.

The ICT allowance is intended to cover costs relating to telephone usage, consumables associated with that use, as well as costs associated with IT requirements such as internet connections and consumables such as paper and printer cartridges.

1.4 Payment of Meeting Fees and Allowances

All meeting fees and allowances will be paid quarterly and by the second week of the month in March, June, September and December.

Shire of EAST Pilbara

PART 2 - REIMBURSEMENT OF EXPENSES

2.1 Travel Costs (Regulation 31(1)(b) and 32)

a. Council and committee meetings

In accordance with Regulation 31(1)(b) of the *Local Government (Administration) Regulations 1996* (Regulations), Councillors will be reimbursed for travel expenses incurred with respect to the actual cost of travelling from their usual place of residence or work to attend:

- Council meetings; or
- Council appointed committee meetings of which he or she is a member (E.g. Audit Committee Meetings).

b. Other meetings

In accordance with Regulation 32(1) of the LG regulations, Councillors *may* be reimbursed for travel expenses incurred with respect to the actual cost of travelling from their usual place of residence or work to attend:

- An Annual or Special meeting of Electors;
- Any meeting of a body to which the Councillor has been appointed by Council (usually biennial in October following the Local Government Elections);
- A Shire of East Pilbara civic function to which Councillors have been invited (E.g. Annual Australia Day Ceremony);
- Official meetings with Ministers of the Crown;
- Any other meeting, function or event which they have been asked to attend in their role as Councillor as determined by Council, the Shire President or the Chief Executive Officer.

c. Usual place of residence or work

If the Councillor does not live or work in the local government district, actual travel costs will be reimbursed from the person's usual place of residence or work and back (Clause 6.2(3) Salaries and Allowances Determination).

If a Councillor changes their usual place of residence or work during their term, they must immediately notify the Administration.

Shire of EAST Pilbara

d. Calculating the mileage allowance

Where a private motor vehicle is used, reimbursement of travelling expenses is calculated on the rate set by the Salaries and Allowances Tribunal. The current rates* are set out in Section 30.6 of the *Local Government Officers (Western Australia) Award 2011*, as follows:

	Engine displacement (in cubic centimetres)		
Area and Details	**Over 2600cc**	**Over 1600cc to 2600cc**	**1600cc and under**
Metro area	93.97	67.72	55.65
South west Land Division	95.54	68.66	56.69
North of 23.5 Latitude	103.52	74.12	61.21
Rest of State	99.01	70.67	58.37

* As at 11th March 2019.

** Rate to be applied is cents per kilometre.

The following calculations are to be applied for meetings in Newman, Nullagine and Marble Bar.

NEWMAN:

Location	**Kms** (Return trip)	**Rate**	**Amount to be reimbursed**
Nullagine to Newman	392kms	$1.0352	$405.79
		$0.7412	$290.55
		$0.6121	$239.94
Marble Bar to Newman	615kms	$1.0352	$636.64
		$0.7412	$455.83
		$0.6121	$376.44
Perth to Newman (From the outer border of Shire of Meekathara)	956kms	$1.0352	$989.65
		$0.7412	$708.56
		$0.6121	$585.16
Parnngurr (Cotton Creek) to Newman	369kms	$1.0352	$381.96
		$0.7412	$273.50
		$0.6121	$225.66

Shire of EAST Pilbara

NULLAGINE:

Location	Kms (Return trip)	Rate	Amount to be reimbursed
Newman to Nullagine	392kms	$1.0352	$405.79
		$0.7412	$290.55
		$0.6121	$239.94
Marble Bar to Nullagine	224kms	$1.0352	$231.86
		$0.7412	166.02
		$0.6121	$137.11
Perth to Nullagine (From the outer border of Shire of Meekathara)	1328kms	$1.0352	$1,374.74
		$0.7412	$984.31
		$0.6121	$812.86
Parnngurr (Cotton Creek) to Nullagine	452kms	$1.0352	$467.91
		$0.7412	$335.02
		$0.6121	$276.66

MARBLE BAR:

Location	Kms (Return trip)	Rate	Amount to be reimbursed
Newman to Marble Bar	615kms	$1.0352	$636.64
		$0.7412	$455.63
		$0.6121	$376.44
Nullagine to Marble Bar	224kms	$1.0352	$231.86
		$0.7412	166.02
		$0.6121	$137.11
Perth to Marble Bar (From the outer border of Shire of Meekathara)	1,552kms	$1.0352	$1,606.63
		$0.7412	$1,150.34
		$0.6121	$949.97
Parnngurr (Cotton Creek) to Marble Bar	494kms	$1.0352	$511.36
		$0.7412	$366.15
		$0.6121	$302.37

NOTE: If the shortest possible route is via gravel roads, and the roads conditions are unfavourable (e.g. due to bad weather), the Councillor may take a longer route via the bitumen roads, and will be reimbursed for the actual kilometres travelled.

e. Travel by Commercial flight

In some instances, where the Councillor's usual place of residence or work is outside of the Shire of East Pilbara (e.g. Perth), it may not be practical or feasible to travel to meetings by private motor vehicle.

In that case, Councillors may choose to travel by commercial flight. A Councillor will be reimbursed for the actual cost of the airfare, up to a maximum of $1,562.65. This is based on the following calculation:

Travel from Perth to Newman return (956kms)	$969.65
Accommodation x 2 nights ($160/night)	$360.00
Meal Allowance x 2 days ($106.60/day)	$213.20
TOTAL	$1,562.65

f. Travel by small charter plane

In accordance with Council Policy 1.9 – Location of Council Meetings – Council meetings will usually be held in Newman, with two meetings being held annually in Marble Bar and one in Nullagine.

Where a Councillor's usual place of residence or work is outside of the Ward where the meeting is held, the Councillor may choose to charter a small plane up to a maximum of two (2) times per year. There is no minimum number of passengers when choosing to travel via a small charter plane.

g. **Accommodation**

Accommodation costs will be arranged and paid for by Council if the Councillor is required to travel to attend the meeting.

Incidental expenses such as in-house movies, dry-cleaning and mini-bar will not be covered by Council.

h. **Meals**

All meals will be included and paid for by Council.

Alcohol will be included and paid for by Council when purchased with a meal only.

2.2 Child Minding Fees (Regulation 31(1)(b))

In accordance with the Salaries and Allowances Tribunal Determination, Councillors will be reimbursed for child care costs incurred because of their attendance at a meeting.

The extent to which the Councillor will be reimbursed is the actual cost per hour or $25 per hour, whichever is the lesser amount.

Receipts for expenses must be provided for reimbursement.

Child minding fees will not be paid for where the care is provided by a member of the immediate family or a relative living in the same premises as the Councillor.

2.3 Other Specified Expenses (Regulation 32(b))

In accordance with regulation 32(b) of the Regulations, a Councillor *may* be reimbursed for the cost of having their partner attend a Council event or function, if the CEO considers that it is appropriate for the Council member to be accompanied by that person.

Shire of EAST Pilbara

PART 3 – PROVISION OF EQUIPMENT

3.1 Electronic Equipment

All Councillors are entitled to the issue of a Shire of East Pilbara owned tablet or iPad.

All tablets will be configured to allow access to the internet. In addition, all tablets will have the option of cellular data access. Councillors will need to purchase a cellular data plan at their own expense.

In relation to software (apps) accessibility, Councillors will have the option to either:

a. Use their own personal iTunes account on the device; or

b. The Shire can set up an iTunes account for the Councillor, which is linked to the company credit card. This account will be restricted to Council business only and the tablet will only be set up with Councillors email and software (apps) as appropriate.

Use of the tablet device shall be in accordance with the Shire of East Pilbara *"Councillor Tablet Usage Guidelines."*

All tablet devices must be returned to the Shire of East Pilbara prior to the Councillor leaving their position of Elected Member.

3.2 Corporate Uniform

All Councillors will receive a subsidy to purchase a Corporate Uniform. The amount of the subsidy will be set and reviewed each year in the annual budget. Councillors will be able to access the subsidy every 12 months.

All Councillors provided with a Corporate Uniform must wear the uniform at all Council functions and events (internal and external business and meetings).

Councillors may purchase additional uniform items, other than that supplied by Council. However, they will be responsible for the full costs of these additional items.

Each Councillor is responsible for the repairs, alterations and cleaning of supplied uniforms.

Councillors will also receive a Shire of East Pilbara name badge.

3.3 Consumables

The following items will be provided to Councillors upon request:

a. Council letterhead, either electronically or in hard copy;

b. 2 x reams of paper, per annum;

c. 250 personalised business cards.

Council letterheads/stationary, business cards, equipment, Shire supplied e-mail accounts and consumables are not issued for personal or electioneering use; they must only be used for Council business. Councillors must also take into consideration the Shire's Record Keeping Policy when utilising Council letterheads and emails.

PART 5 – RECOGNITION OF COUNCILLORS (s5.100a, Regulation 34AC)

The following recognition is provided to retiring Councillors to acknowledge their contribution to Council and the community:

c. Service less than 4 years in office – Letter of Appreciation;
d. Service of at least one full four (4) year term – Letter of Appreciation and a gift equating to $100 for each year served, to a maximum of $1,000.

References	*Local Government Act 1995* *Local Government (Administration) Regulations 1996* *Local Government Officers (Western Australia) Award 2011* Salaries and Allowances Tribunal Determination		
Related Procedures	Councillor Tablet Usage Guidelines		
Date Adopted by Council	26 April 2019	Item No	10.1.5
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

1.7 Councillors & Vehicle Insurance Cover

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	CLR 4-2

Objective

To determine to what value Councillors are covered by insurance.

~~Policy~~

~~Councillors and their spouses whilst travelling on Council business are to be covered by an amount of $500,000 (five hundred thousand) each under Council insurance policies.~~

Corporate Travel Policy

Commented [KB1]: Inserted as advised by Sue Grosse

Councillors and accompanying spouse/partner and dependent children shall be covered by a policy of insurance if, on behalf of the Shire of East Pilbara, travel is required to a destination beyond fifty kilometres from the insured persons normal place of residence or business premises, up to and including $500,000 (five hundred thousand).

Management Liability Policy

Councillors and Officers shall be covered by a policy of insurance up to a maximum limit of liability of $8,000,000.00 (eight million) in the aggregate.

Motor Vehicle Policy

The Extension "Gap" cover shall provide cover in excess of any amount for which the Councillors are otherwise insured, up to $75,000 (seventy five thousand). This will cover any shortfall that may occur whilst doing business in connection with the Shire of East Pilbara, including (but not limited to):

- Being used in connection with Shire business
- Attending meetings of Council
- Attending meetings of municipal or association conferences or regional/country councils or committees

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

Shire of EAST Pilbara

1.8 Distribution of Council Agendas and Minutes

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

Objective

To develop a procedure so that Agendas and Minutes are distributed in a consistent manner.

Policy

A copy of the agendas and minutes of all Council meetings, (with the wording "Unconfirmed copy of Minutes of Meeting held on (insert date), subject to confirmation at meeting to be held on the (insert date)" is to be forwarded by the ~~Shire administration~~Governance Administration Officer to the following:

- All Council Members
- All ~~Senior Staff and other appropriate~~ staff (via email & Document Centre)
- Marble Bar, Nullagine and Newman Libraries
- ~~North West Telegraph~~
- ~~WA Newspapers~~
- ~~ABC Karratha~~
- Shire of East Pilbara website
- Newman Boulevard Shopping Centre
- Or for purchase at a price determined annually by Council

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	26 June 2019	Item No	

Next Review	

Shire of EAST Pilbara

1.9 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.~~

Commented [KB2]: I don't believe there is a Councillor's Handbook?

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~~2 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.

References			
Related Procedures	Nil		
Date Adopted by Council	26 May 2010	Item No	9.1.2
Review/Amendment Date	26 June 2019	Item No	
Next Review			

Shire of EAST Pilbara

1.10 Dress Standard for Council Chambers

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

Objective

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

Policy

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

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

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

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

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

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

Commented [KB3]: For Council to review.

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

Shire of EAST Pilbara

1.11 Local Government Elected Members' Recordkeeping Policy

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	ADM 4-1

Objective

The purpose of this policy is to:

1. Ensure that Councillors create and keep proper and adequate records of the activities and decisions made during the course of their official duties for Council;
2. To ensure good governance; and
3. Ensure that the Shire of East Pilbara complies with the *State Records Act 2000* and associated State Records Commission Policies.

Policy

1. Scope of this policy

This policy has been developed to assist Councillors in meeting their recordkeeping responsibilities in accordance with the *State Records Act 2000*, and associated State Records Commission Policies.

Shire of East Pilbara employees should refer to the Record Keeping Plan for guidance.

2. Definitions

In this policy, unless the contrary otherwise requires – **"Government record"** means a record created or received by –

a. A government organisation; or
b. A government organisation employee in the course of the employee's work for the organisation,

But does not include an exempt record - **"Parliamentary record"** means a record created or received by –

a. A parliamentary department; or
b. A person in the course of the person's work for the department, whether the person is employed under a contract of service or is engaged under a contract for services or otherwise;

Shire of EAST Pilbara

"Record" means any record of information however recorded and includes

a. Anything on which there is writing or Braille;

b. A map, plan, diagram or graph;

c. A drawing, pictorial or graphic work, or photograph;

d. Anything on which there are figures, marks, perforations, or symbols, having a meaning for persons qualified to interpret them;

e. Anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and

f. Anything on which information has been stored or recorded, either mechanically, magnetically or electronically;

"State record" means –

a. A parliamentary record; or

b. A government record.

3. Which records should be captured?

Examples of records that should be captured include (but are not limited to):

a. communications from ratepayers;

b. complaints and compliments;

c. correspondence concerning corporate matters;

d. submissions, petitions and lobbying;

e. information for Council's interest relating to local government business activity and functions;

f. telephone, meetings and other verbal conversations between an elected member and another party regarding local government projects or business activities;

g. work diaries containing information that may be significant to the conduct of the elected member on behalf of the local government;

h. Presentations and speeches delivered as part of an elected member's official duties.

i. Records which are created, sent or received by Councillors when they are not discharging the functions of Council are not considered to be State records for the purposes of the *State Records Act 2000*.

Examples of records that do not need to be captured include (but are not limited to):

a. duplicate copies of Council meeting agenda items, minutes and working papers;
b. draft documents or working papers which are already captured by the local government;
c. publications such as newsletters, circulars and journals;
d. invitations to community events where an elected member is not representing Council or the local government;
e. telephone, meetings and other verbal conversations which convey routine information only or do not relate to local government business or functions;
f. electioneering or party political information;
g. Personal records not related to an elected member's official duties.

4. Legislative context

Public offices are bound by the *State Records Act 2000* ("the Act"), which establishes rules for recordkeeping in Western Australian Government. Councils are identified as public offices under the Act [Schedule 1, (12)].

When discharging the functions of Council, Councillors are subjected to the *State Records Act 2000* when they create or receive State records.

The State Records Commission Policy relating to Councillor Records is:

"In relation to the recordkeeping requirements of local government, elected members' records must be created and kept which properly and adequately record the performance of member functions arising from their participation in the decision making processes of Council and Committees of Council.

This requirement should be met through the creation and retention of records of meetings of Council and Committees of Council of local government and other communications and transactions of elected members which constitute evidence affecting the accountability of the Council and the discharge of its business.

Local governments must ensure that appropriate practices are established to facilitate the ease of capture and management of elected members' records up to and including the decision making processes of Council."

5. Application of this policy

All Councillors are required to comply with this policy in their conduct of official business for Council. Official business includes business relevant to the performance of the function and duties of the office of Councillor. This policy applies to records in all formats, including electronic records.

Shire of EAST Pilbara

6. Creation and capture of records

Councillors should create and capture proper and accurate records of any significant business undertaken in the course of their official duties for Council. Significant business includes (but is not limited to):

a. providing advice, instructions or recommendations;

b. drafts of documents for Council containing significant annotations or submitted for comment or approval by others; and

c. correspondence received and/or sent relating to their work undertaken for Council.

The Shire of East Pilbara is responsible for:

a. creating and capturing records of Council and Committee meetings; and

b. capturing any State records it sends to or receives from Councillors regarding Council business.

7. Capture of records into the records system

7.1. Email

Where Councillors send or receive emails, and the emails are considered to be State records, Councillors are required to forward electronic copies to the Shire of East Pilbara Administration Records Officer at: cas@eastpilbara.wa.gov.au

The subject of the email should say "*Elected Members' State record*".

7.2. Faxes and hard copy records

All incoming mail for Councillors received by the Shire administration with no privacy markings will be opened by records staff. Mail considered to be a State record will be recorded into the Shire's recordkeeping system before being forwarded to the Councillor.

Mail with privacy markings will be forwarded to the Councillor unopened. It is the Councillor's responsibility to return any mail that is considered to be a State Record and requires registration in the Shire of East Pilbara's recordkeeping system.

Where a Councillor receives a letter or fax at their personal address, and the document is a State record, the Councillor is to provide the original or an annotated copy to the Shire of East Pilbara Administration within two months. If the original document is supplied, the Shire Administration will copy the document for the Councillor. If a Councillor retains copies of any records once the originals have been forwarded for registration, these should be retained only whilst needed for current Council business. The routine destruction of duplicate records is permitted under the General Disposal Authority for Local Government.

Notes created by Councillors, which relate to the Councillor's decision making function, or which may affect the decision making function (such as meetings with Developers /Residents, phone conversation notes, notes made at Council and Committee meetings), are State records. These records are required to be provided to the Shire of East Pilbara Administration within two months.

Shire of EAST Pilbara

7.3. Disposal of records

Documents that are duplicate State records (e.g. agendas and minutes with no notes added by the Councillor) may be destroyed as the Councillor wishes. Documents that are not public documents should be destroyed either by pulping or shredding of the documents. If the Councillor has the facilities available, they may dispose of the records themselves otherwise, the records can be given to the Shire of East Pilbara Administration for destruction.

References	*State Records Act 2000*		
Related Procedures	Nil		
Date Adopted by Council	23 July 2003	Item No	9.3.6
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

1.12 Location of Council Meetings

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

Objective

To establish where Council meetings will normally be held.

Policy

The venue for Council meetings shall be determined by Council usually in October of each year for the following year. Normally meetings will be held in Newman, with two meetings being held annually in Marble Bar and one in Nullagine.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	29 June 2018	Item No	9.2.4
Next Review			

Shire of EAST Pilbara

1.13 Public Question Time – Council Meetings

Commented [KB4]: Delete this Policy? It is covered by the Standing Orders Local Law and the Local Government (Administration) Regulations 1996.

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

Objective

To outline the procedures for public question time at Council meetings.

Policy

The following procedures have been adopted:

A provision for question time is to be included as the first item at meetings of the full Council and other relevant committees.

A minimum of 15 minutes is to be allocated.

Questions may be made in writing to the Chief Executive Officer or verbally at the meeting. Each member of the public will be required to provide a written form of their question(s) to a Council employee.

The person presiding at the meeting is then authorised to answer public questions together with assistance of a Senior Staff member if required.

The minutes of the meeting shall contain a summary of each question asked by members of the public and a summary of the response to the question.

Where a question requires research the person asking the question is advised accordingly and a written response is to be provided within two business days of the meeting.

Question time at the relevant meetings of Council shall be reserved for bona fide applicable specific questions only and shall not be used for the airing of grievances or the making of statements.

References	• Local Government Act 1995 section 5.24 • Local Government (Administration) Regulations 1996 • Standing Orders Local Law 2010		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

1.14 Shire President & Councillors – Attendance Fees, Expenses & Allowances - DELETED

Version	Item No.	Synopsis
1.	27 June 2003	Adopted by Council
2.	31 January 2014	Review/Amendment
3.	29 June 2018	Review/Amendment
4.	26 April 2019	Deleted by Council. Refer to New Policy – Councillor Allowances & Expenses.

Shire of EAST Pilbara

1.15 Smoke Free Policy

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	ADM 12-7

Objective

To protect the health of all employees and public users of Council facilities.

Policy

Council recognises that passive smoking is deemed to be hazardous to health and that non-smokers should be protected from the inhalation of tobacco smoke.

To protect the health of all employees, Councillors and the public users of Council facilities, are not permitted to smoke in any enclosed Council work place, meeting room or vehicle. All users are to be advised on this policy and encouraged not to smoke by the use of strategically located and well-designed signage; or if they wish to smoke to do so in an open area outside the building or vehicle, but away from open windows, doors or ventilation systems.

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

Shire of EAST Pilbara

1.16 Use of Council Chambers

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	BLD 6-1

Objective

To provide details on who can use the Council Chambers.

Policy

The Council Chambers shall be used only for Council functions and meetings. The Chief Executive Officer is empowered to approve the use of the Council Chambers for other functions and meetings when special circumstances exist, however, it is Council's Policy that community groups and organisations should not use the Council Chambers but should be directed to other Council owned public buildings.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	29 June 2016	Item No	9.2.4
Next Review			

Shire of EAST Pilbara

1.17 Formal Communication Policy – Elected Members

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	ADM 4-2

Objective

To establish a process of communication between Elected Members and Employees of the Shire of East Pilbara and for the access to information by Elected Members to ensure:

- Consistency of information to Council.
- Accuracy of information to Council.
- No undue pressure is placed on management and staff when Councillors request information at short notice, especially during busy periods.
- So that information already provided in sot provided again, or by different staff members at the same time.

Definitions

CEO means the Chief Executive Officer of the Shire of East Pilbara, or the person appointed to act in that capacity.

Correspondence means all forms of written correspondence:

- Facsimile
- Letter
- Email
- Memorandum
- Works request
- Forms
- SMS text messages

It should be noted that in some instances, particularly in relation to complaints, matters should be formally brought to the attention of the CEO in letter form and be signed and dated by the Councillor.

Shire of EAST Pilbara

Requests for Work means specific instances of a request for works of a minor general maintenance nature, which may be relayed from members of the public. It does not relate to any administrative functions of Council (Policies, Reports etc.).

Senior Employee means the Chief Executive Officer, ~~Deputy Chief Executive and/or Director Technical & Development Services~~Executive Managers, or the person appointed to act in that capacity.

Service Delivery means a specific occurrence or instance of work, of a minor and general nature, that has already been carried out.

Staff means all employees of the Shire of East Pilbara who are not the CEO or Senior Employees.

Policy

Communication

1. Elected members may contact the ~~Chief Executive Officer~~CEO, ~~Deputy Chief Executive Officer or Director Technical & Development Services~~ or Executive Managers via telephone to informally discuss Shire or Council business. If considered appropriate, Senior ~~Staff~~Employees may transfer the call to another staff member to deal with the enquiry.
2. Elected members should not telephone staff on their direct lines rather; they should dial (08) 9175 8000 in Newman to speak to a Senior Employee. Under no circumstances, should Elected Members contact staff via their personal mobile phone to make a complaint or enquiry.
3. Enquiries and complaints from Elected Members regarding Service Delivery and Requests for Work shall be delivered using the attached Councillor's Request for Information/Works Form. This form shall then be delivered to the ~~Executive Services Administration Officer~~Personal Assistant to the CEO via email at paceo~~ese~~@eastpilbara.wa.gov.au or facsimile on (08) 9175 2668, who will then distribute the request / enquiry to the appropriate staff member.
4. Complaints or comments in relation to staff members are to be directed to the ~~Chief Executive Officer~~CEO, who will require any complaints to be in writing.
5. Information forwarded via email of a confidential nature, shall be directed to the CEO at ceo@eastpilbara.wa.gov.au. Under no circumstances should any emails relating to formal or confidential Council business be forwarded to staff without the expressed permission of the CEO.
6. All written correspondence from Elected Members, other than Requests for Work or enquiries relating to Service Delivery, shall be forwarded to the CEO in the first instance.
7. Any Elected Member who wishes to raise a grievance in relation to the Code of Conduct, the *Local Government Act 1995*, Regulations, or any matter of Council business, shall first raise the matter with the CEO and/or the Shire President and/or the Deputy Shire President.

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It should be noted that this does not override the requirements of the Corruption and Crime Commission of Western Australia (CCC).

Issues which are referred to the CCC will remain confidential.

8. When an Elected Member forwards correspondence from a member of the public, staff will arrange a response, if required.

   A copy of the response will be forwarded to the Elected Member for their information. In meeting objectives of this policy, it is appropriated that Shire staff response to all correspondence on related Council or Shire matters.

9. Elected Members in acknowledging their role is one of leadership, also acknowledge that they have no capacity to speak with staff individually, with the exception of the CEO and Senior EmployeesStaff, on matters of Shire or Council business.

10. However, under some circumstances, the CEO may give permission for an Elected Member to discuss a matter with a staff member. This conversation should be recorded as a file note by the staff member.

11. Elected Members in acknowledging the everyday pressures placed on the CEO and Senior EmployeesStaff, will where ever possible, make appointments in advance to meet with the CEO or Senior EmployeesStaff and stating the nature of the request for a meeting.

12. All communications between Councillors that raise particular issues or items for debate shall be forwarded to all Councillors, without exception. This ensures all Councillors are aware of current issues and have the opportunity to express views where considered appropriate.

Ordinary Council Meetings

1. Matters requiring considerations at an Ordinary Council Meeting should be submitted to the Chief Executive OfficerCEO via email or facsimile. Once received, the Chief Executive OfficerCEO will arrange for the matter to be researched and included on the agenda of the next appropriate Council meeting. Should it be considered more appropriate that the matter be dealt with administratively, the Councillor will be contacted and advised of this and the matter will not be placed on the agenda.

Access to Information

1. Elected Members have information access rights that are additional to those given to the general public. Elected Members can access the following information held by a local government:
   - All written contracts of the local government
   - All documents relating to written contracts proposed to be entered into by the local government
   - any information that is relevant to their functions

2. Elected Members can have access to any information held by the local government that is relevant to the performance of his or her function under the *Local Government Act 1995*

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(s5.92 (1) *Local Government Act 1995)*. Access arrangements should be made through the Chief Executive Officer.

3. Access to information will be in accordance with requirements under the *Local Government Act 1995*, and *Freedom of Information ~~Legislation~~ Act 1992.*

4. Elected Members ~~must~~will not use confidential information to gain advantage for themselves or for any other person or body, in ways which are inconsistent with their obligation to act impartially, or to improperly cause harm or detriment to any person or organisation (Regulation 7 *Local government (Rules of Conduct) Regulations 2007).*

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References	• Local Government Act (s5.92 (1) *Local Government Act 1995)* • (Regulation 7 *Local government (Rules of Conduct) Regulations 2007)*		
Related Procedures	Nil		
Date Adopted by Council	24 May 2013	Item No	9.1.9
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

1.18 Fraud and Corruption Prevention Policy

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	LEG 2-1

1. Objective

The objective of this policy is to articulate the Shire of East Pilbara's ("the Shire") commitment to the prevention, detection, response and monitoring of fraud and corrupt activities.

2. Policy Scope

This policy applies to all employees, Elected Members and contractors.

Fraud and corruption control is the responsibility of everyone in or associated with the Shire.

3. Definitions

Fraud is defined by Australian Standard AS8001-2008 as:

> *"Dishonest activity causing actual or potential financial loss to any person or entity including theft of monies or other property by employees or persons external to the entity and where deception is used at the time, immediately before or immediately following the activity."*

Corruption is defined by Australian Standard AS8001-2008 as:

> *"Corruption is dishonest activity in which an employee or contractor of the entity acts contrary to the interests of the entity and abuses their position of trust in order to achieve some personal gain or advantage for themselves or for another person or organisation. The concept of 'corruption' can also involve corrupt conduct by the entity, or a person purporting to act on behalf of and in the interests of the entity, in order to secure some form of improper advantage for the entity."*

Corruption is any deliberate or intentional wrongdoing that is improper, dishonest or fraudulent and may include:

- Conflict of interest;
- Failure to disclose acceptance of gifts or hospitality;
- Acceptance of a bribe;
- Misuse of internet or email; or
- Release of confidential or private information or intellectual property.

Corrupt conduct tends to show a deliberate intent or an improper purpose and motivation and may involve conduct such as the deliberate failure to perform the functions of office properly; the exercise of a power or duty for an improper purpose; or dishonesty.

4. Policy Statement

Fraud and corruption is illegal, and contrary to the organisational values of the Shire of East Pilbara. The Shire aims to foster a culture which upholds trust and honesty as part of its core values. In doing so, the Shire will ensure that the effective prevention of fraud and corruption is an integral part of its operating activities.

All employees are accountable for, and have a role to play in, fraud and corruption prevention and control. The Shire encourages staff to disclose actual or suspected fraudulent or corrupt activity. When identified, any suspected fraudulent or corrupt activity will be promptly investigated, and where appropriate legal remedies available under the law will be pursued. All alleged incidences will be investigated thoroughly. Where appropriate, the Shire will protect the anonymity of those responsible for reporting the activity.

The Shire will ensure that systems and procedures are in place to prevent, detect, report and investigate incidents of fraudulent or corrupt behaviour or activities. It will also ensure that staff are trained in and aware of their responsibilities in respect to the prevention, detection, reporting and investigation of fraudulent or corrupt behaviour.

A Fraud and Corruption Prevention Plan ("the Plan") has been developed to assist to meet the objectives of this policy. The Plan will ensure that the Shire has thorough and up-to-date procedures in place to mitigate the risk of fraud or corruption occurring in the organisation.

5. Review

This Fraud and Corruption Prevention Policy shall be reviewed every two years.

References	Australian Standard 8001-2003 Fraud and Corruption Control *Local Government Act 1995* *Corruption, Crime and Misconduct Act 2003* *Public Interest Disclosure Act 2003*		
Related Procedures	Fraud and Corruption Prevention Plan		
Date Adopted by Council	26 June 2013	Item No	9.1.4
Review/Amendment Date	13 April 2018	Item No	9.2.5
Next Review	April 2020		

Shire of EAST Pilbara

1.19 Access to Local Government Provided Services

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

Objective

The Shire of East Pilbara recognises the need to provide access to local government services to all residents of the Shire of East Pilbara.

The purpose of this policy is to ensure that Council will do its best endeavours to ensure that all residents are aware of and have access to services that are provided by the Local Government, according to need and relevance. Also, to ensure the allocation of necessary resources to meet the needs of the communities it serves.

Policy

The Shire of East Pilbara firmly believes an accessible and inclusive community is one in which all Council functions, facilities and services are open, available and accessible to all residents, ensuring that all residents are provided with the same opportunities, rights and responsibilities according to need and relevance.

The Shire of East Pilbara is committed to ensuring that each one of our communities and its residents within the municipality has accessibility to municipal services according to need and relevance thus ensuring they feel included within the community they are residing in.

The Shire of East Pilbara:

- recognises that all residents are valued members of the community who make a variety of contribution to social, economic and cultural life;
- believes that a community that recognises its diversity and supports the participation and inclusion of all of its residents, makes for a richer community life;
- believes that all residents should be supported to continue to live within the community of their choice;
- is committed to consulting with residents, in addressing perceived or real barriers to relevant local government services; and
- is committed to the allocation resources of (financial and human) to meet the needs of the communities it serves.

Shire of EAST Pilbara

Outcomes:

1. To ensure all residents have opportunities to access the services of, and any events organised by, the Shire of East Pilbara.
2. To ensure that information is available to all residents on the services provided by the Shire of East Pilbara.
3. That all residents receive a level and quality of service, subject to needs and relevance.

References			
Related Procedures	Nil		
Date Adopted by Council	26 June 2013	Item No	9.1.5
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

1.20 Use of Presidential Chain Policy

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	CLR-3-4

Objective

To outline the procedure for the use of the Presidential Chain.

POLICY

Scope of the Policy

This Policy ensures the implementation of appropriate governance mechanisms to manage the use of the Presidential Chain according to Council decisions.

Definitions / abbreviations used in the Policy

Council means the elected representatives, Councillors that form the governing body of the Shire of East Pilbara Council.

SoEP means the Shire of East Pilbara which is the organisation that is responsible for the administration of Council affairs and operations and the implementation of Council policies, procedures and strategies.

Presidential Chain means the chain adopted and recognised by Council as the Presidential Chain.

Policy Statements

To ensure the appropriateness and effectiveness of the policy the following aspects apply:

- It covers all the elected members of the SoEP, staff and contractors working for the SoEP, any individual or establishment employed to work on the SoEP properties or services and all events of the SoEP.
- The Shire President of the day has the right to decide whether to wear the Presidential Chain during their term of office.
- In the event of choosing to wear the chain, the Shire President has the option to decide where and when to wear the Presidential Chain within the following parameters :
  1. The official swearing in of the Shire President in the Council Chambers.
  2. Citizenship ceremonies held at the Shire of East Pilbara.

3. Formal functions where the Shire President has been requested to address.
4. When representing the SoEP at official functions arranged by Local, State and Federal government representatives, the Prime Minister, Governor General, WA Governor, Premier, Ambassadors of State, Foreign dignitaries, Business groups/ Associations and others that are considered appropriate.
5. When representing the SoEP at the following but not limited to graduation and dedication ceremonies conducted at universities and institutes of education, schools, charitable organisations, churches, sporting and community groups.
6. Australia Day ceremonies.
7. Ceremonies linked with state or national Local Government Association Conferences and /or Assemblies.
8. Any civic ceremonies that require the formality of the Presidential Chain to be worn by the Shire President.
9. Presentation of the Year Awards and other awards of honour issued by the SoEP.
10. For the purpose of official portraits of the Shire President.
11. When representing the SoEP as part of a delegation travelling outside Australia as per Council resolution.
12. At full Council meetings and other approved meetings/ receptions.

- Any other elected Councillors, SoEP employees or citizens are not allowed to wear the Presidential Chain.
- The Presidential Chain is to be deemed as an asset of the Shire of East Pilbara.

Monitoring and Reviewing

- This policy will be reviewed by Council in accordance with Council procedures.
- The onus is on all SoEP employees and agents to be knowledgeable of this policy to ensure compliance.
- The Presidential Chain must be kept in a safe and secure place.
- The custodianship for its safe keeping is entrusted to the Chief Executive Officer.
- Maintenance and arrangement of the necessary packaging of the Presidential Chain will be the responsibility of the Chief Executive Officer.
- It is the Shire President's responsibility to ensure the safe keeping of the Presidential Chain during their term of office.
- At the end of their term of office, all former Shire Presidents are to have their full name and period that they were Shire President engraved once on the Presidential Chain.
- The Chief Executive Officer and his office will be responsible for engraving the Shire Presidents' names and terms of office on the Presidential Chain.

References			
Related Procedures	Code of Conduct		
Date Adopted by Council	21 April 2017	Item No.	9.2.7
Review/Amendment Date		Item No	
Next Review	Annually		

Shire of EAST Pilbara

1.21 Councillor Conferences – Study Tours

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	ADM 1-6

Objective

To provide for Councillor attendance at conferences and study tours.

Policy

1. Provision is to be made in each year's budget of an appropriate sum to cover Council representation (Councillors) at other conferences. Council is to approve attendance involving a Councillor or Councillors at any conference in accordance with the following guidelines:
   i. Budget authority and funding arrangements are to be considered.
   ii. The Chief Executive Officer is to ensure that attendance at the conference will be beneficial to the Council.
   iii. The Councillor is to provide a report to Council on the issues, outcomes, etc. of the conference.
   iv. ~~If a Councillor does not provide a report as per (iii) above they may be required to reimburse Council the cost of the conference.~~

Commented [KBS]: Delete this requirement as per Council discussion not to penalise someone for failing to submit a written report. Instead Councillors can give a verbal update at the next Ordinary Council Meeting

Annual Study Tours

1. A study tour is designed to enable Councillors and staff to travel intrastate, interstate and/or overseas to research and study specific issues confronting Council.
2. Details of study tours are to be arranged in advance so that suitable provision can be made in each year's budget. When no details of study tours have been arranged or arrangements are incomplete, an appropriate amount is to be included in the budget to cover the cost of an annual study tour.
3. The Chief Executive Officer in consultation with the Shire President may approve attendance at study tours but shall apply the following guidelines:
   i. The maximum attendance at any study tour is to be two Councillors and two staff.
   ii. Attendance at a study tour shall only take place where there are appropriate funds provided for in the annual budget.
   iii. A detailed report including recommendations on each study tour is to be submitted to Council through the appropriate Committee.
   iv. Budget authority and funding arrangements are to be considered.

Note: All applications must be made using the approved form.

References			
Related Procedures	Staff Conferences – Study Tours (Staff Procedures Manual)		
Date Adopted by Council	27 June 2003	Item No	
Review/Amendment Date	6 December 2017	Item No	9.2.3
Next Review			

Staff

Shire of EAST Pilbara

2.1 Human Resources

Responsible Directorate	~~Executive~~Corporate Services
Responsible Officer	Manager Human Resources
File Number	ADM-1-17

Objective

To improve and develop Shire of East Pilbara staff resources through the continuous development and implementation of policies, guidelines and procedures.

Policy

1. The Shire of East Pilbara will develop, implement and maintain a separate 'Staff Procedures Manual' which will operate under the following principles:
   - Policies will be designed to build and retain a skilled, motivated and healthy workforce;
   - All employees will receive fair, consistent and equitable treatment in all aspects of personnel management;
   - Employees are entitled to know the Shire's objectives and standards for their particular area of responsibility, and to know what is expected of them;
   - Recruitment, selection and promotion will be merit based. Merit means that the best qualified person in terms of skills, qualifications, and relevant experience necessary for the position is chosen;
   - All employees have access to fair and consistent redress for grievances;
   - Appropriate training and development opportunities will be available to all employees to ensure that work is useful and stimulating;
   - All individual personnel matters will be kept confidential;
   - All employees will be provided with safe and healthy working conditions;
   - All employees will receive fair terms and conditions of employment based on the relevant Award; and
   - All necessary steps will be taken to ensure that Shire staff maintain proper standards of integrity, conduct and concern for the public interest.
2. The Shire of East Pilbara 'Staff Procedures Manual' will support the Shire's Strategic Workforce Plan, Corporate Business Plan and Strategic Community Plan.

3. The 'Staff Procedures Manual' will be maintained by the Manager Human Resources, with approval from the Chief Executive Officer. This Policy recognises that the CEO has authority under the *Local Government Act 1995* (s5.41(g) to make decisions on all employment matters and where appropriate, the delegation of that authority.

4. The 'Staff Procedures Manual' will be reviewed yearly.

5. All new employees shall be made aware of the Staff Procedures Manual during the induction process and they shall sign an acknowledgement form acknowledging receipt of the Staff Procedures Manual.

6. Any changes to the Staff Procedures Manual, shall be communicated to all staff.

NOTE: This Policy shall be read in conjunction with the Staff Procedures Manual and associated Guidelines, Procedures and Work Instructions.

References	Strategic Workforce Plan Corporate Business Plan Strategic Community Plan *Local Government Act 1995*, s5.41(g)		
Related Documents	Staff Procedures Manual		
Date Adopted by Council	11th December 2015	Item No	9.1.7
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

2.2 Councillor and Senior Staff Representation at Functions and Events

Commented [KB6]: Delete this policy? Is it necessary?

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

Objective

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

Policy

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

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

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

1. Event – venue, time and date
2. Who is requested to be in attendance?
3. Are they to speak or present at the function
4. (If this is to occur please provide a speech, notes or further details)

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

References			
Related Procedures	Nil		
Date Adopted by Council	27 May 2005	Item No	11.1.5
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

2.3 Designated Senior Employees and Contracted Employees

Responsible Directorate	~~Executive~~ Corporate Services
Responsible Officer	Manager Human Resources
File Number	ADM 1-7

Objective

To nominate those positions designated as Senior Employees in accordance with section 5.37 of the *Local Government Act 1995* ("the Act").

Policy

Designation of Senior Employees

The Council designates the following employees to be "senior employees" in accordance with sections 5.37, 5.38 and 5.39 of the Act: -

- ~~Deputy Chief Executive Officer~~
- ~~Directors~~
- Executive Manager Corporate Services
- Executive Manager Commercial Services
- Executive Manager Customer & Community Services
- Executive Manager Infrastructure Services

Designation of Contracted Positions (other than Senior Employees)

All managers shall be offered term contracts and shall be appointed subject to a contract appointment by the Chief Executive Officer and such other officers as delegated by the Chief Executive Officer.

Commented [KB7]: Check with CEO?

Issues likely to lead to consideration of dismissal of a middle management officer are to be considered by the same process but with the final decision to be taken by the Chief Executive Officer.

Commented [KB8]: Check with CEO?

References	*Local Government Act 1995* section 5.37		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	5 May 2006	Item No	
Next Review			

Shire of EAST Pilbara

2.4 Gratuity Policy

Responsible Directorate	~~Executive~~ Corporate Services
Responsible Officer	Manager Human Resources
File Number	ADM 11-6

Objective

When an employee leaves their employment or is made redundant, they may be given a good or service as a token of appreciation for their commitment and service to the Shire of East Pilbara.

This Gratuity Policy outlines the circumstances in which gratuity payments may be made to an employee. This policy should be read in conjunction with section 5.50 of the *Local Government Act 1995* and *Local Government Administration Regulations 1996*, specifically regulation 19a. A gratuity payment is paid in addition to any amount which an employee is entitled to under a contract of employment or industrial instrument. This policy does not form a contractual entitlement for any employee of the Local Government.

Commitment

The Shire of East Pilbara is committed to recognising long serving employees within the parameters set by the *Local Government Act 1995* and the associated regulations.

Eligibility for Gratuity Payments

An employee may be entitled to a gratuity payment as outlined within this policy based on the completed years of service when an employee's services are ceasing with the Local Government for any of the reasons identified below:

- Resignation (not as a result of any performance management or investigation being conducted by the Local Government);
- Retirement; or
- Redundancy.

An employee who has been dismissed by the Shire of East Pilbara for any reason other than redundancy, will not be eligible to receive any Gratuity Payment under this policy

The Chief Executive Officer is authorised to approve payments in accordance with the limits prescribed by this policy. Funds will be allocated as part of the Local Government's budget preparation process and unexpended amounts will be returned to general revenue.

Prescribed Amounts for Gratuity Payments

Number of Years' Service	Amount of Gratuity
Continuous service less than 6 months.	Morning tea provided by Council and card to be signed by work colleagues.
Continuous service between 6 months to 2 years.	Morning tea provided by Council, card signed by work colleagues and a request for contribution to gift (from staff). If less than $100 collected, Council will make up the difference.
Continuous service between 2 years to 5 years.	Morning tea provided by Council, card to be signed by work colleagues and a request for contribution to gift (from staff). Council will contribute $150 towards the gift.
Continuous service between 5 years to 10 years.	Morning tea provided by Council, card to be signed by work colleagues and a request for contribution to gift (from staff). Council will contribute $200 towards the gift.
Continuous service greater than 10 years.	Morning tea provided by Council, card to be signed by work colleagues and a request for contribution to gift (from staff). Council will contribute up to $250 towards the gift.

After 10 years continuous service, additional funds will be at the discretion of the Chief Executive Officer.

Gift preference to be an item representing the Shire of East Pilbara i.e. art, photos etc.

Funds to be sourced from Staff Recruitment Account (41124).

Commented [KB9]: Is this correct?

Staff contributions to be banked into GL 444314.

Commented [KB10]: Is this correct?

Gift items to be purchased by an account (invoice to be issued).

When authorising invoice, it is to be coded by 2 expense accounts:

- 444314 – portion of staff contribution
- 41124 – balance of invoice

Acknowledgement

The Shire of East Pilbara acknowledges that at the time this policy was introduced, employees may be entitled to payments in addition to this policy as a result of accrued unused long service leave benefits, redundancy payments or notice periods as prescribed by legislation or a relevant industrial instrument. The Shire of East Pilbara has considered these provisions when setting the prescribed amount of any gratuity payment in this policy.

Determining Service

For the purpose of this policy, continuous service shall be deemed to include:

- Any period of absence from duty on annual leave, long service leave, paid compassionate
- leave, accrued paid personal leave and public holidays;
- Any period of authorised paid absence from duty necessitated by sickness of or injury to the employee up to a maximum of three months in each calendar year, but not including leave without pay or parental leave; or
- Any period of absence that has been supported by an approved workers compensation claim up to a maximum absence of 12 months.

For the purpose of this policy, continuous service shall not include:

- Any period of unauthorised absence from duty unless Shire of East Pilbara determines otherwise;
- Any period of unpaid leave unless the Shire of East Pilbara determines otherwise; or
- Any period of absence from duty on parental leave unless the Shire of East Pilbara determines otherwise.

Shire of EAST Pilbara

Financial Liability for Taxation

The employee accepts full responsibility for any taxation payable on a gratuity payment, and agrees to fully indemnify the Shire of East Pilbara in relation to any claims or liabilities for taxation in relation to the gratuity payment.

Payments in addition to this Policy

The Shire of East Pilbara agrees not to make any gratuity payment in addition to that contained within this policy until the Policy has been amended to reflect the varied amount and the Shire of East Pilbara has caused local public notification to be given in relation to the variation.

Financial Implications

The Shire of East Pilbara acknowledges that at the time the policy was introduced, the financial implications to the Shire of East Pilbara were understood and that these financial implications had been investigated based on the workforce position current at that time.

The Shire of East Pilbara will take reasonable steps to notify employees prior to the variation of this policy or the introduction of any new gratuity policy.

Consequences for Breaching this Policy

The policy constitutes a lawful instruction to anyone involved in administering a gratuity payment. Any breaches of the policy may lead to disciplinary action.

Variations to this Policy

This policy may be cancelled or varied from time to time. All the organisation's employees will be notified of any variation to this policy by the normal correspondence method.

References	Section 5.50 of the Local Government Act 1995 Local Government Administration Regulations 1996 r 19A		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	21 April 2017	Item No	9.2.6
Next Review			

Shire of EAST Pilbara

2.5 Occupational Health and Safety Policy

Commented [KB11]: Policy has been reviewed by Stan. To be included in this version?

Responsible Directorate	Corporate Services
Responsible Officer	Manager ~~Assets and Procurement~~Human Resources
File Number	ADM-12-7

Objective

The purpose of this policy is to outline the Shire of East Pilbara's policy on Occupational Health and Safety as the Shire strives to provide a healthy and safe work environment for all those persons engaged in activities with the Shire.

Policy

The Shire of East Pilbara is committed to promoting Occupational Health and Safety (OHS) as an important element of staff discipline. Safety is to be managed as follows:

Officer Responsibilities

(a) The officer responsible for the OHS policy is the Manager ~~Assets and Procurement~~Human Resources.

(b) Managers, coordinators and supervisors are responsible for ensuring that OHS procedures and policies are effectively implemented in their area of responsibility.

(c) All persons (staff and contractors) are required to take reasonable care of their own health and safety at work and ensure that their own acts and omissions do not adversely affect the health and safety of other people at work. They must also comply with any reasonable instruction including work health and safety policies, procedures and other directives and report all hazards, incidents and injuries.

Training

(a) All appropriate staff/contractors are to receive appropriate supervisor training in occupational health and safety.

(b) All appropriate new staff will receive formal induction training in major hazard identification and be instructed on how to implement procedures for safe work practices. Further specific safety training, especially for those at risk of injury, is to be programmed as the need arises.

(c) Safety promotion and publicity is to be updated via safety posters.

Consultation

(a) A Committee is to be set up in accordance with the *Occupational Safety and Health Act 1984* (WA) and meet at not less than three monthly intervals.

(b) The Committee shall consist of representatives elected from staff members in identified workplaces.

Hazard Identification

(a) A register/list of legislation, approved codes and practices, and Australian standards relevant to Council's operations is to be maintained. Copies of safety documents shall be kept by the Occupational Health & Safety Officer and Managers.

(b) Inspections of the workplace will be carried out on a regular basis by the Occupational Health & Safety Officer and Managers. Inspections are to follow a written procedure. Hazardous conditions shall be reported to the OH & S Committee.

(c) Incident/hazard report forms shall be completed for all work related accidents. A formal investigation is to be made to determine the cause of the accident and the appropriate supervisor is to advise on measures to avoid further similar accidents.

(d) Upon identifying the hazards, risk control measures shall be applied and monitored in the following preferred order:

- Elimination;
- Substitution;
- Engineering control;
- Administrative control; and
- Personal protection program.

(e) For any risks that cannot be removed, a set of procedural rules for personal protection is to be written and enforced. Employees not obeying these rules will be subject to disciplinary action. The Shire of East Pilbara will ensure compliance with legislation, industry standards and best practices by:

- Providing and maintaining safe workplaces, plant and systems of work;
- Adopting a risk management approach which is consistent with the nature of tasks and activities;
- Providing information, instruction, training and supervisor to ensure safe systems of work;
- Ensuring that nominated safety personnel are adequately trained and supported;
- Consulting and cooperating with health and safety representatives, workers and others;
- Providing and maintain personal protective equipment as required; and
- Continuously reviewing and improving its safety performance.

References	Occupational Health & Safety Act 1954 (WA)		
Related Procedures	• Safety Induction Manual • Internal Operations Procedures (IOP's), (SWP's) • Emergency Evacuation Plans • Emergency Response Procedures • Risk Strategy Manual • Contractor OHS Compliance Guidelines • Contractor Checklist		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	26 Aug 2016	Item No	9.2.8
Next Review			

Shire of EAST Pilbara

Finance

Shire of EAST Pilbara

3.1 Accounting Policies

Responsible Directorate	Corporate Services
Responsible Officer	~~Deputy Chief Executive Officer~~Executive Manager Corporate Services
File Number	LEG-2-1

Policy

The significant accounting policies are:

(a) Goods and Services Tax (GST)

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO).

Receivables and payables are stated inclusive of GST receivable and payable. The net amount of GST recoverable from, or payable to, the ATO is included in the receivables or payables in the statement of financial position.

Cash flows are presented on a Gross basis. The GST components of cash flows arising from investing or financing activities are recoverable from, or payable to, the ATO and are presented as operating cash flows.

(b) Cash and Cash Equivalents

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

Bank overdrafts are reported as short term borrowings in current liabilities of the statement of financial position.

(c) Trade and Other Receivables

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets.

Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.

(d) Inventories

General
Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

Land Held for Sale
Land held for development and sale is valued at the lower of cost and net realisable value. Cost includes the cost of acquisition, development, borrowing costs and holding costs until completion of development. Finance costs and holding charges incurred after development is completed are expensed.

Gains and losses are recognised in profit and loss at the time of signing an unconditional contract of sale if significant risks and rewards, and effective control over the land, are passed on to the buyer at this point.

Land held for sale is classified as current except where it is held as non-current based on the Shire's intentions to release for sale.

(f) Fixed Assets

Each class of fixed assets within either, property, plant and equipment or infrastructure, is carried at cost or fair value as indicated, less where applicable, any accumulated depreciation and impairment losses.

Mandatory Requirement to Revalue Non-Current Assets

Effective from 1 July 2012, the Local Government (Financial Management) Regulations were amended and the measurement of non-current assets at fair value became mandatory.

During the year ended 30 June 2013 the Shire commenced the process of adopting Fair Value in accordance with the Regulations.

Whilst the amendments initially allowed for a phasing in of fair value in relation to fixed assets over three years, as at 30 June 2015 all non-current assets were carried at Fair Value in accordance with the regulatory requirements.

Thereafter, each asset class must be revalued in accordance with the regulatory framework established and the Shire revalues its assets in accordance with this mandatory timetable.

Land Under Control
In accordance with Local Government (Financial Management) Regulation 16(a), the Shire was required to include as an asset (by 30 June 2013), Crown Land operated by the local government as a golf course, showground, racecourse or other sporting or recreational facility of State or regional significance.

Upon initial recognition, these assets were recorded at cost in accordance with AASB 116. They were then classified as Land and revalued along with other land in accordance with the other policies detailed in this Note.

Initial Recognition and Measurement between Mandatory Revaluation Dates
All assets are initially recognised at cost and subsequently revalued in accordance with the mandatory measurement framework detailed above. In relation to this initial measurement, cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the Shire includes the cost of all materials used in construction, direct labour on the project and an appropriate proportion of variable and fixed overheads. Individual assets acquired between initial recognition and the next revaluation of the asset class in accordance with the mandatory measurement framework detailed above, are carried at cost less accumulated depreciation as management believes this approximates fair value. They will be subject to subsequent revaluation at the next anniversary date in accordance with the mandatory measurement framework detailed above.

Revaluation
Increases in the carrying amount arising on revaluation of assets are credited to a revaluation surplus in equity. Decreases that offset previous increases of the same asset are recognised against revaluation surplus directly in equity. All other decreases are recognised in profit or loss.

Land Under Roads
In Western Australia, all land under roads is Crown land, the responsibility for managing which, is vested in the local government.

Effective as at 1 July 2008, the Shire elected not to recognise any value for land under roads acquired on or before 30 June 2008. This accords with the treatment available in Australian Accounting Standard AASB 1051 Land Under Roads and the fact Local Government (Financial Management) Regulation 16 (a) (i) prohibits local governments from recognising such land as an asset.

In respect of land under roads acquired on or after 1 July 2008, as detailed above, Local Government (Financial Management) Regulation 16(a)(i) prohibits local governments from recognising such land as an asset.

Whilst such treatment is inconsistent with the requirements of AASB 1051, Local Government (Financial Management) Regulation 4(2) provides, in the event of such an inconsistency, the Local Government (Financial Management) Regulations prevail.

Consequently, any land under roads acquired on or after 1 July 2008 is not included as an asset of the Shire.

Depreciation
The depreciable amount of all fixed assets including buildings but excluding freehold land, are depreciated on a straight-line basis over the individual asset's useful life from the time the asset is held ready for use. Leasehold improvements are depreciated over the shorter of either the unexpired period of the lease or the estimated useful life of the improvements.

When an item of property, plant and equipment is revalued, any accumulated depreciation at the date of the revaluation is treated in one of the following ways:

(a) Restated proportionately with the change in the gross carrying amount of the asset so that the carrying amount of the asset after revaluation equals its revalued amount; or
(b) Eliminated against the gross carrying amount of the asset and the amount restated to the revalued amount of the asset.

Depreciation of Non-Current Assets
Non-current assets having limited useful lives are to be depreciated over such useful lives using the straight-line method to reflect the consumption of the economic benefits embodied in such assets.

Major depreciation periods used for property, plant and equipment are:

Buildings	40 years
Plant and Equipment	3 - 10 years
Computer Equipment and Software	3 years
Furniture and Equipment	5 years
Tools	3 years

Infrastructure Assets
Infrastructure assets are those amenities, structures or facilities which assist the municipality in providing services to the community and may have the following characteristics:

- a long life;
- require substantial capital outlays;
- do not necessarily have a realisable value;
- usually a fixture not always readily visible or noticeable;
- consist of a number of components.

Infrastructure assets are depreciated on a straight-line basis over their useful lives as follows:

Bridges	75 years
Car parks	20 years
Culverts	50 years
Cycle ways	50 years
Drains	25 years
Footpath - in situ concrete	50 years
Footpath - slab	20 years
Irrigation	20 years

Shire of EAST Pilbara

Kerbs and channel	50 years
Manholes	50 years
Median strips	50 years
Road seals - aggregate	15 years
Road seals - asphalt	25 years
Road (sealed) - pavement	50 years
Road (unsealed) - formed	20 years
Road (unsealed) - gravel	20 years
Street lights	25 years
Street signs	10 years
Water reticulation systems	20 years
Park and Gardens	20 years

The assets residual values and useful lives are reviewed and adjusted if appropriate, at the end of each reporting period.

An asset's carrying amount is written down immediately to its recoverable amount if the asset's carrying amount is greater than its estimated recoverable amount.

Gains and losses on disposals are determined by comparing proceeds with the carrying amount. These gains and losses are included in the statement of comprehensive income in the period in which they arise.

When revalued assets are disposed of, amounts included in the revaluation surplus relating to that asset are transferred to retained surplus.

Capitalisation Threshold
Fixed assets will be recognised in the statements when the value exceeds the following amounts:

Land	$0
Buildings	$0
Plant and Equipment	$1,500
Office Furniture and Equipment	$1,000
Infrastructure Assets	$5,000

(g) Fair Value of Assets and Liabilities

When performing a revaluation, the Shire uses a mix of both independent and management valuations using the following as a guide:
Fair Value is the price that the Shire would receive to sell the asset or would have to pay to transfer a liability, in an orderly (i.e. unforced) transaction between independent, knowledgeable and willing market participants at the measurement date.

To the extent possible, market information is extracted from either the principal market for the asset or liability (i.e. the market with the greatest volume and level of activity for the asset or liability or, in the absence of such a market, the most advantageous market available to the entity

at the end of the reporting period (i.e. the market that maximises the receipts from the sale of the asset after taking into account transaction costs and transport costs).

For non-financial assets, the fair value measurement also takes into account a market participant's ability to use the asset in its highest and best use or to sell it to another market participant that would use the asset in its highest and best use.

Fair Value Hierarchy
AASB 13 requires the disclosure of fair value information by level of the fair value hierarchy, which categorises fair value measurement into one of three possible levels based on the lowest level that an input that is significant to the measurement can be categorised into as follows:

Level 1
Measurements based on quoted prices (unadjusted) in active markets for identical assets or liabilities that the entity can access at the measurement date.

Level 2
Measurements based on inputs other than quoted prices included in Level 1 that are observable for the asset or liability, either directly or indirectly.

Level 3
Measurements based on unobservable inputs for the asset or liability.
The fair values of assets and liabilities that are not traded in an active market are determined using one or more valuation techniques. These valuation techniques maximise, to the extent possible, the use of observable market data. If all significant inputs required to measure fair value are observable, the asset or liability is included in Level 2. If one or more significant inputs are not based on observable market data, the asset or liability is included in Level 3.

Valuation techniques
The Shire selects a valuation technique that is appropriate in the circumstances and for which sufficient data is available to measure fair value. The availability of sufficient and relevant data primarily depends on the specific characteristics of the asset or liability being measured. The valuation techniques selected by the Shire are consistent with one or more of the following valuation approaches:

Market approach
Valuation techniques that use prices and other relevant information generated by market transactions for identical or similar assets or liabilities.

Income approach
Valuation techniques that convert estimated future cash flows or income and expenses into a single discounted present value.

Cost approach
Valuation techniques that reflect the current replacement cost of an asset at its current service capacity.

Each valuation technique requires inputs that reflect the assumptions that buyers and sellers would use when pricing the asset or liability, including assumptions about risks. When selecting a valuation technique, the Shire gives priority to those techniques that maximise the use of observable inputs and minimise the use of unobservable inputs. Inputs that are developed using market data (such as publicly available information on actual transactions) and reflect the assumptions that buyers and sellers would generally use when pricing the asset or liability and considered observable, whereas inputs for which market data is not available and therefore are developed using the best information available about such assumptions are considered unobservable.

As detailed above, the mandatory measurement framework imposed by the Local Government (Financial Management) Regulations requires, as a minimum, all assets carried at a revalued amount to be revalued in accordance with the regulatory framework.

(h) Financial Instruments

Initial Recognition and Measurement
Financial assets and financial liabilities are recognised when the Shire becomes a party to the contractual provisions to the instrument. For financial assets, this is equivalent to the date that the Shire commits itself to either the purchase or sale of the asset (i.e. trade date accounting is adopted).

Financial instruments are initially measured at fair value plus transaction costs, except where the instrument is classified 'at fair value through profit of loss', in which case transaction costs are expensed to profit or loss immediately.

Classification and Subsequent Measurement
Financial instruments are subsequently measured at fair value, amortised cost using the effective interest rate method, or at cost.

Amortised cost is calculated as:

(a) the amount at which the financial asset or financial liability is measured at initial recognition;
(b) less principal repayments and any reduction for impairment; and
(c) plus or minus the cumulative amortisation of the difference, if any, between the amount initially recognised and the maturity amount calculated using the effective interest rate method.

The effective interest method used is to allocate interest income or interest expense over the relevant period and is equivalent to the rate that discounts estimated future cash payments or receipts (including fees, transaction costs and other premiums or discounts) through the expected life (or when this cannot be reliably predicted, the contractual term) of the financial instrument to the net carrying amount of the financial asset or financial liability. Revisions to expected future net cash flows will necessitate an adjustment to the carrying value with a consequential recognition of an income or expense in profit or loss.

(i)Financial assets at fair value through profit or loss
Financial assets are classified at "fair value through profit or loss" when they are held for trading for the purpose of short-term profit taking. Such assets are subsequently measured at fair value with changes in carrying amount being included in profit or loss.
Assets in this category are classified as current assets.

(ii)Loans and receivables
Loans and receivables are non-derivative financial assets with fixed or determinable payments that are not quoted in an active market and are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.
Loans and receivables are included in current assets where they are expected to mature within 12 months after the end of the reporting period.

(iii)Held-to-maturity investments
Held-to-maturity investments are non-derivative financial assets with fixed maturities and fixed or determinable payments that the Shire has the positive intention and ability to hold to maturity. They are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Held-to-maturity investments are included in current assets where they are expected to mature within 12 months after the end of the reporting period. All other investments are classified as non-current.

(iv)Available-for-sale financial assets
Available-for-sale financial assets are non-derivative financial assets that are either not suitable to be classified into other categories of financial assets due to their nature, or they are designated as such by management. They comprise investments in the equity of other entities where there is neither a fixed maturity nor fixed or determinable payments.

They are subsequently measured at fair value with changes in such fair value (i.e. gains or losses) recognised in other comprehensive income (except for impairment losses). When the financial asset is derecognised, the cumulative gain or loss pertaining to that asset previously recognised in other comprehensive income is reclassified into profit or loss.

Available for sale financial assets are included in current assets, where they are expected to be sold within 12 months after the end of the reporting period. All other available for sale financial assets are classified as non-current.

(v)Financial liabilities
Non-derivative financial liabilities (excluding financial guarantees) are subsequently measured at amortised cost. Gains or losses are recognised in profit or loss.

Impairment
A financial asset is deemed to be impaired if, and only if, there is objective evidence of impairment as a result of one or more events (a "loss event") having occurred, which has an impact on the estimated future cash flows of the financial asset(s).

In the case of available-for-sale financial assets, a significant or prolonged decline in the market value of the instrument is considered a loss event. Impairment losses are recognised in profit or loss immediately. Also, any cumulative decline in fair value previously recognised in other comprehensive income is reclassified to profit or loss at this point.

In the case of financial assets carried at amortised cost, loss events may include: indications that the debtors or a group of debtors are experiencing significant financial difficulty, default or delinquency in interest or principal payments; indications that they will enter bankruptcy or other financial reorganisation; and changes in arrears or economic conditions that correlate with defaults.

For financial assets carried at amortised cost (including loans and receivables), a separate allowance account is used to reduce the carrying amount of financial assets impaired by credit losses. After having taken all possible measures of recovery, if management establishes that the carrying amount cannot be recovered by any means, at that point the written-off amounts are charged to the allowance account or the carrying amount of impaired financial assets is reduced directly if no impairment amount was previously recognised in the allowance account.

Derecognition
Financial assets are derecognised where the contractual rights to receipt of cash flows expire or the asset is transferred to another party whereby the Shire no longer has any significant continual involvement in the risks and benefits associated with the asset.

Financial liabilities are derecognised where the related obligations are discharged, cancelled or expired. The difference between the carrying amount of the financial liability extinguished or transferred to another party and the fair value of the consideration paid, including the transfer of non-cash assets or liabilities assumed, is recognised in profit or loss.

(i) Impairment of Assets

In accordance with Australian Accounting Standards the Shire's assets, other than inventories, are assessed at each reporting date to determine whether there is any indication they may be impaired.

Where such an indication exists, an impairment test is carried out on the asset by comparing the recoverable amount of the asset, being the higher of the asset's fair value less costs to sell and value in use, to the asset's carrying amount. Any excess of the asset's carrying amount over its recoverable amount is recognised immediately in profit or loss, unless the asset is carried at a revalued amount in accordance with another standard (e.g. AASB 116) whereby any impairment loss of a revalued asset is treated as a revaluation decrease in accordance with that other standard.

For non-cash generating assets such as roads, drains, public buildings and the like, value in use is represented by the depreciated replacement cost of the asset.

Shire of EAST Pilbara

(j) Trade and Other Payables

Trade and other payables represent liabilities for goods and services provided to the Shire prior to the end of the financial year that are unpaid and arise when the Shire becomes obliged to make future payments in respect of the purchase of these goods and services. The amounts are unsecured, are recognised as a current liability and are normally paid within 30 days of recognition.

(k) Employee Benefits

Short-Term Employee Benefits
Provision is made for the Shire's obligations for short-term employee benefits. Short-term employee benefits are benefits (other than termination benefits) that are expected to be settled wholly before 12 months after the end of the annual reporting period in which the employees render the related service, including wages, salaries and sick leave. Short-term employee benefits are measured at the (undiscounted) amounts expected to be paid when the obligation is settled.
The Shire's obligations for short-term employee benefits such as wages, salaries and sick leave are recognised as a part of current trade and other payables in the statement of financial position. The Shire's obligations for employees' annual leave and long service leave entitlements are recognised as provisions in the statement of financial position.

Other Long-Term Employee Benefits
Provision is made for employees' long service leave and annual leave entitlements not expected to be settled wholly within 12 months after the end of the annual reporting period in which the employees render the related service. Other long-term employee benefits are measured at the present value of the expected future payments to be made to employees. Expected future payments incorporate anticipated future wage and salary levels, durations or service and employee departures and are discounted at rates determined by reference to market yields at the end of the reporting period on government bonds that have maturity dates that approximate the terms of the obligations. Any remeasurements for changes in assumptions of obligations for other long-term employee benefits are recognised in profit or loss in the periods in which the changes occur.

The Shire's obligations for long-term employee benefits are presented as non-current provisions in its statement of financial position, except where the Shire does not have an unconditional right to defer settlement for at least 12 months after the end of the reporting period, in which case the obligations are presented as current provisions.

(l) Borrowing Costs

Borrowing costs are recognised as an expense when incurred except where they are directly attributable to the acquisition, construction or production of a qualifying asset. Where this is the case, they are capitalised as part of the cost of the particular asset until such time as the asset is substantially ready for its intended use or sale.

Shire of EAST Pilbara

(m) Provisions

Provisions are recognised when the Shire has a present legal or constructive obligation, as a result of past events, for which it is probable that an outflow of economic benefits will result and that outflow can be reliably measured.
Provisions are measured using the best estimate of the amounts required to settle the obligation at the end of the reporting period.

(n) Leases

Leases of fixed assets where substantially all the risks and benefits incidental to the ownership of the asset, but not legal ownership, are transferred to the Shire are classified as finance leases.

Finance leases are capitalised recording an asset and a liability at the lower amounts equal to the fair value of the leased property or the present value of the minimum lease payments, including any guaranteed residual values. Lease payments are allocated between the reduction of the lease liability and the lease interest expense for the period.

Leased assets are depreciated on a straight line basis over the shorter of their estimated useful lives or the lease term.

Lease payments for operating leases, where substantially all the risks and benefits remain with the lessor, are charged as expenses in the periods in which they are incurred.

Lease incentives under operating leases are recognised as a liability and amortised on a straight line basis over the life of the lease term.

(o) Rates, Grants, Donations and Other Contributions

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions.
Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

Where contributions recognised as revenues during the reporting period were obtained on the condition that they be expended in a particular manner or used over a particular period, and those conditions were undischarged as at the reporting date, the nature of and amounts pertaining to those undischarged conditions are disclosed in Note 3(c). That note also discloses the amount of contributions recognised as revenues in a previous reporting period
which were obtained in respect of the local government's operations for the current reporting period.

(p) Superannuation

The Shire contributes to a number of Superannuation Funds on behalf of employees.

All funds to which the Shire contributes are defined contribution plans.

Shire of EAST Pilbara

(q) Current and Non-Current Classification

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Shire's operational cycle. In the case of liabilities where the Shire does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for sale where it is held as non-current based on the Shire's intentions to release for sale.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	26 July 2012	Item No	9.2.8
Review/Amendment Date	19 April 2013	Item No	9.2.7
Review/Amendment Date	23 September 2016	Item No	9.2.9
Next Review		Item No	

Shire of EAST Pilbara

3.2 Asset Management

Responsible Directorate	Corporate Services
Responsible Officer	~~Deputy Chief Executive Officer~~Executive Manager Corporate Services
File Number	LEG 17-1 and FIN 23-2

Objective

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

Policy

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

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

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

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

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

Council is committed to:

1. Achieving financial sustainability of its assets over a period of time through the following measures:
   i. Ensuring that the asset base is not increased without considering the impact on the ability to fund future maintenance and rehabilitation;
   ii. Not replacing those assets that are determined to be underutilised, at the end of their useful lives;

iii. Accessing grant funding and increasing other funding to ensure assets are maintained at least in their current condition;

2. Integrated management linking asset management strategy, policy and procedures to other Council policies, strategies and procedures;
3. Utilisation of technological advances relevant to asset management;
4. An integrated planning approach which ensures manager roles are understood and documented and that communication procedures are in place which ensure assets are planned and delivered in a sustainable manner;
5. Implementation of optimum practices;
6. Improving its maintenance and rehabilitation practices;
7. Maintaining and rehabilitating its existing assets in a manner which is acceptable in terms of financial burden, safety, quality, impact on the environment, meeting needs and Council's ability to fund those works;
8. Maximising resources to achieve the best outcome for the community;
9. Regularly consulting and surveying the community to determine whether its needs are being satisfied;
10. Preparation of an Asset Management Plan which details how this policy is to be implemented;
11. Preparation and review of detailed asset management plans for all major classes of assets and using these plans to assist in determining the priorities for capital and maintenance expenditure;
12. Monitoring its performance in accordance with measures developed as part of its Asset Management Plan.

References	• Financial Strategic Plan • Corporate Plans • Asset Management Plan and Strategies • Information Technology Strategy Plan • Waste Management Plan		
Related Procedures	Nil		
Date Adopted by Council	29 January 2010	Item No	9.3.6
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

3.3 Budget Preparation

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

Objective

To determine the timeline for budget preparation.

February Meeting

- Councillors to submit road construction priority requests.
- Strategic Community Plan presented to Council.

March Meeting

- ~~Director Technical & Development Services~~Executive Manager Infrastructure Services to submit costings for the road construction priority requests plus any other request including specific grants.
- Public submissions on the Strategic Community Plan are to be presented to Council.
- Loan borrowing program to be determined by Council.

April Meeting

- All fees, charges and rents etc. to be reviewed.
- Plan for Future of the District to be adopted by Council.

June Meeting

- Every 4 years the Strategic Community Plan is to be adopted by Council.

July Meeting

- Budget approved.

References	Fees and Charges – Local Government Act 1995 Section 6 Subdivision 2		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date		Item No	

Next Review	

3.4 Budget Amendments

Responsible Directorate	Corporate Services
Responsible Officer	~~Deputy Chief Executive Officer~~Executive Manager Corporate Services
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			

Shire of EAST Pilbara

3.5 Budget Management – Capital Acquisitions

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

Policy

Owing to interim overdraft conditions that usually prevail in the early and closing parts of each financial year, it is Council's policy to:

1. Defer procurement of new budgeted plant items until October each year; and to
2. Discourage the programming of material intensive works in the early and closing parts of each financial year.

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

Shire of EAST Pilbara

3.6 Management Accounts

Responsible Directorate	Corporate Services
Responsible Officer	Manager Corporate Services
File Number	FIN 21-1

Policy

Management accounts will be produced to Council on a monthly basis in accordance with the *Local Government (Financial Management) Regulations 1996*. They will be in sufficient detail to allow comparison with the detailed budget figures and to enable Council to monitor year to date expenditure and income on capital and operating items and to determine expenditure and income for all relevant cost centres.

Monthly financial reports to Council comprising year to date actual to budget will be in the form as set out in the *Local Government (Financial Management) Regulations 1996*.

References	*Local Government (Financial Management) Regulations 1996*		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

3.7 Self-Supporting Loans

Responsible Directorate	Corporate Services
Responsible Officer	Manager Corporate Services
File Number	FIN 23-6

Policy

Each request from a local organisation or club within the Shire of East Pilbara for a self-supporting loan shall be accompanied by:

1. Sketch plans and details of the proposed development for which the loan funds are required
2. Financial statements for the past three years
3. Cash flow projections for the coming three years
4. Details of present and planned membership

Each request for a self-supporting loan will be considered on its own merits, and if deemed necessary, the organisation will be asked to provide guarantors or other acceptable security.

In all cases where Council approves the granting of a self-supporting loan, a loan contract document must be signed by the organisation prior to release of the self-supporting loan monies.

It should be noted that approval of self-supporting loans is entirely at the Council's discretion.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	23 September 2016	Item No	9.2.7
Next Review			

Shire of EAST Pilbara

3.8 Rates Incentive Policy

Responsible Directorate	Corporate Services
Responsible Officer	Manager Corporate Services
File Number	FIN 22-2

Objective

To encourage ratepayers to pay promptly, within the time limit, and to pay the full amount owing, rather than taking the instalment option. This will assist with increasing revenue for the start of the financial year, and help promote good public relations in the community.

Policy

Conditions of the Rates Incentive Prize Policy would be as follows:

1. To be eligible for the draw all outstanding amounts on the rates notice must be received on or before close of business on the due date for the single-payment option.
2. All ratepayers shall be eligible for prizes.
3. No ratepayer shall be eligible for more than one prize.
4. The Council consider at budget time a cash incentive.
5. The prize is drawn by an independent person who has no connections to the Shire of East Pilbara.
6. Sponsorship is sourced and prizes detailed to Council at budget setting time.

References			
Related Procedures	Nil		
Date Adopted by Council	26 June 2002	Item No	9.21
Review/Amendment Date	03 Feb 2017	Item No	9.2.3
Next Review			

Shire of EAST Pilbara

3.9 Investment Policy

Responsible Directorate	Corporate Services
Responsible Officer	Manager Corporate Services
File Number	FIN 23-11

Objective

The objective of the Investment Policy is to invest the Shire of East Pilbara's surplus funds with consideration of risk and at the most favourable rate of interest available to it at the time, for that investment type, and having regard for the local banks, while ensuring that its liquidity requirements are being met.

Policy

While exercising the power to invest, consideration is to be given to the preservation of capital, liquidity and the return on investment.

1. Preservation of capital is the principal objective of the investment portfolio. Investments are to be performed in a manner that seeks to ensure security and safeguarding the investment portfolio. This includes management of credit and interest risk within identified thresholds and parameters.

2. The investment portfolio will ensure there is sufficient liquidity to meet all reasonably anticipated cash-flow requirements, as and when they fall due, without incurring significant costs due to the unanticipated sale of an investment.

3. The investment is expected to achieve a predetermined market average rate of return that takes into account the Shire's risk tolerance. Any additional return target set by Council will also consider the risk limitation and prudent investment principles.

Legislative Requirements

All investments are to comply with the following:

- *Local Government Act 1995 (as amended)* – Section 6.14;
- *The Trustees Act*, 1962 – Part III Investments;
- *Local Government (Financial Management) Regulations 1996* – Regulation 19, 19C, 28 and 49; and
- Australian Accounting Standards

Shire of EAST Pilbara

Delegation of Authority

Authority for implementation of the Investment Policy is delegated by Council to the Chief Executive Officer (CEO) in accordance with the *Local Government Act* 1995. The CEO may, in turn, delegate the day-to-day management of the Shire's Investment to senior staff, subject to regular Reviews.

Prudent Person Standard

The investment will be managed with the care, diligence and skill that a prudent person would exercise. Officers are to manage the investment portfolio to safeguard the portfolio in accordance with the spirit of this Investment Policy and not for speculative purposes.

Ethics and Conflicts of Interest

Officers shall refrain from personal activities that would conflict with the proper execution and management of Shire's investment portfolio. This policy requires Officers to disclose any conflict of interest to the CEO.

Approved Investments

Without approval from Council, investments are limited to:

- State/Commonwealth Government Bonds;
- Interest-bearing deposits;
- Bank accepted/endorsed bank bills;
- Commercial paper;
- Bank negotiable Certificates of Deposit; and
- Managed Funds with a minimum long-term Standard & Poor's (S&P) rating of "A" and short-term rating of "A2".

Prohibited Investments

This Investment Policy prohibits any investment carried out for speculative purposes including:

- derivative-based instruments;
- principal-only investments or securities that provide potentially nil or negative cash flow; and
- stand-alone securities issued that have underlying futures, options, forwards contracts and swaps of any kind.
- the use of leveraging (borrowing to invest) of an investment.

- deposit with an institution except an authorised institution;
- deposit for a fixed term of more than 12 months;
- invest in bonds that are not guaranteed by the Commonwealth Government, or a State or Territory government;
- invest in bonds with a term to maturity of more than 3 years;
- invest in a foreign currency.

Risk Management Guidelines

Investments obtained are to comply with three key criteria relating to:

- Portfolio Credit Framework: limit overall credit exposure of the portfolio
- Counterparty Credit Framework: limit exposure to individual counterparties/institutions
- Term to maturity Framework: limits based upon maturity of securities

a) Overall Portfolio Limits

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating category.

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	100%	100%
AA	A-1	100%	100%
A	A-2	60%	80%

b) Counterparty Credit Framework

Exposure to an individual counterparty/institution will be restricted by its credit rating so that single entry exposure is limited, as detailed in the table below:

S&P Long Term Rating	S&P Short Term Rating	Direct Investment Maximum %	Managed Funds Maximum %
AAA	A-1+	45%	50%
AA	A-1	35%	45%
A	A-2	20%	40%

If any of the Shire's investments are downgraded such that they no longer fall within the Investment Policy, they will be divested as soon as practical. Investments fixed for greater than twelve months are to be approved by Council and Reviewed on a regular term and invested for no longer than five years.

c) Term to Maturity Framework

The investment portfolio is to be invested within the following maturity constraints:

Overall Portfolio Term to Maturity Limits	
Portfolio % < 1 year	100% Maximum, 40% Minimum
Portfolio % > 1 year	60%
Individual Investment Maturity Limits	
Authorised Deposit-Taking Institutions	3 years

Report and Review

A monthly report will be provided to Council in support of the monthly statement of activity. The report will detail the investment portfolio in terms of performance, percentage exposure of total portfolio, maturity date and changes in market value.

This Investment Policy will be reviewed at least once a year or as required in the event of legislative changes.

Documentary evidence must be held for each investment and details thereof maintained in an Investment Register.

Certificates must be obtained from the financial institutions confirming the amounts of investments held on the Shire's behalf as at 30 June each year and reconciled to the Investment Register.

Definition

authorised institution means —
(a) an authorised deposit-taking institution as defined in the Banking Act 1959 (Commonwealth) section 5; or
(b) the Western Australian Treasury Corporation established by the Western Australian Treasury Corporation Act 1986;

foreign currency means a currency except the currency of Australia.

References	• Local Government Act 1995 (as amended) – Section 6.14 • The Trustees Act, 1962 – Part III Investments • Local Government (Financial Management) Regulations 1996 – Regulation 19, 19C, 28 and 49 • Australian Accounting Standards		
Related Procedures	Nil		
Date Adopted by Council	24 July 2009	Item No	9.3.3
Review/Amendment Date	23 September 2016	Item No	9.2.6
Next Review			

Shire of EAST Pilbara

3.10 Debt Policy

Responsible Directorate	Corporate Services
Responsible Officer	Manager Corporate Services
File Number	FIN 23-1

Objective

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

Policy

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

Controls

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

References	• Local Government Act 1995 (as amended) - Section 6.20 to 6.24 • The Trustees Act, 162 (as amended) • Local Government (Financial Management) Regulations 1996 – Regulations 20 • Regulations 21, Regulation 29, and Regulations 46; and Australian Accounting Standards		
Related Procedures	Nil		
Date Adopted by Council	25 October 2013	Item No	11.2.3
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

3.11 Financial Reserves Policy

Responsible Directorate	Corporate Services
Responsible Officer	Manager Corporate Services
File Number	STR 1-2

Objective

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

Policy

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

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

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

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

Reserve Name	Purpose
Alice Springs Road	To help maintain the road link to Alice Springs from Marble Bar to the Northern Territory border
Heavy Road Plant	To fund the purchase of heavy plant that is needed for the operation of the Shire
Cape Keraudren Development	For the maintenance, development & enhancement of the Cape Keraudren Reserve

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

~~Moondoorow Community Housing Project~~	~~To hold and utilise the allocation of money for the completion of the Moondoorow Housing Project~~
Martumili Infrastructure Project	For the maintenance, upgrading and replacement of Martumili Infrastructure.~~To hold and utilise the allocation of money for the completion of the Martumili Infrastructure Projects~~
~~Cowra Tourist & Recreation Precinct~~	~~To hold and utilise the allocation of money for the completion of the Cowra Tourist & Recreation Precinct~~
Major Infrastructure	For the development or new or replacement infrastructure with total project cost of greater than one (1) million dollars. (The reserve is not to be accessed until at least 2020/2021 financial year.)

References	Local Government Act 1995, Reserve Accounts, Section 6.11(1) to (5). Where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.		
Related Procedures	Nil		
Date Adopted by Council	25 October 2013	Item No	11.2.7
Review/Amendment Date	26 June 2019	Item No	
Next Review			

Shire of EAST Pilbara

3.12 Corporate Credit Card

Responsible Directorate	Corporate Services
Responsible Officer	~~Deputy Chief Executive Officer~~Executive Manager Corporate Services
File Number	FIN 23-1

Objective

The purpose of this policy is to establish rules for the use of Corporate Credit Cards and the responsibilities of cardholders using the Shire's Corporate Credit Cards.

The policy ensures that operational and administrative costs and the risks associated with credit card use are minimised while providing cardholders with a convenient method of purchasing goods and services on behalf of the Shire.

Policy

1. **Authority for use of Corporate Credit Cards**

   Shire of East Pilbara Corporate Credit Cards may be issued to the Chief Executive Officer and authorised officers where it is inappropriate or inconvenient to use the Shire's normal payment systems.

2. **Authority for approval of Corporate Credit Cards**

   The Council must approve the issue of a credit card to the Chief Executive Officer and any change to the credit card limit. The Chief Executive Officer may approve the issue of a Corporate Credit Card and any change to credit card limits for any credit cards issued to council officers.

3. **Legislation**

   The Local Government Act 1995 ('the Act'), does not specifically mention the use of Corporate Credit Cards by officers in local government. However, section 6.5(a) of the Act requires the CEO to ensure that proper accounts and records of the transactions and affairs of the local government are kept in accordance with the regulations. In addition, regulation 11(1)(a) of the Local Government (Financial Management) Regulations 1996 requires a local government to develop procedures for the authorisation and payment of accounts to ensure that there is effective security and appropriate authorisation in place for the use of credit cards.

4. **Approved bankers**

   Corporate Credit Cards are normally issued by Banks and Financial Institutions on behalf of, or through credit card providers, such as Visa, MasterCard, Diners or American Express.

The Shire of East Pilbara's Corporate Credit Cards are to be issued by its transactional banker.

5. Purchases and use of Corporate Credit Cards

The Shire's Corporate Credit Cards shall only be used for purchase of goods and services in the performance of official duties for which there is a budget provision. Under no circumstances are they to be used for personal or private purposes or for the withdrawal of cash through a bank branch or any automatic teller machine.

Where purchases are made by facsimile, over the telephone or on the internet, an invoice should be requested to support the purchase. Most internet transactions provide this ability and any telephone or facsimile communications provide the opportunity to make such a request. If no invoice or receipt is available, as much detail about the transaction should be recorded and used to support the payment when required. E.g. date, company, address, ABN, amount, any GST included.

Where a payment is made for entertainment, it is important to note on the invoice/receipt the number of persons entertained and the names of any Shire of East Pilbara employees in that number. This is required to ensure the Shire pays the correct amount of Fringe Benefits Tax.

6. Accounts and settlement

The provider of the credit card will supply the Shire's Finance Services team with a statement of account each month. This statement will be forwarded to the cardholder for certification and the supply of receipts and tax invoices to support the Shire's claim for the GST component of purchases and services obtained. Cardholders are to certify that the account details are correct but must have their supervisors approve the expenses by signing the statement before it is returned to Finance Services for payment. In the case of the Chief Executive Officer, the statement must be signed by the Shire President. A credit card transaction slip is not acceptable to support the claim. A tax invoice should provide a brief description of the goods and services supplied along with the suppliers ABN. The cardholder is to provide the relevant or correct expense account for the expenditure.

The account will be paid by the Finance Services team on receipt of the cardholder's certification, which must be provided within 7 days of receipt and prior to the end of the credit cards settlement period.

7. Card lost or stolen

Cards that are lost or stolen must be reported immediately by the cardholder to the issuing banker by telephone. At the earliest opportunity, written notification must also be given to the ~~Deputy Chief Executive Officer~~Executive Manager Corporate Services so that the cancellation of the card may be confirmed and a reconciliation of the card account from the date the card was lost or stolen may be performed.

Shire of EAST Pilbara

8. Misuse of Corporate Credit Cards

Cards which show unreasonable, excessive or unauthorised expenditure will be subject to audit and may result in the withdrawal of the card from the cardholder.

9. Recovery of unauthorised expenditure

Unauthorised expenditure or expenditure of a private nature that is proved to be inappropriate will be recovered by deductions from the officer's salary and may result in disciplinary action being taken.

10. Internal audit of the Corporate Credit Card system

From time to time, the Finance Services team may conduct an audit on the control, use, viability and adherence to this policy, and may provide a report to the Audit Committee.

11. Reward/bonus points

Where Corporate Credit Cards carry rewards or bonus points, usually to encourage the use of the card by the issuing institution, these rewards or points **shall not** be accumulated in the name of the responsible officer. Council may maintain a corporate account which collects rewards points on behalf of the Shire, to be used by the organisation.

12. Return of cards

When the Chief Executive Officer or other officer ceases to occupy a position that is authorised to be issued with a Corporate Credit Card (either through internal transfer, retirement, resignation or conclusion of service contract), they must return the card to the ~~Deputy Chief Executive Officer~~Executive Manager Corporate Services, at least one week prior to vacating the position so that the card may be cancelled and the account settled.

13. Finance services team responsibilities

The ~~Deputy Chief Executive Officer~~Executive Manager Corporate Services is responsible for arranging the issue of the Corporate Credit Card on advice from the CEO.

The Finance Services team responsibilities in relation to the Shire's Corporate Credit Cards include:

- Maintaining a Corporate Credit Card Register of all cardholders.
- Arrange the issue/cancellation of the Corporate Credit Cards.
- Arrange for all cardholders to sign the Corporate Credit Card User Instruction Agreement (see Appendix A) on receipt of the new card and ensure the signed agreement is filed in the Corporate Credit Card Register.
- Process payment of credit card expenditure on receipt of the card statement from the bank and after certification from the cardholder. Ensure that all receipts and tax invoices are in place prior to authorisation for payment.
- To keep cardholders informed of any changes to this Policy.

Shire of EAST Pilbara

14. Cardholders responsibilities

Officers who are issued with Corporate Credit Cards must:

- Ensure the care and safe keeping of the credit card.
- Adhere to this Policy in relation to the use of the credit card and its financial limits.
- Ensure receipts and tax invoices are received when the credit card is used, and to produce them as evidence for settlement with the bank.
- Ensure the monthly credit card statement is certified correct and approved for payment when received from the Finance Services team, and to return the statement to the Finance Services team with the receipts and tax invoices attached and within seven (7) days of receipt.
- Ensure relevant and correct expenditure account details (account numbers) are provided against each item of expenditure on the credit card statement to assist with the allocation of expenses and claims for the reimbursement of GST from the Australian Taxation Office.
- To provide an early response to enquiries that may be made by the bank, creditors or related parties, as the case may be.
- Purchasing levels are within Council's Purchasing and Tender Policy and legislative requirements.
- Adhere to the procedures as set out in the Finance Induction Manual.

References	Local Government Act 1995 SOEP Finance Induction Manual SOEP Purchasing and Tender Policy		
Related Procedures	Nil		
Date Adopted by Council	24 April 2014	Item No	9.2.19
Review/Amendment Date	24 August 2018	Item No	9.1.4
Next Review			

Shire of EAST Pilbara

3.13 Regional Price Preference Policy

Responsible Directorate	~~Corporate~~ Commercial Services
Responsible Officer	~~Manager Assets and Procurement~~Executive Manager Commercial Services
File Number	FIN-25-1

Objective

To maximize the use of competitive locally based businesses in the provision of goods or services purchased or contracted by the Shire of East Pilbara.

Policy

For the purposes of this policy, a regionally based business is to have office and/or workshop premises (*LIA or Shop Front*) and/or staff housed (*Residentially not in a Camp*) located within the district of the Shire of East Pilbara.

A regional price preference will apply to all Request for Tenders (RFT) and formal Request for Quotations (RFQ) invited by the Shire of East Pilbara for the supply of goods and services and/or construction (building) services, unless Council resolves that this policy will not apply to a particular RFT or RFQ.

Where no submission is received from a Shire of East Pilbara based business, for a RFT or formal RFQ submissions from businesses based within the City of Karratha, the Shire of Ashburton and the Town of Port Hedland will be deemed to be regionally based for the purposes of this policy.

A price preference will apply to all tenders invited by the Shire of East Pilbara for the supply of goods and services and construction (building) services, unless Council resolves that this policy will not apply to a particular tender.

The following levels of preference will be applied under this policy:

1. Goods and Services – 10%, or to a maximum price reduction of $50,000
2. Construction (building) Services – 5%, or to a maximum price reduction of $50,000
3. Goods and Services, including Construction (building) Services – 10%, or to a maximum price reduction of $500,000, if the Council is seeking tenders for the provision of those goods or services for the first time, due to those goods or services having been, until then, undertaken by the Council.

The application of the preference levels listed in 1and 2 above will only be in consideration of the value of those goods and services identified by the supplier as being from regional sources.

In considering any RFT or formal RFQ or submission, price is only one of the factors to be assessed when Council is to decide which of the suppliers it thinks would be the most advantageous to it

Example of the Application of the Regional Price Preference Policy

Example 1

Consider a scenario when the following 2 tenders to supply goods and services are received by a local government that has chosen a 10% rate of preference.

1. Submission 1 is from a regional supplier (as defined by Council in this policy).
2. Submission 2 is from a metropolitan based firm.

Tenders Received	Price of Tender	Price Reduction at 10% rate of preference	Adjusted price used for evaluation purposes
Submission 1	$100,000	$10,000 (10% of $100,000)	$90,000 (100,000 less $10,000)
Submission 2	$95,000	No preference applicable	$95,000

As can be seen from the table above, in terms of price, the tender from the regional supplier (Submission1) is the most advantageous once the preference has been applied.

However, it is important to emphasise that price is only one of the criteria used to determine a successful submission. Nonetheless, when the tenders are assessed against all the RFT or RFQ criteria, the adjusted price is the one to be used. That is, the price following the application of any regional price preference.

Example 2

This example highlights how the maximum price reduction affects the assessment of tenders. The following scenario where tenders are called to supply construction (building) services by a local government that has chosen a 5% rate of preference.

1. Tender 1 is from a regional tenderer.
2. Tender 2 is from a metropolitan based firm.

Tenders Received	Price of Tender	Price Reduction at 5% rate of preference	Reduced price used for evaluation purposes
Tender 1	$1,200,000	Less 5% of $1,200,000 = $60,000. However the maximum price reduction is limited to $50,000	$1,150,000 ($1,200,000 less $50,000)
Tender 2	$1,145,000	No preference applicable	$1,145,000

In this case, in terms of price alone, Tender 2 is the most advantageous.

Annual Review

This policy will be reviewed on an annual basis to assess the financial impact on Council resources and the level of local purchasing. The Council may revise the percentage preference rates as a result of each Review, in accordance with the *Local Government (Functions and General) Regulations 1996*.

References	*Local Government (Functions and General) Regulations 1996*		
Related Procedures	Nil		
Date Adopted by Council	5 May 2006	Item No	9.4.2
Review/Amendment Date	6 February 2013	Item No	9.1.6
Review/Amendment Date	26 August 2016	Item No	9.2.6
Review Amendment Date	17 Mar 2017	Item No.	9.2.1
Next Review	Annually		

Shire of EAST Pilbara

3.14 Procurement and Tender Procedures Policy

Responsible Directorate	Commercial & Executive Services
Responsible Officer	Chief Executive Officer Executive Manager Commercial Services
File Number	FIN-25-2

1. PURPOSE:

To ensure a best practice approach to procurement which promotes transparent, equitable and competitive purchasing practices for the Shire of East Pilbara (Shire) and is compliant with the Local Government Act 1995 (Act) and the Local Government (Functions and General) Regulations 1996 (Regulations).

2. OBJECTIVES:

The objectives of this Policy are to ensure that all purchasing activities:

Demonstrate that best value for money is attained for the Shire;

Are compliant with relevant legislations, including the Act and Regulations;

Are recorded in compliance with the State Records Act 2000 and associated records management practices and procedures of the Shire;

Mitigate probity risk, by establishing consistent and demonstrated processes that promotes openness, transparency, fairness and equity to all potential suppliers;

Ensure that the sustainable benefits, such as environmental, social and local economic factors are considered in the overall value for money assessment; and

Are conducted in a consistent and efficient manner across the Shire and that ethical decision making is demonstrated.

3. ETHICS AND INTEGRITY:

The highest standards of ethics and integrity are to be observed in undertaking all purchasing activities. Employees will act in an honest and professional manner that supports the standing of the Shire and promotes a proud and collaborative community.

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure the fair and equitable treatment of all parties.

1. Full accountability shall be taken for all purchasing decisions and the efficient, effective and proper expenditure of public monies based on achieving value for money.

2. All purchasing practices shall comply with relevant legislation, regulations, and requirements consistent with Council policies, values and Code of Conduct.

3. Purchasing is to be undertaken in a competitive basis in which all potential suppliers are treated impartially, honestly and consistently.

4. All processes, evaluations and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, record keeping practices and audit requirements.

5. Any actual or perceived conflicts of interest are to be identified, disclosed and appropriately managed.

6. Any information provided to the Shire by a supplier shall be treated as commercial-in-confidence and should not be released unless authorized by the supplier or under relevant legislation.

4. VALUE FOR MONEY:

Value for money is an overarching principle governing purchasing, that allows the best possible outcome to be achieved for the Shire.

Value for money is determined when the consideration of price, risk and quality factors that are assessed to determine the most advantageous outcome to be achieved for the Shire.

As such, purchasing decisions must be made with greater consideration than obtaining lowest price, but also to incorporate quality and risk factors into the decision.

An assessment of the best value for money outcome for any purchasing process should consider:

a) All relevant whole-of-life costs and benefits, whole of life cycle costs (for goods) and whole of contract life costs (for services) including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as, but not limited to, holding costs, consumables, deployment, maintenance and disposal;

b) the technical merits of the goods or services being offered in terms of compliance with specifications, user requirements, quality standards, sustainability, service benchmarks, contractual terms and conditions, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, and any relevant methods of assuring quality;

c) financial viability and capacity to supply without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history);

d) a strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable; and

e) local business capabilities.

Shire of EAST Pilbara

5. BUY LOCAL/REGIONAL PRICE PREFERENCE POLICY:

(Refer to Policy Manual Item 3.13):-

As much as practicable, the Shire must:

where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses;

consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing and support);

ensure that procurement plans address local business capability and local content;

explore the capability of local businesses to meet requirements and ensure that Requests for Quotation and Tenders are designed to accommodate the capabilities of local businesses;

avoid bias in the design and specifications for Requests for Quotation and Tenders – all Requests must be structured to encourage local businesses to bid; and

provide adequate and consistent information to potential suppliers.

To this extent, a qualitative weighting may be afforded in the evaluation of quotes and tenders where suppliers are located within the boundaries of the Shire, or substantially demonstrate a benefit or contribution to the local economy.

A regional price preference may be afforded to locally based businesses for the purposes of assessment. Provisions are detailed within the Shire's Regional Price Preference Policy.

6. PURCHASING REQUIREMENTS:

6.1 Legislative /Regulatory Requirements

The requirements that must be complied with by the Shire, including purchasing thresholds and processes, are prescribed within the Local Government (Functions and General) Regulations 1996 and this Policy.

6.2 Policy

Purchasing that is $150,000 or below in total value [excluding GST] must be in accordance with the purchasing requirements under the relevant threshold as defined under Section 6.4 of this Procurement Policy.

Purchasing that exceeds $150,000 in total value [excluding GST] must be put to public Tender when it is determined that a regulatory Tender exemption, as stated under Section 6.5 of this Procurement Policy is not deemed to be suitable.

6.3 Purchasing Value Definition

Determining purchasing value is to be based on the following considerations:

Exclusive of GST

The actual or expected value of a contract over the full contract period, including all options to extend; or to the extent to which it could be reasonably expected that the Shire will continue to purchase a particular category of goods, services or works and what total value is, or could be, reasonably expected to be purchased.

Must incorporate any variation to the Scope of purchase and be limited to a 10% tolerance of the original purchasing value.

6.4 Procurement Thresholds and Requirements

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

Range (excluding GST)	Requirements
$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 verbal or written quotes necessarily being obtained.
$5,001 - $29,999	A purchase order will be utilised following three written quotes being obtained. Staff must retain electronic evidence of the suppliers invited to supply a written quote. Each supplier must receive the same detailed description (*Specification*) of what goods/services are being requested. A completed SoEP Declaration of Quotes form must be completed and attached to the Requisition. *[Three quotes must be sourced, including if using WALGA Preferred Supplier Panel, or a SoEP Local Panel]*

$30,000 - $149,999	Obtain at least three written quotes from suppliers by formal invitation, by way of a **Formal Request for Quotation Process** which includes a detailed Scope of Works/Specification of Goods and Services required. The procurement decision is to be based on pre-determined evaluation criteria that assess all value for money considerations in accordance with the definition stated within this Policy. Quotations within this threshold may be obtained from the Shire's Local Preferred Supplier Panels; the WALGA Preferred Supply Programme or from the open market. A copy of the last page of the Recommendation Report – Endorsement by CEO to Award the RFQ to the recommended respondent must be attached to the Requisition/Purchase Order. Under direction from the authorised Supervisor, and in consultation with the Chief Executive Officer, or an Executive Manager, a purchase order will be utilised following the RFQ process. *[Three quotes must be sourced, including if using WALGA Preferred Supplier Panel, or a SoEP Local Panel]*
$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 to Invite Tenders 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. A copy of the Council Resolution to award the Tender to the successful Tenderer must be attached to the Requisition/Purchase Order.

6.5 Tender Exemptions

An exemption to publicly invite tenders may apply in the following instances:

An emergency situation as defined by the Act;

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;

The purchase is under auction which has been authorized by Council;

The Contract is for petrol, oil or other liquid or gas used for internal combustion engines;

The purchase is acquired from a person registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth $250,000 or less and represents value for money*;

The purchase is acquired from an Australian Disability Enterprise and represents value for money*.

The purchase is from a pre-qualified supplier under a Panel established by the Shire*

Any other exclusion under Regulation 11 of the Local Government (Functions and General) Regulations 1996.

*Whilst exempt from the Tender process – three quotes are still required if purchase is to be made under this instance.

6.6 Purchase Order Authorisation

All staff that have purchase order authorisation must successfully complete the WALGA E-Learning Procurement Package. Until such time as this has been completed successfully staff will not have access to authorize purchase orders.

Staff that are in positions that have authority to raise Purchase Orders of $10,000 or over will be required to complete the six modules, the Foundation Knowledge and Practical Knowledge Quiz.

Staff that are in positions to raise Purchase Orders of less than $10,000 are required to undertake the first three modules and Foundation Quiz only.

Purchase orders must be generated and signed by authorized persons for all goods and services ordered for the Shire at the time that the order is placed.

Amounts shown are GST exclusive.

Orders should never be raised retrospectively.

Authorising Officer	Requirements
• **Chief Executive Officer***, • **Executive Manager***; and • Manager Technical Services – Rural *(only for Road Construction & Plant Fleet)*	May raise a purchase order in accordance with the Procurement Thresholds and Requirements set out in 6.4 of this Procurement Policy 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 purchase order being issued. **Only these Authorising Officers are authorised to sign Capital Expenditure Purchase Orders with the exception of Road Construction and Light Vehicles which can be signed by Manager Technical Services – Rural.*
• Managers	May raise a purchase order in accordance with the Procurement Thresholds and Requirements set out in 6.4 of this Procurement Policy 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 purchase order being issued.
• Coordinators • Works Supervisor *(Newman & Marble Bar)* • Environmental Health Officer	May raise a purchase order in accordance with the Procurement Thresholds and Requirements set out in 6.4 of this Procurement Policy to the maximum value of $10,000. If the purchase is in excess of $10,000 a Requisition is to be authorised by their Supervisor prior to the purchase order being issued.
Other Authorised Officers	May raise a purchase order in accordance with the Procurement Thresholds and Requirements set out in 6.4 of this Procurement Policy to the maximum value of $2,000. If the purchase is in excess of $2,000 a Requisition is to be authorised by their Supervisor prior to the purchase order being issued.

Designated Fleet Officer	is authorised to purchase light vehicles under $150,000 utilising the WA State Purchasing Agreement and adhering to Council's budget decisions and Council's 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

Splitting of purchases to keep below threshold is a breach of the Code of Conduct and will be treated as such.

6.7 Capital Expenditure

All capital purchase orders will be signed by the Chief Executive Officer or an Executive Manager, with the exception of road construction and light vehicles which can be signed by Manager Technical Services - Rural.

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

Any item budgeted as a capital item in the adopted budget;

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 Executive Manager Corporate Services.

Shire of EAST Pilbara

6.8 Light Vehicle Disposals

The preference for the disposal of light vehicles (less than $150,000 excluding GST) 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 Executive Manager Infrastructure Services.

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

- Valuation by the auction house.
- Valuation from a recognised source i.e.: red book.
- Internet research.
- 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.

7. TENDER ANTI-AVOIDANCE:

The Shire shall not enter into two or more contracts or create multiple purchase order transactions of a similar nature for the purpose of 'splitting' the value of the purchase or contract to take the value of the consideration of the purchase below a particular purchasing threshold, particularly in relation to Tenders and to avoid the need to call a Public Tender.

8. EMERGENCY PURCHASES:

An emergency purchase is defined as an unanticipated and unbudgeted purchase which is required in response to an emergency situation as provided for in the Local Government Act 1995.

Local Government Act 1995, Part 6, Division 4, s.6.8 (1)(c)

6.8. Expenditure from municipal fund not included in annual budget
(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
(a) is incurred in a financial year before the adoption of the annual budget by the local government; or
(b) is authorised in advance by resolution*; or
(c) is authorised in advance by the mayor or president in an emergency.
* Absolute majority required.

In such instances, quotes and tenders are not required to be obtained prior to the purchase being undertaken, but has to be in accordance with 6.8(1)(c) of the Local Government Act 1995.

An emergency purchase does not relate to purchases not planned for due to time constraints.

Every effort must be made to anticipate purchases required by the Shire in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.

Shire of EAST Pilbara

9. RECORDS MANAGEMENT:

Records of all purchasing activity must be retained in compliance with the State Records Act 2000 (WA), the Shire's Records Management Policy and associated procurement procedures.

For each procurement activity, such documents may include:

- The Procurement initiation document such as a procurement business case which justifies the need for a contract to be created (where applicable);
- Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the contract;
- Request for Quotation/Tender documentation;
- Copy of public advertisement inviting tenders, or the notice of private invitation (whichever is applicable);
- Copies of quotes/tenders received;
- Evaluation documentation, including individual evaluators notes and clarifications sought;
- Negotiation documents such as negotiation plans and negotiation logs;
- Approval of award documentation;
- All correspondence to respondents notifying of the outcome to award a contract;
- Contract Management Plans which describes how the contract will be managed; and
- Copies of contract(s) with supplier(s) formed from the procurement process.

10. PURCHASING FROM DISABILITY ENTERPRISES:

Pursuant to Part 4 of the *Local Government (Functions and General) Regulations 1996*, the Shire is not required to publicly invite tenders if the goods or services are to be supplied from an Australian Disability Enterprise, as registered on www.ade.org.au.

This is contingent on the demonstration of value for money.

Where possible, Australian Disability Enterprises are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Australian Disability Enterprises.

11. PURCHASING FROM ABORIGINAL BUSINESSES:

Pursuant to Part 4 of the *Local Government (Functions and General) Regulations 1996*, the Shire is not required to publicly invite tenders if the goods or services are to be supplied from a person registered on the Aboriginal Business Directory published by the Small Business Development Corporation on www.abdwa.com.au, where the expected consideration under contract is worth $250,000 or less. This is contingent on the demonstration of value for money.

Where possible, Aboriginal businesses are to be invited to quote for supplying goods and services under the tender threshold. A qualitative weighting may be afforded in the evaluation of quotes and tenders to provide advantages to Aboriginal owned businesses or businesses that demonstrate a high level of aboriginal employment.

Shire of EAST Pilbara

12. PANELS OF PREQUALIFIED SUPPLIERS:

In accordance with Regulation 24AC of the Local Government (Functions and General) Regulations 1996, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- The Shire determines that a range of similar goods and services are required to be purchased on a continuing and regular basis;
- there are numerous potential suppliers in the local and regional procurement-related market sector(s) that satisfy the test of 'value for money';
- the purchasing activity under the intended Panel is assessed as being of a low to medium risk;
- the Panel will streamline and will improve procurement processes; and
- the Shire has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.

The Shire will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

12.1 Establishing a Panel

Should the Shire determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the Local Government (Functions and General) Regulations 1996.

Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel.

Panels may be established for a minimum of two (2) year and for a maximum length of time deemed appropriate by the Shire. However, Contracts may not be entered into for more than one (1) year, and no option to renew a Contract is to be offered.

Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.

Where a Panel is to be established, the Shire will endeavour to appoint at least three (3) suppliers to each category, on the basis that best value for money is demonstrated. Where less than three (3) suppliers are appointed to each category within the Panel, the category is not to be established.

In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Shire must state the expected number of suppliers it intends to put on the panel.

Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

Shire of EAST Pilbara

12.2 Distributing Work amongst Panel Members

To satisfy Regulation 24AD(5) of the Regulations, when establishing a Panel of pre-qualified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the Shire intends to:

- Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases, in accordance with Clause 12.3; or
- Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; or
- Develop a ranking system for selection to the Panel, with work awarded in accordance with Clause 12.2 (b).

In considering the distribution of work among Panel members, the detailed information must also prescribe whether:

- each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; or
- work will be awarded on a ranked basis, which is to be stipulated in the detailed information set out under Regulation 24AD(5)(f) when establishing the Panel.

The Shire is to invite the highest ranked Panel member, who is to give written notice as to whether to accept the offer for the work to be undertaken. Should the offer be declined, an invitation to the next ranked Panel member is to be made and so forth until a Panel member accepts a Contract. Should the list of Panel members invited be exhausted with no Panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not pre-qualified under the Panel, in accordance with the Purchasing Thresholds stated in section 6.4 of this Policy.

When a ranking system (as per 12.2(b)) is established, the Panel must not operate for a period exceeding 12 months.

In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond 12 months, which includes options to extend the contract.

12.3 Purchasing from the Panel

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise.

Each quotation process, including request for quotation, quotations received must be made through either Tenderlink E-Tendering Portal, eQuotes, or any other electronic quotation facility that the Shire utilizes.

Communications with panel members, evaluation of quotes and notification of award communications must all retained using the unique reference number as per Clause 12.4.

Shire of EAST Pilbara

12.4 Recordkeeping

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept.

For the creation of a Panel, this includes:

- The Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created;
- Procurement Planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel;
- Request for Applications documentation;
- Copy of public advertisement inviting applications;
- Copies of applications received;
- Evaluation documentation, including clarifications sought;
- Negotiation documents such as negotiation plans and negotiation logs;
- Approval of award documentation;
- All correspondence to applicants notifying of the establishment and composition of the Panel such as award letters;
- Contract Management Plans which describes how the contract will be managed; and
- Copies of framework agreements entered into with pre-qualified suppliers.

The Shire is also to retain records of all requests for quotation, including quotations received from pre-qualified suppliers and contracts awarded to Panel members. A unique reference number shall be applied to all records relating to each quotation process, which is to also be quoted on each purchase order issued under the Contract.

Information with regards to the Panel offerings, including details of suppliers appointed to the Panel, must be kept up to date, consistent and made available for access by all officers and employees of the Shire.

References	• *Local Government Act 1995* • *Local Government (Functions and General) Regulations 1996* (as amended)		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	5 May 2006	Item No	
Review/Amendment Date	27 April 2007	Item No	9.3.5
Review/Amendment Date	24 July 2009	Item No	9.4.1
Review/Amendment Date	29 January 2010	Item No	9.1.6
Review/Amendment Date	11 March 2011	Item No	9.2.5
Review/Amendment Date	3 February 2012	Item No	9.1.5
Review/Amendment Date	25 May 2012	Item No	9.2.4
Review/Amendment Date	26 July 2012	Item No	9.2.7
Review/Amendment Date	26 June 2013	Item No	9.2.6
Review/Amendment Date	27 September 2013	Item No	9.2.7
Review/Amendment Date	6 December 2013	Item No	9.2.9
Review/Amendment Date	24 April 2014	Item No	9.2.17
Review/Amendment Date	12 December 2014		9.2.2
Review/Amendment Date	30 January 2015	Item No	9.2.6
Review/Amendment Date	6 March 2015	Item No	9.2.11
Review/Amendment Date	26 June 2015	Item No	9.2.7
Review/Amendment Date	25 September 2015	Item No	9.2.4
Review/Amendment Date	23 October 2015	Item No	10.2.6
Review/Amendment Date	21 April 2017	Item No	9.2.5
Review/Amendment Date	26 May 2017	Item No	9.2.5
Review/Amendment Date	26 October 2018	Item No.	9.3.1
Review/Amendment Date	26 April 2019	Item No.	10.3.2
Next Review			

Shire of EAST Pilbara

Administration

Shire of EAST Pilbara

4.1 Advertising Statutory and General

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	ADM 3-4

Objective

To determine where State wide and local advertising will occur.

Policy

1. Local Public Notice advertisements are to be placed in the North West Telegraph newspaper, the notice boards at the Newman and Marble Bar Administration Offices and the notice boards at the Libraries at Newman, Nullagine and Marble Bar. ~~and the Newman News~~.
2. State wide Public Notice advertisements are to be placed in the West Australian Newspaper.
3. The Chief Executive Officer is empowered to approve the additional Council advertisements being placed in other periodicals if considered appropriate.

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

Shire of EAST Pilbara

4.2 Complaints Against Third Parties

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	ADM 16-2

Objective

To formally manage complaints.

Policy

1. Any member of the public wishing to make a complaint against a third party is required to lodge the complaint in writing.
2. The complainant is to be advised that Council may only take action on the complaint when he/she agrees to his or her name being recorded as the complainant.
3. This policy is designed to eliminate frivolous complaints and complaints that are sometimes lodged because of ulterior motives.
4. Council's staff are authorised and expected to use discretion in the implementation of this policy.
5. Written complaints are to be forwarded to the relevant Director and follow up action detailed on the bottom of the complaints form.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	29 June 2018	Item No	9.2.4
Next Review			

Shire of EAST Pilbara

4.3 Conferences – Study Tours - DELETED

Version	Item No.	Synopsis
1.	27 June 2003	Adopted by Council
2.	06 December 2017	Deleted by Council – Policy was split into 2 separate policies as follows: Policy 1.18 Councillor Conferences & Study Tours Staff Conferences & Study Tours – to be placed in the Staff Procedures Manual.

Shire of EAST Pilbara

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			

Shire of EAST Pilbara

4.5 Execution of Documents

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

1. OBJECTIVE

To establish protocols for the affixing of the Shire's Common Seal and to allow for the proper execution of documents.

2. POLICY STATEMENT

Documents executed by the Shire of East Pilbara (**Shire**) will be executed in accordance with the *Local Government Act 1995* (**Act**), and the provisions set out in this Policy. Section 9.49A(1) of the Act provides that a document will be considered duly executed by a local government if:

- The common seal is validly affixed to it; or
- It is signed by an officer authorised by the Council to do so.

2.1 Documents requiring common seal

- Sale of Shire owned land for which a Council resolution is required expressly stating that the final document be signed and sealed and the transaction finalised;
- Legal agreements;
- A Town Planning Scheme and any Town Planning Scheme Amendments;
- Documents relating to land matter including lodgement of caveats, memorials, leases, transfers, deeds, licences, covenants, easements and withdrawal of instruments;
- Local laws;
- Employment contracts for designated senior employees only; and
- Any other documents stating that the common seal of the Shire is to be affixed.

2.2 Documents that do not require common seal

The following documents, unless otherwise specified or unless expressly stated by Council resolution that the final document be signed and sealed and the transaction finalised, generally **do not** required affixation of the common seal:

- Purchase of land by the Shire;
- Sale of Shire owned land;
- Subdivision of Shire owned land.

2.3 Authorised signatories under delegation

The Shire President and CEO are authorised to sign documents on behalf of the local government (delegation 4.6 – Execution of Documents).

However, in the absence of the Shire President and/or CEO, as the case may be, the Deputy President (by virtue of s5.35 of the Act) and the Deputy Chief Executive Officer (delegation 4.6 – Execution of Documents) are authorised to sign documents and affix the common seal.

The Manager Martumilli is only authorised to sign the following Martumilli agreements that are with and on behalf of the artists:

- Consignment agreements;
- Copyright agreements;
- Artist agreements; and
- Collaborative agreements.

2.4 Common Seal Register

Use of the common seal is to be recorded in the common seal register, kept by the CEO. The register shall record each date on which the common seal was affixed, the nature of the document, the Council resolution number and the parties to any agreement to which the common seal was affixed.

2.5 Retrospective Approval to Use the Common Seal

The common seal is not to be affixed to any document except as authorised by the Council. (s9.49A(2) of the Act).

Where there is an urgent need to apply the common seal, this is to be reported to Council at the next ordinary meeting. Retrospective action is to be exercised sparingly, as this commits the Shire to an activity that has not necessarily received appropriate consideration by the Council.

2.6 Reporting to Council

The CEO shall report to the Council each month details of all transactions where the common seal has been affixed for the previous month.

Shire of EAST Pilbara

2.7 Method of Affixing Common Seal

Example A – Where the common seal is affixed by resolution of Council

Dated: _____

The common seal of the Shire of East Pilbara was affixed by authority of a resolution of the Council in the presence of:

_____
Signature of Shire President

_____
[Name]
SHIRE PRESIDENT

_____
Signature of CEO

_____
[Name]
CHIEF EXECUTIVE OFFICER

Common Seal to be applied

Example B – Other documents

Dated: _____

The common seal of the Shire of East Pilbara was affixed in the presence of:

_____
Signature of Shire President

_____
[Name]
SHIRE PRESIDENT

_____
Signature of CEO

_____
[Name]
CHIEF EXECUTIVE OFFICER

Common Seal to be applied

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	09 Dec 2016	Item No	9.2.4
Review/Amendment Date	27 July 2016	Item No	9.1.2

Shire of EAST Pilbara

4.6 Insurance – Professional indemnity use of disclaimers

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	FIN 23-12

Objective

To ensure Council is properly protected when providing advice to third parties.

Policy

Council will use disclaimers (where appropriate) when providing advice or information to either the public or other statutory bodies. The wording of such disclaimers is to be as recommended from time to time, in consultation with Council's insurers.

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

Shire of EAST Pilbara

4.7 Logo

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	LEG 2-1

Objective

To allow for the proper use and recognitions of Councils official logo.

Policy

1. The Council has adopted a design as its official logo, which is to be shown on letterheads, envelopes and other Council material and stationery, as and when considered appropriate.
2. Any application for the use or reproduction of the logo is to be considered on its merits and the Chief Executive Officer shall determine such applications. Council supports the use of the logo by local organisations seeking to identify geographically with the district.

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

Shire of EAST Pilbara

4.8 Public Relations – Press Releases

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	CLR 4-1

Objective

To ensure Council meets its obligations under the *Local Government Act 1995*.

Policy

1. The Shire President is the official spokesperson for the Council. If approached by the media for formal comment on any issue, Councillors and staff suggest that the media make direct contact with the Shire President as the Council's official spokesperson.
2. When the media does not make direct contact with the Shire President and a member of staff is asked to respond/comment to the media, the enquiry shall be directed to the Chief Executive Officer who will liaise with the Shire President to determine who will respond/comment and the nature of the response/comment. If the Shire President or person acting in the capacity of Shire President is unable to be contacted, the Chief Executive Officer will determine who is to respond and the nature of the response.
3. Without express authority from the Shire President, staff and Councillors are not to offer a Council view, attitude, stance, etc. on any issue, this clearly being the function of the Shire President.
4. A Councillor's or staff member's right to express a personal opinion on any issue of public interest is recognised.

References	Local Government Act 1995		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

4.9 Tourism – Objectives and Guidelines

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	STR 3-9

Objective

To ensure the proper development of tourism throughout the Shire.

Policy

Council has the following goals, objectives and guidelines in relation to the development of tourism in the Shire.

Goals

To maximise the potential of the Shire as a tourist destination for intrastate, interstate and overseas visitors by encouraging and supporting the development of man-made and natural tourist facilities, thus increasing the employment potential of the area.

Objectives

1. To ensure that, in promoting the area as a tourist destination, the natural beauty and tranquillity of the Shire is not destroyed, affected or diminished.
2. To work with the Department of Environment and Conservation and other relevant statutory authorities to establish and promote natural and historical attractions, at the same time ensuring that they are not destroyed.
3. To encourage tourist orientated commercial development, particularly development of a "country style" nature, to rationalise the placement of such facilities, and to endeavour to ensure they harmonise with the existing tourist facilities and the natural environment.
4. To promote residents pride in the area by such means as town beautification, entry in the Tidy Towns Competition, and encouraging residents to know and understand their district attractions and assets.
5. To ensure that tourism funding is spent to the best advantage, avoiding duplication.
6. To carry out direct promotion of tourist facilities and events where appropriate.
7. To apply for such grants as may be deemed appropriate to assist in attaining any or all of the above objectives.
8. To foster and create a community awareness of the benefits of tourism within Council's area.

Shire of EAST Pilbara

9. To ensure that Council will guide and influence the development of tourism in the Council area.
10. To provide the basic facilities and infrastructure sufficient to encourage development.
11. To ensure that facilities within the area are adequate to cater for visitors and residents.

Guidelines

1. Council will endeavour to provide an adequate budget allocation for tourism expenditure.
2. Council will endeavour to assist (financially and by other means) tourist organisations or events which have the potential to develop tourism in the Shire.
3. Council will encourage representation on Regional Tourist Associations, and will seek representation on Local Tourist Associations.
4. In the formulation of its planning regulations, Council will have regard to the requirements of tourist development.
5. Council in its review of planning instruments, for example, Strategic Plans, Town Plans and Development Control Plans, will take into consideration policies on tourism and other leisure related issues.
6. In the preparation of local laws and regulations, Council will have regard to the impact on tourism and the balanced development of the Shire.
7. Council will encourage tourism product development and investment throughout the Shire and will facilitate the development application process.
8. Council will ensure the welfare of the whole community when supporting tourism development and the provision of facilities.
9. When considering tourism developments, Council will consider the social, cultural, economic and environment impact of the proposal within the area.
10. Council will initiate the provision of facilities sufficient to cater for destination and day trip visitors to appropriate areas within its boundaries.
11. Council will seek financial involvement from other sources whenever possible in the provision of tourist facilities.
12. Council will encourage the landscaping of residential and commercial centres within the Shire.
13. Council will, where practical support the enhancement of specific natural features, conservation areas, areas of outstanding beauty, and will recognise items of heritage significance.
14. Council will support the development of appropriate scenic routes and lookouts.
15. Where a need for a tourism facility has been identified, Council may consider taking an entrepreneurial role in the establishment of those facilities if, and only if, private enterprise displays no interest in the provision of those facilities.

Shire of EAST Pilbara

16. Council will support and approve, where appropriate, quality, seasonal entrepreneurial entertainment and attractions.

17. Council, in setting its long-term objectives, will develop its role as a catalyst for coordinating marketing efforts for the development of tourism in the Shire.

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

Shire of EAST Pilbara

4.10 Vandalism – Reward for Conviction

Responsible Directorate	Executive Services
Responsible Officer	Chief Executive Officer
File Number	FAC 13-1

Objective

To provide for the successful conviction of persons who damage Council Property.

Policy

A reward will be paid to any person or persons giving information, which leads to the successful conviction of vandals who have wilfully damaged Council property. The amount of the reward shall be $1000, unless the cost of repairing the vandalism is less than $1000. In that case, an appropriate amount will be set by the Chief Executive Officer. The amount of this reward shall be reviewed annually when Council review's the Policy Manual. Council Staff and members of the Police Service are not eligible for this reward.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	26 September 2012	Item No	9.1.6
Next Review			

Shire of EAST Pilbara

4.11 Legislative Compliance

Responsible Directorate	~~Corporate~~ Executive Services
Responsible Officer	~~Deputy~~ Chief Executive Officer
File Number	LEG 2-1

Objective

To ensure Council complies with legislative requirements.

Policy

Council shall have appropriate processes and structures to ensure that legislative requirements are achievable and are integrated into the everyday running of the Council.

These processes and structures will aim to:-

a) Develop and maintain a system for identifying the legislation that applies to Council's activities.

b) Assign responsibilities for ensuring that legislation and regulatory obligations are fully implemented in Council.

c) Provide training for relevant staff, Councillors, volunteers and other relevant people in the legislative requirements that affect them.

d) Provide people with the resources to identify and remain up-to-date with new legislation.

e) Conduct of audits to ensure there is compliance.

f) Establish a mechanism for reporting non-compliance.

g) Review accidents, incidents and other situations where there may have been noncompliance.

h) Review audit reports, incident reports, complaints and other information to assess how the systems of compliance can be improved.

Roles and Responsibilities

a) Councillors and Committee Members

Councillors and Committee members have a responsibility to be aware and abide by legislation applicable to their role.

b) Senior Management

Senior Management should ensure that directions relating to compliance are clear and unequivocal and that legal requirements which apply to each activity for which they are responsible are identified. Senior Management should have systems in place to ensure that all staff are given the opportunity to be kept fully informed, briefed and/or trained about key legal requirements relative to their work within the financial capacity to do so.

c) Employees

Employees have a duty to seek information on legislative requirements applicable to their area of work and to comply with the legislation. Employees shall report through their supervisors to Senior Management any areas of non-compliance that they become aware of.

Implementation of Legislation

Council will have a system in place (legislative compliance procedures) to ensure that when legislation changes steps are taken to ensure that actions comply with the amended legislation.

Review

This policy shall be reviewed at least every 2 years.

References			
Related Procedures	Legislative Compliance Procedure & Register		
Date Adopted by Council	24 April 2014	Item No	9.2.20
Review/Amendment Date	29 June 2018	Item No	9.2.4
Next Review			

Shire of EAST Pilbara

4.12 Risk Management

Commented [KB12]: Stan has reviewed policy. To be included with this version?

Responsible Directorate	~~Executive~~ Corporate Services
Responsible Officer	~~Deputy Chief Executive Officer~~Executive Manager Corporate Services
File Number	LEG 2-1

Objective

To ensure that sound Risk Management practices and procedures are fully integrated into the Council's strategic and operational planning processes and provide direction on how Council is to manage risk. This Policy is supported by the Shire of East Pilbara Risk Management Strategy which was developed using International Organisation for Standardisation (ISO) Standard 31000:20182009 Risk Management – Principles and Guidelines.

Policy

This policy outlines the Shire's commitment to:

- Safeguarding the Shire's assets, people and property;
- Encouraging the identification and reporting of potential risks;
- Creating a workplace culture where all staff will assume responsibility for managing risk in their day to day activities;
- Implementing processes to reduce risk and eliminate high risk activities;
- Deploying resources and operational capabilities in an efficient and responsible manner;
- Allowing for more effective delivery of local government programs; and
- Protecting Council's corporate image as a professional, responsible and ethical organisation.

Scope

This policy covers all operations of the Shire, including corporate governance, legal compliance, infrastructure, business, capital assets, finance, information technology, human resources, service delivery and events management.

Roles and Responsibilities

a) Councillors and Committee Members have a responsibility to:
   - ensure that a Risk Management Policy and Strategy has been developed, adopted and communicated throughout the Shire.

b) Senior Management is responsible for:

- identifying and assessing all the potential risks in their area of responsibility;
- risk management planning;
- communicating the Risk Management Policy and Strategy to employees and contractors;
- Establishing and maintaining a central risk register.

c) Employees are responsible for:

- Complying with the Council Risk Management Policy and Shire of East Pilbara Risk Management Strategy;
- Actively participating in the development of a risk management culture.

Review

This Risk Management Policy shall be reviewed at least every 2 years.

This policy shall be supported by other documents including procedures and processes including the Risk Management Strategy.

References	
Related Procedures	Risk Management Strategy

Date Adopted by Council	24 April 2014	Item No	9.2.16
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

4.13 Social Media Policy

Responsible Directorate	~~Corporate~~ Customer & Community Services
Responsible Officer	~~Manager Corporate Services~~ Media Relations Officer
File Number	CNM-5-4-7

Objective

1. This policy is designed to provide a framework for the Council to use social media to facilitate collaboration and sharing between the Shire, Council Members, Employees, ratepayers and the community. The definition of Social Media being *'websites and applications that enable users to create and share content or to participate in social networking'*.
2. This Policy applies to all Shire Employees and Council Members.
3. The requirements of this Policy apply to all uses of social networking applications.

Background

The Shire of East Pilbara recognises the potential of social and digital media to foster communications with the community. As such, the Shire should actively develop strategies to integrate social media into broader communications strategies.

Policy

1. The Shire of East Pilbara shall establish and maintain a corporate Facebook and Instagram page.
2. Additional Facebook/Instagram pages may be established as required.
3. The Shire of East Pilbara shall establish guidelines for the use of its Facebook and Instagram pages.
4. Those guidelines shall establish:
   a. How the use of a Facebook/Instagram page will be implemented.
   b. How to establish a Facebook/Instagram page.
   c. Who these guidelines apply to.
   d. Principles for communication – guidelines for Councillors and employees.
   e. Who is authorised to create a new Facebook/Instagram page.
   f. Who is authorised to post and make comments on Facebook and Instagram.
   g. What are acceptable/unacceptable posts and comments.
   h. How often posts should be made on the Facebook/Instagram page.
   i. Response times to posts.
   j. A method of reporting data to Council.
   k. Recordkeeping procedures for posts and comments.
   l. Compliance with Freedom of Information, Public Interest Disclosure legislation and any other relevant legislation.

References			
Related Procedures			
Date Adopted by Council	23 May 2014	Item No	9.2.6
Review/Amendment Date	29 June 2018	Item No	9.2.4
Next Review			

Shire of EAST Pilbara

4.14 Advocacy Policy

Responsible Directorate	~~Corporate~~ Executive Services
Responsible Officer	~~Manager Corporate Services~~ Chief Executive Officer
File Number	LEG-2-1

Objective

This policy creates a framework for lobbying and advocacy activities supporting the Shire's strategic directions. It is designed to facilitate a more effective, consistent, targeted delivery of the Shire's messages, with specific plans developed to address predetermined key priority issues.

This policy applies to Councillors and staff.

Background

Advocacy is speaking, acting or writing for, and on behalf of a person or group. It is an active process in support of a specific outcome. The sole purpose of advocacy is to seek to influence policy-making, investment or service provision. This definition raises three key questions, the answer to which collectively provides the policy framework for this Advocacy Policy:

- What influence are we trying to achieve?
- Who are we trying to influence?
- How are we trying to influence them?

In other words, effective advocacy needs to:

- Clearly identify the key issues and desired outcomes;
- Have clearly articulated unambiguous messages;
- Target the appropriate influencers or decision-makers; and
- Use appropriate and effective methods to deliver the message.

Policy

1. Clearly identify the key issues and desired outcomes

Council must provide the public with opportunities to participate at key stages in the Shire's projects and to comment on matters which affect them via:

- An annual Community Survey.
- Annual Electors Meeting to be held each year.
- Councillors 'meet and greet' monthly at the Newman Shopping Centre.
- Ad-hoc community forums organised to gain public feedback and input on broad and specific issues relating to the Council.

Council must ensure the proper planning and provision of services to the Shire's customers:

- Key issues will be identified in the Strategic Community Plan, Corporate Business Plan and ~~Community Wellbeing Strategy~~other Shire plans. These plans must be reviewed and updated in accordance with legislative obligations.
- Policy Manual to be updated to ensure each Policy is directly referred back to the Councils Strategic Plans.
- Agenda items should reflect the objectives of Councils Strategic Plans.

Council must develop criteria for determining which matters it will advocate and lobby for:

- Council may only advocate and lobby for those matters that do not conflict with Council's objectives.
- Council shall advocate and lobby for the greatest benefit for our communities.
- In doing so, Council shall consider the most important social, economic and environmental factors that influence our local quality of life and prosperity.

2. Have clearly articulated unambiguous messages

Elected Members and Council staff should use plain English when advocating and lobbying for matters:

- Communications Policy.
- Formal Communication Policy – Elected Members

3. Target the appropriate influencers or decision-makers

Council must ensure it targets the appropriate influencers or decision-makers so as to achieve the desired outcomes:

- The Shire of East Pilbara shall maintain a close relationship with ~~the Pilbara Regional Council and~~ other local governments in the Pilbara to give a greater voice to the Pilbara region, and to attract increased investment opportunities for the benefit of Pilbara communities.
- Develop and maintain a database of key stakeholders.

4. Use appropriate and effective methods to deliver the message

Elected Members and Council staff must use appropriate and effective methods of communicating with key stakeholders to ensure the correct message is delivered:

- Communications Policy.
- Formal Communication Policy – Elected Members.

References	• Communications Policy • Formal Communication Policy – Elected Members		
Related Procedures			
Date Adopted by Council	23 May 2014	Item No	9.2.4
Next Review			

Shire of EAST Pilbara

4.15 Internal Controls Policy

Responsible Directorate	~~Executive~~ Corporate Services
Responsible Officer	~~Deputy Chief Executive Officer~~Executive Manager Corporate Services
File Number	LEG 2-1

Introduction

The Internal Controls Policy serves as evidence of Council's commitment to proper and effective internal controls and their significance to the organisation.

This policy provides a basis for establishing documented internal controls that are implemented based on risk management policies and standards.

The policy ensures that Council meets its obligations under the Local Government Act 1995, related Regulations and other legislation.

The policy will aid the organisation to address the risks as outlined under the objectives.

Objectives

- To execute a risk-based approach to address and reduce the risk of loss caused by material misstatement of financial information, fraud and corruption, misappropriation of funds and loss of physical assets.
- To protect the Shire of East Pilbara's assets – people, property, reputation, financial sustainability and information.
- To frequently audit, identify gaps in the system and improve internal controls maintained at the Shire of East Pilbara.

Definitions / abbreviations used in the Policy

Internal Control

Systems of policies and procedures that protect assets, ensure correct and consistent financial reporting, promote legislative compliance and achieve operations that are efficient and effective Other than accounting and reporting, the systems are also inclusive of internal and external organisational processes as well as staff management and error handling.

POLICY

To ensure the appropriateness and effectiveness of the policy the following aspects apply:

- It is applicable to all Staff and Contractors; working for the Shire of East Pilbara.

- All staff is accountable for the implementation of systems, controls, processes and procedures in their different areas of responsibility and play a role in the internal control structure at varying degrees.

- It is the responsibility of the Audit Committee and Council to mandate that a robust internal control framework is enforced to ensure organisational good governance.

- The Chief executive officer will provide regular reports to the Audit Committee and Council on the review and improvement to Council's internal control framework.

Monitoring, Reviewing and Reporting:

- The monitoring and reviewing procedure will ensure provision of biannual reports to management, the Audit Committee and Council regarding the position of Risk Management, Internal Controls and Legislative Compliance within the Shire of East Pilbara to ascertain the necessity for precise areas to be reviewed.

- To fulfil Regulation 17 of the Local Government (Audit) Regulations 1996, the Chief Executive Officer is required to report on a review of the above three areas biennially. This is in addition to the four yearly review required by Regulation 5(2)(c) of the Local Government (Financial Management) Regulations 1996 which also includes a review of Council's financial internal controls.

References	Local Government (Financial Management) Regulations 1996 – Regulation 5 Local Government (Audit) Regulations 1996 – Regulation 17		
Related Procedures	Policy 4.12 Risk Management Policy Policy 1.15 Fraud and Corruption Prevention Plan Policy 4.11 Legislative Compliance		
Date Adopted by Council	03 Feb 2017	Item No	9.2.4
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

Recreation

Shire of EAST Pilbara

5.1 Newman Aquatic Centre Alcohol Policy

Responsible Directorate	~~Corporate~~ Customer & Community Services
Responsible Officer	Manager Recreation & Events
File Number	REC 21-1

Objective

To describe the conditions to be observed in regard to the consumption of alcohol at the Newman Aquatic Centre.

Policy

Members of the public and organisations who wish to consume alcohol at the Newman Aquatic Centre are to observe the following conditions:

1. Alcohol is not to be consumed in any form within the Newman Aquatic Centre during the hours it is open to the public.
2. Alcohol may only be consumed for private functions booked for the Newman Aquatic Centre grounds and the following conditions apply:
   i. Appropriate centre booking forms are to be submitted to the Newman Aquatic Centre at least 7 days prior to the proposed function.
   ii. Bookings that include alcohol consumption can only be made outside pool operational hours, they cannot commence before these times. Any extension or variation to these hours requires the written approval of the Chief Executive Officer.
   iii. During the function booking time the 50 metre pool and toddler's pool will be sectioned off so access is not permitted.
   iv. An application for the consumption of alcohol at the Newman Aquatic Centre grounds must be obtained from Council at least 5 days prior to the event.
   v. All glass beverage containers are prohibited. (Cans or plastic cups ONLY permitted).

References			
Related Procedures	Nil		
Date Adopted by Council	10 December 2004	Item No	9.2.15
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

5.2 Newman Recreation Centre – Commercial and Group use

Responsible Directorate	~~Corporate~~ Customer & Community Services
Responsible Officer	Manager Recreation & Events
File Number	REC 22-1

Objective

The intent of this policy is to promote broad usage of the facility, whilst ensuring a safe environment that is financially viable for Council.

Policy

1. Commercial users are defined as those who utilise the facility primarily for financial gain.
2. Commercial operators may negotiate conditions of usage subject to Council approval.
3. Usage by groups or organisations for non-commercial purposes (e.g. rehabilitation, social or educational purposes etc.) shall be at the discretion of the Manager Recreation and Events~~Community Wellbeing~~, subject to consideration of item iii.
4. Usage by commercial operators, groups and organisations is subject to consideration of the following:
   i. Appropriate fees being applicable, per visit, per client, or on a weekly/monthly rate. Hirers must provide information on client fees, programs or intended usage upon request
   ii. access times
   iii. type of use, suitability of clients and number of participants
   iv. disruption to normal operations affecting access to members
   v. possession of current public liability insurance by user groups
   vi. appropriate qualifications and/or experience of the hirer
   vii. advertising arrangements within the Recreation Centre facility
   viii. Any other factors that require consideration to the financial viability, safety and public usage of the facility

References			
Related Procedures	Nil		
Date Adopted by Council	10 December 2004	Item No	9.2.15
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

5.3 Public Liability – Sporting and Community Organisations

Responsible Directorate	~~Corporate~~ Customer & Community Services
Responsible Officer	Manager Recreation & Events
File Number	FIN 23-12

Objective

To set a minimum level of public liability insurance required by sporting and community organisations.

Policy

All clubs, associations and community groups using Council facilities shall, on an annual basis, produce to Council written proof that the club or association is an incorporated body and that public liability insurance cover of at least $10 million (or some larger amount if required by the Council) is held.

Failure to comply with the requirements may result in the club, association and/or community group being denied access to Shire facilities.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	23 October 2009	Item No	
Next Review			

Shire of EAST Pilbara

5.4 Standard conditions for use of active reserves (Ovals)

Responsible Directorate	~~Corporate~~ Customer & Community Services
Responsible Officer	Manager Recreation & Events
File Number	LEG 2-1

Policy

1. Group Allocations & Fixtures

1.1 A copy of all competition and training fixtures, including "special events" such as carnivals and byes, must be given to the Coordinator Recreation Services. Any changes to the original fixtures should be forwarded to the Coordinator Recreation Services as soon as known by the organisation, clubs or association but at least four weeks prior to the commencement of the season.

1.2 All Clubs and Associations are requested to notify the Coordinator Recreation Services if there is a change of contact person within the Club or Association.

1.3 If any problems related to oval use, including playing surfaces, lighting, toilets and change rooms occur during the course of the season, the Coordinator Recreation Services should be informed so that appropriate action can be taken.

2. Change rooms

2.1 If a Club/Association requires change rooms, then applications should be placed with the Coordinator Recreation Services as soon as fixtures have been confirmed, so that change rooms can be allocated and cleaning services can be arranged.

3. Line marking

3.1 Water based paint or chalk is the only substance to be used for the marking of ovals. Lime, creosote, sump oil, herbicide or any other chemical is prohibited for marking grounds. Newman Recreation Centre is to be made aware of line marking schedules to coincide with the parks and gardens mowing and maintenance.

4. General

4.1 Should the Shire's gardening and/or maintenance equipment be located in such a position as to cause disruption to events, then Clubs are advised to contact the Coordinator Recreation Services.

4.2 The Coordinator Recreation Services will advise groups of any changes or relocation of training or games venue in the event of unforeseen circumstances, 'special' bookings or ground maintenance as directed by the senior grounds control personnel.

Shire of EAST Pilbara

4.3 Depending on the season bookings in progress, i.e. summer or winter, the user groups should be aware that priority for the use of grounds for training and match play lies with the existing season groups until the finals have been played.

4.4 All rubbish must be removed from the ovals and placed in suitable receptacles. Where additional events / fixtures are held on consecutive days / nights, Associations / Clubs should discuss the arrangement with the Shire to ensure additional rubbish receptacles and pickups are implemented.

4.5 Any sporting organisation wishing to take a light service vehicle inside the fenced area of the grounds should collect the gate key from the Recreation Centre, from Monday to Friday between 8.30 a.m. and 9:00 p.m. or on Saturday between 9.00 a.m. and 12.00 noon. Heavy vehicles are not permitted on ovals. Groups are permitted to take one light vehicle only onto the ovals during competition.

4.6 Portable posts/goals must be removed after each game/match and safely secured to ensure unauthorised people cannot use them.

4.7 The use of star pickets on any oval is not permitted without permission.

4.8 Glass and glass containers are not permitted on Council ovals. (E.g. stubbies, glass bottles, glasses and dishes of any type).

4.9 Hay bales are not permitted on Council ovals without approval from the Coordinator Recreation Services.

5. Public Liability

All Clubs/Associations require a current Public Liability Policy of $10,000,000 cover. Ground allocations will not be approved until the Coordinator Recreation Services sights a current certificate. (Refer to other Council Policies).

6. Fortescue Festival

The Lions Club of Newman have the permission for exclusive use of the Capricorn Oval sporting complex on the designated August weekend of each year as the venue for the Fortescue Festival.

The Lions Club of Newman has complete control in determining participants in the Fortescue Festival at the Capricorn Oval sporting complex subject to Coordinator Recreation Services approval.

Policies 4.1 to 4.9 above apply.

7. Liquor Permits

Authorisation must be obtained where the consumption and/or sale of liquor will occur at Shire managed facilities or open spaces. An application form must be completed and submitted with the appropriate fee to the Manager Development Services - Health for approval at least two (2) weeks prior to the event. A Liquor Permit may then be issued to the event coordinator and must be available on request for proof of Council's approval.

Shire of EAST Pilbara

8. Occasional Licences

The Department of Racing, Gaming and Liquor will not process any application for Liquor Licenses to consume alcohol without written permission (i.e. Permits) from the Shire of East Pilbara. Occasional Licences must be obtained if:

i. Alcohol is to be sold; and/or

ii. If an entrance fee is to be charged and alcohol is supplied.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	23 October 2009	Item No	
Next Review			

Shire of EAST Pilbara



Community Relations

Shire of EAST Pilbara

6.1 Piri Smith Retirement Units – Marble Bar

Responsible Directorate	~~Corporate~~ Commercial Services
Responsible Officer	~~Manager Community Wellbeing~~Executive Manager Commercial Services
File Number	CSV 6-1

Objective

To determine tenancy at the Piri Smith Retirement Units.

Policy

Eligibility for tenancy at the Piri Smith Retirement Units shall be determined by an advisory group consisting of the Chief Executive Officer, ~~or nominated representative, the Manager Community Wellbeing and the Deputy Chief Executive Officer~~Executive Manager Commercial Services, or a nominated representative, for recommendation to Council.

References			
Related Procedures	Nil		
Date Adopted by Council	19 December 2007	Item No	
Review/Amendment Date	26 June 2019	Item No	
Next Review			

Shire of EAST Pilbara

6.2 Citizenship Ceremonies

Responsible Directorate	~~Corporate~~ Executive Services
Responsible Officer	~~Manager Community Wellbeing~~Chief Executive Officer
File Number	CLR 6-1

Objective

To ensure that persons who are to be conferred Australian Citizenship are provided with a memorable and dignified ceremony and to ensure that the Council fulfils the requirements of the *Australian Citizenship Act 2007* (the Act) and the *Australian Citizenship Regulations 2007* (the Regulations).

Policy

A Citizenship Ceremony is the opportunity to welcome new citizens as formal members of the Australian community and the Shire of East Pilbara.

The acquisition of Australian Citizenship is a very important milestone in a person's life and as such is an occasion of celebration. The Shire of East Pilbara will conduct a meaningful, dignified and memorable ceremony to mark the occasion of the acquisition of Australian Citizenship by residents of the Shire.

Citizenship Ceremonies will be conducted twice per calendar year at the:

1. Australia Day Ceremony - 26 January (Newman Aquatic Centre); and
2. Citizenship Day – 17th September at a venue to be confirmed (depends on numbers).

Where a ceremony cannot be held in conjunction with the above dates, alternative dates may be arranged, although it is preferred that all candidates adhere to the two given dates.

All ceremonies are to be conducted by the Shire President, or in his/her absence the Deputy President or in his/her absence another Councillor, (preferably the relevant Ward member). (For the purpose of this policy this person is referred to as the Presiding Officer).

Candidates may invite up to three family members or friends, or more than three if the family group is of a greater number. The candidate is required to advise Administration before the ceremony, the number of people attending and dietary requirements.

The ceremony will be conducted in a manner outlined in the Australian Citizenship Ceremonies Handbook 2008 and in accordance with the following criteria:

1. The Presiding Officer will welcome the candidates and their families and friends and introduce dignitaries present, (Councillors, Officers, and Invited Guests). Opening Address, including acknowledging the traditional owners.
2. The Presiding Officer will read aloud the message from the Minister for Immigration and Citizenship.

3. The Presiding Officer will read aloud the opening preamble.
4. The Presiding Officer will call the candidates individually or together to read the oath or affirmation.
5. The Presiding Officer will give the candidates a framed certificate and present them with an Australian gift. (The Presiding Officer is to sign all documents prior to the ceremony.)
6. The Presiding Officer will then advise the new citizens of the electoral enrolment procedure.
7. The Presiding Officer is to read aloud a brief speech congratulating the candidates and welcoming them to Australia and the Shire of East Pilbara. The Presiding Officer may call upon an invited guest to make a small welcoming speech.
8. The Presiding Officer asks all present to stand for the Australian National Anthem.
9. The Presiding Officer concludes the ceremony with a Closing Address and invites the candidates and his/her guests to partake of Council's hospitality along with Councillors, Officers and invited guests.

To ensure that an appropriate record of the ceremony is maintained, the Council will ensure that photographs are taken of candidates in the ceremony. At the completion of the ceremony a photo of each candidate together with the Shire President and relevant Ward member/s will be taken. A copy of that photo shall be provided to the candidate free of charge.

The Shire President/Councillor is to ensure that they are appropriately attired and that the ceremony is undertaken in a dignified manner. A reasonable level of hospitality will be provided to the candidate/s.

References	• *Australian Citizenship Act 2007* (the Act) • *Australian Citizenship Regulations 2007* (the Regulations)		
Related Procedures	Nil		
Date Adopted by Council	6 February 2002	Item No	9.1.6
Review/Amendment Date	6 December 2006	Item No	
Review/Amendment Date	23 October 2009	Item No	
Review/Amendment Date	7 December 2012	Item No	
Next Review			

Shire of EAST Pilbara

6.3 Youth – Planning Community Facilities and Youth Recreation Programs

Responsible Directorate	~~Corporate~~ Customer & Community Services
Responsible Officer	Manager Community Wellbeing
File Number	REC 23-1

Policy

The Shire of East Pilbara recognises that young people between 12 and 18 years of age have specific recreational needs. These include:

1. The need for space to meet with friends.
2. The need for flexible programs which respond to changing trends.
3. The need for unstructured activities.
4. The need for low cost activities.
5. The need for "healthy" alternatives to unemployment, boredom, vandalism, loitering, substance abuse and criminal behaviour.
6. The need for opportunities for personal development.
7. ~~6~~ The need for services that contribute to the mental wellbeing and resilience of young people.

The Shire of East Pilbara takes all these needs into consideration when planning community facilities and youth recreation programs.

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

Shire of EAST Pilbara

6.4 Hire of Recreation Facilities for Youth Activities

Responsible Directorate	~~Corporate~~ Customer & Community Services
Responsible Officer	Manager Community Wellbeing
File Number	REC 23-1

Policy

Young people suffering financial hardship may undertake supervised voluntary work for the Shire of East Pilbara in return for the use of the Shire's sport and recreation facilities during off peak periods. Volunteer workers taking advantage of this policy will be required to pay a bond where a bond is normally paid in association with using a Shire building. The bond will be receipted into Council's bank account and will be refunded, in full, provided the building is left in a clean and tidy condition and the building is undamaged. The Chief Executive Officer or his delegate will determine the amount forfeited.

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

Shire of EAST Pilbara

6.5 Community Banner Poles

Responsible Directorate	~~Corporate~~ Customer & Community Services
Responsible Officer	Manager Community Wellbeing
File Number	CSV 12-5

Objective

To allow community groups, schools and government organisations to promote community events, activities or services on Council owned banner poles.

The Shire of East Pilbara has 5 banner poles and numerous street light pole banners within the town site of Newman. The Shire also has some street light poles in Marble Bar and Nullagine.

1. Banner Design

The Chief Executive Officer or delegated Officer must give approval to the design on the banner prior to the banner being installed. Offensive text or images will not be approved.

Banners must be made to a reasonable standard and any artwork and/or text on the banner must be to an acceptable standard. Artwork for banner poles must be single sided as the pole prevents the banner being visible from both sides. The street light banners may be double sided so they can be viewed from both directions. Council owned banners that require repainting, may be loaned to Community groups at no charge when available.

2. Booking

An application form must be completed and bookings must be made in advance to allow planning for installation and removal.

3. Installation and Removal

Council will erect and remove banners during the first week of every month. Costs associated with installation and removal of the banners is to be borne by the applicant.

Fees (as per fees and charges)

References			
Related Procedures	Nil		
Date Adopted by Council	27 September 2002	Item No	9.1.7
Review/Amendment Date	23 October 2009	Item No	
Next Review			

6.6 Community Assistance Grants

Responsible Directorate	~~Corporate~~ Customer & Community Services
Responsible Officer	Manager Community Wellbeing
File Number	CSV 9-4-2

Objective

To provide the opportunity for Council to assist the community through a clear and fair process of assessing and allocating requests for cash and in-kind assistance.

Furthermore, to provide an effective administrative procedure for dealing with community assistance grant requests.

Policy

Council recognises its important role of providing assistance to the community. Council considers it important that the processes of providing assistance in either cash or in-kind, ensures equity, accountability and efficiency in allocating all resources.

All assistance is intended to encourage the concepts of community development and self-sufficiency within the Shire, rather than reliance, and donations are intended to be used to positively contribute to the wellbeing of individuals and groups in the community.

This policy is designed to ensure that resources are directed towards achieving Council's strategic vision, mission and goals as determined in the Shire Strategic Community Plan and other relevant strategic documents

Applications for Grants or Assistance

Council assistance can only be sought by completing the required forms and addressing the conditions and guidelines contained within the application forms.

Grants are available to organisations involved in arts, culture, sport, recreation, education and charitable purposes. Grants must be matched dollar for dollar in cash or with in-kind support.

There are four types of grants offered:

1. **GRANT 1**. These grants are available throughout the whole year and are for in-kind contributions of up to $500.00 and are approved by the Chief Executive Officer.
2. **GRANT 2.** These grants are up to $1,000.00 comprised of either cash or in-kind contribution or a combination of both and are available throughout the year and are approved by the Chief Executive Officer.
3. **GRANT 3.** These grants are from $1,000.00 to $6,000.00 and are available twice a year and are approved by Council. Council's Grant 3 program offers two rounds of funding annually. Round One applications open 1 July and close 31 July and are tabled at the August Council meeting. Round Two applications open 1 January and close 31 January and are tabled at the next scheduled Council meeting.

Shire of EAST Pilbara

4. **GRANT 4**. These grants are for young people aged under 21 years who have been selected or invited to participate in sporting competitions or cultural events at State, National or International level. These grants are approved by the Chief Executive Officer and can be up to, $250 for State based activities; $400 for National level activities and $600 for International level activities.

Selection Criteria

For Grants 1, 2 and 3 to be successful they must meet one or more of the following criteria;

1. Not for profit community organisation providing a community service within the East Pilbara region where there is a demonstrated community need or benefit
2. Educational institutions in the East Pilbara for award presentations only
3. Sporting Associations to assist with club development (e.g. Coaching courses, governance training and or grant writing courses)
4. An organisation involved in cultural development within the East Pilbara

Other criteria used to assess applications includes,

- The financial viability of the organisation or group making the applications.
- Identification of programs that provide a valuable service or benefit for which there are no alternate funding sources.
- Preference will be given to applications that:
  - A) benefit or assist a target group or activity identified in one of Council's strategic plans,
  - B) benefit areas where there is an obvious and documented community/local need.
- The grant application must be for an activity or service to be provided within the financial year for which the donation is approved.
- Council will only approve one Grant 2 to any organisation each financial year
- All applications will be formally assessed and prioritised in accordance with the needs of the community and the allocated budget.
- All applications will only be considered on merit and compliance with the selection criteria outlined above.
- Council's decision on the matter shall be final and no appeals will be considered.

Selection criteria for Grant 4 are;

- Applicants must be under 21 years of age when the application is submitted.
- Applicants must be residing within the East Pilbara local government area. Proof of residency must accompany the application.

- In the case of the sports competitions, assistance will only be provided for selection to compete in a recognised competition that is being organised by a registered and/or accredited organisation conducted at State, National or International level. Documentation verifying the selection of the applicant must be provided by the host organisation.
- In the case of cultural events, applications shall provide details of the individual or group selection to perform/train at or with a National or International level/body. The activity has to be organised by registered and/or accredited organisation. Documentation verifying the selection/participation of the applicant must be provided by the host organisation.
- Applicants must be able to demonstrate excellence or a proven commitment to their area of endeavour/interest in the application.

Promotion of Grants

The availability of all Council grants will be advertised twice a year in local print media and community notice boards, plus additional promotions where appropriate and available. Advertising will be timely in respect to closing dates of applications.

Assessment of Grants

All applications must be date stamped and logged in as received upon receipt.

Relevant Shire Officers, accounting for the established criteria, policy objective and aims of each Grant, must objectively assess all grants.

Applications which do not meet relevant established criteria within this policy will not be considered.

Budgeting

A community grant allocation will be considered at Council's annual budget meeting. Grant applications will then be considered in the August and February Council meetings.

Public Relations

All successful applicants must acknowledge the Shire of East Pilbara via methods established and agreed by the Chief Executive Officer, or his delegate, or as otherwise indicated on application forms.

Funding Agreement

Successful applicants will be required to sign the appropriate Funding Agreement and formally acquit within 28 days of the completion of their project/activity.

References	SOEP – Plan for the Future of the District Shire of East Pilbara CAG 2015-16 Grant 1 Shire of East Pilbara CAG 2015-16 Grant 2 Shire of East Pilbara CAG 2015-16 Grant 3 Shire of East Pilbara CAG 2015-16 Grant 4		
Related Procedures	Nil		
Date Adopted by Council	24 September 2010	Item No	9.2.3
Review/Amendment Date	31 January 2014	Item No	9.2.2
Review/Amendment Date	27 June 2015	Item No	9.2.5
Next Review	The Chief Executive Officer, or his delegate, may review terms and conditions relevant to each of the application forms, from time to time.		

Shire of EAST Pilbara

6.7 Council Supported/Recognised Events of Community Interest - DELETED

Version	Item No.	Synopsis
1.	30 November 2007	Adopted by Council
2.	26 August 2015	Deleted by Council – In line with recommendations from the endorsed Events Strategy.

Shire of EAST Pilbara

6.8 Photographing people and publishing photos

Responsible Directorate	~~Corporate~~ Customer & Community Services
Responsible Officer	Manager Community Wellbeing
File Number	COM 5-4-7

Objective

Children

Photographing people in public places is not illegal as long as the subject is not compromised – e.g. undressed. However, publishing photographs is of increasing community concern, especially when it comes to children.

Photographing children involved in sport and recreation activities can put children at risk, particularly if the images are being posted on websites or distributed in publications. The vast majority of photographs of children are taken in appropriate circumstances and are used for acceptable purposes. Any prohibition would require a vast number of exceptions (E.g. family, friends, and media). For this reason, a prohibition of this nature would seem unenforceable and perhaps a disproportionate response to the issue being sought to be addressed.

Indigenous People

Due to the sensitivity of some Indigenous cultural material such as dances and historical sites, it is essential to obtain permission to use images not only of Indigenous people but also the image of the cultural activity.

This requires consultation with the Indigenous person in a photograph and also the custodians of any Indigenous cultural material included in the photograph.

On the basis of respect for Indigenous culture, consultation with the Indigenous people who own or are responsible for images depicting cultural or ritual knowledge when considering any use of the images is required. There may be more than one person, or more than one group of people to consult. They should be provided with sufficient information, in a suitable form, to make an informed decision, and enough time to discuss the request, consider the request and come to a decision. The kinds of information people may need include, who will be involved, what media will be used, whether the intended use will include wide dissemination such as transmission by broadcast or internet.

The purpose of this policy is to provide staff and contractors of the Shire of East Pilbara with some guidelines when it comes to photographing and/or publishing photographs of children, adults and/or Indigenous people.

This policy should be adopted by all Shire of East Pilbara staff and contractors when running an event where it likely that photographs will be taken and/or published.

Shire of EAST Pilbara

Policy

The following procedures should be followed by staff and contractors of the Shire of East Pilbara:

1. You should seek verbal approval before taking a photograph of any adult person over the age of 18 years.
2. You should seek written permission of parents or legal guardians to take and/or publish photographs of children under the age of 18. Written permission should be in the consent form attached.
3. If you are running an event where photographs may be taken and/or published, you should require every participant to "sign in" by completing the consent form, before they participate in the event.
4. You should only publish images of children in appropriate sporting dress to reduce the risk of inappropriate use. When photographing sports such as swimming, gymnastics and athletics, ensure that the focus is on the activity rather than the particular child.
5. When English is a second language, including Indigenous people, they are to be given the option to read or have the consent form read to them and their signature witnessed. Indigenous People's consent form is to include Respecting Image Capturing (photograph) Disclaimer:

   *"Items in our pictorial and film collections at a later date may contain **images of deceased Aboriginal people** which may cause sadness and distress, and in some cases may offend against strongly held cultural traditions."*

References			
Related Procedures	Nil		
Date Adopted by Council	26 August 2011	Item No	9.2.4
Review/Amendment Date	29 June 2016	Item No	9.2.4
Next Review			

Shire of EAST Pilbara

Consent Form

I, _____

[Please print the participants full name in uppercase]

_____

[Please print occupation of participant in uppercase]

_____

[Please print address of participant in uppercase]

_____

[Please print contact phone number and/or email address of participant]

Hereby authorise the Shire of East Pilbara to publish and reproduce my photograph (or the photograph of my child as stated above) in both printed and electronic formats for the purpose of inclusion in any Shire of East Pilbara in-house publications, external publications and on the Shire's internet website www.eastpilbara.wa.gov.au.

Participants signature or **Parent/Guardians Signature if person is under 18 years of age**	**Date**

Respecting Image capturing (photograph) Disclaimer: 'Items in our pictorial and film collections at a later date may contain images of deceased Aboriginal people which may cause sadness and distress, and in some cases may offend against strongly held cultural traditions.'

Shire of EAST Pilbara

6.9 Annual Community Survey

Responsible Directorate	~~Corporate~~ Executive Services
Responsible Officer	~~Manager Community Wellbeing~~Chief Executive Officer
File Number	STR 2-1

Objective

To ensure an annual community survey of residents is undertaken.

Background

The annual community survey is conducted to gauge the view of residents in the Shire of East Pilbara. The survey assists in planning for future infrastructure and service needs where required. Surveys have been conducted since 2006.

Policy

1. The Shire of East Pilbara shall conduct an annual community survey, preferably in November of each year.
2. The Shire of East Pilbara may engage a consultant to conduct the annual community survey on their behalf.
3. The annual community survey may be conducted by telephone.
4. The annual community survey shall be taken of residents in Newman, Marble Bar and Nullagine, as well as other surrounding areas.
5. When the survey is completed, the results, when finalised, shall be presented to Council for review and consideration of action.

References			
Related Procedures	Nil		
Date Adopted by Council	28 September 2012	Item No	9.1.7
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

6.10 Public Art

Responsible Directorate	~~Corporate~~ Customer & Community Services
Responsible Officer	Manager Community Wellbeing
File Number	REC 25-1

Introduction

Public artworks form an important part of a town's character and an expression of its community, as well as its diversity and creativity.

Public art helps identify and define a community as well as develop a sense of place through connecting people to place and providing a means of expression or interpretation of their culture and history.

What one individual interprets as "art" another may not, for this reason the establishment of a Public Art Policy will ensure a best practice model for the management of public art within the Shire.

Objective

The Shire of East Pilbara, through this Public Art Policy, aims to:

1. Establish clear and effective guidelines for public art activities
2. Create more enjoyable and interesting public spaces within the Shire through the use of diverse, innovative and high quality public artwork
3. Increase the enjoyment, appreciation and participation of our communities in public art
4. Undertake a strategic Shire wide approach to public art to ensure consistency in commissioning and the best possible public art outcomes
5. Ensure Council's discretion over the public realm is upheld and protected
6. Ensure existing artworks are appropriately maintained
7. Ensure that the requirements of public and work-place safety are respected and adhered to in the making, installation and on-going presence and maintenance of public artworks
8. Increase private and commercial support for public art projects
9. Provide funding for public art projects
10. Allow for and co-ordinate the provision of public art within future master planning, streetscape and urban design projects for Newman, Marble Bar and Nullagine
11. Review policy annually

Definitions

Public art refers to any intended artwork in the public domain including; parks, squares, streetscapes and spaces within building environments that are accessible to the general public and in the ownership of, and/or under the control of Local, State or Federal Government agencies. Spaces accessible to the general public in private ownership are also perceived to be part of the public domain.

Public art can cover a large range of art forms, including, but not limited to sculpture, environmental and land art, murals, mosaics, banners, water features, sound art, interpretive and gateway signage, aerosol art, performance art, computer generated art and visually projected art.

Public artworks can be either permanent or temporary installations and can vary with regard to scope, size, medium, functionality and location.

Public art can involve the commissioning of artists and designers to produce site specific work or can involve the purchase of existing work to be sited in public places or the provision of facilities or events that contribute to the vibrancy of a public space.

The significance of memorials and monuments in the life of a community is recognised by the Shire and it is intended that this policy will also encompass such installations.

Guidelines and Criteria for Public Art

The Shire will adopt an Advisory Group, consisting of 1 x Councillor, 1 x staff member, the ~~Deputy Chief Executive Officer~~Executive Manager Corporate Services or nominated officer, and 1 x community member. This Advisory Group will evaluate and make recommendation on approval for all public artworks proposed by the Shire, other public authorities, individuals and other groups in the Shire of East Pilbara's local government area will be based on the following criteria:

1. Relevance to the objectives and actions of the SOEP Arts and Cultural Strategy 2011-2015 Strategic Objective 2.1, and the Newman Tomorrow – 2030 Vision, strategy 1.4 Foster artistic and creative expression and the principles of this Public Art Policy.
2. Standards of excellence and innovation.
3. The integrity of the work.
4. Relevance and appropriateness of the work to the context of its site.
5. Consistency with current planning, heritage and environmental policies.
6. Management Plans.
7. Consideration of public safety and the public's access to, and use of the public domain.
8. Consideration of maintenance and durability requirements.
9. Evidence of funding source and satisfactory budget including an allocation for ongoing maintenance.

Shire of EAST Pilbara

10. Non duplication of monuments commemorating the same or similar events.

Policy

1. Council to annually allocate resources for the maintenance of existing public art works.
2. Council to consider an annual amount to be set aside for the incorporation of public artworks within major capital works programs which involve the urban landscape.
3. The Council will identify new commercial, industrial, tourism and residential developments that provide opportunities that may be leveraged to contribute and reserve developer's contributions to integrate public art into the new development and/or existing streetscape.
4. In large scale developments, the Council will consider making approval contingent on the inclusion of a public art project compliant with this policy. This is to encourage private developers to integrate public artworks into their projects so as to enhance all public spaces.
5. Any public art project initiated by the community or private sector must comply with this policy and Shire's other regulatory and approvals processes.
6. Council to ensure, as may be necessary, the requirements for appropriate consultation with the broader community as well as indigenous and local communities be undertaken in relation to either or both, the site or design of the artwork.
7. During the bi-election Committee Review, Council will adopt an Advisory Group, who will evaluate and make recommendations to the CEO for all public artworks proposed by the Shire, other public authorities, individuals and other groups in the Shire of East Pilbara's local government area. The final decision will be made by the CEO (or delegate) based upon the evaluation and recommendation by the Advisory Group.

References	• SOEP - Newman Tomorrow – 2030 Vision, strategy 1.4		
Related Procedures	Nil		
Date Adopted by Council	19 April 2013	Item No	9.2.5
Review/Amendment Date		Item No	
Next Review	To be reviewed annually		

Shire of EAST Pilbara

6.11 Junior Community and Sporting Organisations Assistance

Responsible Directorate	~~Corporate and~~Customer & Community Services
Responsible Officer	Manager Recreation and Events
File Number	LEG-2-1

Objective
To establish the process in which junior community and sporting organisations receive in-kind contributions made by Council.

Policy

1. Applications will be received by non-profit junior community and sporting organisations (excluding Government Departments or Agencies), based in the Shire of East Pilbara who seek free use of ovals; green spaces; courts; Council facilities and associated equipment.

2. Junior community and sporting organisation must meet the following eligibility criteria:
   a) Organisations are to be based within the Shire of East Pilbara
   b) Organisations must be an organisation that is not for profit - meaning any monies generated are used to carry out the purpose of the organisation and are not distributed to any of its members
   c) Offers programmes, activities and events for junior members of the community whom are aged between 4 -16 years.

3. Organisations must make application for this support, prior to an event or activity occurring, using the appropriate application form for in kind usage.

4. Organisations must complete the Hire Application Form and sign and agree to the Conditions of Hire together with supplying the appropriate supporting documentation e.g. fixtures, Public Liability insurance with the booking application.

5. The associated costs with any free use shall be documented and costed according to the relevant charges cited in the current Fees and Charges document.

6. Costs associated with lighting on ovals, courts and inside Council facilities and bonds are not included with this policy.

7. Costs associated with electricity charges of a Council facility are not included within this policy.

8. This policy will only apply to those organisations that do not have existing debts with the Shire of East Pilbara.

9. Throughout the term of hire all monies for lights and electricity accrued shall be up to date and not in arrears.

Shire of EAST Pilbara

10. The Shire of East Pilbara will document all in-kind contributions as per the established internal processes.

11. The Shire of East Pilbara will consider its level of financial contribution to this policy at the annual budget meeting.

References			
Related Procedures	Nil		
Date Adopted by Council	6 March 2015	Item No	11.3.1
Review/Amendment Date		Item No	
Next Review	To be reviewed annually		

Shire of EAST Pilbara



Building

Shire of EAST Pilbara

7.1 Staff Housing – Home improvements

Responsible Directorate	~~Corporate~~ Commercial Services
Responsible Officer	~~Manager Assets and Procurement~~Executive Manager Commercial Services
File Number	FAC 12-1

Objective

To promote staff inputs into home improvements.

Policy

Any proposed home improvement or structural alteration not considered as part of normal maintenance, or maintenance agreed to be provided by Council must be put in writing to Council. It is a requirement to ensure that works costings and a budget are established before the approval to start the work is granted. Approval for improvements or structural alterations must be sought before any work commences. The Manager Development Services – Building will inspect the works and ensure that they have been completed to the satisfaction of Council, relevant building Legislation and other requirements.

Employees who have completed additions or alterations in accordance with this policy will be entitled to a **maximum** reimbursement of 50% of the cost of the improvement. This is at the discretion of the Chief Executive Officer and only on the production of detailed proof of the costs involved and funding being available in Council's Budget. On determining the amount of reimbursement, Council shall have regard to the standard of improvements and depreciation factors.

In the event of any improvement necessitating removal at the time of vacation of the premises reinstatement of the property to its original condition must be completed at the occupier's cost prior to leaving the property.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	03 Feb 2017	Item No	9.2.3
Next Review			

Shire of EAST Pilbara

7.2 Free Standing Garden Sheds - DELETED

~~Responsible Directorate~~	~~Technical and Development Services~~
~~Responsible Officer~~	~~Director Technical and Development Services~~
~~File Number~~	~~LEG 2-1~~

~~Policy~~

~~The Council does not require the submission of an application for Building Permit for the following structures provided they are constructed in new materials and in a workmanlike manner.~~

~~**Free Standing Garden Sheds**~~

~~1. Garden sheds of a maximum area not exceeding 10m², subject to the following conditions:~~
~~i. to be located at the rear of the dwelling or unit~~
~~ii. To be located at least 1m from the rear and side boundaries. In the case of a corner block, to be located no less than 6m from the secondary street~~
~~iii. to be of a maximum height of 2.4m~~
~~iv. to be located not less than 1.8m from the dwelling or unit~~
~~2. Where there already exists, two separate outbuildings on the site, Council approval is required for a garden shed.~~

~~References~~	~~Building Regulations 2012~~		
~~Related Procedures~~	~~Nil~~		
~~Date Adopted by Council~~	~~27 June 2003~~	~~Item No~~	~~9.1.3~~
~~Review/Amendment Date~~		~~Item No~~	
~~Next Review~~			

Version	Item No.	Synopsis
1.	27 June 2003	Adopted by Council
2.	26 June 2019	Deleted by Council – Policy content is accounted for in the Building Regulations 2012 and the Residential Design Codes – no need for duplication in Policy Manual.

Shire of EAST Pilbara

7.3 Shade Cloth Covering Pergolas - DELETED

Version	Item No.	Synopsis
1.	27 June 2003	Adopted by Council
2.	24 June 2011	Deleted by Council – Policy content is accounted for in the Building Code of Australia – no need for duplication in Policy Manual.

Shire of EAST Pilbara

7.4 Relocated Buildings

Responsible Directorate	~~Technical and Development~~Commercial Services
Responsible Officer	~~Director Technical and Development Services~~Manager Development Services - Building
File Number	LEG 2-1

Policy

Buildings to be relocated will be inspected by the Council Officer at the applicant's expense for time and travel costs incurred in making the inspection. The Council Officer will then submit a report to Council, complete with plans and Council will make a decision as to whether or not to approve the building permit and/or development application. When making its decision Council will take into account the age, condition and appearance of the buildings and its acceptability to the overall amenity.

Council staff is to seek comment on the proposal from the adjoining and other affected landowners and submit details of the comments received to Council with other details of the proposal.

Council will consider the effect on surrounding properties and may require alterations to the design and site locations so as to complement the surrounding properties.

The following conditions are to apply to any approval granted by Council:

1. All stumps and sole plates to be metal or other suitable material as approved by the Council Officer. Second-hand stumps or sole plates are not to be used.
2. All damaged sections of external cladding, any damaged or rusted gutters, down pipes, or roofing iron, or broken roof tiles, are to be replaced with new or second-hand materials to the satisfaction of the Council Officer.
3. All broken glass in the building is to be replaced, all windows and doors are to open and close freely, and all locks and catches are to be easily operable.
4. On completion, the building is to be painted or otherwise treated to present a neat appearance to the satisfaction of the Council Officer.
5. When complete, the dwelling is to comply with all relevant provisions of the BCA and the *Public Health Act 2016*.
6. The building is not to be occupied prior to final inspection by the Council Officer.
7. A bank guarantee to the value of $10,000 will be required to be lodged with Council which will be released when the work is either completed or on a pro rata basis and refunded at discretion of the Chief Executive Officer.
8. Asbestos to be removed prior to transporting the dwelling to the Shire.

Shire of EAST Pilbara

9. A structural engineer report is to be supplied.

References	Public Health Act 2016		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

7.5 Sea Containers

Responsible Directorate	~~Technical and Development~~Commercial Services
Responsible Officer	~~Director Technical and Development Services~~Manager Development Services - Building
File Number	LEG 2-1

Policy

To outline the procedure required for the location and use of sea containers in the Shire.

Planning

Planning and Building Approvals are necessary for the location and use of sea containers on a property.

Planning Approval

The following documentation must be submitted to Council:

1. a completed and signed Application for Planning Approval
2. a scaled site plan showing the location of the sea container and distances to other structures and property boundaries
3. a photograph of the sea container
4. ~~a lodgement fee of $50 (GST free)~~the required regulation fee.

Building Permit

An application for a Building Permit must be submitted to Council prior to location of the container on the site. The Building Permit application should include:

1. structural details for the tie down and/or footings to be used
2. a Building Permit fee as provided by the Building ~~Act 2011~~Regulations 2012.

The following ~~planning requirements~~specifications apply to sea containers on properties located in the Residential and Rural zones:

1. maximum container length of 6 metres
2. maximum of one sea container per property
3. no sea container can be placed wholly or partly in the front setback area

Shire of EAST Pilbara

4. the sea container is to be set back a minimum of 1 metre (10m Rural zone) from the side and rear boundaries
5. the sea container must not be located over septic tanks, leach drains or property mains connections
6. the sea container must be painted and in good condition prior to relocation and ~~be screened from view of the street~~is not to detract from the amenity of the street.
7. the sea container must only be used for storage purposes

Where the applicant objects to the policy Council shall exercise its discretion and consider the particular circumstances of that application before making a decision.

Exemption

Sea containers which are used for temporary storage on a building site that has Council building approval are exempt from obtaining planning and building approvals. However, the container must be appropriately located on the property. Containers are not to be located on the road verge.

References	Building Act 2011		
Related Procedures	Nil		
Date Adopted by Council	5 December 2006	Item No	9.2.4
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

Health

Shire of EAST Pilbara

8.1 Home Occupation – MOVED TO PLANNING

Version	Item No.	Synopsis
1.		Adopted by Council
2.		Moved to Planning 9.11

Shire of EAST Pilbara

8.2 Pastoral Stations Rubbish Pits

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	~~Director Technical and Development Services~~ Executive Manager Infrastructure Services
File Number	FAC 14-1

Policy

When suitable machinery is available in the area, the Shire will undertake work to provide a rubbish pit for homesteads, at no cost, to a maximum of one pit per year.

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

Shire of EAST Pilbara

8.3 Rubbish Bin Replacement Policy

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	FAC 14-1

Policy

Each household will be supplied with one 240L bin. Each bin will have a serial number that will be recorded in a central register. The register will also record the householder's name and their street address.

A householder requiring a second bin may apply to the Council and a second bin may be allocated after payment of the approved annual rate for bin collection.

Council, or its contractors, at no cost to the householder, will carry out repairs and maintenance due to fair wear and/or accidental damage.

If in the opinion of Council a bin has been wilfully damaged by a householder, then the householder will be issued with a notice on the proper care and handling of bins and the householder may be charged with the cost of a replacement bin and their refuse collection service terminated until payment has been made.

In the event that a bin is lost or stolen then the bin will be replaced free of charge on the first occurrence of such an event. Should a second or subsequent occurrence eventuate, and in the opinion of the Council, the householder is responsible, then the householder may be charged with the cost of a replacement bin and their refuse collection service terminated until payment has been made.

Should a lost or stolen bin be subsequently recovered in a satisfactory condition, then any payment made by the householder concerned may be refunded.

In the event that Council can prove that a bin has been stolen then the person, or persons, involved may be charged with the cost of replacement unless the bin is recovered in a satisfactory condition.

Commercial premises will be supplied with bins appropriate to the operation of their premises under the same general terms and conditions as outlined above.

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

Shire of EAST Pilbara

8.4 Aboriginal Affairs Policy

Responsible Directorate	~~Technical and Development~~Executive Services
Responsible Officer	~~Director Technical and Development Services~~Chief Executive Officer
File Number	ABA 12-1

Principles

The Shire of East Pilbara supports harmony with Aboriginal and Torres Strait Islander people so as to:

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

The Shire of East Pilbara has a commitment to assist Federal and State Governments and recognised Aboriginal Community Organisations to identify and minimise any inefficiency or duplication, which might occur in the delivery of services and programs.

Policy

1. Within the existing framework of Government and via the democratic process Local Government is recognised as the appropriate mechanism whereby Aboriginal and Torres Strait Islander people can have greater input into the control and management of their communities and affairs so as to promote Aboriginal culture, social and economic aspirations.
2. The Shire of East Pilbara recognises the benefits of cooperation with all levels of Government and recognised Aboriginal Community Organisations in the planning and delivery of programs and services for Aboriginal and Torres Strait Islander people.
3. The Shire of East Pilbara supports initiatives which enable Aboriginal and Torres Strait Islander participation and input in Council activities and processes at a level equal to that of other residents.
4. The Shire of East Pilbara supports activities that promote goodwill between people within the Shire.

Rateability

The Shire of East Pilbara supports changes to the *Local Government Act 1995* and any other legislation that allows for the rating of Aboriginal communities living on Aboriginal Lands Trust, other Special Purpose leases or previously non rateable Aboriginal lands.

Infrastructure and Services

1. The Shire of East Pilbara believes that in partnership with Federal and State Governments and Aboriginal and Torres Strait Islander people it is best placed to assist in the planning for appropriate social, physical and economic infrastructure for Aboriginal Communities.
2. The Federal and State Governments and Aboriginal Communities should resource the Shire of East Pilbara where the establishment and maintenance of Aboriginal specific services utilise Council's resources.
3. The Shire of East Pilbara supports initiatives which enable the delivery of municipal services to Aboriginal communities and non-rateable land, including:
   i. options such as ex gratia payments in lieu of rates
   ii. payments for specific services
   iii. assisting communities to attract funding which allow Council to deliver a more effective service

Planning

1. The Shire of East Pilbara recognises the rights of Aboriginal community groups to develop and use their land as they desire, within the constraints of land tenure and Local Government planning schemes and processes.
2. The Shire of East Pilbara supports the development of site assessment procedures, in negotiation with Aboriginal and Torres Strait Islander people, for the identification of areas likely to be protected under the *Aboriginal Heritage Act 1972*, to enable mineral and other forms of development to proceed in the Shire.
3. The Shire of East Pilbara supports the development of local consultative mechanisms, where appropriate, to ensure that Aborigines and Torres Strait Islanders, as with other local interest groups, are included in local planning processes.

Training of Staff and Councillors

The Shire of East Pilbara recognises the importance of cross cultural training for staff and elected members to develop skills and knowledge which enable Local Government to more effectively understand the needs of Aboriginal and Torres Strait Islander people.

It is Council policy that all staff should attend cultural awareness training when it is available in their local area.

Aboriginal Employment and Training

The Shire of East Pilbara has a role in stimulating and promoting the employment and training of Aboriginal and Torres Strait Islander people by:

1. identifying Council positions where Aboriginality is an occupational advantage as allowed for under Section 50 (d) of the *Equal Opportunity Act 1984*

2. supporting involvement in employment training programs for Aboriginal and Torres Strait Islander people
3. ensuring Aboriginal Organisations have equal access to tendering for contracts for the delivery of local services
4. supporting Aboriginal organisations that aim to help to develop and implement local employment programs

Housing and Health

1. The Shire of East Pilbara recognises the right of all people to affordable and secure housing, and supports initiatives that aim to meet the housing needs of Aboriginal people.
2. The Shire of East Pilbara supports institutions and voluntary groups working to improve the health and welfare of Aboriginal people.
3. The Shire of East Pilbara supports Aboriginal communities and health workers within their districts by:
   i. assisting in providing advice on the maintenance of a safe water supply, sewerage and rubbish disposal systems
   ii. ensuring Commonwealth and State bodies meet their obligations under the *Public Health Act 2016*
4. The Shire of East Pilbara should be adequately resourced by Federal and State Governments to assist in Aboriginal environmental health issues.

Culture & Heritage

1. The Shire of East Pilbara encourages Aboriginal people to develop cultural activities, and participate fully in general community activities.
2. The Shire of East Pilbara encourages the promotion of local Aboriginal history, heritage and culture in consultation with Aboriginal and Torres Strait Islander people.

Promotion of Local Government

The Shire of East Pilbara supports initiatives that provide education for Aboriginal and Torres Strait Islander people and other community members on the role of Council and electoral procedures and encourages participation in elections as voters and candidates.

Inter-Governmental

1. The Shire of East Pilbara supports a partnership between the Federal, State and Local Governments, in the planning and delivery of services and programs to Aboriginal and Torres Strait Islander people at the local level.
2. The Shire of East Pilbara believes it should be adequately resourced by the State and Commonwealth to develop improved working relationships with Aboriginal and Torres Strait Islander people.

The Shire of East Pilbara supports the inclusion of the ALGA and the WALGA in relevant inter-governmental Aboriginal affairs decision-making bodies.

References	• *Local Government Act 1995* • *Aboriginal Heritage Act 1972* • *Equal Opportunity Act 1984* • *Public Health Act 2016*		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	26 January 2011	Item No	
Next Review			

Shire of EAST Pilbara

8.5 Rubbish Pits – Aboriginal Communities

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	FAC 14-1

Policy

When suitable machinery is available in the area, the Shire will undertake to provide a rubbish pit to communities of at least 20 people at no cost to a maximum of one pit per year.

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

Shire of EAST Pilbara

8.6 Uranium Policy

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	LEG 2-1

Objective

To establish the Shire of East Pilbara position on the development and exportation of uranium.

Background

There is generally only a minor role for Councils to play in any regulatory sense in relation to uranium. This is typically confined to matters of transportation and specifically around how uranium oxide is transported through Council areas to port. Council however would like to make comment on their position of the development and exportation of uranium.

Policy

1. The Shire is, in principle, in favour of the development and exportation of uranium for peaceful purposes.
2. The Shire supports, in principle, Australia's Uranium Export Policy, which permits the export of uranium for peaceful, non-explosive purposes under Australia's network of bilateral safeguard agreements.
3. Council believes that any proposal to transport uranium oxide through the Shire of East Pilbara should be considered on the objective merits of a full economic and environmental appraisal.
4. Council will only approve transportation of uranium oxide subject to world best practice environmental, health and safety standards.

References			
Related Procedures	Nil		
Date Adopted by Council	23 July 2010	Item No	9.3.7
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

8.7 Stall Holder and Street Trading's

Responsible Directorate	~~Technical and Development~~Commercial Services
Responsible Officer	~~Director Technical and Development Services~~Manager Development Services - Health
File Number	ENV 1-1

Objectives

1. To provide for the orderly operation of temporary trading activities within the Shire of East Pilbara and compliance with the requirements of Council's Local Laws.
2. To ensure that temporary trading activities are carried out in a manner so as not to detract and or cause harm to the amenity of public places and safety of pedestrians and residents.
3. To provide a service or commodity to the community without undue disruption to traffic or pedestrians.
4. To provide clarity and guidance with regards to the preparation and assessment of Stallholder and Trader's Permits.

Application

1. This policy is to be read in conjunction with Council's Local Law relating to "Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law".
2. Where there is a discrepancy between this Policy and the Local Law, the Local Law shall prevail for the extent of such discrepancy.
3. Shire employees shall have due regard to both Local Law and this Policy when assessing such application(s) made under the Local Law.

Application to conduct a stall or trade in a public place

All applications to conduct a Stall or Trade in a public place should be lodged with the Shire at **least 10 days prior to the first day of intended trading** with the exception of those applications to cater at Public Events which must be lodged **at least 4 weeks before the event**. (Late fees may apply to late applications).

All applications must be made on the prescribed form as prepared by the Shire's Environmental Health section and shall include all details as stated on the form including:

1. The appropriate application fees as periodically adopted in the Shire of East Pilbara's Fees and Charges Schedule and/or any applicable legislative provision.
2. Full Name and address of the applicant/s.
3. Specify location(s) in and/or on which the applicant wishes to conduct their business activity and is to include a site plan.

4. Full details of the goods or services to be traded.
5. Proposed days and hours of operation.
6. Evidence of appropriate levels of public liability insurance.
7. Construction details of the proposed stall and other items such as furniture, lighting provision of power that is proposed to be used in conjunction with such stall. The stall must comply with the attached pictorial presentation of a stall attached to the end of this policy.
8. Where a fixed stall is proposed, the applicant must detail by way of a plan the position of such stall in relation to property boundaries, roads, footpaths, buildings and any other such structure.
9. Where the stall is a vehicle, trailer or similar, details of such vehicle, trailer or similar in addition to a current copy of the Third Party Motor Vehicle Insurance.
10. Where it is proposed to operate a stall or trade on land which is privately owned but considered a public place (e.g. Shopping Centre), the applicant must include a letter signed by the owner and/or occupier of such land granting the applicant to conduct such stall or trade from such premises.
11. Where it is proposed to operate a stall or trade on land which is a public place though owned by the State (not including the Local Government), the applicant must also include a letter signed by the relevant State department/agency in control of such land granting the applicant to conduct such stall or trade from such land.

Additional requirements for those handling (supply and sale) food products

1. A copy of a valid Food Business Notification/Registration certificate issued in accordance with the requirements of the Food Act 2008 (the Act) by the Shire of East Pilbara or any other Enforcement Agency as described in Section 8 of the Act.
2. Documentary evidence of the completion of an approved Food Safety Course by each food handler/s intending to handle food during the event/s. A free online Food Safety Course ***"I'M ALERT"*** can be accessed on the Shire's website. *'NB. Approved means approved by the Shire's Environmental Health Officer'.*
3. Once granted, the trading Permit must be conspicuously displayed in/at the stall at all times during trading.

Additional requirements for applicants intending to give away food at community and public events

1. Any applicant intending to handle and give away food at community and public events are required by this Policy to inform the Shire **at least four (4) days before the event,** clearly stating the food products they intend to handle as well as arrangements made for the safe handling of the food so as to enable the Shire Environmental Health Officer to make an assessment of the food risk involved and advise of appropriate food handling requirements. This is a precautionary measure and is in the interest of all concerned. It is not intended to inhibit activity.

2. Any food stall used for the handling of food is required by this policy to comply with the minimum standards of a food stall as presented in the Shire of East Pilbara Temporary Food Stall Trading Conditions. Standards may vary according to the "Risk" level of the food.

Locations from which a stall or trading may be permitted

The following locations within the Newman town site are the preferred locations from which stalls and traders may conduct business:

1. The open parking area at the Capricorn Oval entrance west of the water storage tanks.
2. The Newman Visitors Centre Parking area; - subject to approval from the Manager of the Visitors Centre.
3. Boomerang Oval Parking area (Paved area scheduled to be completed by July 2012).

Where an applicant seeks permission to conduct a stall or trade other than at the designated sites within Newman listed above, the applicant shall provide written justification and reasons for such request.

Applications in respect to the town sites of Marble Bar and Nullagine

Any applications for Trading Approvals for the above town sites will be at the discretion of the Shire's Health and Planning staff and are subject to the applicant providing the relevant details as required as part of the normal application process.

Conducting a stall or trading at a public event

Stalls and/or trading at a public event will only be approved where the applicant has received written permission from the event organiser and such permission is supplied with the application. For the purposes of an event organised by the Shire, approval is to be sought from the Shire's Community Wellbeing Department.

For large community events such as the Fortescue Festival and annual Race Days, it is preferable that all applications shall be coordinated, collated and submitted to the Shire by the event organiser at least **four (4) weeks prior to the event**. The event organiser may also choose to cover such stalls and traders under their public liability insurance as required for the entire event. Additionally, all event organisers are still expected to meet their Duty of Care obligations in ensuring the food safety of people attending the event.

Shire of EAST Pilbara

Grounds on which applications may be refused

1. The applicant is deemed not a fit or proper person to hold a permit. An applicant will be deemed not a fit and proper person where they have committed a breach of the Shire's Local Law or any other legislation considered pertinent to conduct their proposed business.
2. The applicant proposes to conduct a stall in an area where stalls and trading is not permitted.
3. The proposed stall or trading business may result in compromised traffic and pedestrian safety.
4. The nature and/or conduct of a proposed stall or trader is not in keeping with the amenity or not conducive to proper and orderly planning.
5. Any other ground(s) that the Shire of East Pilbara deems relevant.

Advisory Notes

1. Applicants must consider access for the disabled.
2. Applicants must not inhibit the usual flow of traffic or pedestrian movement.
3. Any applications involving animals will need approval from the Shire's Rangers Department.
4. The use of flashing lights is discouraged.

References			
Related Procedures	Nil		
Date Adopted by Council	27 April 2012	Item No	9.1.6
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

8.8 Authority to Issue Section 39 and 40 Certificates under the Liquor Control Act 1988

Responsible Directorate	~~Technical and Development~~Commercial Services
Responsible Officer	~~Director Technical and Development Services~~Manager Development Services - Health
File Number	LEG 2-1

Objective

To provide for the efficient and prompt issue of certificates of the local government and certificates of the local planning authority for liquor licensing applications as required by Sections 39 and 40 of the *Liquor Control Act 1988*.

Background

Section 39 – Certificate of Local Government

Section 39 of the *Liquor Control Act 1988*, requires applications for the granting or removal of liquor licences under the *Liquor Control Act 1988* to be accompanied by a certificate from the local government in which the premises to which the application relates are situated, detailing whether or not the premises comply with:

1. The *Public Health Act 2016* ;
2. The *Food Act 2008*;
3. Any written law applying to the sewerage or drainage of those premises;
4. The *Local Government Act 1995*; and
5. The *Local Government (Miscellaneous Provisions) Act 1960*.

Section 40 – Certificate of Local Planning Authority

Section 40 of the *Liquor Control Act 1988*, requires applications for the granting or removal of liquor licences, or for a change in the use or condition of any licensed premises under the *Liquor Control Act 1988*, to be accompanied by a certificate from the local planning authority in which the premises to which the application relates are situated, stating that the proposed use of the premises:

1. Will comply with the requirements of the written laws relating to planning specified;
2. Would comply with the requirements specified if consent were to be given by a specified authority, if it is known whether that authority will give the consent, and what specified conditions or specifications should be, or are likely to be, imposed; or
3. Will not comply with the requirements for the reasons specified.

Shire of EAST Pilbara

Policy

6. Section 39 and 40 Certificates, as required by the *Liquor Control Act 1988*, shall be issued by the Administration without referral to Council.
7. Section 39 – Certificates of Local Government – may be issued by:
   - Chief Executive Officer
   - Manager Development Services – Building
   - Manager Development Services – Health
   - Manager Development Services - Planning
8. Section 40 – Certificates of Local Planning Authority – may be issued by:
   - Chief Executive Officer
   - Manager Development Services – Building
   - Manager Development Services – Health
   - Manager Development Services - Planning

References	• *Liquor Control Act 1988* • *The Public Health Act 2016* • *The Food Act 2008* • Any written law applying to the sewerage or drainage of those premises • *The Local Government Act 1995* • *The Local Government (Miscellaneous Provisions) Act 1960*		
Related Procedures	Nil		
Date Adopted by Council	19 April 2013	Item No	9.1.6
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

Planning

Shire of EAST Pilbara

9.1 Camping Other than in a Caravan Park

Responsible Directorate	~~Technical and Development~~Commercial Services
Responsible Officer	~~Director Technical and Development Services~~Manager Development Services - Health
File Number	RNG 11-1

Objectives

1. To establish a consistent approach to the determination of applications associated with the use of caravans for temporary accommodation.
2. To provide guidance for staff and the public regarding the use of caravans for temporary accommodation.
3. Enable people to use caravan accommodation in a period of extreme shortage.

Definitions

Caravan Parks and Camping Grounds Act 1995 contains the following definitions

"**camp**" means any portable shed or hut, tent, tent fly, awning, blind or other portable thing used as or capable of being used for habitation and includes a vehicle of a prescribed type or in prescribed circumstances;

"**Caravan**" means a vehicle that is fitted or designed for habitation, and unless the contrary intention appears, includes an annexed.

Legislative Requirement

The *Caravan Parks and Camping Grounds Regulations 1997* (Regulation 11(2)) provides in general that approval to camp other than at a caravan park or camping ground may be given for a person to camp on land (that has legal right to occupy) for a period:

1. Between 3 nights and 3 months within any period of 12 months by the local government,
2. Longer than 3 months within any period of 12 months by the Minister, or
3. Up to 12 consecutive months while a building license issued to that person in respect of the land is in force, by the local government.

Policy Statement

In each instance:

1. Applications for approval must be made in writing to the Shire of East Pilbara.
2. A maximum of 1 licensed caravan per property. Generally other types of camps will not be approved.

3. Approval will be dependent upon sufficient ablution facilities and space The premises is to have toilet, ablution and laundry facilities, available for use by the person/people camping, that comply with the Building Code of Australia, Council's Local Laws and *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*. Details of these services are required to be provided as part of the application.

4. Each application is required to be in writing in the prescribed form. The application should also include:

   a) Written approval from the owner of the property;

   b) Written comments from the occupiers of adjacent properties. Where this is not possible proof by way of postage by registered mail requesting comments to the Shire within 14 days;

   c) A plan depicting the proposed location of the caravan;

   d) Colour photographs showing how the conditions of this policy will be satisfied; and

   e) Fees. There are no fees for Category 5a or 5b applications.

5. Each application will be considered in accordance with the criteria listed below. If an application falls outside the criteria, approval will only be given at the discretion of the Council.

   a) Visitor of Resident Less than 3 Nights

   Applicable areas: All
   Special requirement: Caravan location must not interfere with the reasonable use of the property
   Approval Type: No approval required

   b) Visitor of Resident 3 Days to 2 Weeks

   Applicable areas: All private property
   Special requirement: Caravan location must not interfere with the reasonable use of the property
   Approval Type: Delegated standard approval

   c) Up to 2 additional unrelated persons Up to 3 months in any 12 month period

   Applicable areas: Residential
   Special requirements:
   1. At least 1 occupant of the caravan must be employed.
   2. Caravan location must not interfere with the reasonable use of the property.
   3. The caravan is to be located:
      a. Behind the front building line or otherwise screened from view.
      b. Away from the side and rear boundaries so as not to overlook, overshadow or otherwise impact on the amenity of adjoining residents
   4. There must be sufficient onsite parking for the residents of the dwelling plus the occupiers of the caravan.

Shire of EAST Pilbara

5. No waste water is to be discharged onto the ground. Unless the caravan waste can discharge into the dwelling disconnector trap the occupants of the caravan must have access to the dwelling facilities at all time.
6. Approval will only be granted for properties which have a high level of streetscape appeal. Properties which have unkempt front yards and road verges will not be considered for approval.

Approval Type: Delegated Authority

d) Up to 2 additional unrelated persons Up to 3 months in any 12 month period

Applicable areas: Industrial
Special requirements:

1. At least 1 occupant of the caravan must be employed on the site or for the business operating from the property.
2. Caravan location must not interfere with the reasonable use of the property.
3. The caravan is to be located behind the front building line or otherwise screened from view.
4. There must be sufficient onsite parking for the occupiers of the caravan.
5. No waste water is to be discharged onto the ground. Unless the caravan waste can discharge into a disconnector trap the occupants of the caravan must have access to the ablution facilities at all time.
6. Approval will only be granted for properties which have a high level of streetscape appeal. Properties which have unkempt t front yards and road verges will not be considered for approval.
7. Driveways and yards must have been treated for dust suppression by way of bitumen paving, cracker dust or similar treatments.

Approval Type: Delegated Authority

6. The Council reserves the right to withdraw the approval at any stage if the conditions of the approval have not been satisfied.

Additional Requirements For Camping Outside Of Caravan Parks For Periods In Excess Of Three (3) Months Within Any 12 Month Period.

7. All applications for Approval will only be granted upon application to and approval by the Minister for Local Government and Regional Development.
8. The Shire will only recommend to the Minister that approval be given to private persons whilst employed in Newman and subject to compliance with the terms and conditions listed in 5.3 and 5.4 above.
9. The recommendation can be made under delegated authority
10. For community organisations and sporting clubs the matter may be placed before the Council for consideration in relation to recommendation to the Minister.

Additional Requirements For Camping Outside Of Caravan Parks For Periods Up To (12) Months During The Construction Of A Dwelling.

11. Approval will not be granted within the Town site.

Shire of EAST Pilbara

12. Approval will only be granted where a building licence has been issued and the concrete slab or equivalent has been laid.

Fees

13. The fees payable shall be the same as for an application for a Home Occupation including (any penalties) as set out in the *Planning and Development Regulations 2009* however no fees shall be payable for Category 5a or 5b applications.

References	• *Planning and Development Regulations 2009* • *Caravan Parks and Camping Grounds Act 1995* • *Caravan Parks and Camping Grounds Regulations 1997*		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

9.2 East Newman Master Plan – Local Planning Policy No. 1

Responsible Directorate	~~Technical and Development~~Executive Services
Responsible Officer	Manager Land Use & Strategy~~Director Technical and Development Services~~
File Number	PLN 2-1

Objective

The Plan proposes the subdivision and development of the balance of the East Newman area into a quality housing estate complete with landscaped parks, road reserves and drainage areas.

References			
Related Procedures	Nil		
Date Adopted by Council	27 March 2009	Item No	9.5.3
Review/Amendment Date	7 December 2012	Item No	9.3.4
Next Review			

Shire of EAST Pilbara

9.3 Newman Town Centre Plan – Local Planning Policy No. 2

Responsible Directorate	~~Technical and Development~~Executive Services
Responsible Officer	Manager Land Use & Strategy~~Director Technical and Development Services~~
File Number	PLN 2-1

Objectives

The objectives of the Town Centre Redevelopment Plan project are:

1. Provide for new active Main Streets.
2. Enhanced access to the Town Centre.
3. Provide for a more robust plan that is capable of implementation without any major land resumption or acquisition and be reasonably self-funded.
4. Make provision for the expansion of the retail, office service commercial components of the town.
5. Increase the residential presence in the town centre to provide for enhanced activity and surveillance.
6. Enhance the way in which the open spaces work and close those which do not.
7. Provide for a series of manageable projects which together implement the plan.
8. To provide a design solution to enable the sitting of 2 new and major development proposals in the eastern end of the town centre.
9. To make the town tourist friendly.

References			
Related Procedures	Nil		
Date Adopted by Council	27 March 2009	Item No	9.5.4
Review/Amendment Date		Item No	

Next Review	


PLANNING ENTERPRISES
CONCEPT PLAN
SHIRE OF EAST PILBARA

Shire of EAST Pilbara

9.4 Vehicle Parking Standards – Local Planning Policy No 4

Responsible Directorate	~~Technical and Development~~Executive Services
Responsible Officer	Manager Land Use & Strategy~~Director Technical and Development Services~~
File Number	PLN 2-2

Objectives

The objectives of this policy are to ensure that adequate provision is made for the parking of vehicles.

This policy applies to all developments within the Shire of East Pilbara with the exception of:

a) developments to which the Residential Design Codes apply

b) developments involving a rural use

Revocation of Policies

This policy incorporates the terms of Local Planning Policy No 2 – Car Parking – Bay Sizes for Off – Street Parking which is by the adoption of this policy revoked.

3. POLICY STATEMENT

3.1 Provision of off street parking

In any application for approval to commence development, provision shall be made for the off-street parking of motor vehicles in accordance with Table 1 – Land Use Parking Requirements, except as otherwise provided for within this policy.

3.2 General

Parking facilities are to be located so that they do not dominate the surroundings or development and are generally to be located and designed so they are an integral part of the development for the site.

Parking facilities for persons with disabilities are to be clearly visible, correctly sign posted, marked and conveniently located.

Parking facilities are to be maintained to a high standard in terms of lighting, paving, drainage, landscaping and layout, ensuring that these facilities do not visually detract from the locality or impede pedestrians, cyclists and vehicle movements.

3.3 Consideration of applications requiring off-street car parking

In considering any application for approval to commence development, the Council shall ensure that the standards and requirements set out in this policy are complied with. Any variation from these standards and requirements, subject to the section of this policy dealing with variations to

requirements and standards, the Council shall either refuse to approve the development or shall impose conditions on its approval requiring compliance with the standards and requirements.

3.4 Parking space to be off-street

For the purposes of this policy and subject to the sections of this policy dealing with cash payment in lieu of providing parking spaces and dealing with the joint use of parking facilities, parking spaces required to be provided in relation to any development shall be provided on the land on which the development is proposed.

3.5 General requirements for off-street car parking

The following general requirements shall apply when off-street parking is required:

a) no building or land the subject of an application for approval to commence development shall be occupied until all required parking and loading facilities have been provided to the satisfaction of the Council;

b) when the use of any land or building is changed to a use which under any policy requires a greater number of parking spaces, additional parking spaces shall, unless otherwise approved by Council, be provided to meet the new requirements;

c) when a development or land use on any land is enlarged or intensified additional parking spaces to meet the requirements of this clause shall be provided in respect of the enlarged or intensified portion only;

d) any off-street parking or loading facility, shall comply with the standards herein governing the location, design, improvement and operation of such facilities;

e) all permitted or required parking and loading facilities shall be provided on the same site as the building or use served, except where Council considers an off-site location to be more appropriate;

f) the parking facility shall be available for use at all times the development is in use or operating and it shall not be limited, fenced off or otherwise gated so as to restrict or prohibit its use;

g) parking facilities shall not be used for the storage of:

i. vehicles or goods for sale;

ii. recreational vehicles;

iii. commercial vehicles, trucks or trailers (unless the parking facilities used to store such commercial vehicles trucks or trailers are in excess of the minimum requirement);

iv. materials, sea containers, plant, equipment or other goods;

v. refuse, rubbish, waste, rubbish bins or other waste receptacles;

Nor shall parking facilities be used for the repair of vehicles.

Shire of EAST Pilbara

n) Where this policy does not specify the number of parking spaces required in respect of any particular use, then the number of parking spaces to be provided shall be determined by the Council having regard to other relevant uses, if any.

3.6 Joint use of parking spaces

Parking facilities may be provided jointly by two or more landowners or occupiers or by one landowner or occupier in respect of separate buildings or uses, subject to the satisfaction of the standards and requirements hereinafter set out in this policy.

If there is a deficiency in the number of parking spaces provided to serve any building or use, the Council may permit the parking spaces for that building or use to be provided jointly with any one or more other buildings or uses whether or not those others separately have the prescribed number of parking spaces provided that the peak hours of operation of the buildings or uses so sharing are different and do not substantially overlap.

The Council may require that reciprocal access and circulation arrangements are provided for any buildings or uses affected by this policy when, in the opinion of the Council, such arrangements are deemed necessary to improve design or amenity.

The following requirements shall be complied with by any person seeking to take advantage of the provisions of this policy:

a) Evidence shall be provided sufficient to satisfy the Council that no substantial conflict will exist in the peak hours of operation of the buildings or uses for which the joint use of parking spaces or the reciprocal access and circulation arrangements is proposed.

b) The number of parking spaces which may be credited from one building or use to another building or use shall not exceed the number of spaces reasonably anticipated to be in excess of the requirement of the first building or use during its off-peak hours of operation.

c) The Council may require an agreement to be prepared by a solicitor at the expense of the person seeking to take advantage of the provisions of this policy, detailing the relevant issues of the joint usage, and executed by all parties concerned. Any such agreement shall be capable of operating as a restrictive covenant against any land providing parking spaces, reciprocal access or circulation arrangements and shall ensure that the restraint cannot be removed without the consent of the Council upon the Council being satisfied that the joint use of parking facilities is no longer required.

3.7 General design requirements for off-street parking

The general design requirements for off-street parking areas shall be in accordance with the Shire's Property Development Design Guidelines or where no Council guidelines exist the relevant Australian Standard and Austroads guidelines apply subject to the following requirements:

a) All parking spaces shall be provided with adequate access by means of manoeuvring lanes or otherwise with spaces designed so that it is not necessary to reverse directly into a public street to enter or to leave the parking area.

b) Adequate means of access and egress to and from the parking area shall be provided for all vehicles.

Shire of EAST Pilbara

c) Circulation within a parking area shall be such that all parking spaces, including any garage or carport shall be accessible and usable for the full number of parking spaces required whenever the building or use which they serve is in operation.

d) The entire parking area, including parking spaces and manoeuvring lanes required by this or any other relevant policy shall be paved with either asphalt, concrete or brick paving or other sealed surfacing acceptable to the Council. The standard of paving shall be in accordance with specifications approved by the Council.

e) Where lighting is provided in parking areas the lights should not have a detrimental impact on adjoining residential uses or road users, and should not be reduced in effectiveness due to overgrown vegetation or poor placement.

f) Parking for persons with disabilities is to be designed in accordance with the appropriate ACROD and other relevant standards, clearly visible, correctly sign posted, marked and conveniently located.

g) All parking facilities shall contain aisles, approach lanes, and manoeuvring areas that are clearly marked with directional arrows and lines to expedite traffic movements. Once a parking facility has been marked in accordance with the approved site plan, the marking shall be permanently maintained.

h) Parking bay sizes and isle widths shall be not less than that prescribed as user class 3A in AS/NZ 2890.1:2004. (AS/NZ 2890.1:2004 requires 90° parking bays to be not less than 2.7m wide, 5.4m long with an isle width of 6.2m).

i) For parking angles of 60 degrees or greater, up to 0.6m of the space depth may be provided in overhang beyond the front kerb.

j) If parallel parking spaces are paired, with at least 2.4m of no parking between the pairs, the space depth may be a minimum of 5.5m. Otherwise the minimum space depth for parallel parking spaces shall be between 6.5 and 7.0m.

k) Where car parking stalls are covered, the minimum width of the car stalls is to be increased to 3 metres.

l) Where a parking bay is obstructed in width by a retaining wall, wall, column or other obstruction the parking bay shall be designed to comply with clause 5.2 of AS/NZ 2890.1:2004.

m) The height of any obstruction to a car parking facility shall be not less than 2.5 metres.

n) Parking bays shall not be in tandem or otherwise stacked unless the Council is satisfied that it is appropriate and the parking area or portion of the parking area is to be used for the storage of client's vehicles.

3.8 Landscaping for off-street parking

Boundary landscaping shall be provided for parking facilities visible from any public street and with more than five parking spaces, and interior landscaping shall be provided for open parking facilities with 21 or more parking spaces. Landscaping shall comply with the following requirements:

Shire of EAST Pilbara

a) All areas between parking facilities and adjoining streets shall have a minimum of 2m wide permanent landscape area. In addition, the Council may also require permanent landscaping between the parking facilities and all other side and rear property lines.

b) For open parking facilities, with 21 or more parking spaces, there shall be provided a minimum of 1 sq. metre of permanent landscaping for every 10 sq. metres of parking stall area. Such landscaping shall not be in addition to any other landscaping required by any other policy.

c) Areas not capable of being maintained as landscaping including median strips, traffic islands, paths and pedestrian areas and areas which may be covered by a vehicle overhang shall be excluded from areas to be credited as landscaping areas.

3.9 Units of measurement

The units of measurement for calculating the number of required parking spaces shall be interpreted as follows:

a) When the unit of measurement is based on the number of employees, the shift of employment period during which the greatest number of employees are present at the building or use shall be used in the computation.

b) When the unit of measurement results in the requirement of a fractional space, any fraction up to but not including one half shall be disregarded, and fractions equal to or greater than one half shall require one parking space.

c) When the unit of measurement is based on gross leasable area the definition for gross leasable area contained in Schedule 1 of the Scheme shall apply for determining the required number of car spaces.

d) When the unit of measurement is based upon the number of fixed seats in a building or use, each 600mm of pew, bench or other seating space shall count as one seat.

e) Unless otherwise specified where the unit of measurement is based the maximum seating or other capacity of the use the following shall apply:

   i. 1 space for each 5 square metres of eating area

   ii. 1 space for every 5 seats provided or 1 space for every 2.5 square metres in an assembly area, whichever is the greater

f) Where a development can reasonably be broken into several separate uses the required parking shall be the aggregate of the parking for each of the uses.

3.10 Commercial vehicle parking

In addition to the parking spaces required for owners, occupants, employees, customers or visitors, one parking space shall be provided for each commercial vehicle used in conjunction with the operation of any land use. Parking spaces for such accessory vehicles shall be within the parking facility on the same lot or adjacent to any building.

3.11 Cash payments in lieu of providing parking spaces

The purpose of providing for cash payment in lieu of providing parking spaces is to facilitate co-ordinated and consolidated development through the provision of common parking reserves or the development of on road parking strategies where appropriate.

The Council may accept or require a cash payment in lieu of the provision of paved car parking spaces, subject to the following requirements:

a) Before the Council agrees to accept a cash payment in lieu of the provision of parking spaces, the Council must have:

   i. provided a public parking facility nearby; or

   ii. must have firm proposals for providing public parking nearby within a period of not more than five years from the time of agreeing to accept the cash payment; or

   iii. Agree that it is appropriate that the required car parking is located within a road reserve.

b) Except as otherwise provided a cash-in-lieu payment shall be not less than the estimated cost to the owner of providing and constructing the parking spaces required by this policy, plus the value, as estimated by a licensed valuer appointed by the Council:

   of that area of land which would have been occupied by the parking spaces, manoeuvring area and any landscaping or pedestrian areas;

   i. Of the proportionate cost of the Council providing the land on which the parking is to be provided, whichever is the greater.

c) The area of land to be valued shall be based on:

   i. 30 square metres for each of site parking bay; or

   ii. 15 square metres of on street parking bay where abutting a street with access is from an existing street; or

   iii. Such other area as may be required to accommodate the parking in that instance.

d) Payments made under this policy shall be paid into a special fund to be used to provide public parking in the close proximity of the subject land;

e) All costs incurred in obtaining the valuation and cost estimates shall be borne by the applicant for approval to commence development; and

f) Where in the opinion of the Council, there is likely to be a sharing of public parking facilities by uses with significantly different peak demand times, the cash-in-lieu contribution in respect of the requisite number of parking spaces may be reduced by up to 50 per cent of that otherwise applicable.

4. DEFINITIONS

Refer to Schedule 1 of the Shire of East Pilbara Town Planning Scheme No.4 for land use definitions or where not so defined shall be as defined Schedule 1 — Dictionary of Defined

Shire of EAST Pilbara

Words and Expressions as set out in the Model Scheme Text in the *Town Planning Regulations 1967* or otherwise as interpreted by the Council.

TABLE 1 – LANDUSE PARKING REQUIREMENTS

LANDUSE	MINIMUM PARKING PROVISION (RATIO)
Aged or Dependent Persons Dwelling	As per the Residential Design Codes
Amusement Parlour	1 space per 10 square metres of GLA
Ancillary Accommodation	As per the Residential Design Codes
Animal Establishment	1 space for every 10 animals the facility is designed to accommodate plus 1 space per employee. Minimum of 4 spaces.
Bed and Breakfast	1 space for every bedroom available to lodgers in addition to requirements for the principal dwelling
Betting Agency	1 space per employee and 1 space per 20 square metres GLA with a minimum of 10 spaces, whichever is the greater.
Cabin or Chalet	2 spaces for every Cabin or Chalet
Camping Area	1 space per tent site or caravan bay
Caravan Park	1 space per caravan bay plus: Shop - 5 spaces per 100 square metres GLA; Service Station - 2 spaces per pump but not less than 4 spaces; Caretaker's Residence - 2 spaces; Office - 4 spaces per 100 square metres GLA.
Caretakers Dwelling	2 spaces per dwelling
Child Care Premises	1 space per employee, plus 1 space per every 6 children allowed under maximum occupancy
Cinema/Theatre	1 space per employee plus 1 space for every 4 seats or 1 space per every 2.5 square metres of seating area where there are no fixed seats.
Club Premises	2 spaces per 100 square metres of GLA plus 1 space per 2.5 square metres of gross bar, plus 1 space for every 5 square metres of lounge or beer garden floor area. 1 space for each 5 seats provided or 1 space for each 5 square metres of eating area, whichever is the greater.
Consulting Rooms	6 spaces for 1 general practitioner 10 spaces for 2 general practitioners All other allowable practitioners: 4 spaces for 1 practitioner 6 spaces for 2 practitioners
Convenience Store	5 spaces per 100 square metres of GLA for any shop, plus 1 space per petrol pump.
Education Establishment **Pre Primary** **Primary** **Secondary**	 1 space per staff member plus 1 space for every 3 students 1.1 space per staff member plus 12 drop off bays per 100 students

LANDUSE	MINIMUM PARKING PROVISION (RATIO)
	1.1 space per staff member plus 7 drop off bays per 100 students plus additional requirements for auditoriums or stadiums
Fast Food Outlet	1 space for every 2.5square metres of waiting area with a minimum of 3 spaces plus 1 space for each 5 square metres of seating area , plus 4 queuing spaces for any drive through facility.
Fuel Depot	1 space per 100 square metres GLA and 1 space per employee, whichever is the greater
Funeral Parlour	6 spaces plus 1 space for every 2.5 square metres of seating area
Garden Centre	1 space per 50 square metres of display and sales area – both indoor and outdoor – excluding areas used exclusively for the storage or propagation of plants, plus 1 space per employee but not less than 5 spaces.
Grouped Dwelling	As per the Residential Design Codes
Home Business	1 space per employee not resident of the dwelling plus 1 space for visitors
Home Store	6 space per 100 square metres of GLA with a minimum of 4 plus any additional requirement for the dwelling.
Hospital	1 space to every 4 beds plus 1 space for each employee plus 1 space for each 25 square metres of outpatient treatment area including waiting rooms.
Hotel	1 space per 2.5 square metres of gross bar, plus 1 space for every 5 square metres of lounge or beer garden floor area. 1 space for each 5 seats provided or 1 space for each 5 square metres of eating area, whichever is the greater. 1 space for every 5 seats provided or 1 space for every 2.5 square metres in an assembly area, whichever is the greater. 1 space for each bedroom or accommodation unit.
Industry - Cottage	1 space per 100 square metres of GLA or 1 space per person employed, whichever is the greater.
Industry – General	3 spaces per 100 square metres GLA; or 2 spaces per person employed; or a minimum of 6 spaces; Whichever is the greater.
Industry – Light	3 spaces per 100 square metres GLA; or 2 spaces per person employed; or a minimum of 6 spaces; Whichever is the greater.
Industry - Rural	1 space per 100 square metres GLA; or 1 space per person employed; Whichever is the greater.
Industry – Service	4 spaces per 100 square metres of shop area and 2 spaces per 100 square metres industrial GLA
Lunch Bar	6 spaces per 100 square metres GLA
Market	3 spaces per stall or 1 space per 10 square metres whichever is the greater
Medical Centre	1 space per 15 square metres of GLA including pharmacies or other retail uses but excluding corridors and lobby areas, plus 1 space for each separate medical or dental office or laboratory.

LANDUSE	MINIMUM PARKING PROVISION (RATIO)
Motel	1 space per 1 bedroom unit or residential suite, or 1.5 spaces for all other units or residential suites plus 1 space per employee
Motor Vehicle Repair	4 spaces for each working bay plus 1 space per employee
Motor Vehicle, Boat or Caravan Sales	1 space for every 100 square metres of open or covered display area plus 1 space for every employee
Motor Vehicle Wash	5 spaces for every 2 wash stalls. (A wash stall shall be counted as a parking space.)
Multiple Dwelling	As per the Residential Design Codes
Nightclub	1 space for every 4 persons capable of being accommodated in the building plus 1 space per employee
Office	4 spaces per 100 square metres GLA with a minimum of 4 per tenancy
Place of Assembly	1 space for every 4 persons the building is designed to accommodate
Place of Worship	1 space for every 4 persons the building is designed to accommodate
Reception Centre	1 space for every 4 persons capable of being seated in the building plus 1 space per employee
Recreation - Private	1 space for every 4 persons, based on the maximum capacity of all facilities when used simultaneously
Recreation – Public	1 space for every 4 persons, based on the maximum capacity of all facilities when used simultaneously
Residential Building	1 space per bed and for dormitories or 1 space per 9 square metres of floor area.
Restaurant	1 space for every 4 persons the building is designed to accommodate or 1 space per 5 square metres of seating area, whichever is the greater
Restricted Premises	5 spaces for every 100 square metres of GLA
Rural Pursuit	1 space per employee
Service Station	1 space for every 230 square metres gross site area but not less than 5 spaces.
Shop	5 spaces for every 100 square metres of GLA or 6 spaces for every 100square metres of GLA in the Town Centre zone.
Showroom	4 for every 100 square metres of display and sales area and 2 spaces for every 100 square metres of storage area, provided that the storage area is separated from the public display area by a permanent wall or divider
Single Bedroom Dwelling	As per the Residential Design Codes
Single House	As per the Residential Design Codes
Storage	2 spaces per 100 square metres GLA; or 2 spaces per person employed; or a minimum of 5 spaces; whichever is the greater
Tavern	1 space per 2.5 square metres of gross bar, plus 1 space for every 5 square metres of lounge or beer garden floor area. 1 space for each 5 seats provided or 1 space for each 5 square metres of eating area, whichever is the greater. 1 space for every 5 seats provided or 1 space for every 2.5 square metres in an assembly area, whichever is the greater.

LANDUSE	MINIMUM PARKING PROVISION (RATIO)
Transport Depot	1 space per 100 square metres GLA or 1 space per employee, whichever is the greater
Vehicle Wrecking	1 space per 500 square metres of site area plus 1 space per employee
Veterinary Centre	4 spaces for each veterinary practitioner, plus 1 space per for every 10 animals the facility is designed to accommodate
Warehouse	2 spaces per 100 square metres GLA; or 2 spaces per person employed; or a minimum of 4 spaces per tenancy; whichever is the greater
All Other Uses	As approved by the Council.

References	*Town Planning Regulations 1967*		
Related Procedures	Nil		
Date Adopted by Council	29 January 2010	Item No	9.5.16
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

9.5 Newman Town Centre Redevelopment Plan – Local Planning Policy No.3 – RECINDED BY LOCAL PLANNING POLICY NO.5

Version	Item No.	Synopsis
1.	17 December 2010	Adopted by Council
2.		Rescinded by Local Planning Policy No. 5

Shire of EAST Pilbara

9.6 Local Planning Policy No.5

Responsible Directorate	~~Technical and Development~~/Executive Services
Responsible Officer	Manager Land Use & Strategy~~Director Technical and Development Services~~
File Number	

Policy

The Newman Revitalisation Strategy, which incorporates the following documents, is formally adopted as Local Planning Policy No 5:

1. The Implementation Blueprint (Volume 1)
2. The Newman Town site Growth Strategy (Volume 2)
3. The Newman town Centre Master Plan (Volume 3)

References			
Related Procedures	Nil		
Date Adopted by Council	17 December 2010	Item No	9.1.5
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

9.7 Native Title Act 1993 – Registration of Interest

Responsible Directorate	~~Technical and Development~~Executive Services
Responsible Officer	~~Director Technical and Development Services~~Chief Executive Officer
File Number	

Objective

To allow the Chief Executive Officer to register an interest in any native title claim affecting Council.

Policy

1. The Chief Executive Officer may register an interest in any native title claim affecting Council, in order for Council to have sufficient interest to become a party to the native title application.
2. The Chief Executive Officer may do so without referral to Council.

References			
Related Procedures	Nil		
Date Adopted by Council	19 April 2013	Item No	9.1.5
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

9.8 Mining Act 1978

Responsible Directorate	~~Technical and Development~~Executive Services
Responsible Officer	~~Director Technical and Development Services~~Chief Executive Officer
File Number	

Objective

To allow for the following officers to administer certain provisions of the *Mining Act 1978*, without referral to Council, and to do all other things that are necessary or convenient to be done for, or in connections with, this policy:

1. **Chief Executive Officer**
2. ~~Deputy Chief Executive Officer~~Executive Manager Corporate Services
3. ~~Director Technical & Development Services~~Executive Manager Infrastructure Services
4. **Manager Development Services – Building**
5. **Manager Development Services – Planning**

Policy

Those officers listed above, may do the following, without referral to Council:

1. Response to correspondence with respect to applications for mining tenements and all other issues as required under the *Mining Act 1978*.
2. Authority to lodge objections to the granting of mining tenements or exploration permits that may affect Council property or the orderly and proper planning of the Shire.
3. Authority to negotiate/recommend/impose conditions or other requirements to the granting of any mining tenements in order to protect the Councils interest in that property.

References	*Mining Act 1978*		
Related Procedures	Nil		
Date Adopted by Council	19 April 2013	Item No	9.1.6
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

9.9 Local Planning Policy No. 8 – Residential Development Policy

Responsible Directorate	~~Technical and Development~~Executive Services
Responsible Officer	Manager Land Use & Strategy~~Director Technical and Development Services~~
File Number	

Background

A large proportion of the 'Residential' zoned land within the Newman town site has a dual density code of R15/40. This zoning was introduce into Town Planning Scheme No. 4 with the intent of creating greater flexibility in housing provision within the Newman town site and to enable a quicker response to the changes in housing needs associated with major resource development.

Town Planning Scheme No. 4 makes reference to a Residential Development Policy to guide the application of the higher density code. This provision was included to provide a framework for Council to determine the use of the higher density coding.

This policy will provide guidance for Council in considering proposals involving the use of the higher density code so as to avoid ad hoc development at the higher density while promoting Newman as a destination with housing types that will cater to the demands of all household types.

Application

This policy applies to all land zoned 'Residential' R15/40 within the Newman town site under Council's Town Planning Scheme No 4 and as prescribed by Clause 5.7.1.

Policy Objectives

1. To identify suitable locations for the development of Multiple Dwelling sites.
2. To guide Council in its use of discretion in relation to the dual coded areas within the Newman town site.
3. To provide built form requirements for sites which are approved for densities above the base density code of R15.
4. To encourage the redevelopment of existing housing within the Newman town site to provide a variety of dwelling types for a range of household types.
5. To promote residential development that will support the Newman Revitalisation Plan as adopted by both the State government and Council;

Shire of EAST Pilbara

Policy Statement

In considering development applications on dual coded sites, the following shall apply:

1. Residential Density

   i. The base density code of R15 shall be applied unless otherwise specifically approved by Council;

   ii. Applications for Multiple Dwellings with a density of up to R40 will only be considered in the following areas:

      a) Land immediately surrounding the Newman Town Centre; and

      b) East Newman development site where such lots are identified on the East Newman Masterplan as "Group Dwelling Sites" as prepared by Landcorp and adopted by Council as Local Planning Policy No. 1;

   as shown on the attached plan.

      c) Areas located outside of the identified areas (as shown on the above mentioned plan) may be developed as Grouped Dwelling(s) sites only with a density of up to R40.

      d) Applications with respect to the higher density code for lots both within and outside the identified areas will be subject to the Shire's discretion, based on merit of the site and meeting the design requirements.

2. Design Requirements

   i. All applications involving residential density above R15 will need to demonstrate a positive contribution to the amenity of the street, in terms of the following:

      a) Enhancement of the existing streetscape;

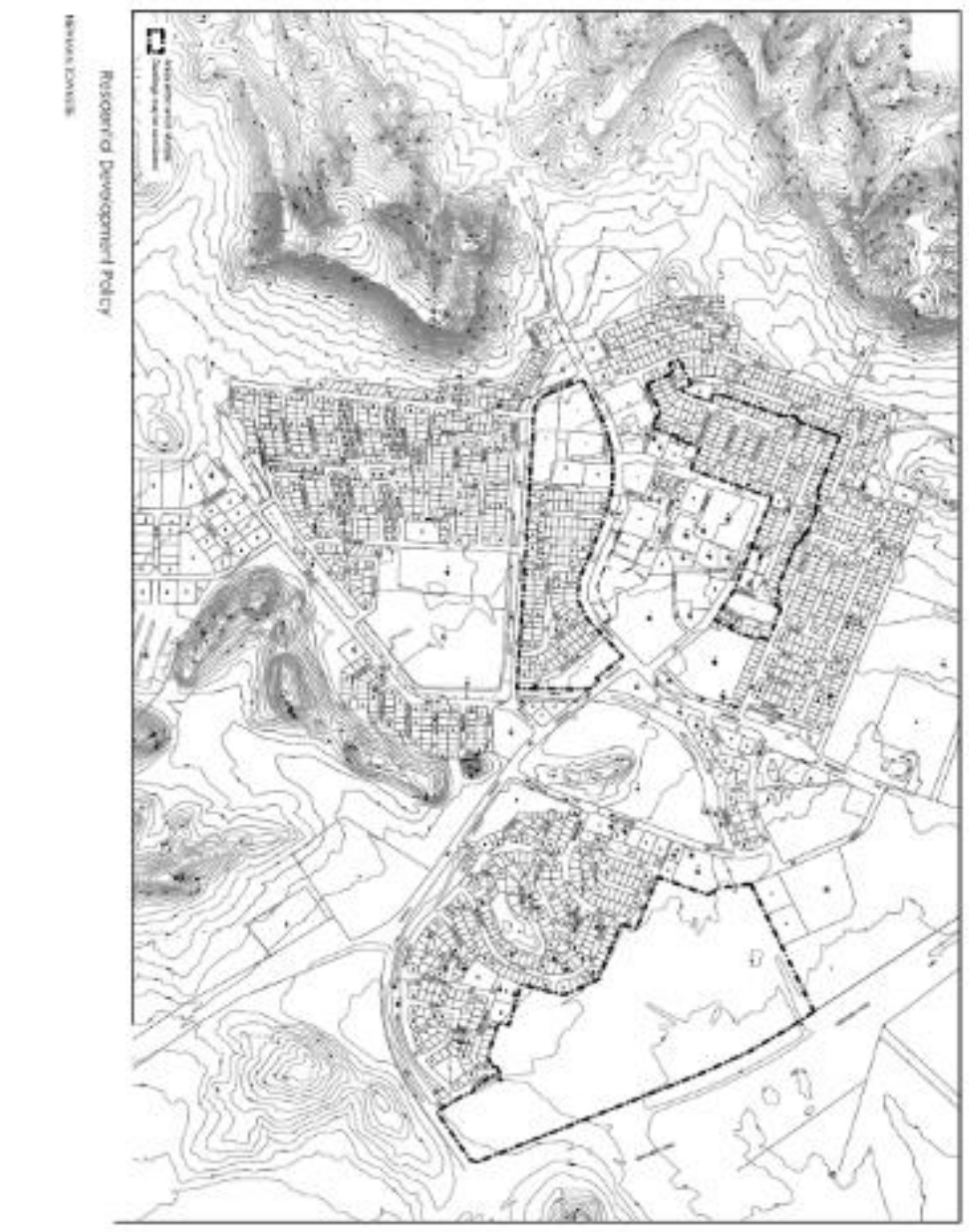
      b) A high quality of built form;

      c) Passive surveillance of the public realm (both streets and open space); and

      d) Integration of development at the higher density code with adjoining development at the base density code.

References	SOEP Town Planning Scheme No 4		
Related Procedures	Nil		
Date Adopted by Council	26 October 2012	Item No	9.3.9
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara



Russ Gorge Residential Development Policy

Shire of EAST Pilbara

9.10 Local Planning Policy No. 9 – Newman Town Centre Style Guide and Design Guidelines

Responsible Directorate	~~Technical and Development~~Executive Services
Responsible Officer	Manager Land Use & Strategy~~Director Technical and Development Services~~
File Number	PLN-2-1

Policy

The Newman Town Centre Style Guide and Design Guidelines are formally adopted as Local Planning Policy No 9.

References	• SOEP Town Planning Scheme No 4 • Newman Town Centre Guide and Design Guidelines		
Related Procedures	Nil		
Date Adopted by Council	12 December 2012	Item No	9.3.5
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

9.11 Home Occupations

Responsible Directorate	~~Technical and Development~~Executive Services
Responsible Officer	Manager Land Use & Strategy~~Director Technical and Development Services~~
File Number	LIC 4-2

Policy

1. Objectives

The objectives of this Policy are as follows:

i. To provide for small businesses to operate within existing residential areas;

ii. To provide a flexible approach for persons wanting to undertake a home occupation or home business;

iii. To protect the amenity of adjoining neighbours;

iv. To provide guidance to the Council in assessing and determining applications for home based businesses.

2. Interference

2.1 Council shall only grant approval to a home occupation conducted within a dwelling or domestic outbuilding that does not cause injury or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury or prejudicial effects due to the emissions of light, noise, vibration, electrical interference, smell fumes, smoke, vapour, steam, soot, ash, dust, grit, oil, liquid waste or waste products or the appearance thereof.

3. Scale of Operation

3.1 Council may refuse an application for approval for a home occupation where that operation is likely to involve the calling to the property of more than three (3) client visits per day.

3.2 Council may place restrictions on times and days during which that home occupation may be permitted to operate.

3.3 Only one home occupation may be approved per residential dwelling.

4. Restrictions on Type of Operations

4.1 Where applicable an applicant for a Home Occupation Permit shall submit with the application written evidence of the necessary approvals required from the relevant authorities for that particular operation.

Shire of EAST Pilbara

4.2 Council is not prepared to allow meats (including fish), vegetables or fruit to be sold or stored for collection from residential premises. Any existing home occupation permits that involve the sale and/or storage of meats, fish, vegetables and fruit shall not be transferable to another property;

4.3 A home occupation that entails display of bulk wholesale goods for sale of any nature that is likely to create a health or safety hazard or prejudicially affect the amenity of the neighbourhood is not permissible.

4.4 Where a person wishes to conduct a business acting as an agent for products, which are not actually sold from the premises, a Home Occupation Permit may be granted.

5. Parking and Traffic

5.1 All vehicles used in conjunction with a home occupation shall be parked fully on the subject Lot, preferably within a garage or similar building, but at least positioned and/or screened to have the minimum practicable effect on the residential character and amenity of the area.

5.2 Only one vehicle shall be permitted to be parked on a residential Lot in conjunction with a home occupation, but it may be acceptable to carry small earth moving or similar type of vehicles on the back of a truck, or in a trailer, only one of which may also be permitted to park on the Lot.

5.3 No truck or bus, or vehicle which, when loaded, has an overall height in excess of three (3) metres or weight of more than 4 tonnes gross, shall be permitted to be used in conjunction with a home occupation.

5.4 Normal safety should not be threatened, particularly by traffic, turning and manoeuvring of vehicles or obstruction of vision.

6. Appearance

6.1 The appearance of the premises should not be significantly different from standard residential premises and all plant, materials and equipment used in conjunction with a home occupation shall be stored within a building.

6.2 Workshop or other structures erected on a residential Lot for use in conjunction with an industrial type home occupation shall be either of similar design and materials to the residence or shall be compatible in appearance with that residence, or shall be screened from view in such a way as not to detract from the residential character and amenity of the area.

6.3 Signs are to be no larger than 0.2 metres square, and must comply with Council's Signs, Hoarding and Bill Postings Local Law.

7. Services

7.1 The business should not require greater than standard residential service mains (re: water, power), and the operation of the business should not in any way affect the services to adjacent premises;

Shire of EAST Pilbara

7.2 Equipment used in the home business should not entail a source of power other than an electric motor of not more than 0.373 kilowatts (0.5 hp);

8. Assessments and Approval

8.1 Commercial competition is not a matter which can be taken into account by the Council when assessing and determining an application for a Home Occupation or Home Business.

8.2 The Home Occupation is required to be carried out by an occupier of the dwelling, is not transferable to any subsequent owner of the land, and is not transferable to another address. If it is proposed to transfer an existing Home Occupation to a new address or to a new occupier, an application must be made to Council as if it was a new application.

8.3 Pursuant to the Scheme, any approval of a home occupation or home business is valid for one (1) year only. Upon expiration of this period, the occupant shall re-apply to Council. The occupant needs to attach to the application a Statutory Declaration to the Council, confirming that the activity has been operating in accordance with its approval and will continue to do so, or advise the Council otherwise, and arrange for an inspection of the property to be made by the Council. Fees apply in accordance with the *Planning and Development Regulations 2009*.

8.4 Where planning consent for a Home Occupation is granted Council may impose conditions of compliance of operation of that particular Home Occupation to ensure the amenity of the neighbourhood is not adversely affected. For example, times, days or seasons etc., where deemed appropriate.

8.5 Within 30 days of approval by Council the applicant has to provide copies of licenses or approvals required from other relevant authorities. Failing this the Home Occupation Permit could be cancelled (no refunds will apply).

The Council's approval to conduct a Home Occupation shall be given in writing.

9. Submission Requirements

Applicants for Home Occupation are required to submit a fully documented application, which complies with the definition of Home Occupation, laid down in the Scheme Text (Town Planning Scheme No 1) and conform to Council's Home Occupation Policy and the Council's guidelines as detailed in 9.1 and 9.2 below:

9.1 The applicant is required to set out in detail:

a) the exact type of materials to be stocked , and/or the exact nature of the service to be provided

b) the area of floor space to be devoted to the activity

c) the times and conditions of operation

9.2 Council Assessment Procedures

Council will follow the following procedure in assessing individual applications:

a) In considering an application for a Home Occupation, Council shall: -

Shire of EAST Pilbara

i. Determine whether the nature of the operation meets the requirements of the Home Occupation definitions. If not, the activity cannot be considered as a Home Occupation

ii. Determine whether the application is fully documented in line with Council submission requirements (9.1) above

iii. If not satisfactory in terms of (ii), require the applicant to supply such further information as may be necessary to satisfy the Policy

iv. Seek comment from owners and occupiers of the premises as determined by Council staff

b) Having determined the suitability or otherwise of the application, the proponent shall:

i. Place an advertisement in a newspaper generally circulating in the district and on a recognised public notice board advising the nature of the business proposed and that objections are to be in writing and forwarded to Council within 14 days of advertising.

9.3 Council may, at any time, withdraw or review the Home Occupation permit/licence and its conditions if it is found that the operation does not comply with the Town Planning and Policy requirements.

References	Planning and Development Regulations 2009		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

Technical

Shire of EAST Pilbara

10.1 Aboriginal Communities – Road and Airstrip Designation and Maintenance

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	TCH 4-9

Objective

To outline Council's policy for aboriginal community access road and airstrip maintenance where the community is located outside of the town boundaries of Newman, Nullagine and Marble Bar.

Policy

Aboriginal Community Access Roads

The principle criteria for an aboriginal community access road is that it connects a recognised State and Federal funded aboriginal community to a public road maintained by the Shire of East Pilbara or Main Roads WA and that the connecting public road is contained within the boundary of the Shire of East Pilbara.

The following roads are designated as aboriginal community access roads, listed in the Council's Road Inventory as detailed in the ROMAN road asset management program as at May 2006:

1. *Kiwirrkurra Access Road (0243)*
2. *Jupiter Well Access Road (0246)*
3. *Desert Road (0265)*
4. *Kunawarritji Access Road (0245)*
5. *Punmu Access Road (0244)*
6. *Parnngurr (Cotton Creek) Access Road (0247)*
7. *Talawana Track (0239)*
8. *Jigalong Road (0036)*

The Shire commits to provide:

1. A once per annum full maintenance grade of the designated access road funded by the Shire of East Pilbara's own resources.
2. Assistance in the opening up of the designated access road following flooding associated with cyclonic activity, where equipment is available.

Shire of EAST Pilbara

3. Annual gravel sheeting, re-sheeting and drainage improvement roadwork's funded by the State and Federal government grants.

Any works requested in addition to those listed will require inspection by the Director Technical & Development Services or nominated Technical Services representative and referral to Council for consideration.

Aboriginal Community Airstrips

Each aboriginal community will be entitled to a once per annum surface maintenance grade of the community airstrip.

Any works requested in addition to those listed will require inspection by the Director Technical & Development Services or nominated Technical Services representative and referral to Council for consideration.

References			
Related Procedures	Nil		
Date Adopted by Council	5 May 2006	Item No	9.4.2
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

10.2 Pastoral Stations – Road and Airstrip Designation and Maintenance

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	

Objective

To outline Council's policy for pastoral station access road and airstrip maintenance.

Policy

Pastoral Property Access Roads

Each separately rateable pastoral property will be entitled to have a single access road designated for the purposes of Council's Road Inventory as detailed in the ROMAN road asset management program.

The principle criteria for a pastoral property access road is that it connects the station homestead to a public road maintained by the Shire of East Pilbara or the Main Roads WA and that the connecting public road is contained within the boundary of the Shire of East Pilbara.

The Shire commits to provide:

i. A once per annum full maintenance grade of the designated access road;

ii. assistance in the opening up of the designated access road following flooding associated with cyclonic activity, where equipment is available and subject to the public road network requirements;

iii. Minor gravel sheeting or re-sheeting works up to 1 kilometre in total length, per annum utilising only Shire owned and operated equipment subject to prevailing works programs.

Any works requested in addition to those listed will require inspection by the Director Technical & Development Services or nominated Technical Services representative and referral to Council for consideration.

Pastoral Property Airstrips

Each separately rateable pastoral property will be entitled to a once per annum surface maintenance grade of the pastoral property airstrip adjoining the station homestead.

Any works in addition to the single maintenance grade (e.g. upgrading and/or improvements to Royal Flying Doctor Service runway standard – D3) will require inspection by the Director Technical & Development Services or nominated Technical Services representative and referral to Council for consideration.

Shire of EAST Pilbara

Note: D3 is the designation for a runway to meet daytime operational requirements for the RFDS with occasional night time emergency operations.

References			
Related Procedures	Nil		
Date Adopted by Council	5 May 2006	Item No	9.4.2
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

10.3 Cattle Grids

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	TCH 1-9

Objective

To outline the standards and responsibility for the installation and maintenance of cattle grids located on public roads (as listed on the Shire of East Pilbara Road Inventory).

Policy

1. Construction Standard

Cattle grids located on public roads will be constructed to the following standard:

Minimum Width:	❑ Tourist Access Roads	4.5 metres (single lane)
	❑ All other roads	9.0 metres
Minimum Length:	All roads	2.0 metres
Typical clear opening between bars:	125mm	
Engineering standard:	Capable of triple road train stock trucks	
Clearance Markers:	900mm x 450mm	Mounted on wing frames
Advisory Signs:	750mm x 750mm	Located 75 - 100 metres from Grid
Drainage:	The floor of the grid channel is to be 100mm above the adjoining ground level	
Approach Ramp Gradient:	Maximum gradient to be 1:40	

Aprons:	2.5 metre long concrete, or 15 metre long bitumen seal apron	
Grid Panel connection	The grid panels are to be constructed as lift out sections weighing less than 1.5 tonne each, bolted to the grid channel	

2. RESPONSIBILITY FOR INSTALLATION COSTS

2.1 Boundary Grids

Where a cattle grid is located on the boundary between pastoral properties, the Shire of East Pilbara will be responsible for the cost of installation and maintenance of the grid.

2.2 Internal Grids

All existing internal grids installed prior to 1 February 2006 will be deemed to have complied with the requirements of this policy except where structural adequacy may be inadequate. The Shire of East Pilbara will be responsible for the progressive upgrading of any grid deemed by the Shire of East Pilbara to be below the minimum structural standard.

Where a pastoral owner/station manager intends to install a new grid, it will be the responsibility of that person to advise the Shire of East Pilbara of the proposed grid. Following site investigation and issue of approval by the Shire of East Pilbara, installation will be required to meet the construction standard as detailed in this policy and all costs met by the applicant.

Ongoing maintenance will be the responsibility of the Shire of East Pilbara.

3. REMOVAL OF REDUNDANT GRIDS

The function of a cattle grid is primarily to allow the uninterrupted flow of traffic through a fence line whilst controlling stock movement. Where a pastoral owner/station manager does not maintain an internal fence line abutting a grid for a period no less than 6 months, the intended removal of the grid/s is to be made in writing to the pastoral owner/station manager giving a minimum of 60 days' notice of the intention to remove the nominated grid/s.

Following the issue of the notice, where the pastoral owner/station manager notifies the Shire that the fence line is to be reinstated within an agreed timeframe, no further action will be taken until the agreed timeframe has elapsed. Where no action has been taken a further notice will be issued at the end of the agreed timeframe giving 30 days' notice of the intention to remove the grid/s following which the grid will be removed and road reinstated.

The cost of removal and associated repairs to the road will be borne by the Shire of East Pilbara.

Shire of EAST Pilbara

4. PROGRAM TIMING

The Shire of East Pilbara will determine the timing and priority of the maintenance and/or upgrading of grids as outlined in this policy in consideration of all other budgeting priorities on an annual basis.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	5 May 2006	Item No	
Next Review			

Shire of EAST Pilbara

10.4 Crossover Subsidies and Specifications

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	TCH 1-2 (c)

Legislation

Pursuant to provision of schedule 9.1 of the *Local Government Act 1995*.

Policy

Subject to prior application and approval by the Shire of East Pilbara, Council will subsidise crossover construction costs to the extent of $150 per lineal metre for standard Council approved crossing (see below) to a maximum of $1,200 per crossing.

1. Specification

The construction of standard type residential concrete vehicle crossings over reserve nature strips.

i. General

a) This specification is made pursuant to the provisions of Schedule 9.1 of the *Local Government Act 1995*.

b) The construction of vehicle crossings shall be executed under the supervision of and to the direction of the Shire Works Supervisors.

c) All levels for the grading, surface finish, jointing or any other construction requirements shall be as directed by the Shire Works Supervisors.

d) All materials used in the construction of vehicle crossings shall be in accordance with the standard specification of Council and any materials used which are inferior to those specified or as directed by the Shire Works Supervisors shall be liable to rejection and replacement without payment or compensation being made to the contractor for the supply, delivery, laying, placing, finishing, removal or disposal of anything so rejected as directed by the Shire Works Supervisor.

e) Protection of works and the public shall be provided by the contractor who shall supply and keep supplied as directed all necessary signs, barricades, road warning lamps, temporary bridges or any other thing necessary or as may be directed by the Shire Works Supervisor and failure so to provide or keep provided may render the contractor liable.

f) Any damage which may occur to any Council facilities or private property during the course of the works or which may subsequently become evident from the

operations thereof shall be the sole responsibility of the contractor who shall be held responsible for the repair, replacement legal claim liability or any other thing which may arise from the carrying out of such works.

ii. Construction

a) Concrete

Premix concrete shall comply with the requirements of Australian Standard 1379 – 1973. All concrete used in the works shall develop a minimum compressive strength of 20MP at 28 days and shall be composed of a mixture of screenings, sand and cement to give the strength specified with a maximum slip of 90mm.

b) Excavation

The excavation for crossing bed shall be taken out to the levels, lines and grades as per the standard design shown on Drawing No.424. Excavation shall be cleanly and efficiently executed, watered and vibrator rolled to give a compaction of 95% of maximum density as determined by modified compaction test under 12A for S.A.A. Standard A89 – 1966 to provide for a sound base free from depressions or any deleterious material to give a minimum of 100mm depth of concrete pavement for residential crossings.

c) All surplus material resulting from site preparation and construction of the crossover shall become the property of the contractor and shall be removed at the contractor's expense.

d) Where an existing footpath is laid in the location where a crossing is to be constructed the contractor shall ensure that the space between the existing footpath and crossover is constructed to the footpath specification and to the specified applicable footpath level.

The required work is: -

- Cut the concrete footpath using an approved concrete saw, only at the crack control joint or expansion joints and remove all sections of footpath from the site. He shall then, after crossing construction, relay an in situ concrete footpath according to the specification in Section 4 of this specification.
- If the footpath is in situ concrete and has a thickness of 100mm or more, construct a crossing place either side of the footpath. Confirmation of the thickness should be obtained from the Shire Works Supervisors.

iii. Placing Concrete

a) The base shall be thoroughly and evenly moistened, but not saturated, prior to placing concrete.

b) Concrete shall be evenly placed to a depth specified and shovelled into position continuously and spaded especially at all edges to give maximum density. No break in operations shall be permitted from time of placing to finish except as authorised by the Shire Works Supervisor.

Shire of EAST Pilbara

iv. Finishing

a) The finish shall be obtained by screening to correct levels and broom finishing to provide a non-slip, dense surface free of any depressions, marks, jointing marks, honeycomb sections or accumulation of fine dusty accretions liable to cause excessive surface wear. The final surface finish shall be to the entire satisfaction of the Shire Works Supervisors who shall reserve the right to require the removal of or the correction of any surface deficiencies or finish.

b) Where required and or where directed any portion of the surface may be required to be treated with a multi-grooved tool with grooving to be at 200mm centres worked parallel to the kerb line to minimise the slipping effect.

A STEEL TROWEL FINISH IS NOT PERMITTED ON A CROSSOVER

v. Jointing

Cutting shall form joints across the concrete for its full depth with the edge of a steel trowel. The surface of the concrete over these cuts is then grooved with a special grooving tool at positions indicated on diagram S15.

vi. Levels

The crossing junction with the kerb face line shall be finished with the following approved levels, or shall be matched to the mountable kerb section, as the existing situation requires. The levels from the road must accommodate any existing or future footpath construction and must not exceed 2% of gradient; any variations to the above must be approved by the Shire Works Supervisor.

vii. Schedule of Requirements

a) Depth of concrete – 100mm minimum.

b) Minimum width at property line 2.75m.

c) Maximum width at property line – 6.10m.

d) Approved canite-type material shall be such that when it is subject to compression in hot weather, no bitumen is extruded.

The following materials are approved and the use of any other material requires the approval of the Shire Works Supervisor.

- One expansion joint at property boundary and one either behind mountable kerb or every 4 metres.
- Non-Porite – Bitumen impregnated canite by the cold solved process (Caneflex).

e) Length of standard crossing – 6.00m (measured at 90 degrees to kerb line).

f) Concrete 20MP at 28 days.

g) Surface finishes – broomed – non-slip.

n) Where two residential crossings abut one to the other, they may be combined subject to the Shire Engineer's approval and subject to the combined width not exceeding 6.70m.

i) Where the combined width would exceed 6.70m a pedestrian refuge of 3m minimum width shall separate the two crossings unless specifically approved by the Shire Works Supervisors.

viii. Footpath Specification

a) The base of the boxed out excavation shall be compacted to provide even compaction to a depth of 300mm. The area of compaction shall extend 150mm outside the formwork. The compaction shall be not less than 95% of the Modified Maximum Dry Density when tested in accordance with aS1289.5.2-1993, Methods of Testing Soils for Engineering Purposes – soil Compaction and Density Tests – Determination of the Dry Density/Moisture content Relation of Soil Using Modified Compactive Effort.

b) Concrete shall comply with requirements of AS1379-1997 Specification and Supply of Concrete. All concrete used in the works shall develop a minimum compressive strength of 20Mpa at 28 days, contain an aggregate size to a maximum of 14mm and have a maximum slump of 90mm at delivery.

c) Footpath box to be compacted to 95% of maximum density as determined by the modified compaction test.

d) Footpath to be a minimum depth of 100mm

e) Concrete to have a 28-day minimum cylinder compressive strength of 20Mpa.

f) Surface to be traverse broom finish with a smooth edge to all outside edges and joints.

g) Grooved crack control joints to be at 1.25m centres with a 12mm wide expansion/contraction joint at 5m (every fourth joint). The contraction joint to be filled with 12mm thick bitumen impregnated canite material.

h) Approved canite-type material shall be such that when it is subject to compression in hot weather, no bitumen is extruded. The following materials are approved and the use of any other material requires the approval of the Shire Works Supervisors.

i) Normal gradient will be at 2% from kerb line to boundary or as directed by Council Works Supervisor.

j) Width of footpath will be as per Council policy or as directed by Council Works Supervisor.

Non-Porite – Bitumen impregnated canite by the cold solvent process (Caneflex).

ix. General

Vehicle crossings shall be not constructed closer than 7.5m to the intersection of property lines at street corners. This measurement is to the straight of the crossing not the wing. Vehicle crossings shall not be constructed closer than 1.0m to the adjacent side boundary.

x. Contribution

If it is a first crossing constructed at the premises, Council may contribute towards the cost. Application for a subsidy payment must be made in writing within 6 months of the date it was constructed and must be accompanied by the concrete delivery docket. Council will then inspect the crossing and if it is constructed in accordance with Council's specification, the subsidy payment will be forwarded by post.

2. The Construction of Standard Residential Brick Paved Vehicle Crossings

i. General

a) This specification is made pursuant to the provision of the *Local Government Act 1995*.

b) The construction of vehicle crossings shall be executed under the supervision of and to the direction of the Works Supervisor or his authorised deputy.

c) All materials used in the construction of vehicle crossings shall be in accordance with the standard specification of Council and any materials used which are inferior to those specified or as directed by the Shire Engineer shall be liable to rejection and replacement without payment or compensation being made to the contractor for the supply, delivery, laying, placing, finishing, removal or disposal of anything so rejected as directed by the Shire Works Supervisors.

d) Protection of works and the public shall be provided by the contractor who shall supply and keep supplied as directed, all necessary signs, road warning lamps, temporary bridges or any other thing necessary or as may be directed by the Shire Works Supervisors and failure so to provide or keep provided may render the contractor liable.

e) Any damage which may occur to any Council facilities or private property during the course of the works or private property during the course of the works or which may subsequently become evident from the operations thereof, shall be the sole responsibility of the contractor who shall be held responsible for the repair, replacement, legal claim, liability or any other think which may arise from the carrying out of any such works.

ii. Construction

a) General

The major brick paving manufacturers have identified the requirements of Local Governments in relation to vehicle crossing places and their brochures covering the specifications for construction and laying of the clay or concrete block medium form the basis of this specification.

Shire of EAST Pilbara

b) Excavation

- All surplus material resulting from site preparation and construction of the crossover shall become the property of the contractor and shall be removed at the contractor's expense.
- Where an existing footpath is laid in the location where a crossing is to be constructed the contractor shall:

  Ensure that the space between the existing footpath and crossover is constructed to the footpath specification and to the specified applicable footpath level.

  The work required is:

  Cut the concrete footpath using an approved concrete saw, only at the crack control joints or expansion joints and remove all sections of the footpath from the site. He shall then, after crossing construction, relay an in situ concrete footpath abutting the new vehicle-crossing place.

  If the footpath is in situ concrete and has a thickness of 100mm or more, construct a crossing place either side of the footpath. Confirmation of the thickness should be obtained from the Shire Works Supervisors.

c) Sub-Base Construction

The required compacted thickness of the sub-base layer will depend on the existing ground condition; however, the Schedule of Conditions indicates the minimum requirements.

d) Edge Restraint

The parameter of all paved areas must be provided with a restraining barrier.

Restraints must be robust enough to withstand vehicle impact and prevent any lateral movement of the bricks as this movement could cause pavement failure.

Mountable road kerbs provide adequate restraint on the crossover road interface. The remaining sides must be supported with barriers – e.g. concrete, grouted brick.

Visible edge restraints shall be installed to the contour of the surrounding pavements without restricting the flow of storm water from the brick pavement.

e) Bedding Sand

The bedding material needs to be well-graded sand. Bricklayers sand and single sized dune sands are not suitable. The sand shall be non-plastic and free from deleterious materials such as stones, tree roots, clay lumps and excessive organic material.

At the time of placing, the sand should have uniform moisture content. The sand must be screened slightly ahead of laying and protected from the compaction. The pre-compacted depth should be 20 – 40 mm.

Shire of EAST Pilbara

f) Laying Patterns

As per Schedule of Requirements Herringbone or other as approved by Council Staff.

g) Laying of Bricks

Bricks shall be placed on the bedding sand by hand with 2-4 mm gaps between adjacent bricks. All full bricks shall be laid first. Closure bricks shall be cut with a saw and fitted subsequently. Spaces of less than 20% of brick size shall be in-filled to the supplier recommendation.

h) Compaction and Joint Filling

The units should be immediately compacted and brought to level by not less than three passes of the vibrating plate compactor. The plate should have sufficient area to simultaneously cover 12 units. To prevent damage to bricks, sheets of plywood of minimum thickness of 12mm shall be laid on the bricks to prevent the compactor coming in contact with the paved surface.

As soon as possible after compaction, sand or joint filling should be broomed over the pavement and into the joints. Excess sand should be removed as soon as joints are filled.

i) Ideally the sand used for joint filling should be finer than the bedding layer with a nominal maximum particle size of 2mm. Sand used for joint filling should be free from salts or contaminants likely to cause efflorescence. However, the use of brick layers sand or the addition of a small amount of silty material to the joint filling sand can be of considerable benefit in reducing water penetration in the early life of the pavement.

j) Levels

The crossing junction with the kerb face shall be matched to mountable kerb or concrete section, as the existing situation requires: The levels from the road must accommodate any existing or future footpath construction and must not exceed 2% gradient. Any variations to the above must be approved by the Shire Works Supervisor.

Schedule of Requirements

i. Minimum width at property line 2.76m

ii. Maximum width at property line 6.10m Rectangular Interlocking Units

Units (Interlock Wall Sides)

iii. Minimum Thickness 75mm 60mm

iv. Sub-Base 100mm crushed 75mm compacted rock base

v. Sand Bed 20-40mm thick

vi. Brick-Laying Pattern - Herringbone

vii. Edge Restraints to the satisfaction of the Shire Engineer

PLEASE NOTE: Council will not accept liability for replacing any paving bricks located within the road reserve, which are subsequently damaged through works undertaken therein.

General

Vehicle crossings shall not be constructed closer than 7.5m to the intersection of property lines at street corners. This measurement is to the straight of the crossing not the wing. Vehicle crossings shall not be constructed closer than 1.0m to the adjacent side boundary.

Contribution

If it is a first crossing constructed to the premises, Council may contribute towards the cost. Application for subsidy payment must be made in writing within 6 months of the date it was constructed and must be accompanied by the brick delivery docket. Council will then inspect the crossing and if it is not constructed in accordance with Council's specification, the subsidy payment will be forwarded by post.

3. The Construction of Standard Industrial Vehicle Crossings

i. Levels

The crossing junction with the kerb face line shall be finished with the following approved levels, or shall be matched to the mountable kerb section, as the existing situation requires. The levels from the road must accommodate any existing or future footpath construction and must not exceed 2% of gradient; any variations to the above must be approved by the Shire Works Supervisor.

ii. Construction

Construction to be either:

a) Concrete 200mm thick 20Mpa premixed concrete re-enforced with F62 or heavier mesh, with a wood non-skid finish and a canite or approved equivalent expansion material at kerb line (and at property line if abutting concrete).

b) Asphalt minimum 25mm thick over minimum 150mm thick compacted base. Edges to be contained with flush kerbing.

iii. General

a) All crossovers require Council notification of concrete/asphalt placement date to assist inspection of base/levels etc.

b) No mountable kerbing to be removed – any kerbing removed will be re-instated by Council at property owners expense.

c) Concrete/asphalt/mesh delivery dockets are to be presented at time of subsidy application.

d) Crossover subsidy only to apply to crossovers constructed to those specifications. Subsidy payment application to be made no later than 6 months from time of construction.

e) Cross over construction on verge to be contained within projected property side boundaries.

References			
Related Procedures	Nil		
Date Adopted by Council	22 August 2006	Item No	10.4.2
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

10.5 New Development Road Reserves

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	TCH 4-24

The Shire of East Pilbara currently does not have a general policy which gives guidance to development within the Road Reserve area.

Policy

1. **Road Reserves**
   - i. Major Distributor Roads with volumes not exceeding 7000 vpd.
     - a) 20 metre road reserve width comprising a minimum 7.6 metre wide pavement.
     - b) Subject to the applicant submitting adequate justification, Council will consider a reduced reserve width of 18 metre including a 7.6 metre pavement.
   - ii. Local Residential Roads with volumes not exceeding 3000vpd.
     - a) 17.2 metre wide road reserve with minimum 7.2 metre wide pavement.
     - b) Subject to the applicant submitting adequate justification, Council will consider a reduced road reserve of 16.2 metres with a minimum 6.0 metre wide pavement.
   - iii. Local Residential Roads with volumes not exceeding 1000vpd.
     - a) 16.2 metre wide road reserve with minimum 7.2 metre wide pavement.
     - b) Subject to the applicant submitting adequate justification, Council will consider a reduced road reserve of 15.2 metres with a minimum 6.0 metre wide pavement.
   - iv. Local Roads servicing a maximum of 300 vpd
     - a) 15 metre wide road reserve comprising a minimum 6 metre wide pavement.
   - v. Road Construction.
     - a) Road base to consist of a minimum requirement of 100mm compacted Pindan sub-base and 150mm compacted gravel base with 25mm asphalt paving.

When submitting any proposal to reduce the road reserve or pavement width or footpath location, the applicant is to address the following matter:

1. Visual amenity
2. Pedestrian safety

3. Verge treatments
4. Estimated vehicle movements
5. Street Parking

Council will consider any application to reduce verge widths where a road reserve is constructed adjacent to an existing drainage recreation or other reserve.

2. Kerbing

i. Kerbing is to be located on both sides of road.

ii. Profile adjacent to residential lots: Mountable.

iii. Profile adjacent to non-residential lots: Semi-Mountable.

iv. Profile adjacent to intersection radii

v. Where adjacent to semi-mountable kerb: Semi-mountable.

vi. Where adjacent to mountable kerb: Semi-mountable.

3. Footpaths

i. Footpaths to be constructed on one side of road reserve (minimum) for all developments except major distributor roads, where footpaths are required on both sides of the road reserve.

ii. Minimum width of footpath to be 2 metres, however this may be reduced where the applicant demonstrates that only limited pedestrian and/or cycle traffic is expected for a particular road.

iii. Footpaths are to be constructed against the kerb.

iv. Council will consider any application to locate the footpath no closer than 300 mm from the property boundary subject to the developer:

a) Constructing the kerb to the specification of Council's Engineering Services.

b) Installing appropriate treatment on the land between the footpath and kerb to the satisfaction of Council's Technical Services Staff.

4. Location of Light Poles and Services

i. Light poles to be located on the same side of road as footpaths where possible, with allowance for sufficient outreach to illuminate both footpath and road surface.

ii. Where footpaths are proposed on one side of the road reserve only, underground services are to be located on the opposite side of the road to footpaths.

5. Road Storm Drainage

i. Provide back entry gully pits set into kerb with directional apron.

ii. Pipe to drainage reserve, open drain or connect to existing reticulated system.

Shire of EAST Pilbara

6. Verge Treatments

i. All roads to accommodate street trees on both sides of the road.

ii. Verge treatments to comply with Council Policy.

All design and construction to comply with relevant Australian standards and Main Roads WA Code of Practice for Roadworks.

References	Main Road WA Code of Practice for Roadworks		
Related Procedures	Nil		
Date Adopted by Council	22 August 2006	Item No	10.4.1
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

10.6 Light Vehicle Policy

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	TCH 2-1

Objective

The objective of this policy is to provide guidelines for the allocation of Council vehicles to employees.

Policy

1. Fleet Purchasing

The ~~Director Technical & Development Services~~Executive Manager Infrastructure Services is responsible for the purchasing and disposal of all vehicles.

2. Allocation of Vehicles

The Chief Executive Officer (CEO) is responsible for the allocation of a Council vehicle to an employee and the Shire President for the CEO.

3. Makes and Models of Vehicles

It is recognised that, in order to attract and retain staff, Council should offer vehicles of a particular standard and size. The type of vehicle purchased within this policy shall be at the discretion of the CEO.

The overriding requirement is to ensure that the vehicle purchased meets the needs of the position while minimising the total cost of the vehicle to Council.

In determining the cost to Council of operating a motor vehicle the purchase price, whole of list costs and resell values must be considered. Whole of life costs remain constant over a model range, while retained value of optioned vehicles is greater than base models. Council shall purchase vehicles considering the operating costs and estimated trade in values so that over the life of the vehicle it provides the greater return to Council.

Where practical and available, preference will be given to vehicles offering addition safety features such as, but not limited to, Airbags, Anti-Skid Breaking System (ABS), Vehicle Stability and Traction Control.

4. Vehicle Options and Accessories

Options or accessories fitted to Council vehicles to improve functionality or safety or to minimise damage to the vehicle, if not fitted as standard, may include, and will be categorised as follows:

Type	Specifications
Standard (All Vehicles)	Air-conditioning, Window Tint, Seat Covers, Headlight & Bonnet Protectors, Dash Mat, Rubber Mats, Cargo Barrier, Fire Extinguisher, Tow Bar, Bull/Roo/Nudge Bar, Spot Lights and Safety Pack if available.
Off Road (All 4WD Vehicles)	Includes Standard + Protector Steps (if not standard), Rubber Cargo Mat, Tyre upgrade, Dual Spare Wheels with additional spare fitted in rear cargo area, Heavy Duty Suspension, Long Range Fuel Tank (if not standard)
Off Road – Heavy (Specialised Vehicles Only)	Includes Off Road + Long Range Fuel Tanks, Dual Battery System, Snorkel, Roof Rack, (Winch, Diff Locks for selected vehicles).

Specialised vehicles, under this policy, are deemed to be those vehicles operating in extreme conditions such as extended remote desert travel, road inspections following heavy rainfall and flooding and exploration i.e. searching for suitable road building materials etc. These vehicles may be allocated to the following positions:

a) Director Development and Technical Services

b) Manager Technical Services - Rural

c) Manager Technical Services Nullagine

d) Works Supervisor Marble Bar

e) Manager Development Services – Health

f) Others as considered appropriate upon authorisation of the CEO

Accessories that are not required for operational purposes are not provided. Accessories will be added to the vehicle at the time of purchase, as deemed appropriate for Councils operational requirements. Endeavours will be made to transfer accessories from the trade-in vehicle where it is considered cost effective and appropriate. No further accessories are permitted to be added following delivery unless authorised by the CEO.

UHF Radios and Satellite Telephones will be fitted as deemed necessary for operational requirements. Portable Satellite Phones and UHF Radios will be available from the Co-Ordinator Information Services as required for operational purposes.

Consideration shall be given to the purchase of hybrid or alternative fuel vehicles where deemed to be suitable for use and with the approval of the CEO.

Shire of EAST Pilbara

5. Use Categories

In recognition of the need to provide vehicles best suited to work requirements, together with attracting and retaining competent staff, the following use categories outline the allocation of vehicles to relevant positions:

Position	Use Category
Chief Executive Officer	Private Use (As negotiated with Council)
Executive Managers~~Directors~~	Private Use
Managers	Private Use
Supervisors/Coordinators	Commuting use or as negotiated in letter of appointment
Mechanic	Restricted Private Use
Rangers and others	Commuting Use

The following information details the Use Categories listed in the previous table.

5.1 Commuting Use Only

Commuting use permits use of the vehicle between the place of residence and the workplace.

The vehicle is to be available for use by other staff during normal working hours, but not to the detriment of the duties of the assigned staff member.

Use of the vehicle for private use is not permitted unless it is done so in the process of travelling to and from the workplace, for example shopping and sports activities.

The assigned employee and any other driver may be required to maintain a logbook for FBT reporting purposes subject to the direction of the Deputy Chief Executive Officer.

The Shire will meet all operating costs of the vehicle, although instances of blatant misuse may be investigated and costs of repairs etc. recovered from the offending employee.

5.2 Restricted Private Use

Restricted Private Use permits the vehicle to be used within the Shire of East Pilbara. The assigned staff member must be the primary driver of the vehicle at all times unless not capable of doing so, but must be present in the vehicle at all times.

Restricted private usage outside the Shire boundaries (within Western Australia) is to be subject to the approval of the relevant Director on a case by case basis.

The vehicle is to be available for use by other staff during normal working hours, but not to the detriment of the duties of the assigned staff member.

The Shire will meet all operating costs of the vehicle except fuel when the vehicle is used for restricted personal purposes outside the Shire boundaries. Instances of blatant misuse may be investigated and costs of repairs etc. recovered from the offending employee.

The assigned employee and any other driver may be required to maintain a logbook for FBT reporting purposes subject to the direction of the Deputy Chief Executive Officer.

Shire of EAST Pilbara

5.3 Private Use

Private use permits the vehicle to be used within the State of Western Australia. The use outside of Western Australia must be approved, in writing, by the CEO. Approval for the CEO will be given by the Shire President. The assigned staff members spouse or partner is permitted to drive the vehicle if the assigned staff member is present in the vehicle, or as negotiated in the assigned staff member's contract. No other person is permitted to use the vehicle for private use.

The vehicle is to be available for use by other staff during normal working hours, but not to the detriment of the duties of the assigned staff member.

The Shire will meet all operating costs of the vehicle including fuel when the vehicle is used for personal purposes within and outside the Shire boundaries. Instances of blatant misuse may be investigated and costs of repairs etc. recovered from the offending employee.

The assigned employee and any other driver may be required to maintain a logbook for FBT reporting purposes subject to the direction of the Deputy Chief Executive Officer.

6. Conditions of Use

The provision of a Council vehicle obliges the respective staff member to accept responsibility for the appropriate care and maintenance of the vehicle.

The assigned employee will be responsible for: -

i. The safe driving of the vehicle in accordance with all relevant driving acts, regulations, and relevant local laws.

ii. The parking of the vehicle outside of normal working hours in a safe and secure manner.

iii. Liaising with the respective staff member (where applicable) or servicing company for the routine maintenance and repair of the vehicle in accordance with the manufacturer's warranty and servicing requirements.

iv. Maintaining the vehicle in clean and tidy state both internally and externally at all times.

v. Reporting of any accidents/incidents to their respective supervisor and completion of any insurance or reporting forms as directed by the relevant staff member. Each Directorate is then responsible for organising/finalising required repairs and replacement vehicles arising from an insurance claim.

vi. Smoking is not permitted in Council vehicles.

vii. The unlawful consumption of alcohol and/or use of any prohibited substances are strictly prohibited when the Council vehicle is being driven by any person permitted by this Policy to drive that vehicle.

viii. Payment of any fines etc. resulting from an infringement will be the responsibility of the person who is driving the vehicle at the time of the infringement.

References			
Related Procedures	Nil		
Date Adopted by Council	24 September 2010	Item No	9.1.3
Review/Amendment Date	14 March 2014	Item No	9.2.8
Review/Amendment Date	24 August 2018	Item No.	9.1.3
Next Review			

Shire of EAST Pilbara

10.7 Mining & Other Leases – Road Designation & Maintenance (Not Pastoral)

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	

Objective

To outline Councils policy for working/operational leases access road maintenance. Definition of working/operating lease – a lease where a permanent workforce is situated or a person or group of persons are residing for a minimum of four to six months of any financial year.

Policy

The Shire commits to provide:

1. A once per annum full maintenance grade of the designated access road;
2. assistance in the opening up of the designated access road following flooding associated with cyclonic activity, where equipment is available and subject to the public road network requirements;
3. Minor gravel sheeting or re-sheeting works up to 1 kilometre in total length, per annum utilising only Shire owned and operated equipment subject to prevailing works programs.

Any works requested in addition to those listed will require inspection by the ~~Director Technical & Development Services~~Executive Manager Infrastructure Services or nominated Technical Services representative and referral to Council for consideration.

References			
Related Procedures	Nil		
Date Adopted by Council	27 March 2009	Item No	9.4.2
Review/Amendment Date		Item No	
Next Review			

Shire of EAST Pilbara

10.8 Plant Replacement Policy

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	TCH 2-7

Objective

To outline Council's policy for the management of the minor and major plant and equipment, and the fleet of light, medium and heavy vehicles.

Policy

The categories of plant and vehicles are established to recognise the different operational and replacement requirements of the items.

The purpose of a replacement policy is to ensure that the items of plant and vehicles utilised by Shire staff:

1. meets safe operational needs
2. minimises the cost of maintenance and repairs
3. Is replaced at the appropriate time to minimise net changeover costs

The operation of plant and vehicles within the North-West of Western Australia incurs reduced service life when compared with the cooler and less harsh operating environment of the southern areas of the State.

The following table sets out the preferred replacement period of the various categories of plant and vehicles:

Category	Description	Replacement Period
Light Vehicles:	Utilities, Cars & 4WDs	80,000 km or 3 years
Light trucks:	2 ½ 267rgan up to 6 tonnes	80,000 km
Buses:	RPT Bus and any others	120,000 km
Rubbish Compactor Trucks:	Cab/Chassis truck Compactor Unit	80,000 km or 5 years 10 years
Heavy Trucks:	over 6 tonne	Every 250,000 km or 5 years
Trailers:	Operating capacity exceeding 6 tonne Operating capacity between 2 tonne and up to 6.0 tonne	By Council Resolution, but not exceeding 15 years By Council Resolution, but not exceeding 10 years

	Up to 2 tonne Caravans	7 years 7 years
Ride on Mowers	all sizes	1,000 hours or 4 years
Road Sweepers	Self-propelled Sweeper attachments	5,000 hours or 100,000 km 5 years
Light Plant – A	Tractors (up to 60 kW), Skid Steer Loaders and similar.	5,000 hours or 5 years
Light Plant – B	Backhoes	5,000 hrs. or 7 years
Heavy Plant -.	Graders, Bulldozers, Tractors (over 60kW), Front End Loaders, Fork Lifts, Excavators and similar	10,000 hours or 7 years
Miscellaneous Equipment – A	Chainsaws, whipper-snippers Walk behind mowers Cement mixers Plate compactors, tampers Portable fire pumps, air compressors and similar	2 years 2 years 3 years 4 years 4 years
Miscellaneous Equipment – B	Welders, air compressors and similar Generators	10 years 5 years
Tractor and Skid Steer Loader attachments	Slashers, turf mowers, and similar	5 years

A review of the rolling 5-year replacement program will be prepared and considered as part of the annual Budget.

References			
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	5 May 2006	Item No	
Next Review			

Shire of EAST Pilbara

10.9 Regional Price Preference Policy:-MOVED TO FIN 3.13

Version	Item No.	Synopsis
1.	5 May 2006	Adopted by Council
2.	8 February 2013	Review/Amended by Council – Item No. 9.1.8
3.	16 August 2016	Review/Amended by Council – Item No. 9.2.8
4.		Moved under Finance – Policy 3.13 – Regional Price Preference Policy

Shire of EAST Pilbara

10.10 Road Verge Development Criteria

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	RNG 2-3

Objective

To encourage the development of roadside verges and determine guidelines for these developments.

NOTE: This policy should be read in conjunction with the Shire of East Pilbara's *Public Places and Local Government Property Local 2011,* and the *Public Places and Local Government Property Amendment Local Law 2012.* If there is an inconsistency between the local law and this policy, the local law shall prevail.

Policy

1. Council's policy is to encourage and support the development of road verges in urban areas, as either maintained grass or as a dry garden or a mixture of both.
2. Only those items listed in clause 6.6 of the Public Places and Local Government Property Local Law 2011 are permissible verge treatments.
3. Preferred Treatment
   i. The preferred treatment is for the road verge to be fully grassed with irrigation and up to two trees per 20m of frontage.
4. Alternate Treatments
   i. Subject to clauses 6.6(2)(b)(i) and 6.6(2)(b)(ii) of the Public Places and Local Government Property Local Law 2011, a dry garden of small vegetation, shrubs and ground covers may be established.

      Within this area weed control using plastic sheeting with garden mulch or wood chips, is acceptable, however all materials used must be contained to prevent spillage onto the verge, pathway or road area and must not present a pedestrian hazard.

   ii. Where the Council is satisfied that there is a need to park on the road verge rather than on the property or roadway then the Council may approve up to 50% of the road verge area and verge length to be of compacted unbound materials. Such material is not to be placed within 15m from a street corner and is to be compacted and water bound to a smooth finish, have a depth a minimum of 150mm. The balance of the road verge is to be developed to satisfy Points 2 a) or 3 a) above.

Shire of EAST Pilbara

5. Street Trees and Plantings

   i. Council will supply up to two trees of a suitable species, provided the property owner agrees to plant, water and maintain them.

   ii. No trees are to be planted within 15m of street corners or within 2m of crossovers, or where they may cause damage to utilities in the verge.

   iii. Spreading varieties of trees and shrubs also are not supported unless they can be set well back to avoid intrusion into traffic safety sight lines.

   iv. Poisonous trees and shrubs are not permitted to be planted on any road verge.

   v. Street trees are not to be removed without the approval of the Council.

6. Irrigation Systems

   i. Any irrigation system is to be installed and operated to avoid nuisance to the public and not spray on to either a pedestrian pathway or vehicle carriage way.

   ii. All water pipes are to be installed at a preferred depth of 3400mm and any fitting connected to the pipe should not protrude above the surface of the lawn or garden.

7. General

   i. Any improvements placed or constructed on the verge are placed there at the risk of the property owner.

   ii. No assistance will be given by Council for development, ongoing operation or maintenance costs other than the provision of the street trees.

   iii. Levels of new verge areas are to be graded at 2% up from the top of kerb to the property boundary (maximum of 150mm) with any variation to be approved by Technical Services staff. Levels are also to be compatible with the properties on either side.

   iv. Where Council has designated one side of the road for a future pathway, levels will be provided by Council's staff.

7. Unacceptable Road Verge Treatments

   i. Only those items listed in clause 6.6 of the Public Places and Local Government Property Local Law 2011 are permissible verge treatments Unacceptable road verge treatments include, but a not limited to: Concrete and pavers unless in accordance with Councils "Crossover Policy";

   ii. Rough, coarse or irregular mulch materials which are uncomfortable or difficult to walk on;

   iii. No large rocks or non-frangible items can be placed on the road reserve

   iv. Poorly graded materials such as river stone, crushed rock, pea gravel and other decorative treatments unless incorporated into a defined landscaping plan approved by the Director Technical & Development Services,

v. Treatments that constitute a hazard to pedestrians or road users

References	• SoEP *Public Places and Local Government Property Local 2011* • *Public Places and Local Government Property Amendment Local Law 2012*		
Related Procedures	Nil		
Date Adopted by Council	27 June 2003	Item No	9.1.3
Review/Amendment Date	5 December 2008	Item No	9.4.2
Review/Amendment Date	6 February 2013	Item No	9.1.9
Next Review			

Shire of EAST Pilbara

10.11 Road Verge Directional Signs

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	RNG 2-3

Objective

To establish procedures relating to the placement of signage on road verges.

Policy

1. This policy provides information to the public on Councils requirements for the provision of directional signs on the Council controlled road verges for private businesses, public facilities such as sports grounds plus Government offices and institutions. The ~~Director Technical & Development Services~~ Executive Manager Infrastructure Services will be responsible for the implementation of this policy.
2. The policy attempts to balance the need to keep to a minimum unnecessary signs, which create aesthetic problems, while still allowing for the necessary directions to be given to the travelling public.
3. It is acknowledged that a number of directional signs may increase the viability of local businesses. It must also be recognised that large numbers of signs within town site can reduce road safety and clutter up the landscape.

   The directional signage should be restricted to signs that give direction to community facilities and generally to areas of business rather than specific businesses. An example of this would be signage that gives direction to a shopping prescient or an industrial area.

Road Sign Standards for Street Names and Community Facilities

All signage is to comply with Australian Standard AS 1742.5, 1997.

Size of Signs

Is to comply with Australian Standard AS 1742.5, 1997.

Colours

1. All directional signs will be fully reflective with white letters or numbers.
2. For road or street names and town site directions, the background plate colours will be at the discretion of Council.
3. Signs giving direction to commercial areas or government facilities would have a blue background, historical tourist signs would have a brown background, recreation facilities and Council controlled parkland would be on a green background.

Shire of EAST Pilbara

Height/Installation/Length

1. The lowest point on any sign shall not be lower than 2.7m above ground level, in town site areas.
2. All signs on State Road intersections will comply with Australian Standard AS 1742.5, 1997.
3. In town sites, wherever possible, street signs are to be installed on power poles, 3 metres from ground level.
4. On rural roads, signs may be installed 2 metres above ground level where there is no chance of pedestrians normally walking under the sign and the sign is away from the area of road use or road drain maintenance.
5. Directional signs will only be allowed at road or street intersections, not 'mid-block'.

Symbolic Signs

1. Signs featuring symbols as silhouettes e.g. caravans, petrol pump, crossed knife and fork etc. are directional signs.
2. Symbolic board signs will be 250 mm maximum (square) on minor roads and 400 mm maximum (square) on major roads

Vertical 'Banks' of Directional Signs

1. Where a number of directional signs, pointing in the same direction, are to be erected at the one intersection, then these signs, up to a maximum of 4, will be installed as a vertical stack with the street or road name sign on top.
2. The sign lengths for such a stack will be 1.0 metre. The signs will be attached, at each end, to a 50 mm O.D. galvanised iron pipe.
3. All other signs would be installed on Tourist Information Bays where established at each town site. Maximum use should also be made by businesses of Tourist Bureaus and similar outlets for advertising and giving directions.
4. No 'Advance Warning' signs will be allowed apart from those required for safety requirements.
5. For this policy, single businesses shall be those having separate and different ownerships or lessees serving different business functions.

Existing signs

Where existing signs do not comply with this policy, they will be removed by Council after a period of 6 months and in all cases those businesses that benefited from the signs to be removed will be notified.

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

Shire of EAST Pilbara

10.12 Purchasing and Tender Procedures : MOVED TO FIN 3.14

Version	Date	Synopsis
	27 June 2003	Date Adopted by Council – Item 9.1.3
	5 May 2006	Review/Amendment Date
	27 April 2007	Review/Amendment Date – Item 9.3.5
	24 July 2009	Review/Amendment Date – Item 9.4.1
	29 January 2010	Review/Amendment Date - Item 9.1.6
	11 March 2011	Review/Amendment Date – Item 9.2.5
	3 February 2012	Review/Amendment Date – Item 9.1.6
	25 May 2012	Review/Amendment Date – Item 9.2.4
	26 July 2012	Review/Amendment Date – Item 9.2.7
	26 June 2013	Review/Amendment Date – Item 9.2.6
	27 September 2013	Review/Amendment Date – Item 9.2.7
	6 December 2013	Review/Amendment Date – Item 9.2.9
	24 April 2014	Review/Amendment Date – Item 9.2.17
	12 December 2014	Review/Amendment Date – Item 9.2.2
	30 January 2015	Review/Amendment Date – Item 9.2.6
	6 March 2015	Review/Amendment Date – Item 9.2.11
	26 June 2015	Review/Amendment Date – Item 9.2.7
	25 September 2015	Review/Amendment Date – Item 9.2.4
	23 October 2015	Review/Amendment Date – Item 10.2.6
		Moved to Finance – Policy 3.14 Procurement and Tender purchasing procedures

Shire of EAST Pilbara

10.13 Use of native plants, shrubs and grasses

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	

Objective

To establish a guideline of the types of plants, shrubs and grasses that are introduced/planted, when upgrading and maintaining parks and gardens, within the Shire of East Pilbara.

Policy

1. In the development or upgrading of any parks, gardens, reserves, etc., native plants and shrubs are to be used where possible in preference to exotic varieties.
2. The use of irrigation systems will be minimised to conserve water. The Water Corporation Guidelines for dry land parks are to be used where possible.
3. Where a tree has to be removed it will be replaced.

Residents shall be given the opportunity of accepting responsibility for the watering and maintenance of trees and street verges outside their property subject to the planting and provision of the trees being provided by the Shire in the first instance.

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

Shire of EAST Pilbara

10.14 Naming of Parks, Reserves and Buildings

Responsible Directorate	~~Technical and Development~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	TCH 1-2

Objective

To establish criteria for the Naming of Parks, Reserves and Buildings.

Policy

On request Council will consider the naming of parks, reserves or buildings in honour of the persons considered to have made an outstanding contribution to the community and are considered by Council and the community to be worthy of such an honour.

Where required all naming decision shall be made in accordance with the Department of Land Administration (DOLA) - Geographic Names Committee of Western Australia Principles, Policies and Procedures.

Criteria of Assessment

All requests for the naming of Parks, Reserves and Buildings shall be assessed against the following criteria:-

1. Have been instrumental in the development of the facility where the naming of a building is concerned.
2. Be considered to be worthy of such an honour
3. Must have resided in the local community for more than ten (10) years.
4. Have been a member and actively involved in a local service club or voluntary organization or government organization and significantly contributed to the local community. A significant contribution may include:-
    i. Two (2) or more terms of office on the Shire of East Pilbara Council
    ii. Fifteen (15) or more years association with a local community group
5. Actions by the individual to protect, restore, enhance or maintain an area that substantially improves the facility to the community.
6. Evidence of works undertaken being of a pioneering nature for the benefit of the community.

Shire of EAST Pilbara

Procedure for an Application

All applications shall be made in writing.

All applications shall be deemed as confidential during the consideration process and information will be forwarded to all Council Members in a confidential memo for comment prior to the Council Meeting.

All applications shall include:-

1. Proposed reserve, park or building locations
2. Proposed new name for the facility
3. Date and place of birth and date of passing away if applicable
4. Period of residence in the locality
5. History of the person being honoured
6. An outline of their contribution to the community, including membership of clubs and voluntary organizations
7. Statement of why the person should be honoured
8. Contact details of the person being honoured or their immediate family
9. Proof of agreement by local community member and groups

Notification to the Geographic Names Committee, (DOLA)

Requests to name the following shall be forwarded to the Geographic names Committee of DOLA for approval:

1. A naming of a park or reserve
2. A building on an unnamed reserve

Requests to name the following shall be forwarded to the Geographic Names Committee of DOLA for information only;

1. Buildings on a named reserve
2. General building in the community

All requests shall be forwarded to DOLA in accordance with the Geographic Names Committee of Western Australia Principles, Policies and Procedures.

Opening Ceremony

A Plaque and/or sign with the appropriate wording shall be supplied and securely fixed to the facility.

An opening function shall be arranged by Council Administration.

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

Shire of EAST Pilbara

10.15 Subdivisional Development

Responsible Directorate	~~Technical and Development Services~~Infrastructure Services
Responsible Officer	Executive Manager Infrastructure Services~~Director Technical and Development Services~~
File Number	PLN 6-3

Objective

All works associated with the subdivision of and development of land within the Shire of East Pilbara shall comply with the minimum standards specified in the current Institute of Public Works engineering Australia Local government Guidelines for Subdivision Development and the Shire of East Pilbara Annexure A to the subdivision guidelines publication.

Policy

The guidelines prescribe the minimum standards applicable to the design and construction of roads, stormwater systems, paths, streetscapes, earthworks, landscaping and public open space, and sets out provisions for the control of dust and noise pollutions from development sites.

These guidelines are intended to underline and support subdivisional conditions applied by the Western Australian Planning Commission (WAPC) pursuant to the Planning and Development Act 2005. The Guidelines encompass current legislation and best practice minimum engineering standards. They are intended to guide local government and the development industry through engineering specification, construction and post construction subdivisional approval. Institute Public Works Engineering Australia has committed to update the guidelines on a biannual basis.

A copy of the guidelines and Annexure A are available on the Shire of East Pilbara's website: http://www.eastpilbara.wa.gov.au/

References	Section 12 *Local Government (Administration) Regulations 1996*		
Related Procedures	Nil		
Date Adopted by Council	28 June 2013	Item No	9.3.7
Review/Amendment Date		Item No	
Next Review	Annually		

Shire of EAST Pilbara

10.16 Use of Closed Circuit Television Monitoring Equipment

Responsible Directorate	~~Technical and Development~~Customer & Community Services
Responsible Officer	~~Director Technical and Development Services~~Manager Community Safety
File Number	FAC 13-1

Introduction

Due to increasing incidences of graffiti, vandalism, anti-social behaviour and other offences, the Shire of East Pilbara has undertaken a program to purchase and use CCTV camera recording systems within the Shire's public areas, to act as a deterrent and provide evidence, if required, in an attempt to reduce such acts against people and/or property within the Shire of East Pilbara.

Objective

To ensure that the highest ethical standards are practised by Authorised Officers who operate the Shire of East Pilbara's closed circuit television monitoring equipment (CCTV).

BEHAVIOUR OF AUTHORISED OFFICERS:

The Shire of East Pilbara expects its Authorised Officers to:

1. Treat all people captured on camera with the same dignity as if they were having face to face contact with the person.
2. At all times act in an honest and legal manner and carry out duties in a manner that reflects community values.
3. Interact with fellow workers and Police in a timely, courteous and cooperative manner.
4. Adhere to the Shire of East Pilbara CCTV Standard Operating Procedures including the Code of Practice – CCTV Surveillance System

If doubt arises as to the appropriateness of a working behaviour, first consider whether the action is legal and then consider how the behaviour would appear if it was reported in the newspapers.

CONFIDENTIALITY

The Shire of East Pilbara expects Authorised Officers to:

1. Ensure confidentiality of information gathered by surveillance or learnt from CCTV operations, by not discussing any events with fellow workers who have no direct responsibility for the matter. In addition, officers will not discuss events with family, friends, or acquaintances. All the above applies during and after termination of employment.

ETHICAL USE OF RECORDING EQUIPMENT AND RECORDED MATERIAL

Shire of EAST Pilbara

1. Documenting the recording of incidents will take place as soon as practicable after review or reports of incidents. Reports will be in simple, non-offensive English that will not cause embarrassment should the record be subpoenaed.
2. In the course of carrying out duties, cameras must not be used for personal benefit to invade individual or group privacy. Cameras must only be used where there is a belief that an offence has or is likely to occur.
3. Material shall not be copied or removed from the Shire of East Pilbara's storage area without formal authorisation of the Chief Executive Officer, Executive Manager Customer & Community Services or Manager Community Safety~~, Deputy Chief Executive Officer or Manager Building Assets~~.
4. Business records (hard copy or photographic) can only be destroyed with authorisation and in accordance with approved Council policies and government regulations.
5. ~~Tapes and photographs shall only be released to the police when requested in writing in the correct format and the appropriate authorisation having been granted.~~ Certified copy of video tapes and still photographs may only be released to the WA Police, lawyers acting on behalf of individuals engaged in legal proceedings relating to a recorded incident, or individuals acting as their own legal counsel in relation to a recorded incident. Certified copies will only be released to the parties named above when permission to do so has been received from an authorised officer of the Shire of East Pilbara.

References	
Related Procedures	Nil

Date Adopted by Council	27 September 2013	Item No	11.3.1
Review/Amendment Date		Item No	
Next Review			

Newman Airport

Shire of EAST Pilbara

11.1 Newman Airport Advertising Policy - DELETED

Version	Item No.	Synopsis
1.	Oct 1996	Adopted by Council
2.	24 June 2011	Deleted by Council

Shire of EAST Pilbara

Codes, Procedures and Statements

Shire of EAST Pilbara

12.1 Code of Conduct – Separate Agenda Item

10.1.4 REVIEW OF STANDING ORDERS LOCAL LAW 2010

File No:	**LEG-5-1-2**
Attachments:	**Appendix 1 – Report to Council on review of Local Laws** **Appendix 2 – Standing Orders Local Law** **Appendix 3 – Model Local Law Template**
Responsible Officer:	**Mr Jeremy Edwards** **Chief Executive Officer**
Author:	**Mrs Kylie Bergmann** **Coordinator Governance**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

For Council to consider the attached report (***Appendix 1 refers***) and determine whether the *Standing Orders Local Law 2010* should be repealed, amended in accordance with section 3.16 of the *Local Government Act 1995* (the Act).

BACKGROUND

The Act requires that within a period of eight years from the day when a local law commences, that a local government must carry out a review of that local law to determine whether or not it considers the local law should be repealed or amended.

The Shire of East Pilbara *Standing Orders Local Law 2010* was published in the Government Gazette on 17 January 2011.

In accordance with the requirements of the Act, state-wide notice of the periodic review must be given. On Saturday 6th October 2018, a notice was published in the West Australian newspaper stating that the Shire of East Pilbara proposes to review the Standing Orders Local Law 2010, and inviting submissions. A notice was also published in the Northwest Telegraph on Wednesday 10th October 2018.

The closing date for submissions was 19 November 2018.

COMMENTS/OPTIONS/DISCUSSIONS

No public submissions were received with respect to the periodic review of the Shire of East Pilbara *Standing Orders Local Law 2010.*

Council must now consider the attached report (***Appendix 1 refers***) and determine whether this local law should be amended, repealed and replaced, or repealed. Officers will then commence the separate process of drafting the amendment or replacement local law as determined by Council.

The attached report (***Appendix 1 refers****)* recommends that the *Standing Orders Local Law 2010* be repealed and replaced with the Meeting Procedures Model Local Law as drafted by WALGA (***Appendix 3 refers***)

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 3 Functions of local governments
Division 2 Legislative functions of local governments
Section 3.16 Periodic review of local laws

POLICY IMPLICATIONS

Any amendments to local laws may impact on certain policies of Council. In this event, the affected policies will be reviewed to ensure that they remain compliant with the local law.

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

RISK MANAGEMENT CONSIDERATIONS

The *Standing Orders Local Law 2010* was adopted and published in the Government Gazette on 17 January 2011. Unfortunately, due to administrative constraints this review is taking place outside the 8 year periodic review period as required by the Act. This will result in a non-compliance by the Shire.

FINANCIAL IMPLICATIONS

Given that the periodic review of this local law has been undertaken in-house, costs have been minimised and have been met from within the adopted 2018/19 budget.

There will be further costs associated with the repeal and replacement of this local law (as determined by Council), the procedure for which is set by the Act. These costs will chiefly relate to advertising and gazettal, and provision has been made in Council's 2019/20 budget in this regard.

VOTING REQUIREMENTS

Absolute.

1:23PM Cr Langtree Coppin OAM left the Chambers.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201919/163

MOVED: Cr Geraldine Parsons **SECONDED: Cr Michael Kitchin**

That Council:

1. **Adopt the Periodic Review report detailing proposed actions with respect to the *Standing Orders Local Law 2010,* as presented in Appendix 1; and**
2. **Agree to commence the repeal and replacement process with respect to the *Standing Orders Local Law 2010*, as recommended in the review report.**

CARRIED UNANIMOUSLY

RECORD OF VOTE: 7-0

To be actioned by Mrs Kylie Bergmann, Coordinator Governance

Appendix 1
Report to Council on Review Local Laws

Shire of EAST Pilbara
AUSTRALIA'S LARGEST SHIRE

PMB 22 Newman
Western Australia 6753

To: ***Council***

From: ***Kylie Bergmann, Coordinator Governance***

Subject: ***8 year review – Standing Orders Local Law 2010***

Date: ***7 June 2019***

Report purpose

The purpose of this report is to advise Council:

1. of the review process undertaken with respect to the local law on standing orders; and
2. of any submissions received on the review.

Background

The Shire of East Pilbara *Standing Orders Local Law 2010*, was published in the Government Gazette on **17 January 2011.** Pursuant to section 3.16(1) of the *Local Government Act 1995* ("the Act"), a local government must carry out a review of its local laws within eight (8) years from the day when the local law commenced. This means, that the review should have been carried out by **17 January 2019.** Whilst the process started well before this time limit, there have unfortunately been some delays.

Pursuant to section 3.16(2) of the Act, the local government must give Statewide notice advising that the local government proposes to review the local law. On **6th October 2018** a notice was published in the West Australian newspaper advising that the Shire of East Pilbara proposes to review the Standing Orders Local Law 2010, and inviting submissions. A notice was also published in the Northwest Telegraph on **Wednesday 10th October 2018.** A notice was also displayed on the local public notice boards.

The closing date for submissions was **19 November 2018.** No submissions have been received.

Comments/options/discussions

A review has been undertaken of our current *Standing Orders Local Law 2010,* as compared to the WALGA Model Local Law on Meeting Procedures. **Attached** is that comparison, with track changes showing where we would need to change our current *Standing Orders Local Law 2010* to match the WALGA Model Local Law.

As you will note, there are a lot of changes required in order to bring our current local law up to the same standard as the model local law. Because there are so many changes, it is our recommendation that the current *Standing Orders Local Law 2010* be repealed and replaced with the WALGA Model Local Law on

Newman T. (08) 9175 8000 F. (08) 9175 2668 Marble Bar | Nullagine T. (08) 9176 1008 F. (08) 9176 1073
www.eastpilbara.wa.gov.au

Meeting Procedures in its entirety. The Model Local Law is also **attached** for your reference.

Conclusion:

Given the vast amount of changes that are required to the Shire of East Pilbara *Standing Orders Local Law 2010,* we would suggest that Council repeal the current standing orders local law and replace with the WALGA Model Local Law on Meeting Procedures.

Newman T. (08) 9175 8000 F. (08) 9175 2668 Marble Bar T. (08) 9176 1008 F. (08) 9176 1073
Nullagine T. (08) 9176 2063 F. (08) 9176 2063 www.eastpilbara.wa.gov.au

Appendix 2
Standing Orders Local Law 2010

Local Government Act 1995

SHIRE OF EAST PILBARA

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 201~~9~~9

ARRANGEMENT

PART 1 – PRELIMINARY
1.1 Citation
1.2 Commencement
1.3 Purpose and effect
1.4 Application
1.5 Interpretation
1.6 Repeal
PART 2 – CALLING AND CONVENING MEETINGS
2.1 Ordinary and special Council meetings
2.2 Calling Council meetings
2.3 Calling Committee meetings
2.4 Convening ordinary and special Council meetings
2.5 Convening ordinary and special Committee meetings
PART 3 – PRESIDING MEMBER AND QUORUM
3.1 Who presides at Council meetings
3.2 When Deputy Shire President can preside
3.3 Who presides if no Shire President or Deputy Shire President
3.4 Election of Presiding Members and Deputy Presiding Members of Committees
3.5 Functions of Deputy Presiding Members
3.6 Who acts if no Presiding Member
3.7 Quorum for meetings
3.8 Quorum to be present
3.9 Procedure if quorum not present
3.10 Loss of quorum during a meeting
3.11 Meeting may be adjourned
3.12 Effect of adjournment
Debate on motion to be resumed
3.12 Names to be recorded
PART 4 – BUSINESS OF THE MEETING
4.1 Business to be specified in agenda
4.2 Meeting to proceed to business
4.3 Order of business
4.4 Leave of absence
4.5 Keeping of minutes

4.6 Content of minutes
4.7 Public inspection of unconfirmed minutes
4.8 Confirmation of minutes
4.9 Questions by members of which due notice has been given
4.10 Correspondence
4.11 Petitions
4.12 Matters for which the meeting may be closed
4.13 Reports
4.14 Motions of which previous notice has been given
4.15 Representation on external bodies
4.16 Urgent business
4.17 General business
4.18 Closure

PART 5 – PUBLIC PARTICIPATION

5.1 Meetings generally open to the public
5.2 Procedure to close meetings to the public
5.3 Question time for the public
5.4 Question time for the public at certain meetings
5.5 Minimum question time for the public
5.6 Procedures for question time for the public
5.7 Other procedures for question time for the public
5.8 Distinguished visitors
5.9 Deputations
5.10 Attending Committee meetings as an observer
5.11 Presentations
5.12 Council may meet to hear public submission
5.13 Public inspection of agenda materials
5.14 Public access to unconfirmed minutes of meetings
5.15 Confidentiality of information withheld
5.16 Media attendance
5.17 Recording of meeting prohibited
5.18 Prevention of disturbance

PART 6 – DISCLOSURE OF INTERESTS

6.1 Disclosure of members' financial and proximity interests
6.2 Meeting to be informed of financial and proximity interests
6.3 Disclosing member not to participate
6.4 When disclosing members can participate
6.5 Invitation to return to provide information
6.6 Substitution of deputy at Committee meetings
6.7 Disclosure by members who are observers at Committee meetings
6.8 Disclosure of impartiality interests
6.9 Other persons to disclose impartiality interests
6.10 On-going disclosure required
6.11 Approval by Minister to be recorded

PART 7 – CONDUCT OF MEMBERS

7.1 Official titles to be used
7.2 Members to occupy own seats
7.3 Advice of entry or departure
7.4 Members not to interrupt
7.4 No adverse reflection on decision

7.5 Offensive language
7.6 Direction to withdraw
7.7 Members who wish to speak
7.8 Priority of speaking
7.9 The Presiding Member may take part in debates
7.10 Relevance
7.11 Limitation on members speaking
7.12 Questions during debate
7.13 Re-opening discussion on decisions

PART 8 – PRESERVING ORDER

8.1 Presiding Member to preserve order
8.2 Points of order
8.3 Procedures on a point of order
8.4 Continued breach of order
8.5 Presiding Member may adjourn meeting

PART 9 – MOTIONS AND AMENDMENTS

9.1 Recommendations in reports
9.2 Adoption of recommendations en bloc
9.3 Motions
9.4 Motions to be seconded
9.5 Unopposed motions
9.6 Withdrawing motions
9.7 One motion at a time
9.8 Permissible motions on recommendation from Committee
9.9 Amendments

PART 10 – DEBATE OF MOTIONS

10.1 Order of call in debate
10.2 Limit of debate
10.3 Member may require motion to be read
10.4 Personal explanation
10.5 Crossing Council Chambers or meeting room
10.6 Voting
10.7 Motion – when put
10.8 Method of taking vote

PART 11 – REVOCATION MOTIONS

11.1 Requirements to revoke or change decisions
11.2 Revocation motion at the same meeting – procedures
11.3 Revocation motion after meeting – procedures
11.4 Implementation of a decision

PART 12 – PROCEDURAL MOTIONS

12.1 Permissible procedural motions
12.2 No debate on procedural motions
12.3 Who may move
12.4 Procedural motions – right of reply on primary motion

PART 13 – EFFECT OF PROCEDURAL MOTIONS

13.1 The motion be deferred – effect of motion
13.2 The meeting now adjourn – effect of motion
13.3 The debate be adjourned – effect of motion
13.4 The motion be now put – effect of motion
13.5 The motion lie on the table – effect of motion

13.6 Meeting to proceed to the next business – effect of motion
13.7 Meeting be closed to members of the public – effect of motion
13.8 Ruling by the Presiding Member be overruled – effect of motion
13.9 Member be no longer heard – effect of motion
13.10 Item be referred back to Committee – effect of motion

PART 14 – COMMITTEES OF THE COUNCIL

14.1 Establishment, types and membership of Committees
14.2 Tenure of Committee membership
14.3 Delegation of power to Committees
14.4 Appointment of deputy members
14.5 Meeting procedures apply to Committees
14.6 Communications by Committees

PART 15 – PROCEDURAL MATTERS

15.1 Presiding Member to ensure compliance
15.2 Suspension of standing orders
15.3 Cases not provided for in standing orders
15.4 Electors' meetings
15.5 Electors' meetings – standing orders apply
15.6 Restriction on voting and speaking at electors' meetings
15.7 Penalty for contravention of the standing orders
15.8 Who can prosecute

PART 16 – SUSPENSION OF LOCAL LAWS

17.1 Suspension of Local Laws

PART 17 – COMMON SEAL

17.1 Custody of the Common Seal
17.2 Use of Common Seal

PART 18 – ENFORCEMENT

19.1 Penalty for breach
19.2 Who can prosecute

SCHEDULE – PETITION TO THE SHIRE OF EAST PILBARA

Local Government Act 1995

SHIRE OF EAST PILBARA

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 201~~9~~9

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of East Pilbara resolved on ~~17 December 2010~~ [INSERT] to make the following local law.

PART 1 – PRELIMINARY

1.1 Citation

This local law is the *Shire of East Pilbara ~~Standing Orders~~Meeting Procedures Local Law 201~~9~~9*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Purpose and effect

(1) The purpose of this local law is to provide the rules and guidelines for the conduct of meetings of the Council, Committees and electors.

(2) The effect of this local law is intended to result in –

(a) better decision-making at meetings;

(b) the orderly and efficient conduct of meetings; ~~and~~

(c) ~~greater community understanding of the business of the Council~~better understanding of the process of conducting meetings~~.~~; and

~~(c)~~(d) the more efficient and effective use of time at meetings.

1.4 Application

All meetings of the Council, Committees and the electors are to be conducted in accordance with the Act, the Regulations and this local law.

1.5 Interpretation

(1) In this local law, unless the contrary otherwise requires –

"**75% majority**" has the meaning given to it in the Act;

"**absolute majority**" has the meaning given to it in the Act;

"**Act**" means the *Local Government Act 1995;*

"**Administration Regulations**" means the *Local Government (Administration) Regulations 1996;*

"**CEO**" means the Chief Executive Officer of the Shire;

"**Committee**" means a Committee of the Council established under section 5.8 of the Act;

"Council" means the Council of the Shire of East Pilbara;
"Councillor" has the same meaning as is given to it in the Act;
"District" means the district of the local government;
"deputation" means a verbal submission at a Council or Committee meeting on an agenda item made by a person who has a direct interest in the agenda item;
"employee" means an employee of the Shire;
"external body" includes –
(a) a Regional council;
(b) an incorporated or unincorporated association;
(c) a trust;
(d) a tribunal;
(e) a government agency, instrumentality, board or committee; and
(f) any other external body,
to which the Shire is entitled, or has been invited, to provide a representative;
"implement", in relation to a decision, includes –
(a) communicate notice of the decision to a person affected by, or with an interest in, the decision; and
(b) take other action to give effect to the decision;
"member" –
(a) in relation to the Council, means the Shire President or a Councillor; and
(b) in relation to a Committee, means a member of the Committee;
"Minister" means the Minister responsible for administering the Act;
"Presiding Member" means –
(a) in respect of the Council, the person presiding under section 5.6 of the Act; and
(b) in respect of a Committee, the person presiding under sections 5.12, 5.13 and 5.14 of the Act;
"primary motion" means an original motion or an original motion as amended, but does not include an amendment motion or a procedural motion;
"Rules of Conduct Regulations" means the *Local Government (Rules of Conduct) Regulations 2007*;
"revocation motion" means a motion to revoke or change a decision made at a Council or Committee meeting;
"Shire" means the Shire of East Pilbara;
"Shire President" means the Shire President of the Shire;
"simple majority" means more than 50% of the members present and voting at meetings;
"standing orders" means the meeting procedures and/or rules on the conduct and behaviour of persons at a meeting of the Council, Committee or electors; and
"substantive motion" means an original motion or an original motion as amended, but does not include an amendment or a procedural motion;
"the Regulations" means a reference to both the *Local Government (Administration) Regulations 1996* and the *Local Government (Rules of Conduct) Regulations 2007;*

"this local law" means the *Shire of East Pilbara Standing Orders Local Law 2010;*

"urgent business" means business dealt with in accordance with clause 4.13.

(2) Unless otherwise defined, the terms used in this local law have the meaning given to them in the Act and the Regulations.

(3) This local law is subject to any written law and law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992* (Commonwealth) section 9(2).

* Paragraph (3) was inserted on 23 December 2014 by way of global amendment by the Governor. This provision is effective from the date of gazettal on 6 January 2015.

1.6 Repeal

The *Shire of East Pilbara Standing Orders Local Law 2010* published in the *Government Gazette* on [INSERT] is repealed.

PART 2 – CALLING AND CONVENING MEETINGS

2.1 Ordinary and special Council meetings

(1) Ordinary and special Council meetings are dealt with in the Act.

(2) An ordinary meeting of the Council, held on a monthly basis or otherwise as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.

(3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.

2.2 Calling Council meetings

The calling of Council meetings is dealt with in the Act.

2.3 Calling Committee meetings

A meeting of a Committee is to be held –

(a) in the case of a special meeting, if called for in a verbal or written notice to the CEO by the Presiding Member, setting out the date and purpose of the proposed meeting;

(b) in the case of a special meeting, if called for by at least 2 members of the Committee in a written notice to the CEO, setting out the date and purpose of the proposed meeting; or

(c) in the case of an ordinary or special meeting, if so decided by the Council or the Committee.

2.4 Convening ordinary and special Council meetings

The convening of ordinary and special Council meetings is dealt with in the Act.

2.5 Convening ordinary and special Committee meetings

(1) The CEO is to convene an ordinary meeting of a Committee by giving each member at least 72 hours notice of the date, time, place and an agenda for the meeting.

(2) The CEO is to convene a special meeting of a Committee by giving each member notice, before the meeting, of the date, time, place and an agenda for the meeting.

(3) The CEO is to give notice of meetings referred to in subclauses (1) and (2) to every member of the Council.

PART 3 – PRESIDING MEMBER AND QUORUM

3.1 Who presides at Council meetings

Who presides at a Council meeting is dealt with in the Act.

3.2 When Deputy Shire President can preside

When the Deputy Shire President can preside is dealt with in the Act.

3.3 Who presides if no Shire President or Deputy Shire President

Who presides if the Shire President or Deputy Shire President are absent or unavailable is dealt with in the Act.

3.4 Election of Presiding Members and Deputy Presiding Members of Committees

The election of Presiding Members and Deputy Presiding Members is dealt with in the Act.

3.5 Functions of Deputy Presiding Members

The functions of Deputy Presiding Members are dealt with in the Act.

3.6 Who acts if no Presiding Member

Who acts if there is no Presiding Member is dealt with in the Act.

3.7 Quorum for meetings

The quorum for meetings is dealt with in the Act.

3.8 Quorum to be present

The Council or a Committee is not to transact business at a meeting unless a quorum is present.

3.9 Procedure if quorum not present

The procedure if a quorum is not present to begin a meeting is dealt with in the Administration Regulations.

3.10 Loss of quorum during a meeting

(1) If at any time during a meeting a quorum is not present, the Presiding Member upon becoming aware of that fact is to suspend the proceedings of the meeting for up to 15 minutes.

(2) If a quorum is not present at the expiration of the period in subclause (1), the Presiding Member may suspend the proceedings of the meeting for a further period of up to 15 minutes or adjourn the meeting to a future time and date.

(3) A record is to be taken of all those who have spoken on the subject under consideration at the time of the adjournment.

3.11 Meeting may be adjourned

The Council may adjourn any meeting:

(a) to a later time on the same day; or

(b) to any other time on any other day, including a time which coincides with the conclusion of another meeting or event.

3.12 Effect of adjournment

Where any matter, motion, debate or meeting is adjourned under these Local Laws:

(a) the names of Members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and
(b) debate is to be resumed at the next meeting at the point where it was interrupted.

Debate on motion to be resumed

(1) Where the debate on any motion is interrupted at a Council or Committee meeting which is adjourned under clause 3.10, that debate is to be resumed at the next meeting at the point where it was so interrupted.
(2) Where the interruption in subclause (1) occurs at an ordinary meeting, the resumption is to be at the next ordinary meeting unless a special meeting is called earlier for the purpose.
(3) Where the interruption in subclause (1) occurs at a special meeting, the resumption is to be at the next special meeting called to consider the same business or at the next ordinary meeting if it occurs before a special meeting can be called.

3.12 Names to be recorded

At any meeting –
(a) at which there is not a quorum of members present; or
(b) which is adjourned under clause 3.10,
the names of the members then present are to be recorded in the minutes of the meeting.

PART 4 – BUSINESS OF THE MEETING

4.1 Business to be specified in agenda

(1) No business is to be transacted at any ordinary meeting of the Council or Committee, other than that specified in the agenda, without the approval of the Presiding Member or a decision of the Council or Committee, except matters which the Act or this local law permits to be dealt with without notice.
(2) No business is to be transacted at a special meeting of the Council or Committee, other than that specified in the agenda, and to which notice as to the purpose of the meeting has been given.
(3) No business is to be transacted at an adjourned meeting of the Council or Committee other than that –
(a) specified in the agenda of the meeting which had been adjourned; and
(b) which remains unsolved,
except in the case of an adjournment to the next ordinary meeting of the Council or Committee, when the business unresolved at the adjourned meeting is to be the first business to be considered at that ordinary meeting.
(4) Despite subclauses (1) to (3), the CEO may include on the agenda of a Council or Committee meeting, in an appropriate place within the order of business, any matter which must be decided, or which he or she considers is appropriate to be decided, by that meeting.

4.2 Meeting to proceed to business

A meeting is to proceed to business as soon after the time stated in the notice as a quorum is constituted.

4.3 Order of business

(1) Unless otherwise decided by the Council the order of business at an ordinary meeting of the Council is to be as follows –
- (a) declaration of opening/announcement of visitors;
- (b) record of attendance/apologies/leave of absence;
- (c) response to previous public questions taken on notice;
- (d) public question time;
- (e) petitions/deputations/presentations;
- (f) applications for leave of absence;
- (g) confirmation of minutes of previous Council meeting;
- (h) members reports;
- (i) officers reports;
- (j) motions of which previous notice has been given;
- (k) questions by members of which due notice has been given;
- ~~(k)~~(l) new business of an urgent nature introduced by a decision of Council;
- ~~(l)~~(m) confidential matters behind closed doors;
- ~~(m) general business;~~
- (n) date of next meeting;
- (o) closure.

(2) Unless otherwise decided by the Committee, the order of business at any ordinary meeting of the Committee is to be as follows –
- (a) declaration of opening/announcement of visitors;
- (b) record of attendance/apologies/leave of absence;
- (c) response to previous public questions taken on notice;
- (d) public question time;
- (e) petitions/deputations/presentations;
- (f) applications for leave of absence;
- (g) confirmation of minutes of previous Council meeting;
- (h) members reports;
- (i) officers reports;
- (j) motions of which previous notice has been given;
- (k) questions by members of which due notice has been given;
- ~~(k)~~(l) new business of an urgent nature introduced by a decision of Council;
- ~~(l)~~(m) confidential matters behind closed doors;
- ~~(m) general business;~~
- (n) date of next meeting;
- (o) closure.

(3) Unless otherwise decided by the members present, the order of business at any special meeting of the Council or a Committee is to be the order in which that business stands in the agenda of the meeting.

4.4 Leave of absence

The grant of leave of absence is dealt with in the Act.

4.5 Keeping of minutes

The keeping and confirmation of minutes are dealt with in the Act.

4.6 Content of minutes

(1) The content of minutes is dealt with in the Administration Regulations.

(2) In addition to the matters required by regulation 11, the minutes of a Council meeting is to include, where an application for approval is refused or the authorisation of a licence, permit or certificate is withheld or cancelled, the reasons for the decision.

4.7 Public inspection of unconfirmed minutes

The public inspection of unconfirmed minutes is dealt with in the Administration Regulations.

4.8 Confirmation of minutes

~~(1) Confirmation of minutes is dealt with in the Act.~~

(1) When minutes ~~are being confirmed, discussion is not to be permitted other than discussion as to their accuracy as a record of the proceedings.~~of an ordinary meeting of the Council are distributed for consideration prior to their confirmation at the next meeting, if a Member is dissatisfied with the accuracy of the minutes, the Member may provide the Local Government with a written copy of the alternative wording to amend the minutes no later than 7 clear working days before the next ordinary meeting of the Council.

(2) At the next ordinary meeting of the Council, the Member who provided the alternative wording shall, at the time for confirmation of minutes –

(a) State the item or items with which he or she is dissatisfied; and

(b) Propose a motion clearly outlining the alternative wording to amend the minutes.

~~(2)~~(3) Members must not discuss items of business contained in the minutes, other than discussion as to their accuracy as a record of the proceedings.

4.~~9~~6 Questions by members of which due notice has been given

(1) A member who wishes to ask a question at a meeting of the Council is to give the CEO written notice of the text of the question at least 8 hours before the meeting of the Council, and the question is to, as far as practicable, be answered in writing at that meeting.

(2) As far as practicable, the CEO is to ensure that a written answer to a question under subclause (1) is to be given at the meeting.

(3) If the CEO considers that the question breaches or may breach this local law or any other law –

(a) the CEO is to refer the question to the Shire President;

(b) the Shire President is to exclude the question if he or she concurs with the view of the CEO; and

(c) if the question is excluded, the CEO is to give all members, as soon as practicable but not later than the next ordinary meeting, the reasons for the exclusion.

(4) Notice of a question that is not excluded is to be included, if practicable, in the agenda, or is otherwise to be tabled at the meeting.

(5) Every question and answer is to be submitted as briefly and concisely as possible and no discussion is to be allowed thereon unless with the consent of the Shire President.

4.1~~7~~0 Correspondence

(1) Correspondence placed before a meeting of the Council or a Committee must relate to a matter on the agenda of the meeting.

(2) Correspondence may be placed before the Council or a Committee in the form of a precis that contains all relevant and material facts.

(3) Where correspondence contains a matter to be decided by the Council or the Committee, the CEO is, if the circumstances permit, to recommend a course of action to the Council or the Committee or state the alternative.

(4) Correspondence placed before a meeting of the Council or a Committee is not to be the subject of discussion or questions from members.

4.1~~8~~1 Petitions

(1) A petition received by a member or the CEO is to be presented to the next ordinary Council meeting.

(2) A petition to the Council is –

(a) as far as practicable, to be prepared in the form prescribed in the Schedule;

(b) to be addressed to the Council and forwarded to a member or the CEO;

(c) be made by electors of the district;

(d) contain the name, address and signature of each elector making the request, and the date each elector signed;

~~(b)~~(e) contain a summary of the reasons for the request;

~~(c)~~(f) to state the name and address of the person to whom correspondence, in respect of the petition, may be served; and

~~(d)~~(g) to be respectful and temperate in its language.

(3) The presentation of a petition is to be confined to the reading of the petition.

(4) The only motions in respect of a petition that are in order are that –

(a) the petition is received;

(b) a report on the petition be prepared; or

(c) the petition be referred to a Committee.

(5) At any meeting, the Council is not to vote on any matter that is the subject of the petition presented to that meeting, unless:

(a) the matter is the subject of a report included in the agenda; and

~~(c)~~(b) the Council has considered the issues raised in the petition.

4.1~~9~~2 Matters for which the meeting may be closed

For the convenience of members of the public, the Council or a Committee may identify by decision, early in the meeting, any matter on the agenda of the meeting, the discussion of which is to be closed to members of the public, and that matter may be deferred as the last item of the meeting.

4.1~~10~~3 Reports

(1) The functions of the CEO, including to advise the Council and Committees and implementing decisions, are dealt with in the Act.

(2) The CEO may prepare, or cause to be prepared, a report on an item, that in the CEO's opinion requires consideration by the Council or the Committee, including any report of a late or urgent nature.

(3) Where a report has been prepared in accordance with subclause (2), the CEO is to deliver the report to members of the Council or the Committee (as the

case may be) or, in the case of urgency or other special circumstances, table the report at the meeting.

(4) The CEO may, with the consent of the Presiding Member, withdraw an item or report listed in the agenda.

4.1~~1~~1 Motions of which previous notice has been given

(1) Unless the Act, the Regulations or this local law otherwise provide, a member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO and which has been included on the agenda.

(2) A notice of motion under subclause (1) is to be signed by the member and given to the CEO at least 4 clear working days before the meeting at which the motion is to be moved.

(3) A notice of motion must relate to a matter for which the Council is responsible.

(4) The CEO –

(a) may, with the concurrence of the Presiding Member, exclude from the agenda any notice of motion that they consider to be out of order; ~~or~~

(b) may, after consultation with the member who gave notice of the motion, make such amendments to the form, but not the substance, to bring the notice of motion into due form; and

(c) must provide relevant and material facts and circumstances pertaining to the notice of motion on matters such as policy, financial and legal implications.

(5) If a notice of motion is excluded under subclause (4)(a), the CEO is to provide the reason for its exclusion to all members as soon as practicable.

(6) A notice of motion is not out of order because –

(a) the proposal involved is considered to be objectionable; or

(b) it raises a matter for which the Council is not responsible unless, in the opinion of the Presiding Member, the matter is one of significant public interest or importance.

(7) A motion of which notice has been given is to lapse unless –

(a) the member who gave notice, or another member authorised by him or her in writing, moves the motion when called on; or

(b) the Council or Committee on a motion agrees to defer consideration of the motion to a later stage or date.

(8) If a notice of motion is given and lapses, a notice of motion in the same terms or to the same effect may be given for consideration at a subsequent meeting of the Council or Committee, but if the motion again lapses, the Council or Committee is not to consider a motion in the same terms or to the same effect at a subsequent meeting until at least 3 months have elapsed from the date of the meeting at which the motion last lapsed.

(9) For the purpose of clarification, where a notice of motion is moved and seconded at a meeting of the Council or Committee, it is to be treated as a primary motion.

4.1~~5~~2 Representation on external bodies

(1) Correspondence inviting the Council to submit a nomination for appointment to an external body is to be referred by the CEO to the Council or an appropriate Committee.

(2) When speaking or voting on any item or business at a meeting of an external body, a member appointed to that body is to have regard to the decisions, policies and practices of the Shire.

4.1~~6~~3 Urgent business

(1) A member, at an ordinary meeting of the Council, may move a motion involving business that is not included in the agenda for that meeting if the Presiding Member has first consented to the business being raised because the Presiding Members considers that either –
   (a) the nature of the business is such that the business cannot await inclusion in the agenda for the next meeting; or
   (b) the delay in referring the business to the next meeting could have adverse legal or financial implications for the Shire.

(2) If a member objects to a motion moved under subclause (1), the motion is to be of no effect unless it is agreed to by an absolute majority.

(3) Subclauses (1) and (2) do not apply to a revocation motion being considered as urgent business in accordance with clause 11.2.

4.1~~7~~4 General business

(1) A member may raise any item of general business at a Committee meeting that they consider requires the attention of the Committee within its role as established by the Council.

(2) If a Committee wishes to take further action, after discussing an item raised under subclause (1), it must first ask the CEO to prepare a report on the item and consider that report.

4.1~~8~~5 Closure

At the conclusion of all business, or when otherwise determined by the meeting, the Presiding Member is to declare the meeting closed and the closing time is to be recorded in the minutes of the meeting.

PART 5 – PUBLIC PARTICIPATION

5.1 Meetings generally open to the public

Meetings being generally open to the public is dealt with in the Act.

5.2 Procedure to close meetings to the public

(1) The CEO may, at any time, recommend that a meeting or part of meeting be closed to members of the public.

(2) The Council or a Committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.

(3) If a resolution under subclause (2) is carried –
   (a) the Presiding Member is to direct everyone to leave the meeting except –
      (i) the members;
      (ii) the CEO; and
      (iii) any officer specified by the Presiding Member;
      and

(b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the Committee, by resolution, decides otherwise.

(4) A person who fails to comply with a direction under subclause (3) may, by order of the Presiding Member, be removed from the meeting.

(5) A resolution under this clause may be made without notice of the relevant motion.

(6) Unless the Council or Committee resolves otherwise, once the meeting is reopened to members of the public, the Presiding Member is to ensure that any resolution of the Council or Committee made while the meeting was closed, is to be read out including details of any voting record.

5.3 Question time for the public

Question time for the public at meetings is dealt with in the Act.

5.4 Question time for the public at certain meetings

Question time for the public at certain meetings is dealt with in the Administration Regulations.

5.5 Minimum question time for the public

Minimum question time for the public is dealt with in the Administration Regulations.

5.6 Procedures for question time for the public

Procedures for question time for the public is dealt with in the Administration Regulations.

5.7 Other procedures for question time for the public

(1) ~~(1)~~ Questions asked by the public are to relate to the business of the Council and are not to be in the form of a statement or personal opinion.

(2) Unless determined otherwise under the Administration Regulations, the procedure for the asking of and responding to questions raised by members of the public at a meeting, shall be as follows –

(a) a member of the public who raises a question during question time is to state their name and address;

(b) it is preferred that questions be submitted in writing in which case they will be read out by the CEO but questions may be asked orally;

(c) questions are to be answered by the member or employee nominated by the Presiding Member;

(d) questions may be taken on notice, at the determination of the Presiding Member, and the Presiding Member may determine that any complex question requiring research be answered only in writing;

(e) no discussion of a question or answer is to take place; and

(f) when a question is taken on notice under subclause (d), a response is to be given to the member of the public in writing, and a copy is to be included in the agenda of the next meeting of the Council or Committee, as the case requires.

(3) The Presiding Member may decide that a public question shall not be responded to where:

(a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;

(b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or

~~(a)~~(c) ~~reject any question that may be deemed~~the member of the public asks a question that is offensive ~~towards, or reflects adversely upon the character and/or any actions, of any member of the Council or employee of the Shire~~ or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.

(4) A member of the public shall have five minutes to submit a question.

(5) The Council, by resolution, may agree to extend public question time.

(6) Where a response to a question is given at a meeting, a summary of the question and the response is to be included in the minutes of the meeting.

(~~7~~5) There is to be no public question time in meetings of Committees other than a Committee to which the Council has delegated a power or duty, or which is open to the public.

5.8 Distinguished visitors

If a distinguished visitor is present at a meeting of the Council or a Committee, the Presiding Member may –

~~(a) invite the person to sit beside the Presiding Member or at the meeting table;~~

~~(b)~~ acknowledge the presence of the distinguished visitor at an appropriate time during the meeting;

(a)

~~(c)~~(b) direct that the presence of the distinguished visitor be recorded in the minutes.

5.9 Deputations

(1) A deputation wishing to be received by ~~a Committee~~the Council must apply in writing to the CEO who is to forward the written request to the Presiding Member of the relevant Committee.

(2) The Presiding Member may either approve the request, in which event the CEO is to invite the deputation to attend a meeting of the ~~Committee~~Council, or may instruct the CEO to refer the request to the ~~Committee~~ Council to decide whether or not to receive the deputation.

(3) A deputation invited to attend a meeting –

(a) must not exceed 5 persons, only 2 of whom may address the meeting, although others may respond to specific questions from the members; ~~and~~

(b) must not address the meeting for a period exceeding 10 minutes without the agreement of the meeting; and

(c) additional members of the deputation may be allowed to speak with the leave of the Presiding Member.

(4) For the purpose of determining who may address the ~~Committee~~ Council on an issue, all those people either in favour of or opposed to an item are deemed to comprise a single deputation.

(5) A matter which is the subject of a deputation to a ~~Committee~~ Council is not to be decided by that ~~Committee~~ Council until the deputation has completed its presentation.

5.10 Attending Committee meetings as an observer

(1) The Shire President or a Councillor may attend any meeting of a Committee as an observer, even if the Shire President or Councillor is not a member of that Committee.

(2) A deputy to a member of a Committee appointed under clause 14.4 may attend a meeting of that Committee as an observer, even if the deputy is not acting in the capacity of the member.

(3) The Shire President or Councillor in the case of subclause (1), or deputy to a member attending a Committee meeting as an observer in the case of subclause (2) –

(a) may, with the consent of the Presiding Member, speak, but cannot vote on any motion before the Committee; and

(b) must sit in the area set aside for observers separated from the Committee members.

5.11 Presentations

(1) In this clause, a "presentation" means the acceptance of a gift or an award by the Council on behalf of the Local Government or the community.

(2) A presentation may be made to the Council at a meeting only with the prior approval of the CEO.

5.12 Council may meet to hear public submission

(1) Where an item on the agenda at a Council meeting is contentious and is likely to be the subject of a number of deputations, the Council may resolve to meet at another time to provide a greater opportunity to be heard.

(2) The CEO and the President shall set the time and date of the meeting to provide the opportunity to be heard.

(3) Where the Council resolves to meet to provide the opportunity to be heard under subclause (1), the Presiding Member shall:

(a) instruct the CEO to provide local public notice of the time and date when the Council will meet to provide an opportunity to be heard;

(b) provide a written invitation to attend the meeting to provide the opportunity to be heard to all members of the public who have applied under clause 5.9 to make a deputation on the issue; and

(c) cause minutes to be kept of the meeting to provide the opportunity to be heard.

(4) A meeting held under subclause (1) shall be conducted only to hear submissions. The Council shall not make resolutions at a meeting to provide the opportunity to be heard.

(5) At a meeting held under subclause (1), each person making a submission shall be provided with the opportunity to fully state his or her case.

(6) A member of the public shall be limited to 10 minutes in making an oral submission, but this period may be extended at the discretion of the Presiding Member.

(7) Once every member of the public has had the opportunity to make a submission the Presiding Member is to close the meeting.

(8) The CEO is to ensure that a report is included on the agenda of the next Council meeting summarising each submission made at the meeting.

(9) The Council must not resolve on the matter that is the subject of a meeting to provide the opportunity to be heard until it has received the CEO's report under subclause (8).

5.13 Public inspection of agenda materials

Public inspection of agenda materials is dealt with in the Administration Regulations.

5.1~~2~~4 Public access to unconfirmed minutes of meetings

Public access to unconfirmed minutes of Council and Committee meetings is dealt with in the Administration Regulations.

5.1~~3~~5 Confidentiality of information withheld

(1) Information withheld by the CEO from members of the public under the Administration Regulations is to be –
   (a) identified in the agenda of a Council or Committee meeting under the item "Matters for which the meeting may be closed"; and
   (b) marked "confidential" in the agenda; and
   (c) kept confidential by members and employees until the Council or Committee resolves otherwise.

(2) A member or an employee who has –
   (a) confidential information under subclause (1); or
   (b) information that is provided or disclosed for the purposes of or during a meeting, or part of a meeting, that is closed to the public,

   is not to disclose any of that information to any person other than another member or an employee to the extent necessary for the purpose of carrying out his or her duties.

(3) Subclause (2) does not prevent a member or employee from disclosing information –
   ~~(d)~~(c) at a closed meeting;
   ~~(e)~~(d) to the extent specified by the Council and subject to such other conditions as the Council determines;
   ~~(f)~~(e) that is already in the public domain;
   ~~(g)~~(f) to an officer of the Department;
   ~~(h)~~(g) to the Minister;
   ~~(i)~~(h) to a legal practitioner for the purpose of obtaining legal advice; or
   ~~(j)~~(i) if the disclosure is required or permitted by law.

5.1~~6~~4 Media attendance

Media persons are to be permitted to attend meetings of the Council or Committees that are open to the public, in such part of the Council Chamber or meeting room as may be set aside for their accommodation, but must withdraw during any period when the meeting is closed to the public.

5.1~~7~~5 Recording of meeting prohibited

(1) A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the Council or Committee unless, the Presiding Member or CEO has given permission to do so.

(2) If the Presiding Member or CEO gives permission under subclause (1), he or she is to advise the meeting, immediately before the recording is commenced,

that such permission has been given and the nature and extent of that permission.

5.1~~8~~6 Prevention of disturbance

(1) A reference in this clause to a "person" is to a person other than a member.

(2) A person addressing the Council or a Committee must extend due courtesy and respect to the Council or Committee and the processes under which it operates and must comply with any direction from the Presiding Member.

(3) A person must not interrupt or interfere with the proceedings of any meeting of the Council or a Committee, whether by expressing approval or dissent, by conversing or by any other means.

(4) The Presiding Member may warn a person who fails to comply with this clause.

(5) If –

(a) after being warned, the person again acts contrary to this clause, or to the direction; or

(b) a person refuses or fails to comply with a direction by the Presiding Member,

the Presiding Member may expel the person from the meeting by ordering him or her to leave the meeting room.

(6) A person who is ordered to leave the meeting room and fails to do so may, by order of the Presiding Member, be removed from the meeting room and, if the Presiding Member orders, from the premises.

(7) A person shall ensure that his or her mobile telephone or audible pager is not switched on or used during any meeting of the Council.

(8) A person shall not behave in a manner that is contrary to section 75 of the Criminal Code.

PART 6 – DISCLOSURE OF INTERESTS

6.1 Disclosure of members' financial and proximity interests

The disclosure of direct and indirect financial interests and proximity interests by members and employees is dealt with in the Act.

6.2 Meeting to be informed of financial and proximity interests

Procedures for informing the meeting of disclosures in clause 6.1 are dealt with in the Act.

6.3 Disclosing member not to participate

The participation at meetings of a member that has disclosed an interest in clause 6.1 is dealt with in the Act.

6.4 When disclosing members can participate

The procedures for allowing participation in meetings of members disclosing an interest in clause 6.1 are dealt with in the Act.

6.5 Invitation to return to provide information

(1) Where a member has disclosed an interest in clause 6.1, and has departed from the Council Chamber or meeting room, the meeting may invite the member to return to provide information in respect of the matter or in respect of the member's interest in the matter.

(2) A member invited to return under subclause (1) must withdraw after providing the information.

6.6 Substitution of deputy at Committee meetings

Where a member discloses an interest in an item under clause 6.1 and withdraws from a meeting of a Committee, the Presiding Member may invite the disclosing member's deputy, if present, to participate as a member of the Committee in place of the disclosing member during the consideration of that item only.

6.7 Disclosure by members who are observers at Committee meetings

The obligation to disclose an interest in clause 6.1 is to apply to all members present at Committee meetings including a member attending a Committee in the capacity of an observer.

6.8 Disclosure of impartiality interests

The disclosure of impartiality interests at meetings by the Shire President and Councillors is dealt with in the Rules of Conduct Regulations.

6.9 Other persons to disclose impartiality interests

(1) In this clause, a reference to –
- (a) **"person"** means an employee and/or a member of a Committee that is not either the Shire President or a Councillor; and
- (b) **"interest"** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

(2) A person who has an interest in any matter to be discussed at a meeting attended by the person must disclose the nature of the interest –
- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

(3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.

(4) Subclause (2) does not apply if –
- (a) a person fails to disclose an interest because the person did not know he or she had an interest in the matter; or
- (b) a person fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.

(5) If, under subclause (2)(a), a person discloses an interest in a written notice given to the CEO before a meeting then –
- (a) before the meeting, the CEO is to cause the notice to be given to the Presiding Member of the meeting; and
- (b) at the meeting, the Presiding Member is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure relates is discussed.

(6) If –
- (a) under subclause (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
- (b) under subclause (5)(b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting,

the nature of the interest is to be recorded in the minutes of the hearing.

6.10 On-going disclosure required

The obligation to disclose an interest under this Part applies in regard to each meeting at which the matter, the subject of the interest, arises.

6.11 Approval by Minister to be recorded

If the Minister approves of the participation in a meeting of a disclosing member, the conditions of the approval are to be recorded in the minutes of the meeting and the register of financial interests.

PART 7 – CONDUCT OF MEMBERS

7.1 Official titles to be used

A speaker, when speaking or referring to the Shire President or Deputy Shire President, or to a Councillor or employee, must use the title of that person's office.

7.2 Members to occupy own seats

(1) At meetings of the Council, each member is to occupy the place assigned to that member within the Council Chamber.

(2) At the first meeting held after each ordinary elections day the CEO is to allot, by random draw, a position at the Council table to each Councillor and the Councillor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of Councillors for a re-allotment of positions.

7.3 Advice of entry or departure

During the course of a meeting of the Council, a Member is not to enter or leave the meeting without first advising the Presiding Member, in order to facilitate the recording in the minutes of the time of entry or departure.

7.4 Members not to interrupt

A member must not interrupt another member while speaking unless –

(a) to raise a point of order under clause 8.3;
(b) to call attention to the absence of quorum;
(c) to make a personal explanation under clause 10.4; or
(d) to move a procedural motion that the member no longer heard (under clause 12.1(i) and 13.9).

7.4 No adverse reflection on decision

(1) A member must not reflect adversely on a decision of the Council or a Committee except on a motion that the decision be revoked or changed.

(2) A member must not –
(a) reflect adversely on the character or actions of another member or employee; or
(b) impute any motive to a member or employee,
unless the Council or Committee resolves, without debate, that the motion then before the Council or Committee cannot otherwise be adequately considered.

7.5 Offensive language

(1) A member must not use offensive or objectionable expressions in reference to any member, employee or other person.

(2) If a member specifically requests, immediately after their use, that any particular words used by a member be recorded in the minutes, the Presiding Member is to cause the words used to be taken down and read to the meeting for verification and then to be recorded in the minutes.

7.6 Direction to withdraw

A member who, in the opinion of the Presiding Member and in the absence of a resolution under clause 7.4(2), –

(a) reflects adversely on the character or actions of another member or employee;

(b) imputes an expression that is offensive or objectionable;

(c) uses an expression that is offensive or objectionable,

must, when directed by the Presiding Member, withdraw the reflection, imputation or expression and make a satisfactory apology.

7.7 Members who wish to speak

A member who wishes to speak –

(a) is to indicate his or her intention to speak by raising his or her hand or by another ~~the~~ method determined by the Council or Committee; and

(b) when invited by the Presiding Member to speak, must address the meeting through the Presiding Member.

7.8 Priority of speaking

(1) If two or more members of the Council or a Committee indicate, at the same time, their intention to speak, the Presiding Member is to decide which member is to be heard first.

(2) A decision of the Presiding Member under subclause (1) is not open to discussion or dissent.

~~(1)~~(3) A Member is to cease speaking immediately after being asked to do so by the Presiding Member.

7.9 The Presiding Member may take part in debates

The Presiding Member may take part in a discussion of any matter before the Council or Committee as the case may be.

7.10 Relevance

(1) A member must restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.

(2) The Presiding Member, at any time, may –

(a) call the attention of the meeting to any irrelevant or repetitious remarks by a member; or

(b) direct that member, if speaking, to discontinue his or her speech.

(3) A member must comply with the direction of the Presiding Member under subclause (2) by immediately ceasing to speak.

7.11 Limitation on members speaking

(1) Only the mover of a motion or an amendment may speak twice on the same motion or the same amendment unless, permitted by the meeting (on a majority vote).

(2) The mover of a motion or an amendment –
  (a) is to speak to that motion or amendment first, after it has been seconded; and
  (b) has the right of reply and in exercising that right must confine the reply to previous speakers' comments and not introduce any new matters.

(3) A member must not speak on any motion or an amendment after the mover has replied and the motion or amendment is to be immediately put to the vote by the Presiding Member.

(4) A member may speak on a motion or an amendment, or reply, for a period of only 5 minutes, unless an extension of time is granted by the Council without debate, but a member's total speaking time must not exceed 10 minutes.

7.12 Questions during debate

(1) A member may ask a question at any time during the debate on a motion or an amendment before the mover of the motion or amendment has replied.

(2) Subject to subclause (3), a member who asks one or more questions will not be taken to have spoken on the matter.

7.13 Re-opening discussion on decisions

A member must not re-open discussion on any decision of the Council or Committee, except for the purpose of moving a revocation motion under clause 11.2.

PART 8 – PRESERVING ORDER

8.1 Presiding Member to preserve order

(1) The Presiding Member is to preserve order and, whenever he or she considers it necessary, may call any member or other person to order.

(2) When the Presiding Member, during the progress of a debate, is to raise or rule on a point of order, any member or person then speaking, or offering to speak, is to be silent so that the Presiding Member may be heard without interruption.

8.2 Points of order

Without limitation, the following acts are to be taken as being out of order –
  (a) discussion of a matter not before the meeting;
  (b) the use of offensive or objectionable language; or
  (c) the violation of any written law, including this local law, provided that the member making the point of order states the written law believed to be breached.

8.3 Procedures on a point of order

(1) Upon a matter of order arising during the progress of a debate, any member may raise a point of order with the Presiding Member including interrupting the speaker.

(2) Any member who is speaking when a point of order is raised in subclause (1), is to immediately stop speaking while the Presiding Member listens to the point of order.

(3) A member raising a point of order is to specify one of the grounds of the breach of order before speaking further on the matter.

(4) A member who is expressing a difference of opinion or contradicting a speaker is not to be taken as raising a point of order.

8.4 Continued breach of order

If a member –

(a) persists in any conduct that the Presiding Member had ruled is out of order; or

(b) fails or refuses to comply with a direction from the Presiding Member,

the Presiding Member may direct the member to refrain from taking any further part in the debate of the item, other than voting, and the member must comply with that direction.

8.5 Presiding Member may adjourn meeting

(1) For the purpose of preserving or regaining order, the Presiding Member may adjourn the meeting for a period of up to 15 minutes.

(2) On resumption, the debate is to continue at the point at which the meeting was adjourned.

(3) If, at any one meeting, the Presiding Member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time of the same day or to another day.

(4) If there is an adjournment under this clause, the names of the members who have spoken on the matter before the adjournment are to be recorded.

PART 9 – MOTIONS AND AMENDMENTS

9.1 Recommendations in reports

(1) Where the Council or a Committee adopts a recommendation contained in a report, either with or without amendment, the recommendation so adopted is taken to be a decision of the Council or the Committee (as the case may be).

(2) Where a motion, if carried, would be significantly different from the relevant written recommendation of any employee or Committee, the reason for the decision is to be recorded in the minutes of the meeting in accordance with the Regulations.

(3) A Committee may make a recommendation to the Council which –

(a) is relevant to the purpose for which the Committee is established by the Council; and

(b) the Committee considers requires consideration by the Council.

(4) Where a Committee makes a recommendation for consideration by the Council, the CEO must prepare or cause to be prepared, a report to the Council with respect to the recommendation.

9.2 Adoption of recommendations en bloc

A member may move a motion to adopt by one resolution, all the recommendations or a group of recommendations from a Committee or several reports, without amendment or qualification after having first identified those recommendations, if any –

(a) which require adoption by an absolute or special majority vote;

(b) in which an interest has been disclosed;

(c) that has been subject of a petition or deputation;
(d) which any member has indicated the wish to debate; and
(e) in which any member has indicated the wish to ask a question or to raise a point of clarification,

and, each of those recommendations referred to in paragraphs (a), (b), (c), (d) and (e) must be considered separately.

9.3 Motions

(1) A member who wishes to move a primary motion, or an amendment to a primary motion –
(a) is to state the substance of the motion before speaking to it; and
(b) is to put the motion or amendment in writing if –
(i) in the opinion of the Presiding Member, the motion or amendment is significantly different to the relevant written recommendation of a Committee or an employee (including a person who, under a contract for services with the Shire, provides advice or a report on the matter); or
(ii) the member is otherwise required to do so by the Presiding Member.

(2) The written terms of the motion or amendment are to be given to the CEO who is to ensure that they are recorded in the minutes.

(3) The Presiding Member may require that a complex primary motion, or a complex amendment to a primary motion, is to be broken down and put in the form of more than one motion, each of which is to be put in sequence.

9.4 Motions to be seconded

(1) A motion, or an amendment to a motion, is not open to debate until it has been seconded.

(2) A motion to revoke or change a decision made at a Council or Committee meeting is not open to debate unless, the motion has the support required under the Administration Regulations.

(3) A member seconding a motion has the right to speak on the motion later in the debate.

(4) A motion is not to be amended by the mover without the consent of the seconder.

9.5 Unopposed motions

(1) Immediately after a motion has been moved and seconded, the Presiding Member may ask the meeting if any member opposes it.

(2) If no member opposes the motion, the Presiding Member may declare it carried without debate and without taking a vote.

(3) A motion carried under subclause (2) is to be recorded in the minutes as a unanimous decision of the Council or Committee.

(4) If a member opposes a motion, the motion is to be dealt with under this Part.

9.6 Withdrawing motions

(1) A motion or amendment may be withdrawn by the mover, with the consent of the seconder, and no member is to speak on it after it has been withdrawn.

(2) If an amendment has been proposed to a primary motion, the primary motion cannot be withdrawn, except by consent of the majority of members, until the amendment proposed has been withdrawn or lost.

9.7 One motion at a time

The Council or a Committee –

(a) is not to accept a substantive motion while another substantive motion is being debated; and
(b) is not to consider more than one substantive motion at any time.

9.8 Permissible motions on recommendation from Committee

A recommendation made by a Committee may be –

(a) adopted by the Council without amendment;
(b) rejected by the Council and replaced by an alternative decision;
(c) subject to clause 9.9(2), amended and adopted as amended by the Council; or
(d) referred back to the Committee for further consideration.

9.9 Amendments

(1) A member may move an amendment to a primary motion at any time during debate on the motion, except –
   (a) if the mover has been called by the Presiding Member to exercise the right of reply;
   (b) if the member has already spoken to the primary motion;
   (c) if another amendment is being debated, or has not been withdrawn, carried or lost; or
   (d) during debate on a procedural motion.

(2) An amendment must be relevant to the primary motion to which it is moved and must not have the effect of negating the primary motion.

(3) An amendment to a primary motion is to take only one of the following forms –
   (a) that certain words be omitted;
   (b) that certain parts be omitted and others substituted or added; or
   (c) that certain words be added.

(4) Only one amendment is to be debated at a time, but as often as an amendment is withdrawn, carried or lost, another amendment may be moved before the primary motion is put to the vote.

(5) Where an amendment is carried, the primary motion as amended is, for all purposes of subsequent debate, to be treated as a primary motion.

(6) An amendment must be read by the mover before being seconded.

PART 10 – DEBATE OF MOTIONS

10.1 Order of call in debate

The Presiding Member is to call speakers to a motion or amendment in the following order –

(a) the mover to state the motion;
(b) a seconder to the motion;
(c) the mover to speak to the motion;
(d) the seconder to speak to the motion;
(e) other speakers against and for the motion, alternating in view, if any; and
(f) the mover takes right of reply which closes debate.

10.2 Limit of debate

The Presiding Member may offer the right of reply and put the motion to the vote if he or she believes sufficient discussion has taken place even though all members may not have spoken.

10.3 Member may require motion to be read

A member may require the motion under discussion to be read at any time during a debate, but not so as to interrupt any other member who is speaking.

10.4 Personal explanation

(1) A member who wishes to make a personal explanation relating to a matter referred to by another member who is then speaking must indicate to the Presiding Member his or her intention to make personal explanation.

(2) The Presiding Member is to determine whether the personal explanation is to be heard immediately or at the conclusion of the speech by the other member.

10.5 Crossing Council Chambers or meeting room

(1) When the Presiding Member is putting any motion to the vote, a member must not leave or cross the Council Chamber or meeting room.

(2) A member must not, while any other member is speaking, pass between the speaker and the Chair.

10.6 Voting

Voting at meetings is dealt with in the Act and the Administration Regulations.

10.7 Motion – when put

Immediately after the debate on any question is concluded, and the right of reply has been exercised, the Presiding Member –

(a) is to put the motion to the meeting; and

(b) if requested by a member, is again to state the terms of the motion.

10.8 Method of taking vote

(1) The Presiding Member, in taking the vote on any motion, is to –

(a) put the motion, first in the affirmative and then in the negative;

(b) determine whether the affirmative or the negative has the majority of votes; and

(c) declare the result of the vote.

(2) The motion put under subclause (1) may be put as often as is necessary to enable the Presiding Member to determine whether the affirmative or the negative has the majority votes.

(3) The result of voting is to be determined on the count of raised hands but it may be determined on the voices unless a member calls for a show of hands.

PART 11 – REVOCATION MOTIONS

11.1 Requirements to revoke or change decisions

The requirements to revoke or change a decision made at a meeting are dealt with in the Administration Regulations.

11.2 Revocation motion at the same meeting – procedures

(1) A member who moves a revocation motion at the same meeting where the decision is made must –
  (a) clearly identify the decision to be revoked or changed; and
  (b) clearly state the reason for the decision to be revoked or changed.

(2) If the CEO receives a notice of a revocation motion to revoke a decision made at a meeting before the close of that meeting, the CEO must immediately advise the Presiding Member of the substance of the revocation motion and raise it as an item of urgent business under clause 4.13.

(3) Where the Presiding Member is advised of a revocation motion under subclause (2), he or she is to –
  (a) advise the meeting of the notice;
  (b) state the substance of the revocation motion;
  (c) determine whether there is sufficient support under clause 11.1; and
  (d) if there is sufficient support, deal with the revocation motion.

11.3 Revocation motion after meeting – procedures

(1) A member wishing to move a revocation motion at a future meeting of the Council or a Committee must give to the CEO notice of the revocation motion, which is to –
  (a) be in writing;
  (b) specify the decision proposed to be revoked or changed;
  (c) include a reason or reasons for the revocation motion;
  (d) be supported by the number of members required under the Regulations;
  (e) specify the date of the ordinary or special meeting of the Council or the Committee where it is to be presented, as the case may be; and
  (f) be given to the CEO in accordance with the notice of motion provisions in clause 4.11.

(2) Any notice of revocation motion given to the CEO must be dealt with in accordance with 4.11.

11.4 Implementation of a decision

No steps are to be taken to implement or give effect to a decision if –
  (a) there is a valid notice of revocation motion that has the support of members required by the Administration Regulations; and
  (b) the notice of revocation motion was received before any action was taken to implement the decision.

(1) In this clause:
  (a) "authorisation" means a licence, permit, approval or other means of authorising a person to do anything;
  (b) "implement" in relation to a decision includes:
    i. Communicate notice of the decision to aperson affected by, or with an interest in, the decision; and
    ii. Take any other action to give effect to the decision; and
  (c) "valid notice of revocation motion" means a notice of motion to revoke or change a decision that complies with the requirements of the Act, Regulations and the Local Laws and may be considered, but has not yet been considered, by the Council or a committee as the case may be.

(2) Subject to subclause (4), and unless a resolution is made under subclause (3), a decision made at a meeting is not to be implemented by the CEO or any other person until the afternoon of the first business day after the commencement of the meeting at which the decision was made.

(3) The Council or a committee may, by resolution carried at the same meeting at which a decision was made, direct the CEO or another person to take immediate action to implement the decision.

(4) A decision made at a meeting is not to be implement by the CEO or any other person:

(a) if, before commencing any implementation action, the CEO or that person is given a valid notice of revocation motion; and

(b) unless and until the valid notice of revocation motion has been determined by the Council or the committee as the case may be.

(5) The CEO is to ensure that members of the public attending the meeting are informed by an appropriate notice that a decision to grant an authorisation:

(a) is to take effect only in accordance with this clause; and

~~(a)~~(b) cannot be acted upon by the person who has been granted the authorisation unless and until the decision has been implemented in accordance with this clause.

PART 12 – PROCEDURAL MOTIONS

12.1 Permissible procedural motions

In addition to the right to move an amendment to a primary motion, a member may move any of the following procedural motions –

(a) that the motion be deferred;
(b) that the meeting now adjourned;
(c) that the debate be adjourned;
(d) that the motion be now put;
(e) that the motion lie on the table;
(f) that the meeting proceed to the next item of business;
(g) that the meeting be closed to members of the public;
(h) that the ruling of the Presiding Member be overruled;
(i) that the member be no longer heard; or
(j) that the item be referred back to the (appropriate) Committee.

12.2 No debate on procedural motions

(1) The mover of a motion stated in each of paragraphs (a), (b), (c), (e), (f), (g), (i) and (j) of clause 12.1 may speak to the motion for not more than 5 minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

(2) The mover of a motion stated in each of paragraphs (d) and (h) of clause 12.1 may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

12.3 Who may move

With the exception of subclause 12.1(h), a member who has moved, seconded, or spoken for or against the primary motion, or any amendment to the primary motion, cannot move any procedural motion which, if carried, would close the debate on the primary motion or amendment.

12.4 Procedural motions – right of reply on primary motion

The carrying of a procedural motion which closes debate on the primary motion or amendment and forces a decision on the primary motion or amendment does not deny the right of reply to the mover of the primary motion.

PART 13 – EFFECT OF PROCEDURAL MOTIONS

13.1 The motion be deferred – effect of motion

(1) If a motion "that the motion be deferred", is carried, then all debate on the primary motion and any amendment is to cease and the motion or amendment is to be resubmitted for consideration at a time and date specified in the motion.

(2) A motion "that the motion be deferred" must not be moved in respect of the election of a Presiding Member or the Deputy Shire President.

(3) A member must not, at the same meeting, move or second more than one motion "that the motion be deferred" in respect of the same item.

13.2 The meeting now adjourn – effect of motion

(1) If a motion "that the meeting now adjourn", is carried, then the meeting is to be adjourned to a time and date specified in the motion, or where no time and date is specified, to such time and date as the Presiding Member declares, or to the next ordinary meeting.

(2) Where debate on a motion is interrupted by an adjournment under subclause (1) –
   (a) the debate is to be resumed at the date and time specified as required in subclause (1) and at the point where it was so interrupted; and
   (b) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and
   (c) the provisions of clause 7.11 apply when the debate is resumed.

(3) If a motion "that the meeting now adjourn" is lost, no similar motion is to be moved until –
   (a) after the conclusion of the business under discussion at the time the motion was moved; or
   (b) if the motion was moved on the conclusion of an item of business, after the conclusion of the next item of business; or
   (c) after the conclusion of any other business allowed precedence by the meeting.

(4) A member must not, at the same meeting, move or second more than one motion for the adjournment of the meeting.

13.3 The debate be adjourned – effect of motion

(1) If a motion "that the debate be adjourned", is carried –
   (a) all debate on the primary motion or amendment is to cease and is to continue at a time and date specified in the motion;
   (b) the names of members who have spoken on the matter are to be recorded in the minutes; and
   (c) the provisions of clause 7.11 apply when the debate is resumed.

(2) A motion "that the debate be adjourned" must not be moved in respect of the election of a Presiding Member or the Deputy Shire President.

(3) A member must not, at the same meeting, move or second more than one motion "that the debate be adjourned" in respect of the same item.

13.4 The motion be now put – effect of motion

(1) If a motion "that the motion be now put", is carried, during discussion of a primary motion, the Presiding Member is to offer the right of reply and then immediately put the motion to the vote without further debate.

(2) If the motion "that the motion be now put", is carried, during debate of an amendment, the Presiding Member is to put the amendment to the vote without further debate.

(3) If the motion "that the motion be now put", is lost, debate is to continue.

13.5 The motion lie on the table – effect of motion

(1) If a motion "that the motion lie on the table", is carried, debate on the primary motion and any amendment must cease and the meeting is to proceed to the next item of business.

(2) Debate on the motion laid on the table is to be adjourned until such time (if any) as the meeting resolves to take the motion from the table.

(3) Where debate on a motion is interrupted by laying a motion on the table under subclause (1) –
  (a) the names of members who have spoken on the matter are to be recorded in the minutes; and
  (b) the provisions of clause 7.11 apply when the debate is resumed.

(4) A motion "that the motion lie on the table" must not be moved in respect of the election of a Presiding Member or the Deputy Shire President.

(5) A member moving the taking of the motion from the table is entitled to speak first on the resumption of the debate.

13.6 Meeting to proceed to the next business – effect of motion

(1) The motion "that the meeting proceed to the next item of business", if carried, has the effect that –
  (a) the debate on the substantive motion or amendment ceases immediately;
  (b) no decision is made on the substantive motion;
  (c) the meeting moves to the next item of business; and
  (d) there is no requirement for the matter to be raised again for consideration.

(2) A motion "that the meeting proceed to the next item of business" must not be moved in respect of the election of a Presiding Member or the Deputy Shire President.

13.7 Meeting be closed to members of the public – effect of motion

If a motion "that the meeting be closed to members of the public", is carried, then the Presiding Member is to close the meeting in accordance with clause 5.2.

13.8 Ruling by the Presiding Member be overruled – effect of motion

If a motion "that the ruling of the Presiding Member be overruled", is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

13.9 Member be no longer heard – effect of motion

If a motion "that the member be no longer heard", is carried, the speaker against whom the motion has been moved must not speak further on the current primary motion, or any amendment relating to it, except to exercise the right of reply if he or she is the mover of the primary motion.

13.10 Item be referred back to Committee – effect of motion

(1) If a motion "that the item be referred back to Committee", is carried, debate on the primary motion and any amendment is to cease and the primary motion, excluding any amendment, is to be referred back to the appropriate Committee for further consideration.

(2) If the motion in subclause (1) is lost, debate on the primary motion or amendment is to continue.

PART 14 – COMMITTEES OF THE COUNCIL

14.1 Establishment, types and membership of Committees

(1) The establishment, types and membership of Committees is dealt with in the Act.

(2) A Council resolution to establish a Committee under section 5.8 of the Act is to include:

(a) the terms of reference of the Committee;

(b) the number of council members, officers and other persons to be appointed to the Committee;

(c) the names or titles of the council members and officers to be appointed to the Committee;

(d) the names of other persons to be appointed to the Committee or an explanation of the procedure to be followed to determine the appointments; and

~~(a)~~(e) details of the delegation of any powers or duties to the Committee under section 5.16 of the Act.

14.2 Tenure of Committee membership

The tenure of Committee membership is dealt with in the Act.

14.3 Delegation of power to Committees

Delegation of powers and duties to Committees is dealt with in the Act.

14.4 Appointment of deputy members

The appointment of a deputy to a member of a Committee is dealt with in the Act.

14.5 ~~Standing orders~~Meeting procedures apply to Committees

Unless otherwise specifically provided, this local law applies generally to the proceedings of Committees, except for –

(a) clause 7.2 (relating to seating);

(b) clause 7.11(1) (relating to the limit on the number of speeches).

14.6 Communications by Committees

A Committee must not communicate with any person or authority except through the CEO.

PART 15 – PROCEDURAL MATTERS

15.1 Presiding Member to ensure compliance

The Presiding Member of a meeting is to ensure compliance with this local law.

15.2 Suspension of standing orders

(1) A member may, at any time, move that the operation of one or more of the standing orders or clauses be suspended.

(2) A member moving a motion under subclause (1) is to identify the clause or clauses containing the standing orders to be suspended, and state the reasons for the motion, but no other discussion is to take place.

(3) A motion under subclause (1) which is seconded and carried is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.

15.3 Cases not provided for in standing orders

(1) In situations where –
(a) standing orders have been suspended; or
(b) a matter is not regulated by the Act, the Regulations or this local law,
the Presiding Member is to decide questions relating to the conduct of the meeting.

(2) The decision of the Presiding Member under subclause (1) is final, except where a motion of dissent is moved and carried under clause 12.1(h).

15.4 Electors' meetings

The requirements for meeting of the electors are dealt with in the Act and the Administration Regulations.

15.5 Electors' meetings – standing orders apply

The standing orders apply, so far as is practicable, to any meeting of electors, but where there is any inconsistency between the provisions of this local law and the provisions of the Act, the latter shall prevail.

15.6 Restriction on voting and speaking at electors' meetings

The restriction on voting and speaking at electors' meetings is dealt with in the Administration Regulations.

15.7 Penalty for contravention of the standing orders

A person who breaches a provision of this local law commits an offence.
Penalty: $1,000, and a daily penalty of $100.

15.8 Who can prosecute

Who can prosecute is dealt with in the Act.

PART 16 – SUSPENSION OF LOCAL LAWS

17.1 Suspension of Local Laws

(1) A Member may at any time move that the operation of one or more of the provisions of these Local Laws be suspended.

(2) A Member moving a motion under subclause (1) is to state the reasons for the motion but no other discussion is to take place.

(3) A motion under subclause (1) which is:
(a) seconded; and
(b) carried by an absolute majority,

is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.

PART 17~~6~~ – COMMON SEAL

17~~6~~.1 Custody of the Common Seal

The CEO is to have charge of the Common Seal of the Shire, and is responsible for the safe custody and proper use of it.

17~~6~~.2 Use of Common Seal

The use of the Common Seal is dealt with in the Act.

PART 18 – ENFORCEMENT

19.1 Penalty for breach

A person who breaches a provision of these Local Laws commits an offence.

19.2 Who can prosecute

Who can prosecute is dealt with in the Act.

SCHEDULE – PETITION TO THE SHIRE OF EAST PILBARA

[cl.4.8(2)(a)]

To the Shire President and Councillors of the Shire of East Pilbara
We, the undersigned, do respectfully request that the Council –
[Here set out a concise statement of facts and the action sought]
Correspondence in respect of this petition should be addressed to –
[Here set out the name and address of the person]
The names and addresses of your petitioners are as follows –

DATE	FULL NAME	ADDRESS AGREE/DISAGREE/NO OPINION	SIGNATURE

Note: Petitioners may contact the CEO of the Shire of East Pilbara if they wish to withdraw from the petition or change their comment

Dated ~~17 December 2010~~[insert]
The Common Seal of the Shire of East Pilbara was affixed by authority of a resolution of the Council in the presence of –

LYNNE CRAIGIE, Shire President

~~ALLEN COOPER~~JEREMY EDWARDS, Chief Executive Officer

Local Government Act 1995

SHIRE OF EAST PILBARA

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 201~~9~~9

ARRANGEMENT

PART 1 – PRELIMINARY
1.1 Citation
1.2 Commencement
1.3 Purpose and effect
1.4 Application
1.5 Interpretation
1.6 Repeal
PART 2 – CALLING AND CONVENING MEETINGS
2.1 Ordinary and special Council meetings
2.2 Calling Council meetings
2.3 Calling Committee meetings
2.4 Convening ordinary and special Council meetings
2.5 Convening ordinary and special Committee meetings
PART 3 – PRESIDING MEMBER AND QUORUM
3.1 Who presides at Council meetings
3.2 When Deputy Shire President can preside
3.3 Who presides if no Shire President or Deputy Shire President
3.4 Election of Presiding Members and Deputy Presiding Members of Committees
3.5 Functions of Deputy Presiding Members
3.6 Who acts if no Presiding Member
3.7 Quorum for meetings
3.8 Quorum to be present
3.9 Procedure if quorum not present
3.10 Loss of quorum during a meeting
3.11 Meeting may be adjourned
3.12 Effect of adjournment
Debate on motion to be resumed
3.12 Names to be recorded
PART 4 – BUSINESS OF THE MEETING
4.1 Business to be specified in agenda
4.2 Meeting to proceed to business
4.3 Order of business
4.4 Leave of absence
4.5 Keeping of minutes

4.6 Content of minutes
4.7 Public inspection of unconfirmed minutes
4.8 Confirmation of minutes
4.9 Questions by members of which due notice has been given
4.10 Correspondence
4.11 Petitions
4.12 Matters for which the meeting may be closed
4.13 Reports
4.14 Motions of which previous notice has been given
4.15 Representation on external bodies
4.16 Urgent business
4.17 General business
4.18 Closure

PART 5 – PUBLIC PARTICIPATION

5.1 Meetings generally open to the public
5.2 Procedure to close meetings to the public
5.3 Question time for the public
5.4 Question time for the public at certain meetings
5.5 Minimum question time for the public
5.6 Procedures for question time for the public
5.7 Other procedures for question time for the public
5.8 Distinguished visitors
5.9 Deputations
5.10 Attending Committee meetings as an observer
5.11 Presentations
5.12 Council may meet to hear public submission
5.13 Public inspection of agenda materials
5.14 Public access to unconfirmed minutes of meetings
5.15 Confidentiality of information withheld
5.16 Media attendance
5.17 Recording of meeting prohibited
5.18 Prevention of disturbance

PART 6 – DISCLOSURE OF INTERESTS

6.1 Disclosure of members' financial and proximity interests
6.2 Meeting to be informed of financial and proximity interests
6.3 Disclosing member not to participate
6.4 When disclosing members can participate
6.5 Invitation to return to provide information
6.6 Substitution of deputy at Committee meetings
6.7 Disclosure by members who are observers at Committee meetings
6.8 Disclosure of impartiality interests
6.9 Other persons to disclose impartiality interests
6.10 On-going disclosure required
6.11 Approval by Minister to be recorded

PART 7 – CONDUCT OF MEMBERS

7.1 Official titles to be used
7.2 Members to occupy own seats
7.3 Advice of entry or departure
7.4 Members not to interrupt
7.4 No adverse reflection on decision

7.5 Offensive language
7.6 Direction to withdraw
7.7 Members who wish to speak
7.8 Priority of speaking
7.9 The Presiding Member may take part in debates
7.10 Relevance
7.11 Limitation on members speaking
7.12 Questions during debate
7.13 Re-opening discussion on decisions

PART 8 – PRESERVING ORDER

8.1 Presiding Member to preserve order
8.2 Points of order
8.3 Procedures on a point of order
8.4 Continued breach of order
8.5 Presiding Member may adjourn meeting

PART 9 – MOTIONS AND AMENDMENTS

9.1 Recommendations in reports
9.2 Adoption of recommendations en bloc
9.3 Motions
9.4 Motions to be seconded
9.5 Unopposed motions
9.6 Withdrawing motions
9.7 One motion at a time
9.8 Permissible motions on recommendation from Committee
9.9 Amendments

PART 10 – DEBATE OF MOTIONS

10.1 Order of call in debate
10.2 Limit of debate
10.3 Member may require motion to be read
10.4 Personal explanation
10.5 Crossing Council Chambers or meeting room
10.6 Voting
10.7 Motion – when put
10.8 Method of taking vote

PART 11 – REVOCATION MOTIONS

11.1 Requirements to revoke or change decisions
11.2 Revocation motion at the same meeting – procedures
11.3 Revocation motion after meeting – procedures
11.4 Implementation of a decision

PART 12 – PROCEDURAL MOTIONS

12.1 Permissible procedural motions
12.2 No debate on procedural motions
12.3 Who may move
12.4 Procedural motions – right of reply on primary motion

PART 13 – EFFECT OF PROCEDURAL MOTIONS

13.1 The motion be deferred – effect of motion
13.2 The meeting now adjourn – effect of motion
13.3 The debate be adjourned – effect of motion
13.4 The motion be now put – effect of motion
13.5 The motion lie on the table – effect of motion

13.6 Meeting to proceed to the next business – effect of motion
13.7 Meeting be closed to members of the public – effect of motion
13.8 Ruling by the Presiding Member be overruled – effect of motion
13.9 Member be no longer heard – effect of motion
13.10 Item be referred back to Committee – effect of motion

PART 14 – COMMITTEES OF THE COUNCIL

14.1 Establishment, types and membership of Committees
14.2 Tenure of Committee membership
14.3 Delegation of power to Committees
14.4 Appointment of deputy members
14.5 Meeting procedures apply to Committees
14.6 Communications by Committees

PART 15 – PROCEDURAL MATTERS

15.1 Presiding Member to ensure compliance
15.2 Suspension of standing orders
15.3 Cases not provided for in standing orders
15.4 Electors' meetings
15.5 Electors' meetings – standing orders apply
15.6 Restriction on voting and speaking at electors' meetings
15.7 Penalty for contravention of the standing orders
15.8 Who can prosecute

PART 16 – SUSPENSION OF LOCAL LAWS

17.1 Suspension of Local Laws

PART 17 – COMMON SEAL

17.1 Custody of the Common Seal
17.2 Use of Common Seal

PART 18 – ENFORCEMENT

19.1 Penalty for breach
19.2 Who can prosecute

SCHEDULE – PETITION TO THE SHIRE OF EAST PILBARA

Local Government Act 1995

SHIRE OF EAST PILBARA

~~STANDING ORDERS~~MEETING PROCEDURES LOCAL LAW 201~~9~~9

Under the powers conferred by the *Local Government Act 1995* and under all other powers enabling it, the Council of the Shire of East Pilbara resolved on ~~17 December 2010~~ [INSERT] to make the following local law.

PART 1 – PRELIMINARY

1.1 Citation

This local law is the *Shire of East Pilbara ~~Standing Orders~~Meeting Procedures Local Law 201~~9~~9*.

1.2 Commencement

This local law comes into operation 14 days after the date of its publication in the *Government Gazette*.

1.3 Purpose and effect

(1) The purpose of this local law is to provide the rules and guidelines for the conduct of meetings of the Council, Committees and electors.

(2) The effect of this local law is intended to result in –

(a) better decision-making at meetings;

(b) the orderly and efficient conduct of meetings; ~~and~~

(c) ~~greater community understanding of the business of the Council~~better understanding of the process of conducting meetings~~.~~; and

~~(c)~~(d) the more efficient and effective use of time at meetings.

1.4 Application

All meetings of the Council, Committees and the electors are to be conducted in accordance with the Act, the Regulations and this local law.

1.5 Interpretation

(1) In this local law, unless the contrary otherwise requires –

"**75% majority**" has the meaning given to it in the Act;

"**absolute majority**" has the meaning given to it in the Act;

"**Act**" means the *Local Government Act 1995;*

"**Administration Regulations**" means the *Local Government (Administration) Regulations 1996;*

"**CEO**" means the Chief Executive Officer of the Shire;

"**Committee**" means a Committee of the Council established under section 5.8 of the Act;

"Council" means the Council of the Shire of East Pilbara;
"Councillor" has the same meaning as is given to it in the Act;
"District" means the district of the local government;
"deputation" means a verbal submission at a Council or Committee meeting on an agenda item made by a person who has a direct interest in the agenda item;
"employee" means an employee of the Shire;
"external body" includes –

(a) a Regional council;
(b) an incorporated or unincorporated association;
(c) a trust;
(d) a tribunal;
(e) a government agency, instrumentality, board or committee; and
(f) any other external body,

to which the Shire is entitled, or has been invited, to provide a representative;

"implement", in relation to a decision, includes –

(a) communicate notice of the decision to a person affected by, or with an interest in, the decision; and
(b) take other action to give effect to the decision;

"member" –

(a) in relation to the Council, means the Shire President or a Councillor; and
(b) in relation to a Committee, means a member of the Committee;

"Minister" means the Minister responsible for administering the Act;
"Presiding Member" means –

(a) in respect of the Council, the person presiding under section 5.6 of the Act; and
(b) in respect of a Committee, the person presiding under sections 5.12, 5.13 and 5.14 of the Act;

"primary motion" means an original motion or an original motion as amended, but does not include an amendment motion or a procedural motion;
"Rules of Conduct Regulations" means the *Local Government (Rules of Conduct) Regulations 2007*;
"revocation motion" means a motion to revoke or change a decision made at a Council or Committee meeting;
"Shire" means the Shire of East Pilbara;
"Shire President" means the Shire President of the Shire;
"simple majority" means more than 50% of the members present and voting at meetings;
"standing orders" means the meeting procedures and/or rules on the conduct and behaviour of persons at a meeting of the Council, Committee or electors; and
"substantive motion" means an original motion or an original motion as amended, but does not include an amendment or a procedural motion;
"the Regulations" means a reference to both the *Local Government (Administration) Regulations 1996* and the *Local Government (Rules of Conduct) Regulations 2007;*

"this local law" means the *Shire of East Pilbara Standing Orders Local Law 2010;*

"urgent business" means business dealt with in accordance with clause 4.13.

(2) Unless otherwise defined, the terms used in this local law have the meaning given to them in the Act and the Regulations.

(3) This local law is subject to any written law and law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992* (Commonwealth) section 9(2).

* Paragraph (3) was inserted on 23 December 2014 by way of global amendment by the Governor. This provision is effective from the date of gazettal on 6 January 2015.

1.6 Repeal

The *Shire of East Pilbara Standing Orders Local Law 2010* published in the *Government Gazette* on [INSERT] is repealed.

PART 2 – CALLING AND CONVENING MEETINGS

2.1 Ordinary and special Council meetings

(1) Ordinary and special Council meetings are dealt with in the Act.

(2) An ordinary meeting of the Council, held on a monthly basis or otherwise as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.

(3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.

2.2 Calling Council meetings

The calling of Council meetings is dealt with in the Act.

2.3 Calling Committee meetings

A meeting of a Committee is to be held –

(a) in the case of a special meeting, if called for in a verbal or written notice to the CEO by the Presiding Member, setting out the date and purpose of the proposed meeting;

(b) in the case of a special meeting, if called for by at least 2 members of the Committee in a written notice to the CEO, setting out the date and purpose of the proposed meeting; or

(c) in the case of an ordinary or special meeting, if so decided by the Council or the Committee.

2.4 Convening ordinary and special Council meetings

The convening of ordinary and special Council meetings is dealt with in the Act.

2.5 Convening ordinary and special Committee meetings

(1) The CEO is to convene an ordinary meeting of a Committee by giving each member at least 72 hours notice of the date, time, place and an agenda for the meeting.

(2) The CEO is to convene a special meeting of a Committee by giving each member notice, before the meeting, of the date, time, place and an agenda for the meeting.

(3) The CEO is to give notice of meetings referred to in subclauses (1) and (2) to every member of the Council.

PART 3 – PRESIDING MEMBER AND QUORUM

3.1 Who presides at Council meetings

Who presides at a Council meeting is dealt with in the Act.

3.2 When Deputy Shire President can preside

When the Deputy Shire President can preside is dealt with in the Act.

3.3 Who presides if no Shire President or Deputy Shire President

Who presides if the Shire President or Deputy Shire President are absent or unavailable is dealt with in the Act.

3.4 Election of Presiding Members and Deputy Presiding Members of Committees

The election of Presiding Members and Deputy Presiding Members is dealt with in the Act.

3.5 Functions of Deputy Presiding Members

The functions of Deputy Presiding Members are dealt with in the Act.

3.6 Who acts if no Presiding Member

Who acts if there is no Presiding Member is dealt with in the Act.

3.7 Quorum for meetings

The quorum for meetings is dealt with in the Act.

3.8 Quorum to be present

The Council or a Committee is not to transact business at a meeting unless a quorum is present.

3.9 Procedure if quorum not present

The procedure if a quorum is not present to begin a meeting is dealt with in the Administration Regulations.

3.10 Loss of quorum during a meeting

(1) If at any time during a meeting a quorum is not present, the Presiding Member upon becoming aware of that fact is to suspend the proceedings of the meeting for up to 15 minutes.

(2) If a quorum is not present at the expiration of the period in subclause (1), the Presiding Member may suspend the proceedings of the meeting for a further period of up to 15 minutes or adjourn the meeting to a future time and date.

(3) A record is to be taken of all those who have spoken on the subject under consideration at the time of the adjournment.

3.11 Meeting may be adjourned

The Council may adjourn any meeting:

(a) to a later time on the same day; or

(b) to any other time on any other day, including a time which coincides with the conclusion of another meeting or event.

3.12 Effect of adjournment

Where any matter, motion, debate or meeting is adjourned under these Local Laws:

(a) the names of Members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and
(b) debate is to be resumed at the next meeting at the point where it was interrupted.

Debate on motion to be resumed

(1) Where the debate on any motion is interrupted at a Council or Committee meeting which is adjourned under clause 3.10, that debate is to be resumed at the next meeting at the point where it was so interrupted.
(2) Where the interruption in subclause (1) occurs at an ordinary meeting, the resumption is to be at the next ordinary meeting unless a special meeting is called earlier for the purpose.
(3) Where the interruption in subclause (1) occurs at a special meeting, the resumption is to be at the next special meeting called to consider the same business or at the next ordinary meeting if it occurs before a special meeting can be called.

3.12 Names to be recorded

At any meeting –
(a) at which there is not a quorum of members present; or
(b) which is adjourned under clause 3.10,
the names of the members then present are to be recorded in the minutes of the meeting.

PART 4 – BUSINESS OF THE MEETING

4.1 Business to be specified in agenda

(1) No business is to be transacted at any ordinary meeting of the Council or Committee, other than that specified in the agenda, without the approval of the Presiding Member or a decision of the Council or Committee, except matters which the Act or this local law permits to be dealt with without notice.
(2) No business is to be transacted at a special meeting of the Council or Committee, other than that specified in the agenda, and to which notice as to the purpose of the meeting has been given.
(3) No business is to be transacted at an adjourned meeting of the Council or Committee other than that –
(a) specified in the agenda of the meeting which had been adjourned; and
(b) which remains unsolved,
except in the case of an adjournment to the next ordinary meeting of the Council or Committee, when the business unresolved at the adjourned meeting is to be the first business to be considered at that ordinary meeting.
(4) Despite subclauses (1) to (3), the CEO may include on the agenda of a Council or Committee meeting, in an appropriate place within the order of business, any matter which must be decided, or which he or she considers is appropriate to be decided, by that meeting.

4.2 Meeting to proceed to business

A meeting is to proceed to business as soon after the time stated in the notice as a quorum is constituted.

4.3 Order of business

(1) Unless otherwise decided by the Council the order of business at an ordinary meeting of the Council is to be as follows –
- (a) declaration of opening/announcement of visitors;
- (b) record of attendance/apologies/leave of absence;
- (c) response to previous public questions taken on notice;
- (d) public question time;
- (e) petitions/deputations/presentations;
- (f) applications for leave of absence;
- (g) confirmation of minutes of previous Council meeting;
- (h) members reports;
- (i) officers reports;
- (j) motions of which previous notice has been given;
- (k) questions by members of which due notice has been given;
- ~~(k)~~(l) new business of an urgent nature introduced by a decision of Council;
- ~~(l)~~(m) confidential matters behind closed doors;
- ~~(m) general business;~~
- (n) date of next meeting;
- (o) closure.

(2) Unless otherwise decided by the Committee, the order of business at any ordinary meeting of the Committee is to be as follows –
- (a) declaration of opening/announcement of visitors;
- (b) record of attendance/apologies/leave of absence;
- (c) response to previous public questions taken on notice;
- (d) public question time;
- (e) petitions/deputations/presentations;
- (f) applications for leave of absence;
- (g) confirmation of minutes of previous Council meeting;
- (h) members reports;
- (i) officers reports;
- (j) motions of which previous notice has been given;
- (k) questions by members of which due notice has been given;
- ~~(k)~~(l) new business of an urgent nature introduced by a decision of Council;
- ~~(l)~~(m) confidential matters behind closed doors;
- ~~(m) general business;~~
- (n) date of next meeting;
- (o) closure.

(3) Unless otherwise decided by the members present, the order of business at any special meeting of the Council or a Committee is to be the order in which that business stands in the agenda of the meeting.

4.4 Leave of absence

The grant of leave of absence is dealt with in the Act.

4.5 Keeping of minutes

The keeping and confirmation of minutes are dealt with in the Act.

4.6 Content of minutes

(1) The content of minutes is dealt with in the Administration Regulations.

(2) In addition to the matters required by regulation 11, the minutes of a Council meeting is to include, where an application for approval is refused or the authorisation of a licence, permit or certificate is withheld or cancelled, the reasons for the decision.

4.7 Public inspection of unconfirmed minutes

The public inspection of unconfirmed minutes is dealt with in the Administration Regulations.

4.8 Confirmation of minutes

~~(1) Confirmation of minutes is dealt with in the Act.~~

(1) When minutes ~~are being confirmed, discussion is not to be permitted other than discussion as to their accuracy as a record of the proceedings.~~of an ordinary meeting of the Council are distributed for consideration prior to their confirmation at the next meeting, if a Member is dissatisfied with the accuracy of the minutes, the Member may provide the Local Government with a written copy of the alternative wording to amend the minutes no later than 7 clear working days before the next ordinary meeting of the Council.

(2) At the next ordinary meeting of the Council, the Member who provided the alternative wording shall, at the time for confirmation of minutes –

(a) State the item or items with which he or she is dissatisfied; and

(b) Propose a motion clearly outlining the alternative wording to amend the minutes.

~~(2)~~(3) Members must not discuss items of business contained in the minutes, other than discussion as to their accuracy as a record of the proceedings.

4.~~9~~6 Questions by members of which due notice has been given

(1) A member who wishes to ask a question at a meeting of the Council is to give the CEO written notice of the text of the question at least 8 hours before the meeting of the Council, and the question is to, as far as practicable, be answered in writing at that meeting.

(2) As far as practicable, the CEO is to ensure that a written answer to a question under subclause (1) is to be given at the meeting.

(3) If the CEO considers that the question breaches or may breach this local law or any other law –

(a) the CEO is to refer the question to the Shire President;

(b) the Shire President is to exclude the question if he or she concurs with the view of the CEO; and

(c) if the question is excluded, the CEO is to give all members, as soon as practicable but not later than the next ordinary meeting, the reasons for the exclusion.

(4) Notice of a question that is not excluded is to be included, if practicable, in the agenda, or is otherwise to be tabled at the meeting.

(5) Every question and answer is to be submitted as briefly and concisely as possible and no discussion is to be allowed thereon unless with the consent of the Shire President.

4.1~~7~~0 Correspondence

(1) Correspondence placed before a meeting of the Council or a Committee must relate to a matter on the agenda of the meeting.

(2) Correspondence may be placed before the Council or a Committee in the form of a precis that contains all relevant and material facts.

(3) Where correspondence contains a matter to be decided by the Council or the Committee, the CEO is, if the circumstances permit, to recommend a course of action to the Council or the Committee or state the alternative.

(4) Correspondence placed before a meeting of the Council or a Committee is not to be the subject of discussion or questions from members.

4.1~~8~~1 Petitions

(1) A petition received by a member or the CEO is to be presented to the next ordinary Council meeting.

(2) A petition to the Council is –

(a) as far as practicable, to be prepared in the form prescribed in the Schedule;

(b) to be addressed to the Council and forwarded to a member or the CEO;

(c) be made by electors of the district;

(d) contain the name, address and signature of each elector making the request, and the date each elector signed;

~~(b)~~(e) contain a summary of the reasons for the request;

~~(c)~~(f) to state the name and address of the person to whom correspondence, in respect of the petition, may be served; and

~~(d)~~(g) to be respectful and temperate in its language.

(3) The presentation of a petition is to be confined to the reading of the petition.

(4) The only motions in respect of a petition that are in order are that –

(a) the petition is received;

(b) a report on the petition be prepared; or

(c) the petition be referred to a Committee.

(5) At any meeting, the Council is not to vote on any matter that is the subject of the petition presented to that meeting, unless:

(a) the matter is the subject of a report included in the agenda; and

~~(c)~~(b) the Council has considered the issues raised in the petition.

4.1~~9~~2 Matters for which the meeting may be closed

For the convenience of members of the public, the Council or a Committee may identify by decision, early in the meeting, any matter on the agenda of the meeting, the discussion of which is to be closed to members of the public, and that matter may be deferred as the last item of the meeting.

4.1~~10~~3 Reports

(1) The functions of the CEO, including to advise the Council and Committees and implementing decisions, are dealt with in the Act.

(2) The CEO may prepare, or cause to be prepared, a report on an item, that in the CEO's opinion requires consideration by the Council or the Committee, including any report of a late or urgent nature.

(3) Where a report has been prepared in accordance with subclause (2), the CEO is to deliver the report to members of the Council or the Committee (as the

case may be) or, in the case of urgency or other special circumstances, table the report at the meeting.

(4) The CEO may, with the consent of the Presiding Member, withdraw an item or report listed in the agenda.

4.14 Motions of which previous notice has been given

(1) Unless the Act, the Regulations or this local law otherwise provide, a member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO and which has been included on the agenda.

(2) A notice of motion under subclause (1) is to be signed by the member and given to the CEO at least 4 clear working days before the meeting at which the motion is to be moved.

(3) A notice of motion must relate to a matter for which the Council is responsible.

(4) The CEO –

(a) may, with the concurrence of the Presiding Member, exclude from the agenda any notice of motion that they consider to be out of order; or

(b) may, after consultation with the member who gave notice of the motion, make such amendments to the form, but not the substance, to bring the notice of motion into due form; and

(c) must provide relevant and material facts and circumstances pertaining to the notice of motion on matters such as policy, financial and legal implications.

(5) If a notice of motion is excluded under subclause (4)(a), the CEO is to provide the reason for its exclusion to all members as soon as practicable.

(6) A notice of motion is not out of order because –

(a) the proposal involved is considered to be objectionable; or

(b) it raises a matter for which the Council is not responsible unless, in the opinion of the Presiding Member, the matter is one of significant public interest or importance.

(7) A motion of which notice has been given is to lapse unless –

(a) the member who gave notice, or another member authorised by him or her in writing, moves the motion when called on; or

(b) the Council or Committee on a motion agrees to defer consideration of the motion to a later stage or date.

(8) If a notice of motion is given and lapses, a notice of motion in the same terms or to the same effect may be given for consideration at a subsequent meeting of the Council or Committee, but if the motion again lapses, the Council or Committee is not to consider a motion in the same terms or to the same effect at a subsequent meeting until at least 3 months have elapsed from the date of the meeting at which the motion last lapsed.

(9) For the purpose of clarification, where a notice of motion is moved and seconded at a meeting of the Council or Committee, it is to be treated as a primary motion.

4.15 Representation on external bodies

(1) Correspondence inviting the Council to submit a nomination for appointment to an external body is to be referred by the CEO to the Council or an appropriate Committee.

(2) When speaking or voting on any item or business at a meeting of an external body, a member appointed to that body is to have regard to the decisions, policies and practices of the Shire.

4.1~~6~~3 Urgent business

(1) A member, at an ordinary meeting of the Council, may move a motion involving business that is not included in the agenda for that meeting if the Presiding Member has first consented to the business being raised because the Presiding Members considers that either –
   (a) the nature of the business is such that the business cannot await inclusion in the agenda for the next meeting; or
   (b) the delay in referring the business to the next meeting could have adverse legal or financial implications for the Shire.

(2) If a member objects to a motion moved under subclause (1), the motion is to be of no effect unless it is agreed to by an absolute majority.

(3) Subclauses (1) and (2) do not apply to a revocation motion being considered as urgent business in accordance with clause 11.2.

4.1~~7~~4 General business

(1) A member may raise any item of general business at a Committee meeting that they consider requires the attention of the Committee within its role as established by the Council.

(2) If a Committee wishes to take further action, after discussing an item raised under subclause (1), it must first ask the CEO to prepare a report on the item and consider that report.

4.1~~8~~5 Closure

At the conclusion of all business, or when otherwise determined by the meeting, the Presiding Member is to declare the meeting closed and the closing time is to be recorded in the minutes of the meeting.

PART 5 – PUBLIC PARTICIPATION

5.1 Meetings generally open to the public

Meetings being generally open to the public is dealt with in the Act.

5.2 Procedure to close meetings to the public

(1) The CEO may, at any time, recommend that a meeting or part of meeting be closed to members of the public.

(2) The Council or a Committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.

(3) If a resolution under subclause (2) is carried –
   (a) the Presiding Member is to direct everyone to leave the meeting except –
      (i) the members;
      (ii) the CEO; and
      (iii) any officer specified by the Presiding Member;
      and

(b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the Committee, by resolution, decides otherwise.

(4) A person who fails to comply with a direction under subclause (3) may, by order of the Presiding Member, be removed from the meeting.

(5) A resolution under this clause may be made without notice of the relevant motion.

(6) Unless the Council or Committee resolves otherwise, once the meeting is reopened to members of the public, the Presiding Member is to ensure that any resolution of the Council or Committee made while the meeting was closed, is to be read out including details of any voting record.

5.3 Question time for the public

Question time for the public at meetings is dealt with in the Act.

5.4 Question time for the public at certain meetings

Question time for the public at certain meetings is dealt with in the Administration Regulations.

5.5 Minimum question time for the public

Minimum question time for the public is dealt with in the Administration Regulations.

5.6 Procedures for question time for the public

Procedures for question time for the public is dealt with in the Administration Regulations.

5.7 Other procedures for question time for the public

(1) ~~(1)~~ Questions asked by the public are to relate to the business of the Council and are not to be in the form of a statement or personal opinion.

(2) Unless determined otherwise under the Administration Regulations, the procedure for the asking of and responding to questions raised by members of the public at a meeting, shall be as follows –

(a) a member of the public who raises a question during question time is to state their name and address;

(b) it is preferred that questions be submitted in writing in which case they will be read out by the CEO but questions may be asked orally;

(c) questions are to be answered by the member or employee nominated by the Presiding Member;

(d) questions may be taken on notice, at the determination of the Presiding Member, and the Presiding Member may determine that any complex question requiring research be answered only in writing;

(e) no discussion of a question or answer is to take place; and

(f) when a question is taken on notice under subclause (d), a response is to be given to the member of the public in writing, and a copy is to be included in the agenda of the next meeting of the Council or Committee, as the case requires.

(3) The Presiding Member may decide that a public question shall not be responded to where:

(a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;

(b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or

~~(a)~~(c) ~~reject any question that may be deemed~~the member of the public asks a question that is offensive ~~towards, or reflects adversely upon the character and/or any actions, of any member of the Council or employee of the Shire~~or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.

(4) A member of the public shall have five minutes to submit a question.

(5) The Council, by resolution, may agree to extend public question time.

(6) Where a response to a question is given at a meeting, a summary of the question and the response is to be included in the minutes of the meeting.

(~~7~~5) There is to be no public question time in meetings of Committees other than a Committee to which the Council has delegated a power or duty, or which is open to the public.

5.8 Distinguished visitors

If a distinguished visitor is present at a meeting of the Council or a Committee, the Presiding Member may –

~~(a) invite the person to sit beside the Presiding Member or at the meeting table;~~

~~(b)~~ acknowledge the presence of the distinguished visitor at an appropriate time during the meeting;

(a)

~~(c)~~(b) direct that the presence of the distinguished visitor be recorded in the minutes.

5.9 Deputations

(1) A deputation wishing to be received by ~~a Committee~~the Council must apply in writing to the CEO who is to forward the written request to the Presiding Member of the relevant Committee.

(2) The Presiding Member may either approve the request, in which event the CEO is to invite the deputation to attend a meeting of the ~~Committee~~Council, or may instruct the CEO to refer the request to the ~~Committee~~ Council to decide whether or not to receive the deputation.

(3) A deputation invited to attend a meeting –

(a) must not exceed 5 persons, only 2 of whom may address the meeting, although others may respond to specific questions from the members; ~~and~~

(b) must not address the meeting for a period exceeding 10 minutes without the agreement of the meeting; and

(c) additional members of the deputation may be allowed to speak with the leave of the Presiding Member.

(4) For the purpose of determining who may address the ~~Committee~~ Council on an issue, all those people either in favour of or opposed to an item are deemed to comprise a single deputation.

(5) A matter which is the subject of a deputation to a ~~Committee~~ Council is not to be decided by that ~~Committee~~ Council until the deputation has completed its presentation.

5.10 Attending Committee meetings as an observer

(1) The Shire President or a Councillor may attend any meeting of a Committee as an observer, even if the Shire President or Councillor is not a member of that Committee.

(2) A deputy to a member of a Committee appointed under clause 14.4 may attend a meeting of that Committee as an observer, even if the deputy is not acting in the capacity of the member.

(3) The Shire President or Councillor in the case of subclause (1), or deputy to a member attending a Committee meeting as an observer in the case of subclause (2) –

(a) may, with the consent of the Presiding Member, speak, but cannot vote on any motion before the Committee; and

(b) must sit in the area set aside for observers separated from the Committee members.

5.11 Presentations

(1) In this clause, a "presentation" means the acceptance of a gift or an award by the Council on behalf of the Local Government or the community.

(2) A presentation may be made to the Council at a meeting only with the prior approval of the CEO.

5.12 Council may meet to hear public submission

(1) Where an item on the agenda at a Council meeting is contentious and is likely to be the subject of a number of deputations, the Council may resolve to meet at another time to provide a greater opportunity to be heard.

(2) The CEO and the President shall set the time and date of the meeting to provide the opportunity to be heard.

(3) Where the Council resolves to meet to provide the opportunity to be heard under subclause (1), the Presiding Member shall:

(a) instruct the CEO to provide local public notice of the time and date when the Council will meet to provide an opportunity to be heard;

(b) provide a written invitation to attend the meeting to provide the opportunity to be heard to all members of the public who have applied under clause 5.9 to make a deputation on the issue; and

(c) cause minutes to be kept of the meeting to provide the opportunity to be heard.

(4) A meeting held under subclause (1) shall be conducted only to hear submissions. The Council shall not make resolutions at a meeting to provide the opportunity to be heard.

(5) At a meeting held under subclause (1), each person making a submission shall be provided with the opportunity to fully state his or her case.

(6) A member of the public shall be limited to 10 minutes in making an oral submission, but this period may be extended at the discretion of the Presiding Member.

(7) Once every member of the public has had the opportunity to make a submission the Presiding Member is to close the meeting.

(8) The CEO is to ensure that a report is included on the agenda of the next Council meeting summarising each submission made at the meeting.

(9) The Council must not resolve on the matter that is the subject of a meeting to provide the opportunity to be heard until it has received the CEO's report under subclause (8).

5.13 Public inspection of agenda materials

Public inspection of agenda materials is dealt with in the Administration Regulations.

5.1~~2~~4 Public access to unconfirmed minutes of meetings

Public access to unconfirmed minutes of Council and Committee meetings is dealt with in the Administration Regulations.

5.1~~3~~5 Confidentiality of information withheld

(1) Information withheld by the CEO from members of the public under the Administration Regulations is to be –
   (a) identified in the agenda of a Council or Committee meeting under the item "Matters for which the meeting may be closed"; and
   (b) marked "confidential" in the agenda; and
   (c) kept confidential by members and employees until the Council or Committee resolves otherwise.

(2) A member or an employee who has –
   (a) confidential information under subclause (1); or
   (b) information that is provided or disclosed for the purposes of or during a meeting, or part of a meeting, that is closed to the public,

   is not to disclose any of that information to any person other than another member or an employee to the extent necessary for the purpose of carrying out his or her duties.

(3) Subclause (2) does not prevent a member or employee from disclosing information –
   ~~(d)~~(c) at a closed meeting;
   ~~(e)~~(d) to the extent specified by the Council and subject to such other conditions as the Council determines;
   ~~(f)~~(e) that is already in the public domain;
   ~~(g)~~(f) to an officer of the Department;
   ~~(h)~~(g) to the Minister;
   ~~(i)~~(h) to a legal practitioner for the purpose of obtaining legal advice; or
   ~~(j)~~(i) if the disclosure is required or permitted by law.

5.1~~6~~4 Media attendance

Media persons are to be permitted to attend meetings of the Council or Committees that are open to the public, in such part of the Council Chamber or meeting room as may be set aside for their accommodation, but must withdraw during any period when the meeting is closed to the public.

5.1~~7~~5 Recording of meeting prohibited

(1) A person must not use any electronic, visual or audio recording device or instrument to record the proceedings of the Council or Committee unless, the Presiding Member or CEO has given permission to do so.

(2) If the Presiding Member or CEO gives permission under subclause (1), he or she is to advise the meeting, immediately before the recording is commenced,

that such permission has been given and the nature and extent of that permission.

5.1~~8~~6 Prevention of disturbance

(1) A reference in this clause to a "person" is to a person other than a member.

(2) A person addressing the Council or a Committee must extend due courtesy and respect to the Council or Committee and the processes under which it operates and must comply with any direction from the Presiding Member.

(3) A person must not interrupt or interfere with the proceedings of any meeting of the Council or a Committee, whether by expressing approval or dissent, by conversing or by any other means.

(4) The Presiding Member may warn a person who fails to comply with this clause.

(5) If –

(a) after being warned, the person again acts contrary to this clause, or to the direction; or

(b) a person refuses or fails to comply with a direction by the Presiding Member,

the Presiding Member may expel the person from the meeting by ordering him or her to leave the meeting room.

(6) A person who is ordered to leave the meeting room and fails to do so may, by order of the Presiding Member, be removed from the meeting room and, if the Presiding Member orders, from the premises.

(7) A person shall ensure that his or her mobile telephone or audible pager is not switched on or used during any meeting of the Council.

(8) A person shall not behave in a manner that is contrary to section 75 of the Criminal Code.

PART 6 – DISCLOSURE OF INTERESTS

6.1 Disclosure of members' financial and proximity interests

The disclosure of direct and indirect financial interests and proximity interests by members and employees is dealt with in the Act.

6.2 Meeting to be informed of financial and proximity interests

Procedures for informing the meeting of disclosures in clause 6.1 are dealt with in the Act.

6.3 Disclosing member not to participate

The participation at meetings of a member that has disclosed an interest in clause 6.1 is dealt with in the Act.

6.4 When disclosing members can participate

The procedures for allowing participation in meetings of members disclosing an interest in clause 6.1 are dealt with in the Act.

6.5 Invitation to return to provide information

(1) Where a member has disclosed an interest in clause 6.1, and has departed from the Council Chamber or meeting room, the meeting may invite the member to return to provide information in respect of the matter or in respect of the member's interest in the matter.

(2) A member invited to return under subclause (1) must withdraw after providing the information.

6.6 Substitution of deputy at Committee meetings

Where a member discloses an interest in an item under clause 6.1 and withdraws from a meeting of a Committee, the Presiding Member may invite the disclosing member's deputy, if present, to participate as a member of the Committee in place of the disclosing member during the consideration of that item only.

6.7 Disclosure by members who are observers at Committee meetings

The obligation to disclose an interest in clause 6.1 is to apply to all members present at Committee meetings including a member attending a Committee in the capacity of an observer.

6.8 Disclosure of impartiality interests

The disclosure of impartiality interests at meetings by the Shire President and Councillors is dealt with in the Rules of Conduct Regulations.

6.9 Other persons to disclose impartiality interests

(1) In this clause, a reference to –
- (a) **"person"** means an employee and/or a member of a Committee that is not either the Shire President or a Councillor; and
- (b) **"interest"** means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest and includes an interest arising from kinship, friendship or membership of an association.

(2) A person who has an interest in any matter to be discussed at a meeting attended by the person must disclose the nature of the interest –
- (a) in a written notice given to the CEO before the meeting; or
- (b) at the meeting immediately before the matter is discussed.

(3) Subclause (2) does not apply to an interest referred to in section 5.60 of the Act.

(4) Subclause (2) does not apply if –
- (a) a person fails to disclose an interest because the person did not know he or she had an interest in the matter; or
- (b) a person fails to disclose an interest because the person did not know the matter in which he or she had an interest would be discussed at the meeting and the person disclosed the interest as soon as possible after the discussion began.

(5) If, under subclause (2)(a), a person discloses an interest in a written notice given to the CEO before a meeting then –
- (a) before the meeting, the CEO is to cause the notice to be given to the Presiding Member of the meeting; and
- (b) at the meeting, the Presiding Member is to bring the notice and its contents to the attention of the persons present immediately before a matter to which the disclosure relates is discussed.

(6) If –
- (a) under subclause (2)(b) or (4)(b) a person's interest in a matter is disclosed at a meeting; or
- (b) under subclause (5)(b) notice of a person's interest in a matter is brought to the attention of the persons present at a meeting,

the nature of the interest is to be recorded in the minutes of the hearing.

6.10 On-going disclosure required

The obligation to disclose an interest under this Part applies in regard to each meeting at which the matter, the subject of the interest, arises.

6.11 Approval by Minister to be recorded

If the Minister approves of the participation in a meeting of a disclosing member, the conditions of the approval are to be recorded in the minutes of the meeting and the register of financial interests.

PART 7 – CONDUCT OF MEMBERS

7.1 Official titles to be used

A speaker, when speaking or referring to the Shire President or Deputy Shire President, or to a Councillor or employee, must use the title of that person's office.

7.2 Members to occupy own seats

(1) At meetings of the Council, each member is to occupy the place assigned to that member within the Council Chamber.

(2) At the first meeting held after each ordinary elections day the CEO is to allot, by random draw, a position at the Council table to each Councillor and the Councillor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of Councillors for a re-allotment of positions.

7.3 Advice of entry or departure

During the course of a meeting of the Council, a Member is not to enter or leave the meeting without first advising the Presiding Member, in order to facilitate the recording in the minutes of the time of entry or departure.

7.4 Members not to interrupt

A member must not interrupt another member while speaking unless –

(a) to raise a point of order under clause 8.3;
(b) to call attention to the absence of quorum;
(c) to make a personal explanation under clause 10.4; or
(d) to move a procedural motion that the member no longer heard (under clause 12.1(i) and 13.9).

7.4 No adverse reflection on decision

(1) A member must not reflect adversely on a decision of the Council or a Committee except on a motion that the decision be revoked or changed.

(2) A member must not –
(a) reflect adversely on the character or actions of another member or employee; or
(b) impute any motive to a member or employee,
unless the Council or Committee resolves, without debate, that the motion then before the Council or Committee cannot otherwise be adequately considered.

7.5 Offensive language

(1) A member must not use offensive or objectionable expressions in reference to any member, employee or other person.

(2) If a member specifically requests, immediately after their use, that any particular words used by a member be recorded in the minutes, the Presiding Member is to cause the words used to be taken down and read to the meeting for verification and then to be recorded in the minutes.

7.6 Direction to withdraw

A member who, in the opinion of the Presiding Member and in the absence of a resolution under clause 7.4(2), –

(a) reflects adversely on the character or actions of another member or employee;

(b) imputes an expression that is offensive or objectionable;

(c) uses an expression that is offensive or objectionable,

must, when directed by the Presiding Member, withdraw the reflection, imputation or expression and make a satisfactory apology.

7.7 Members who wish to speak

A member who wishes to speak –

(a) is to indicate his or her intention to speak by raising his or her hand or by another ~~the~~ method determined by the Council or Committee; and

(b) when invited by the Presiding Member to speak, must address the meeting through the Presiding Member.

7.8 Priority of speaking

(1) If two or more members of the Council or a Committee indicate, at the same time, their intention to speak, the Presiding Member is to decide which member is to be heard first.

(2) A decision of the Presiding Member under subclause (1) is not open to discussion or dissent.

~~(1)~~(3) A Member is to cease speaking immediately after being asked to do so by the Presiding Member.

7.9 The Presiding Member may take part in debates

The Presiding Member may take part in a discussion of any matter before the Council or Committee as the case may be.

7.10 Relevance

(1) A member must restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.

(2) The Presiding Member, at any time, may –

(a) call the attention of the meeting to any irrelevant or repetitious remarks by a member; or

(b) direct that member, if speaking, to discontinue his or her speech.

(3) A member must comply with the direction of the Presiding Member under subclause (2) by immediately ceasing to speak.

7.11 Limitation on members speaking

(1) Only the mover of a motion or an amendment may speak twice on the same motion or the same amendment unless, permitted by the meeting (on a majority vote).

(2) The mover of a motion or an amendment –
  (a) is to speak to that motion or amendment first, after it has been seconded; and
  (b) has the right of reply and in exercising that right must confine the reply to previous speakers' comments and not introduce any new matters.

(3) A member must not speak on any motion or an amendment after the mover has replied and the motion or amendment is to be immediately put to the vote by the Presiding Member.

(4) A member may speak on a motion or an amendment, or reply, for a period of only 5 minutes, unless an extension of time is granted by the Council without debate, but a member's total speaking time must not exceed 10 minutes.

7.12 Questions during debate

(1) A member may ask a question at any time during the debate on a motion or an amendment before the mover of the motion or amendment has replied.

(2) Subject to subclause (3), a member who asks one or more questions will not be taken to have spoken on the matter.

7.13 Re-opening discussion on decisions

A member must not re-open discussion on any decision of the Council or Committee, except for the purpose of moving a revocation motion under clause 11.2.

PART 8 – PRESERVING ORDER

8.1 Presiding Member to preserve order

(1) The Presiding Member is to preserve order and, whenever he or she considers it necessary, may call any member or other person to order.

(2) When the Presiding Member, during the progress of a debate, is to raise or rule on a point of order, any member or person then speaking, or offering to speak, is to be silent so that the Presiding Member may be heard without interruption.

8.2 Points of order

Without limitation, the following acts are to be taken as being out of order –
  (a) discussion of a matter not before the meeting;
  (b) the use of offensive or objectionable language; or
  (c) the violation of any written law, including this local law, provided that the member making the point of order states the written law believed to be breached.

8.3 Procedures on a point of order

(1) Upon a matter of order arising during the progress of a debate, any member may raise a point of order with the Presiding Member including interrupting the speaker.

(2) Any member who is speaking when a point of order is raised in subclause (1), is to immediately stop speaking while the Presiding Member listens to the point of order.

(3) A member raising a point of order is to specify one of the grounds of the breach of order before speaking further on the matter.

(4) A member who is expressing a difference of opinion or contradicting a speaker is not to be taken as raising a point of order.

8.4 Continued breach of order

If a member –

(a) persists in any conduct that the Presiding Member had ruled is out of order; or

(b) fails or refuses to comply with a direction from the Presiding Member,

the Presiding Member may direct the member to refrain from taking any further part in the debate of the item, other than voting, and the member must comply with that direction.

8.5 Presiding Member may adjourn meeting

(1) For the purpose of preserving or regaining order, the Presiding Member may adjourn the meeting for a period of up to 15 minutes.

(2) On resumption, the debate is to continue at the point at which the meeting was adjourned.

(3) If, at any one meeting, the Presiding Member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time of the same day or to another day.

(4) If there is an adjournment under this clause, the names of the members who have spoken on the matter before the adjournment are to be recorded.

PART 9 – MOTIONS AND AMENDMENTS

9.1 Recommendations in reports

(1) Where the Council or a Committee adopts a recommendation contained in a report, either with or without amendment, the recommendation so adopted is taken to be a decision of the Council or the Committee (as the case may be).

(2) Where a motion, if carried, would be significantly different from the relevant written recommendation of any employee or Committee, the reason for the decision is to be recorded in the minutes of the meeting in accordance with the Regulations.

(3) A Committee may make a recommendation to the Council which –

(a) is relevant to the purpose for which the Committee is established by the Council; and

(b) the Committee considers requires consideration by the Council.

(4) Where a Committee makes a recommendation for consideration by the Council, the CEO must prepare or cause to be prepared, a report to the Council with respect to the recommendation.

9.2 Adoption of recommendations en bloc

A member may move a motion to adopt by one resolution, all the recommendations or a group of recommendations from a Committee or several reports, without amendment or qualification after having first identified those recommendations, if any –

(a) which require adoption by an absolute or special majority vote;

(b) in which an interest has been disclosed;

(c) that has been subject of a petition or deputation;
(d) which any member has indicated the wish to debate; and
(e) in which any member has indicated the wish to ask a question or to raise a point of clarification,

and, each of those recommendations referred to in paragraphs (a), (b), (c), (d) and (e) must be considered separately.

9.3 Motions

(1) A member who wishes to move a primary motion, or an amendment to a primary motion –
(a) is to state the substance of the motion before speaking to it; and
(b) is to put the motion or amendment in writing if –
(i) in the opinion of the Presiding Member, the motion or amendment is significantly different to the relevant written recommendation of a Committee or an employee (including a person who, under a contract for services with the Shire, provides advice or a report on the matter); or
(ii) the member is otherwise required to do so by the Presiding Member.

(2) The written terms of the motion or amendment are to be given to the CEO who is to ensure that they are recorded in the minutes.

(3) The Presiding Member may require that a complex primary motion, or a complex amendment to a primary motion, is to be broken down and put in the form of more than one motion, each of which is to be put in sequence.

9.4 Motions to be seconded

(1) A motion, or an amendment to a motion, is not open to debate until it has been seconded.

(2) A motion to revoke or change a decision made at a Council or Committee meeting is not open to debate unless, the motion has the support required under the Administration Regulations.

(3) A member seconding a motion has the right to speak on the motion later in the debate.

(4) A motion is not to be amended by the mover without the consent of the seconder.

9.5 Unopposed motions

(1) Immediately after a motion has been moved and seconded, the Presiding Member may ask the meeting if any member opposes it.

(2) If no member opposes the motion, the Presiding Member may declare it carried without debate and without taking a vote.

(3) A motion carried under subclause (2) is to be recorded in the minutes as a unanimous decision of the Council or Committee.

(4) If a member opposes a motion, the motion is to be dealt with under this Part.

9.6 Withdrawing motions

(1) A motion or amendment may be withdrawn by the mover, with the consent of the seconder, and no member is to speak on it after it has been withdrawn.

(2) If an amendment has been proposed to a primary motion, the primary motion cannot be withdrawn, except by consent of the majority of members, until the amendment proposed has been withdrawn or lost.

9.7 One motion at a time

The Council or a Committee –

(a) is not to accept a substantive motion while another substantive motion is being debated; and
(b) is not to consider more than one substantive motion at any time.

9.8 Permissible motions on recommendation from Committee

A recommendation made by a Committee may be –

(a) adopted by the Council without amendment;
(b) rejected by the Council and replaced by an alternative decision;
(c) subject to clause 9.9(2), amended and adopted as amended by the Council; or
(d) referred back to the Committee for further consideration.

9.9 Amendments

(1) A member may move an amendment to a primary motion at any time during debate on the motion, except –
   (a) if the mover has been called by the Presiding Member to exercise the right of reply;
   (b) if the member has already spoken to the primary motion;
   (c) if another amendment is being debated, or has not been withdrawn, carried or lost; or
   (d) during debate on a procedural motion.

(2) An amendment must be relevant to the primary motion to which it is moved and must not have the effect of negating the primary motion.

(3) An amendment to a primary motion is to take only one of the following forms –
   (a) that certain words be omitted;
   (b) that certain parts be omitted and others substituted or added; or
   (c) that certain words be added.

(4) Only one amendment is to be debated at a time, but as often as an amendment is withdrawn, carried or lost, another amendment may be moved before the primary motion is put to the vote.

(5) Where an amendment is carried, the primary motion as amended is, for all purposes of subsequent debate, to be treated as a primary motion.

(6) An amendment must be read by the mover before being seconded.

PART 10 – DEBATE OF MOTIONS

10.1 Order of call in debate

The Presiding Member is to call speakers to a motion or amendment in the following order –

(a) the mover to state the motion;
(b) a seconder to the motion;
(c) the mover to speak to the motion;
(d) the seconder to speak to the motion;
(e) other speakers against and for the motion, alternating in view, if any; and
(f) the mover takes right of reply which closes debate.

10.2 Limit of debate

The Presiding Member may offer the right of reply and put the motion to the vote if he or she believes sufficient discussion has taken place even though all members may not have spoken.

10.3 Member may require motion to be read

A member may require the motion under discussion to be read at any time during a debate, but not so as to interrupt any other member who is speaking.

10.4 Personal explanation

(1) A member who wishes to make a personal explanation relating to a matter referred to by another member who is then speaking must indicate to the Presiding Member his or her intention to make personal explanation.

(2) The Presiding Member is to determine whether the personal explanation is to be heard immediately or at the conclusion of the speech by the other member.

10.5 Crossing Council Chambers or meeting room

(1) When the Presiding Member is putting any motion to the vote, a member must not leave or cross the Council Chamber or meeting room.

(2) A member must not, while any other member is speaking, pass between the speaker and the Chair.

10.6 Voting

Voting at meetings is dealt with in the Act and the Administration Regulations.

10.7 Motion – when put

Immediately after the debate on any question is concluded, and the right of reply has been exercised, the Presiding Member –

(a) is to put the motion to the meeting; and

(b) if requested by a member, is again to state the terms of the motion.

10.8 Method of taking vote

(1) The Presiding Member, in taking the vote on any motion, is to –

(a) put the motion, first in the affirmative and then in the negative;

(b) determine whether the affirmative or the negative has the majority of votes; and

(c) declare the result of the vote.

(2) The motion put under subclause (1) may be put as often as is necessary to enable the Presiding Member to determine whether the affirmative or the negative has the majority votes.

(3) The result of voting is to be determined on the count of raised hands but it may be determined on the voices unless a member calls for a show of hands.

PART 11 – REVOCATION MOTIONS

11.1 Requirements to revoke or change decisions

The requirements to revoke or change a decision made at a meeting are dealt with in the Administration Regulations.

11.2 Revocation motion at the same meeting – procedures

(1) A member who moves a revocation motion at the same meeting where the decision is made must –
  (a) clearly identify the decision to be revoked or changed; and
  (b) clearly state the reason for the decision to be revoked or changed.

(2) If the CEO receives a notice of a revocation motion to revoke a decision made at a meeting before the close of that meeting, the CEO must immediately advise the Presiding Member of the substance of the revocation motion and raise it as an item of urgent business under clause 4.13.

(3) Where the Presiding Member is advised of a revocation motion under subclause (2), he or she is to –
  (a) advise the meeting of the notice;
  (b) state the substance of the revocation motion;
  (c) determine whether there is sufficient support under clause 11.1; and
  (d) if there is sufficient support, deal with the revocation motion.

11.3 Revocation motion after meeting – procedures

(1) A member wishing to move a revocation motion at a future meeting of the Council or a Committee must give to the CEO notice of the revocation motion, which is to –
  (a) be in writing;
  (b) specify the decision proposed to be revoked or changed;
  (c) include a reason or reasons for the revocation motion;
  (d) be supported by the number of members required under the Regulations;
  (e) specify the date of the ordinary or special meeting of the Council or the Committee where it is to be presented, as the case may be; and
  (f) be given to the CEO in accordance with the notice of motion provisions in clause 4.11.

(2) Any notice of revocation motion given to the CEO must be dealt with in accordance with 4.11.

11.4 Implementation of a decision

No steps are to be taken to implement or give effect to a decision if –
  (a) there is a valid notice of revocation motion that has the support of members required by the Administration Regulations; and
  (b) the notice of revocation motion was received before any action was taken to implement the decision.

(1) In this clause:
  (a) "authorisation" means a licence, permit, approval or other means of authorising a person to do anything;
  (b) "implement" in relation to a decision includes:
    i. Communicate notice of the decision to aperson affected by, or with an interest in, the decision; and
    ii. Take any other action to give effect to the decision; and
  (c) "valid notice of revocation motion" means a notice of motion to revoke or change a decision that complies with the requirements of the Act, Regulations and the Local Laws and may be considered, but has not yet been considered, by the Council or a committee as the case may be.

(2) Subject to subclause (4), and unless a resolution is made under subclause (3), a decision made at a meeting is not to be implemented by the CEO or any other person until the afternoon of the first business day after the commencement of the meeting at which the decision was made.

(3) The Council or a committee may, by resolution carried at the same meeting at which a decision was made, direct the CEO or another person to take immediate action to implement the decision.

(4) A decision made at a meeting is not to be implement by the CEO or any other person:

(a) if, before commencing any implementation action, the CEO or that person is given a valid notice of revocation motion; and

(b) unless and until the valid notice of revocation motion has been determined by the Council or the committee as the case may be.

(5) The CEO is to ensure that members of the public attending the meeting are informed by an appropriate notice that a decision to grant an authorisation:

(a) is to take effect only in accordance with this clause; and

~~(a)~~(b) cannot be acted upon by the person who has been granted the authorisation unless and until the decision has been implemented in accordance with this clause.

PART 12 – PROCEDURAL MOTIONS

12.1 Permissible procedural motions

In addition to the right to move an amendment to a primary motion, a member may move any of the following procedural motions –

(a) that the motion be deferred;
(b) that the meeting now adjourned;
(c) that the debate be adjourned;
(d) that the motion be now put;
(e) that the motion lie on the table;
(f) that the meeting proceed to the next item of business;
(g) that the meeting be closed to members of the public;
(h) that the ruling of the Presiding Member be overruled;
(i) that the member be no longer heard; or
(j) that the item be referred back to the (appropriate) Committee.

12.2 No debate on procedural motions

(1) The mover of a motion stated in each of paragraphs (a), (b), (c), (e), (f), (g), (i) and (j) of clause 12.1 may speak to the motion for not more than 5 minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

(2) The mover of a motion stated in each of paragraphs (d) and (h) of clause 12.1 may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

12.3 Who may move

With the exception of subclause 12.1(h), a member who has moved, seconded, or spoken for or against the primary motion, or any amendment to the primary motion, cannot move any procedural motion which, if carried, would close the debate on the primary motion or amendment.

12.4 Procedural motions – right of reply on primary motion

The carrying of a procedural motion which closes debate on the primary motion or amendment and forces a decision on the primary motion or amendment does not deny the right of reply to the mover of the primary motion.

PART 13 – EFFECT OF PROCEDURAL MOTIONS

13.1 The motion be deferred – effect of motion

(1) If a motion "that the motion be deferred", is carried, then all debate on the primary motion and any amendment is to cease and the motion or amendment is to be resubmitted for consideration at a time and date specified in the motion.

(2) A motion "that the motion be deferred" must not be moved in respect of the election of a Presiding Member or the Deputy Shire President.

(3) A member must not, at the same meeting, move or second more than one motion "that the motion be deferred" in respect of the same item.

13.2 The meeting now adjourn – effect of motion

(1) If a motion "that the meeting now adjourn", is carried, then the meeting is to be adjourned to a time and date specified in the motion, or where no time and date is specified, to such time and date as the Presiding Member declares, or to the next ordinary meeting.

(2) Where debate on a motion is interrupted by an adjournment under subclause (1) –
   (a) the debate is to be resumed at the date and time specified as required in subclause (1) and at the point where it was so interrupted; and
   (b) the names of members who have spoken on the matter prior to the adjournment are to be recorded in the minutes; and
   (c) the provisions of clause 7.11 apply when the debate is resumed.

(3) If a motion "that the meeting now adjourn" is lost, no similar motion is to be moved until –
   (a) after the conclusion of the business under discussion at the time the motion was moved; or
   (b) if the motion was moved on the conclusion of an item of business, after the conclusion of the next item of business; or
   (c) after the conclusion of any other business allowed precedence by the meeting.

(4) A member must not, at the same meeting, move or second more than one motion for the adjournment of the meeting.

13.3 The debate be adjourned – effect of motion

(1) If a motion "that the debate be adjourned", is carried –
   (a) all debate on the primary motion or amendment is to cease and is to continue at a time and date specified in the motion;
   (b) the names of members who have spoken on the matter are to be recorded in the minutes; and
   (c) the provisions of clause 7.11 apply when the debate is resumed.

(2) A motion "that the debate be adjourned" must not be moved in respect of the election of a Presiding Member or the Deputy Shire President.

(3) A member must not, at the same meeting, move or second more than one motion "that the debate be adjourned" in respect of the same item.

13.4 The motion be now put – effect of motion

(1) If a motion "that the motion be now put", is carried, during discussion of a primary motion, the Presiding Member is to offer the right of reply and then immediately put the motion to the vote without further debate.

(2) If the motion "that the motion be now put", is carried, during debate of an amendment, the Presiding Member is to put the amendment to the vote without further debate.

(3) If the motion "that the motion be now put", is lost, debate is to continue.

13.5 The motion lie on the table – effect of motion

(1) If a motion "that the motion lie on the table", is carried, debate on the primary motion and any amendment must cease and the meeting is to proceed to the next item of business.

(2) Debate on the motion laid on the table is to be adjourned until such time (if any) as the meeting resolves to take the motion from the table.

(3) Where debate on a motion is interrupted by laying a motion on the table under subclause (1) –
  (a) the names of members who have spoken on the matter are to be recorded in the minutes; and
  (b) the provisions of clause 7.11 apply when the debate is resumed.

(4) A motion "that the motion lie on the table" must not be moved in respect of the election of a Presiding Member or the Deputy Shire President.

(5) A member moving the taking of the motion from the table is entitled to speak first on the resumption of the debate.

13.6 Meeting to proceed to the next business – effect of motion

(1) The motion "that the meeting proceed to the next item of business", if carried, has the effect that –
  (a) the debate on the substantive motion or amendment ceases immediately;
  (b) no decision is made on the substantive motion;
  (c) the meeting moves to the next item of business; and
  (d) there is no requirement for the matter to be raised again for consideration.

(2) A motion "that the meeting proceed to the next item of business" must not be moved in respect of the election of a Presiding Member or the Deputy Shire President.

13.7 Meeting be closed to members of the public – effect of motion

If a motion "that the meeting be closed to members of the public", is carried, then the Presiding Member is to close the meeting in accordance with clause 5.2.

13.8 Ruling by the Presiding Member be overruled – effect of motion

If a motion "that the ruling of the Presiding Member be overruled", is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

13.9 Member be no longer heard – effect of motion

If a motion "that the member be no longer heard", is carried, the speaker against whom the motion has been moved must not speak further on the current primary motion, or any amendment relating to it, except to exercise the right of reply if he or she is the mover of the primary motion.

13.10 Item be referred back to Committee – effect of motion

(1) If a motion "that the item be referred back to Committee", is carried, debate on the primary motion and any amendment is to cease and the primary motion, excluding any amendment, is to be referred back to the appropriate Committee for further consideration.

(2) If the motion in subclause (1) is lost, debate on the primary motion or amendment is to continue.

PART 14 – COMMITTEES OF THE COUNCIL

14.1 Establishment, types and membership of Committees

(1) The establishment, types and membership of Committees is dealt with in the Act.

(2) A Council resolution to establish a Committee under section 5.8 of the Act is to include:

(a) the terms of reference of the Committee;

(b) the number of council members, officers and other persons to be appointed to the Committee;

(c) the names or titles of the council members and officers to be appointed to the Committee;

(d) the names of other persons to be appointed to the Committee or an explanation of the procedure to be followed to determine the appointments; and

~~(a)~~(e) details of the delegation of any powers or duties to the Committee under section 5.16 of the Act.

14.2 Tenure of Committee membership

The tenure of Committee membership is dealt with in the Act.

14.3 Delegation of power to Committees

Delegation of powers and duties to Committees is dealt with in the Act.

14.4 Appointment of deputy members

The appointment of a deputy to a member of a Committee is dealt with in the Act.

14.5 ~~Standing orders~~Meeting procedures apply to Committees

Unless otherwise specifically provided, this local law applies generally to the proceedings of Committees, except for –

(a) clause 7.2 (relating to seating);

(b) clause 7.11(1) (relating to the limit on the number of speeches).

14.6 Communications by Committees

A Committee must not communicate with any person or authority except through the CEO.

PART 15 – PROCEDURAL MATTERS

15.1 Presiding Member to ensure compliance

The Presiding Member of a meeting is to ensure compliance with this local law.

15.2 Suspension of standing orders

(1) A member may, at any time, move that the operation of one or more of the standing orders or clauses be suspended.

(2) A member moving a motion under subclause (1) is to identify the clause or clauses containing the standing orders to be suspended, and state the reasons for the motion, but no other discussion is to take place.

(3) A motion under subclause (1) which is seconded and carried is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.

15.3 Cases not provided for in standing orders

(1) In situations where –
(a) standing orders have been suspended; or
(b) a matter is not regulated by the Act, the Regulations or this local law,
the Presiding Member is to decide questions relating to the conduct of the meeting.

(2) The decision of the Presiding Member under subclause (1) is final, except where a motion of dissent is moved and carried under clause 12.1(h).

15.4 Electors' meetings

The requirements for meeting of the electors are dealt with in the Act and the Administration Regulations.

15.5 Electors' meetings – standing orders apply

The standing orders apply, so far as is practicable, to any meeting of electors, but where there is any inconsistency between the provisions of this local law and the provisions of the Act, the latter shall prevail.

15.6 Restriction on voting and speaking at electors' meetings

The restriction on voting and speaking at electors' meetings is dealt with in the Administration Regulations.

15.7 Penalty for contravention of the standing orders

A person who breaches a provision of this local law commits an offence.
Penalty: $1,000, and a daily penalty of $100.

15.8 Who can prosecute

Who can prosecute is dealt with in the Act.

PART 16 – SUSPENSION OF LOCAL LAWS

17.1 Suspension of Local Laws

(1) A Member may at any time move that the operation of one or more of the provisions of these Local Laws be suspended.

(2) A Member moving a motion under subclause (1) is to state the reasons for the motion but no other discussion is to take place.

(3) A motion under subclause (1) which is:
(a) seconded; and
(b) carried by an absolute majority,

is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.

PART 17~~6~~ – COMMON SEAL

17~~6~~.1 Custody of the Common Seal

The CEO is to have charge of the Common Seal of the Shire, and is responsible for the safe custody and proper use of it.

17~~6~~.2 Use of Common Seal

The use of the Common Seal is dealt with in the Act.

PART 18 – ENFORCEMENT

19.1 Penalty for breach

A person who breaches a provision of these Local Laws commits an offence.

19.2 Who can prosecute

Who can prosecute is dealt with in the Act.

SCHEDULE – PETITION TO THE SHIRE OF EAST PILBARA

[cl.4.8(2)(a)]

To the Shire President and Councillors of the Shire of East Pilbara
We, the undersigned, do respectfully request that the Council –
[Here set out a concise statement of facts and the action sought]
Correspondence in respect of this petition should be addressed to –
[Here set out the name and address of the person]
The names and addresses of your petitioners are as follows –

DATE	FULL NAME	ADDRESS AGREE/DISAGREE/NO OPINION	SIGNATURE

Note: Petitioners may contact the CEO of the Shire of East Pilbara if they wish to withdraw from the petition or change their comment

Dated ~~17 December 2010~~[insert]
The Common Seal of the Shire of East Pilbara was affixed by authority of a resolution of the Council in the presence of –

LYNNE CRAIGIE, Shire President

~~ALLEN COOPER~~JEREMY EDWARDS, Chief Executive Officer

Appendix 3
Model Local Law Template

WESTERN AUSTRALIA

Local Government Act 1995

[*INSERT NAME OF LOCAL GOVERNMENT*]
Local Government (Council Meetings) Local Law [*INSERT YEAR*]

ARRANGEMENT

Table of Contents

Part 1 - Preliminary **5**
1.1 Citation 5
1.2 Commencement 5
1.3 Application and intent 5
1.4 Interpretation 5
1.5 Repeal 6
1.6 Provisions of the Act, Regulations and other legislation 6

Part 2 – Establishment and membership of committees **6**
2.1 Establishment of committees 6
2.2 Types of committees 7
2.3 Delegation of some powers and duties to certain committees 7
2.4 Limits on delegation of powers and duties to certain committees 7
2.5 Appointment of committee Members 7
2.6 Tenure of committee membership 7
2.7 Resignation of committee Members 7
2.8 Register of delegations to committees 7
2.9 Committees to report 7

Part 3 - Calling and convening meetings **7**
3.1 Ordinary and special Council meetings 7
3.2 Calling Council meetings 7
3.3 Convening Council meetings 7
3.4 Calling committee meetings 8
3.5 Public notice of meetings 8

Part 4 – Presiding Member and quorum **9**
Division 1: Who presides 9
4.1 Who presides 9
4.2 When the Deputy Mayor/Deputy President can act 9
4.3 Who acts if no Mayor/President 9
4.4 Election of Presiding Members of committees 9
4.5 Election of Deputy Presiding Members of committees 9
4.6 Functions of Deputy Presiding Members 9
4.7 Who acts if no Presiding Member 9
Division 2 – Quorum 9
4.8 Quorum for meetings 9
4.9 Reduction of quorum for Council meetings 9
4.10 Reduction of quorum for committee meetings 9
4.11 Procedure where no quorum to begin a meeting 9
4.12 Procedure where quorum not present during a meeting 9
4.13 Names to be recorded 9

Part 5 - Business of a meeting **10**
5.1 Business to be specified 10
5.2 Order of business 10
5.3 Motions of which previous notice has been given 11
5.4 New business of an urgent nature 11
5.5 Adoption by exception resolution 11

Part 6 - Public participation **12**
6.1 Meetings generally open to the public 12
6.2 Meetings not open to the public 12
6.3 Question time for the public 12
6.4 Question time for the public at certain meetings 12
6.5 Minimum question time for the public 12
6.6 Procedures for question time for the public 12
6.7 Other procedures for question time for the public 13
6.8 Distinguished visitors 13
6.9 Deputations 13
6.10 Petitions 14
6.11 Presentations 14
6.12 Participation at committee meetings 14
6.13 Council may meet to hear public submissions 15
6.14 Public Inspection of agenda materials 16
6.15 Confidentiality of information withheld 16
6.16 Recording of proceedings 16
6.17 Prevention of disturbance 16

Part 7 - Questions by Members **20**

Part 8 – Conduct of Members **17**
8.1 Members to be in their proper places 17
8.2 Respect to the Presiding Member 17
8.3 Titles to be used 17
8.4 Advice of entry or departure 17
8.5 Members to indicate their intention to speak 17
8.6 Priority of speaking 17
8.7 Presiding Member may take part in debates 18
8.8 Relevance 18
8.9 Speaking twice 18
8.10 Duration of speeches 18
8.11 No speaking after conclusion of debate 18
8.12 No interruption 18
8.13 Personal explanations 18
8.14 No reopening of discussion 19
8.15 Adverse reflection 19
8.16 Withdrawal of offensive language 19

Part 9 - Preserving order **20**
9.1 Presiding Member to preserve order 20
9.2 Point of order 20
9.3 Procedures on a point of order 20
9.4 Calling attention to breach 20
9.5 Ruling by the Presiding Member 20
9.6 Continued breach of order 21
9.7 Right of Presiding Member to adjourn 21

Part 10 - Debate of substantive motions **21**
10.1 Motions to be stated and in writing 21

10.2 Motions to be supported 21
10.3 Unopposed business 21
10.4 Only one substantive motion at a time 22
10.5 Order of call in debate 22
10.6 Limit of debate 22
10.7 Member may require question to be read 22
10.8 Consent of seconder required for alteration 22
10.9 Order of amendments 22
10.10 Form of an amendment 22
10.11 Amendment must not negate original motion 22
10.12 Relevance of amendments 22
10.13 Mover of motion may speak on amendment 22
10.14 Effect of an amendment 22
10.15 Withdrawal of motion or amendment 23
10.16 Right of reply 23

Part 11 - Procedural motions 23
11.1 Permissible procedural motions 23
11.2 No debate 23
11.3 Who may move 24
11.4 Procedural motions - right of reply on substantive motion 24
11.5 Meeting to proceed to the next business 24
11.6 Debate to be adjourned 24
11.7 Meeting now adjourn 24
11.8 Question to be put 24
11.9 Member to be no longer heard 25
11.10 Ruling of the Presiding Member to be disagreed with 25

Part 12 - Disclosure of interests 25
12.1 Disclosure of interests 25

Part 13 - Voting 25
13.1 Question - when put 25
13.2 Voting 25
13.3 Majorities required for decisions 25
13.4 Method of taking vote 25

Part 14 – Minutes of meetings 26
14.1 Keeping of minutes 26
14.2 Content of minutes 26
14.3 Public inspection of unconfirmed minutes 26
14.4 Confirmation of minutes 26

Part 15 - Adjournment of meeting 26
15.1 Meeting may be adjourned 26
15.2 Effect of adjournment 26

Part 16 – Revoking or changing decisions 27
16.1 Requirements to revoke or change decisions 27
16.2 Limitations on powers to revoke or change decisions 27
16.3 Implementing a decision 27

Part 17 - Suspension of Local Laws 28
17.1 Suspension of Local Laws 28
17.2 Where Local Laws do not apply 28

Part 18 - Meetings of electors 28
18.1 Electors' general meetings 28

18.2 Matters for discussion at general electors' meeting 28
18.3 Electors' special meetings 28
18.4 Requests for electors' special meetings 28
18.5 Convening electors' meetings 28
18.6 Who presides at electors' meetings 28
18.7 Procedure for electors' meetings 28
18.8 Participation of non-electors 29
18.9 Voting at electors' meetings 29
18.10 Minutes of electors' meetings 29
18.11 Decisions made at electors' meetings 29

Part 19 - Enforcement 29
19.1 Penalty for breach 29
19.2 Who can prosecute 32

LOCAL GOVERNMENT ACT 1995

[*INSERT NAME OF LOCAL GOVERNMENT*]

Local Government (Council Meetings) Local Law [*INSERT YEAR*]

Under the powers conferred by the *Local Government Act 1995* and under all other relevant powers, the [*INSERT NAME OF LOCAL GOVERNMENT*] resolved on [*INSERT DATE*] to make the following local law.

Part 1 - Preliminary

1.1 Citation

(1) This local law may be cited as the [*INSERT NAME OF LOCAL GOVERNMENT*] Local Government (Council Meetings) Local Law [*INSERT YEAR*].

1.2 Commencement

By virtue of section 3.14 of the Act, these Local Laws come into operation 14 days after the date of their publication in the *Government Gazette*.

1.3 Application and intent

(1) These Local Laws provide rules and guidelines which apply to the conduct of meetings of the Council and its committees and to meetings of electors.

(2) All meetings are to be conducted in accordance with the Act, the Regulations and these Local Laws.

(3) These Local Laws are intended to result in:

(a) better decision-making by the Council and committees;

(b) the orderly conduct of meetings dealing with Council business;

(c) better understanding of the process of conducting meetings; and

(d) the more efficient and effective use of time at meetings.

1.4 Interpretation

(1) In these Local Laws unless the context otherwise requires:

absolute majority has the meaning given to it in the Act;

75% majority has the meaning given to it in the Act;

Act means the *Local Government Act 1995*;

CEO means the Chief Executive Officer of the Local Government;

committee means a committee of the Council established under section 5.8 of the Act;

committee meeting means a meeting of a committee;

Council means the Council of the [*INSERT NAME OF LOCAL GOVERNMENT*];

District *means the district of the local government;*

Local Government means the [*INSERT NAME OF LOCAL GOVERNMENT*];

Mayor/President means the Mayor/President of the Local Government or other Presiding Member at a Council meeting under section 5.6 of the Act;

meeting means a meeting of the Council or a committee, as the context requires;

Member has the meaning given to it in the Act;

Presiding Member means:
(a) in respect of the Council, the person presiding under section 5.6 of the Act; and
(b) in respect of a committee, the person presiding under sections 5.12, 5.13, and 5.14 of the Act;

Regulations means the *Local Government (Administration) Regulations 1996;*

simple majority means more than 50% of the members present and voting; and,

substantive motion means an original motion or an original motion as amended, but does not include an amendment or a procedural motion.

(2) Unless otherwise defined in these Local Laws, the terms and expressions used in these Local Laws are to have the meaning given to them in the Act and Regulations.

1.5 Repeal

(1) The following Local Laws are repealed:
[*INSERT NAME OF LOCAL LAWS HERE*]

1.6 Provisions of the Act, Regulations and other legislation

(1) Throughout these Local Laws, provisions of the Act and Regulations, and provisions of other legislation, are reproduced in a boxed format.
(2) The purpose of reproducing these provisions is to assist the reader by giving a fuller picture of related legislative provisions that also apply to meetings of the Council, committees and electors.
(3) The reproduced provisions of the Act and Regulations and other legislation:
  (a) are to be treated as footnotes and are not part of these Local Laws (see section 32(2) of the *Interpretation Act 1984*); and
  (b) reproduce only the provisions that were in force at the time that the Council resolved to adopt these Local Laws and therefore may not necessarily be correct at a future date.

Part 2 – Establishment and membership of committees

2.1 Establishment of committees

(1) The establishment of committees is dealt with in the Act.

(2) A Council resolution to establish a committee under section 5.8 of the Act is to include:
  (a) the terms of reference of the committee;
  (b) the number of council members, officers and other persons to be appointed to the committee;
  (c) the names or titles of the council members and officers to be appointed to the committee;

(d) the names of other persons to be appointed to the committee or an explanation of the procedure to be followed to determine the appointments; and
(e) details of the delegation of any powers or duties to the committee under section 5.16 of the Act.

(3) These Local Laws are to apply to the conduct of committee meetings.

2.2 Types of committees
The types of committees are dealt with in the Act.

2.3 Delegation of some powers and duties to certain committees
The delegation of some powers and duties to certain committees is dealt with in the Act.

2.4 Limits on delegation of powers and duties to certain committees
The limits on the delegation of powers and duties to certain committees are dealt with in the Act.

2.5 Appointment of committee members
The appointment of committee members is dealt with in the Act.

2.6 Tenure of committee membership
Tenure of committee membership is dealt with in the Act.

2.7 Resignation of committee members
The resignation of committee members is dealt with in the Regulations.

2.8 Register of delegations to committees
The register of delegations to committees is dealt with in the Act.

2.9 Committees to report
A committee:
(a) is answerable to the Council; and
(b) is to report on its activities when, and to the extent, required by the Council.

Part 3 - Calling and convening meetings

3.1 Ordinary and special Council meetings
(1) Ordinary and special Council meetings are dealt with in the Act.

(2) An ordinary meeting of the Council, held on a monthly basis or otherwise as determined by the Council, is for the purpose of considering and dealing with the ordinary business of the Council.
(3) A special meeting of the Council is held for the purpose of considering and dealing with Council business that is urgent, complex in nature, for a particular purpose or confidential.

3.2 Calling Council meetings
The calling of Council meetings is dealt with in the Act.

3.3 Convening Council meetings
(1) The convening of a Council meeting is dealt with in the Act.

(2) Subject to subclause (3), the CEO is to give at least 72 hours notice, for the purposes of section 5.5, in convening a special meeting of the Council.

(3) Where, in the opinion of the Mayor/President or at least one-third of the Members, there is a need to meet urgently, the CEO may give a lesser period of notice of a special Council meeting.

3.4 Calling committee meetings

The CEO is to call a meeting of any committee when requested by the Mayor/President, the Presiding Member of a committee or any two members of that committee.

3.5 Public notice of meetings

Public notice of meetings is dealt with in the Regulations.

Part 4 – Presiding Member and quorum

Division 1: Who presides

4.1 Who presides
Who presides at a Council meeting is dealt with in the Act.

4.2 When the Deputy Mayor/Deputy President can act
When the Deputy Mayor/Deputy President can act is dealt with in the Act.

4.3 Who acts if no Mayor/President
Who acts if there is no Mayor/President is dealt with in the Act.

4.4 Election of Presiding Members of committees
The election of Presiding Members of committees and their deputies is dealt with in the Act.

4.5 Election of Deputy Presiding Members of committees
The election of Deputy Presiding Members of committees is dealt with in the Act.

4.6 Functions of Deputy Presiding Members
The functions of Deputy Presiding Members are dealt with in the Act.

4.7 Who acts if no Presiding Member
Who acts if no Presiding Member is dealt with in the Act.

Division 2 – Quorum

4.8 Quorum for meetings
The quorum for meetings is dealt with in the Act.

4.9 Reduction of quorum for Council meetings
The power of the Minister to reduce the number for a quorum and certain majorities is dealt with in the Act.

4.10 Reduction of quorum for committee meetings
The reduction of a quorum for committee meetings is dealt with in the Act.

4.11 Procedure where no quorum to begin a meeting
The procedure where there is no quorum to begin a meeting is dealt with in the Regulations.

4.12 Procedure where quorum not present during a meeting
If at any time during a meeting a quorum is not present, the Presiding Member is:
(a) immediately to suspend the proceedings of the meeting for a period of up to 15 minutes; and
(b) if a quorum is not present at the expiry of that period, the Presiding Member is to adjourn the meeting to some future time or date.

4.13 Names to be recorded
At any meeting:
(a) at which there is not a quorum present; or
(b) which is adjourned for want of a quorum,
the names of the Members then present are to be recorded in the minutes.

Part 5 - Business of a meeting

5.1 Business to be specified

(1) No business is to be transacted at any ordinary meeting of the Council other than that specified in the agenda, without the approval of the Presiding Member or the Council.

(2) No business is to be transacted at a special meeting of the Council other than that given in the notice as the purpose of the meeting.

(3) Subject to subclause (4), no business is to be transacted at an adjourned meeting of the Council other than that:
- (a) specified in the notice of the meeting which had been adjourned; and
- (b) which remains unresolved.

(4) Where a meeting is adjourned to the next ordinary meeting of the Council then, unless the Council resolves otherwise, the business unresolved at the adjourned meeting is to be dealt with before considering Reports (Item 9) at that ordinary meeting.

5.2 Order of business

(1) Unless otherwise decided by the Council the order of business at any ordinary meeting of the Council is to be as follows:

1. Declaration of Opening/Announcement of Visitors
2. Announcements from the Presiding Member
3. Attendance
   - 3.1 Apologies
   - 3.2 Approved leave of absence
4. Declaration of interest
5. Public Question Time
   - 5.1 Response to previous public questions taken on notice
   - 5.2 Public question time
6. Confirmation of minutes
7. Presentations
   - 7.1 Petitions
   - 7.2 Presentations
   - 7.3 Deputations
   - 7.4 Delegates' reports
8. Method of dealing with agenda business
9. Reports
10. Applications for leave of absence
11. Motions of which previous notice has been given
12. Questions from Members without notice
13. New business of an urgent nature introduced by decision of the meeting
14. Meeting closed to public
    - 14.1 Matters for which the meeting may be closed
    - 14.2 Public reading of resolutions that may be made public
15. Closure

(2) Unless otherwise decided by the Council, the order of business at any special meeting of the Council is to be the order in which that business stands in the agenda of the meeting.

(3) In determining the order of business for any meeting of the Council, the provisions of the Act and Regulations relating to the time at which public question time is to be held are to be observed. *[See section 5.24 of the Act; and regulations 6 & 7 of the Regulations]*

5.3 Motions of which previous notice has been given

(1) Unless the Act, Regulations or these Local Laws otherwise provide, a Member may raise at a meeting such business as he or she considers appropriate, in the form of a motion, of which notice has been given in writing to the CEO and which has been included on the agenda.

(2) A notice of motion under subclause (1) is to be given at least 7 clear working days before the meeting at which the motion is moved.

(3) A notice of motion is to relate to the good governance of the district.

(4) The CEO -

(a) may, with the concurrence of the Mayor/President, exclude from the notice paper any notice of motion deemed to be, or likely to involve, a breach of any of these Local Laws or any other written law;

(b) will inform Members on each occasion that a notice has been excluded and the reasons for that exclusion;

(c) may, after consultation with the Member where this is practicable, make such amendments to the form but not the substance as will bring the notice of motion into due form; and

(d) may provide to the Council relevant and material facts and circumstances pertaining to the notice of motion on such matters as policy, budget and law.

(5) A motion of which notice has been given is to lapse unless:

(a) the Member who gave notice of it, or some other Member authorised by the originating Member in writing, moves the motion when called on; or

(b) the Council on a motion agrees to defer consideration of the motion to a later stage or date.

(6) If a notice of motion is given and lapses under subclause (5), notice of a motion in the same terms or to the same effect is not to be given again for at least 3 months from the date of such lapse.

5.4 New business of an urgent nature

(1) In cases of extreme urgency or other special circumstances, matters may, on a motion by the Presiding Member that is carried by the meeting, be raised without notice and decided by the meeting.

(2) In subclause (1), 'cases of extreme urgency or other special circumstances' means matters that have arisen after the preparation of the agenda that are considered by the Presiding Member to be of such importance and urgency that they are unable to be dealt with administratively by the Local Government and must be considered and dealt with by the Council before the next meeting.

5.5 Adoption by exception resolution

(1) In this clause 'adoption by exception resolution' means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.

(2) Subject to subclause (3), the Local Government may pass an adoption by exception resolution.

(3) An adoption by exception resolution may not be used for a matter:

(a) that requires a 75% majority or a special majority;

(b) in which an interest has been disclosed;

(c) that has been the subject of a petition or deputation;
(d) that is a matter on which a Member wishes to make a statement; or
(e) that is a matter on which a Member wishes to move a motion that is different to the recommendation.

Part 6 - Public participation

6.1 Meetings generally open to the public
Meetings being generally open to the public is dealt with in the Act.

6.2 Meetings not open to the public

(1) The CEO may, at any time, recommend that a meeting or part of a meeting be closed to members of the public.

(2) The Council or a committee, in one or more of the circumstances dealt with in the Act, may at any time, by resolution, decide to close a meeting or part of a meeting.

(3) If a resolution under subclause (2) is carried:
(a) the Presiding Member is to direct everyone to leave the meeting except:
(i) the Members;
(ii) the CEO; and
(iii) any Officer specified by the Presiding Member; and
(b) the meeting is to be closed to the public until, at the conclusion of the matter justifying the closure of the meeting to the public, the Council or the committee, by resolution, decides otherwise.

(4) A person who fails to comply with a direction under subclause (3)(a) may, by order of the Presiding Member, be removed from the meeting.

(5) While the resolution under subclause (2) remains in force, the operation of clause 8.9 is to be suspended until the Council or the committee, by resolution, decides otherwise.

(6) A resolution under this clause may be made without notice.

(7) Unless the Council resolves otherwise, once the meeting is reopened to members of the public, the Presiding Member is to ensure that any resolution of the Council made while the meeting was closed is to be read out including a vote of a Member to be included in the minutes.

6.3 Question time for the public
Question time for the public is dealt with in the Act.

6.4 Question time for the public at certain meetings
Question time for the public at certain meetings is dealt with in the Regulations.

6.5 Minimum question time for the public
Minimum question time for the public is dealt with in the Regulations.

6.6 Procedures for question time for the public
Procedures for question time for the public are dealt with in the Regulations.

6.7 Other procedures for question time for the public

(1) A member of the public who raises a question during question time, is to state his or her name and address.

(2) A question may be taken on notice by the Council for later response.

(3) When a question is taken on notice the CEO is to ensure that:
  (a) a response is given to the member of the public in writing; and
  (b) a summary of the response is included in the agenda of the next meeting of the Council.

(4) Where a question relating to a matter in which a relevant person has an interest is directed to the relevant person, the relevant person is to:
  (a) declare that he or she has an interest in the matter; and
  (b) allow another person to respond to the question.

(5) Each member of the public with a question is entitled to ask up to 2 questions before other members of the public will be invited to ask their questions.

(6) Where a member of the public provides written questions then the Presiding Member may elect for the questions to be responded to as normal business correspondence.

(7) The Presiding Member may decide that a public question shall not be responded to where:
  (a) the same or similar question was asked at a previous meeting, a response was provided and the member of the public is directed to the minutes of the meeting at which the response was provided;
  (b) the member of the public uses public question time to make a statement, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the statement as a question; or
  (c) the member of the public asks a question that is offensive or defamatory in nature, provided that the Presiding Member has taken all reasonable steps to assist the member of the public to phrase the question in a manner that is not offensive or defamatory.

(8) A member of the public shall have two minutes to submit a question.

(9) The Council, by resolution, may agree to extend public question time.

(10) Where an answer to a question is given at a meeting, a summary of the question and the answer is to be included in the minutes.

6.8 Distinguished visitors

If a distinguished visitor is present at a meeting of the Council, the Presiding Member may acknowledge the presence of the distinguished visitor at an appropriate time during the meeting, and the presence of that visitor shall be recorded in the minutes.

6.9 Deputations

(1) Any person or group wishing to be received as a deputation by the Council is to either :
  (a) apply, before the meeting, to the CEO for approval; or
  (b) with the approval of the Presiding Member, at the meeting, address the Council.

(2) The CEO may either:
- (a) approve the request and invite the deputation to attend a meeting of the Council; or
- (b) refer the request to the Council to decide by simple majority whether or not to receive the deputation.

(3) Unless the council resolves otherwise, a deputation invited to attend a Council meeting:
- (a) is not to exceed 5 persons, only 2 of whom may address the Council, although others may respond to specific questions from Members;
- (b) is not to address the Council for a period exceeding 10 minutes without the agreement of the Council; and,
- (c) additional members of the deputation may be allowed to speak with the leave of the Presiding Member.

(4) Any matter which is the subject of a deputation to the Council is not to be decided by the Council until the deputation has completed its presentation.

6.10 Petitions

(1) A petition is to -
- (a) be addressed to the Mayor/President;
- (b) be made by electors of the district;
- (c) state the request on each page of the petition;
- (d) contain the name, address and signature of each elector making the request, and the date each elector signed;
- (e) contain a summary of the reasons for the request; and
- (f) state the name of the person to whom, and an address at which, notice to the petitioners can be given.

(2) Upon receiving a petition, the Local Government is to submit the petition to the relevant officer to be included in his or her deliberations and report on the matter that is the subject of the petition.

(3) At any meeting, the Council is not to vote on any matter that is the subject of a petition presented to that meeting, unless:
- (a) the matter is the subject of a report included in the agenda; and
- (b) the Council has considered the issues raised in the petition.

6.11 Presentations

(1) In this clause, a "presentation" means the acceptance of a gift or an award by the Council on behalf of the Local Government or the community.

(2) A presentation may be made to the Council at a meeting only with the prior approval of the CEO.

6.12 Participation at committee meetings

(1) In this clause a reference to a person is to a person who:
- (a) is entitled to attend a committee meeting;
- (b) attends a committee meeting; and
- (c) is not a member of that committee.

A member of the public is entitled to attend a committee meeting only where a local government power or duty has been delegated to that committee: see section 5.23(1)(b) of the Act.

(2) Without the consent of the Presiding Member, no person is to address a committee meeting.

(3) The Presiding Member of a committee may allow a person to make an oral submission to the committee for up to 3 minutes.

(4) A person addressing the committee with the consent of the Presiding Member is to cease that address immediately after being directed to do so by the Presiding Member.

(5) A person who fails to comply with a direction of the Presiding Member under subclause (4) may, by order of the Presiding Member, be removed from the committee room.

(6) The Council may make a policy dealing with the circumstances in which a person may be given consent to address a committee meeting.

6.13 Council may meet to hear public submissions

(1) Where an item on the agenda at a Council meeting is contentious and is likely be the subject of a number of deputations, the Council may resolve to meet at another time to provide a greater opportunity to be heard.

(2) The CEO and the Mayor/President shall set the time and date of the meeting to provide the opportunity to be heard.

(3) Where the Council resolves to meet to provide the opportunity to be heard under subclause (1), the Presiding Member shall:
(a) instruct the CEO to provide local public notice of the time and date when the Council will meet to provide an opportunity to be heard;
(b) provide a written invitation to attend the meeting to provide the opportunity to be heard to all members of the public who have applied under clause 6.9 to make a deputation on the issue; and
(c) cause minutes to be kept of the meeting to provide the opportunity to be heard.

(4) A meeting held under subclause (1) shall be conducted only to hear submissions. The council shall not make resolutions at a meeting to provide the opportunity to be heard.

(5) At a meeting held under subclause (1), each person making a submission shall be provided with the opportunity to fully state his or her case.

(6) A member of the public shall be limited to 10 minutes in making an oral submission, but this period may be extended at the discretion of the Presiding Member.

(7) Once every member of the public has had the opportunity to make a submission the Presiding Member is to close the meeting.

(8) The CEO is to ensure that a report is included on the agenda of the next Council meeting summarising each submission made at the meeting.

(9) The Council must not resolve on the matter that is the subject of a meeting to provide the opportunity to be heard until it has received the CEO's report under subclause (8).

6.14 Public Inspection of agenda materials

The right of the public to inspect the documents referred to, and in accordance with, regulation 14 of the Regulations may be exercised at [*INSERT LOCATION*] and on the Local Government's website.

6.15 Confidentiality of information withheld

(1) Information withheld by the CEO from the public under regulation 14(2) of the Regulations is to be:
   (a) identified in the agenda of a Council meeting under the item "Matters for which meeting may be closed";
   (b) marked "*Confidential*" in the agenda; and
   (c) kept confidential by Officers and Members until the Council resolves otherwise.

(2) A member or an officer in receipt of confidential information under subclause (1) or information that is provided or disclosed during a meeting or part of a meeting that is closed to the public is not to disclose any of that information to any person other than another member or an officer to the extent necessary for the purpose of carrying out his or her duties.

(3) Subclause (2) does not apply where a member or officer discloses the information to his or her lawyer or government officer for the purpose of seeking advice in order to lawfully fulfil his or her role and responsibilities.

6.16 Recording of proceedings

(1) A person is not to use any electronic, visual or vocal recording device or instrument to record the proceedings of the Council without the permission of the Presiding Member.

(2) If the Council gives permission under subclause (1), the Presiding Member is to advise the meeting, immediately before the recording is commenced, that such permission has been given and the nature and extent of that permission.

6.17 Prevention of disturbance

(1) A reference in this clause to a person is to a person other than a member.

(2) A person addressing the Council shall extend due courtesy and respect to the Council and the processes under which it operates and shall comply with any direction by the Presiding Member.

(3) A person observing a meeting shall not create a disturbance at a meeting, by interrupting or interfering with the proceedings, whether by expressing approval or dissent, by conversing or by any other means.

(4) A person shall ensure that his or her mobile telephone or audible pager is not switched on or used during any meeting of the Council.

(5) A person shall not behave in a manner that is contrary to section 75 of the Criminal Code.

Part 7 - Questions by Members

(1) Members may ask questions relating to an item on the notice paper or on matters related to the good government of persons in the district.

(2) A Member requesting general information from an Officer at a Council meeting may ask a question without notice and with the consent of the

Presiding Member, may ask one or more further questions of that Officer or another Officer present at the meeting.

(3) Where possible the Officer shall endeavour to answer the question to the best of his or her knowledge and ability, however, if the information is unavailable or the answer requires research or investigation, the Officer may ask that -
(i) the question be placed on notice for the next meeting of Council; and
(ii) the answer to the question be given to the Member who asked it within 14 days.

(4) Every question and answer -
(i) is to be brief and concise; and
(ii) is not to be accompanied by argument, expression of opinion or statement of facts, except to the extent necessary to explain the question or answer.

(5) In answering any question, an Officer may qualify his or her answer and may at a later time in the meeting or at a subsequent meeting alter, correct, add to or otherwise amend the original answer.

Part 8 – Conduct of Members

8.1 Members to be in their proper places

(1) At the first meeting held after each election day, the CEO is to allot, alphabetically by ward, a position at the Council table to each Member.

(2) Each Member is to occupy his or her allotted position at each Council meeting.

8.2 Respect to the Presiding Member

After the business of a Council has been commenced, a Member is not to enter or leave the meeting without first paying due respect to the Presiding Member.

8.3 Titles to be used

A speaker, when referring to the Mayor/President, Deputy Mayor/Deputy President or Presiding Member, or a Member or Officer, is to use the title of that person's office.

8.4 Advice of entry or departure

During the course of a meeting of the Council, a Member is not to enter or leave the meeting without first advising the Presiding Member, in order to facilitate the recording in the minutes of the time or entry or departure.

8.5 Members to indicate their intention to speak

A Member of the Council who wishes to speak is to indicate his or her intention to speak by raising his or her hand or by another method agreed by the Council.

8.6 Priority of speaking

(1) Where two or more Members indicate, at the same time, their intention to speak, the Presiding Member is to decide which Member is entitled to be heard first.

(2) A decision of the Presiding Member under subclause (1) is not open to discussion or dissent.

(3) A Member is to cease speaking immediately after being asked to do so by the Presiding Member.

8.7 Presiding Member may take part in debates

The Presiding Member may take part in a discussion of any matter before the Council, subject to compliance with these Local Laws.

8.8 Relevance

(1) A Member is to restrict his or her remarks to the motion or amendment under discussion, or to a personal explanation or point of order.

(2) The Presiding Member, at any time, may:
- (a) call the attention of the meeting to:
  - (i) any irrelevant, repetitious, offensive or insulting language by a Member; or
  - (ii) any breach of order or decorum by a Member; and
- (b) direct that Member, if speaking, to discontinue his or her speech.

(3) A Member is to comply with the direction of the Presiding Member under subclause (2) by immediately ceasing to speak.

8.9 Speaking twice

A Member is not to address the Council more than once on any motion or amendment except:
- (a) as the mover of a substantive motion, to exercise a right of reply;
- (b) to raise a point of order; or
- (c) to make a personal explanation.

8.10 Duration of speeches

(1) A Member is not to speak on any matter for more than 5 minutes without the consent of the Council which, if given, is to be given without debate.

(2) An extension under this clause cannot be given to allow a Member's total speaking time to exceed 10 minutes.

8.11 No speaking after conclusion of debate

A Member is not to speak on any motion or amendment:
- (a) after the mover has replied; or
- (b) after the question has been put.

8.12 No interruption

A Member is not to interrupt another Member who is speaking unless:
- (a) to raise a point of order;
- (b) to call attention to the absence of a quorum;
- (c) to make a personal explanation under clause 8.13; or
- (d) to move a procedural motion that the Member be no longer heard (see clause 11(1)(e) .

8.13 Personal explanations

(1) A Member who wishes to make a personal explanation relating to a matter referred to by another Member who is then speaking is to indicate to the Presiding Member his or her intention to make a personal explanation.

(2) The Presiding Member is to determine whether the personal explanation is to be heard immediately or at the conclusion of the speech by the other Member.

(3) A Member making a personal explanation is to confine his or her observations to a succinct statement relating to a specific part of the speech at which he or she may have been misunderstood.

8.14 No reopening of discussion

A Member is not to reopen discussion on any Council decision, except to move that the decision be revoked or changed (see Part 16).

8.15 Adverse reflection

(1) A Member is not to reflect adversely on a decision of the Council except on a motion that the decision be revoked or changed (see Part 16).

(2) A Member is not:
(a) to reflect adversely on the character or actions of another Member or Officer; or
(b) to impute any motive to a Member or Officer,
unless the meeting resolves, without debate, that the question then before the meeting cannot otherwise be adequately considered.

(3) A Member is not to use offensive or objectionable expressions in reference to any Member, Officer or other person.

(4) If a Member specifically requests, immediately after their use, that any particular words used by a Member be recorded in the minutes:
(a) the Presiding Member is to cause the words used to be taken down and read to the meeting for verification; and
(b) the Council may, by resolution, decide to record those words in the minutes.

8.16 Withdrawal of offensive language

(1) A Member who, in the opinion of the Presiding Member, uses an expression which:
(a) in the absence of a resolution under clause 8.15:
(i) reflects adversely on the character or actions of another Member or Officer; or
(ii) imputes any motive to a Member or Officer; or
(b) is offensive or insulting,
must, when directed by the Presiding Member, withdraw the expression and make a satisfactory apology.

(2) If a Member fails to comply with a direction of the Presiding Member under subclause (1), the Presiding Member may refuse to hear the Member further on the matter then under discussion and call on the next speaker.

Part 9 - Preserving order

9.1 Presiding Member to preserve order

(1) The Presiding Member is to preserve order, and, whenever he or she considers necessary, may call any Member to order.

(2) When the Presiding Member speaks during a debate, any Member then speaking, or indicating that he or she wishes to speak, is immediately to sit down and every Member present is to preserve strict silence so that the Presiding Member may be heard without interruption.

(3) Subclause (2) is not to be used by the Presiding Member to exercise the right provided in clause 8.7, but to preserve order.

9.2 Point of order

(1) A Member may object, by way of a point of order, only to a breach of:
(a) any of these Local Laws; or
(b) any other written law.

(2) Despite anything in these Local Laws to the contrary, a point of order:
(a) takes precedence over any discussion; and
(b) until determined, suspends the consideration or discussion of any other matter.

9.3 Procedures on a point of order

(1) A Member who is addressing the Presiding Member is not to be interrupted except on a point of order.

(2) A Member interrupted on a point of order is to resume his or her seat until:
(a) the Member raising the point of order has been heard; and
(b) the Presiding Member has ruled on the point of order,
and, if permitted, the Member who has been interrupted may then proceed.

9.4 Calling attention to breach

A Member may, at any time, draw the attention of the Presiding Member to any breach of these Local Laws.

9.5 Ruling by the Presiding Member

(1) The Presiding Member is to rule on any point of order which is raised by either upholding or rejecting the point of order.

(2) A ruling by the Presiding Member on a point of order:
(a) is not to be the subject of debate or comment; and
(b) is to be final unless the majority of Members then present and voting, on a motion moved immediately after the ruling, dissent from the ruling.

(3) Subject to a motion of dissent being carried under subclause (2), if the Presiding Member rules that:
(a) any motion, amendment or other matter before the meeting is out of order, it is not to be considered further; and
(b) a statement made or act done by a Member is out of order, the Presiding Member may require the Member to make an explanation, retraction or apology.

9.6 Continued breach of order

If a Member:

(a) persists in any conduct that the Presiding Member had ruled is out of order; or

(b) refuses to make an explanation, retraction or apology required by the Presiding Member under clause 9.5(3),

the Presiding Member may direct the Member to refrain from taking any further part in the matter under discussion, other than by voting, and the Member is to comply with that direction.

9.7 Right of Presiding Member to adjourn

(1) For the purpose of preserving or regaining order, the Presiding Member may adjourn the meeting for a period of up to 15 minutes.

(2) On resumption, the debate is to continue at the point at which the meeting was adjourned.

(3) If, at any one meeting, the Presiding Member adjourns the meeting more than once for the purpose of preserving or regaining order, the second or subsequent adjournment may be to a later time on the same day or to another day.

Part 10 - Debate of substantive motions

10.1 Motions to be stated and in writing

Any Member who wishes to move a substantive motion or an amendment to a substantive motion:

(a) is to state the substance of the motion before speaking to it; and

(b) if required by the Presiding Member, is to put the motion or amendment in writing.

10.2 Motions to be supported

(1) A substantive motion or an amendment to a substantive motion is not open to debate until it has been seconded.

(2) A motion to revoke or change a decision made at a Council meeting is not open to debate unless the motion has the support required under regulation 10 of the Regulations.

10.3 Unopposed business

(1) Immediately after a substantive motion has been moved and seconded, the Presiding Member may ask the meeting if any Member opposes it.

(2) If no Member opposes the motion, the Presiding Member may declare it carried without debate and without taking a vote.

(3) A motion declared carried under this clause is to be recorded in the minutes as a unanimous decision of the Council.

(4) If a Member opposes a motion, the motion is to be dealt with under this Part.

(5) This clause does not apply to a motion to revoke or change a decision which has been made at a Council meeting (see Part 16).

10.4 Only one substantive motion at a time
When a substantive motion is under debate at a meeting of the Council, no further substantive motion is to be accepted. The Council is not to consider more than one substantive motion at any time.

10.5 Order of call in debate
The Presiding Member is to call speakers to a substantive motion in the following order:
(a) the mover to state the motion;
(b) a seconder to the motion;
(c) the mover to speak to the motion;
(d) the seconder to speak to the motion;
(e) a speaker against the motion;
(f) a speaker for the motion;
(g) other speakers against and for the motion, alternating where possible; and
(h) mover takes right of reply which closes debate.

10.6 Limit of debate
The Presiding Member may offer the right of reply and put a substantive motion to the vote if he or she believes that sufficient discussion has taken place even though all Members may not have spoken.

10.7 Member may require question to be read
A Member may require the question or matter under discussion to be read at any time during a debate, but not so as to interrupt any other Member who is speaking.

10.8 Consent of seconder required for alteration
The mover of a substantive motion may not alter the wording of the motion without the consent of the seconder.

10.9 Order of amendments
Any number of amendments may be proposed to a substantive motion, but when an amendment is moved to a substantive motion, no second or subsequent amendment is to be moved or considered until the first amendment has been withdrawn, carried or lost.

10.10 Form of an amendment
An amendment must add, delete, or substitute words to the substantive motion.

10.11 Amendment must not negate original motion
An amendment to a substantive motion cannot negate the original motion or the intent of the original motion.

10.12 Relevance of amendments
Each amendment is to be relevant to the motion in respect of which it is moved.

10.13 Mover of motion may speak on amendment
Any Member may speak during debate on an amendment.

10.14 Effect of an amendment
If an amendment to a substantive motion is carried, the motion as amended then becomes the substantive motion, on which any Member may speak and any further amendment may be moved.

10.15 Withdrawal of motion or amendment

(1) Subject to subclause (2), the Council may, without debate, grant leave to withdraw a motion or amendment on the request of the mover of the motion or amendment and with the approval of the seconder.

(2) Where an amendment has been proposed to a substantive motion, the substantive motion is not to be withdrawn, except by consent of the majority of Members present, until the amendment proposed has been withdrawn or lost.

10.16 Right of reply

(1) The mover of a substantive motion has the right of reply.

(2) The mover of any amendment to a substantive motion has a right of reply.

(3) The right of the reply may only be exercised:
- (a) where no amendment is moved to the substantive motion – at the conclusion of the discussion on the motion; or
- (b) where one or more amendments have been moved to the substantive motion – at the conclusion of the discussion on the substantive motion and any amendments.

(4) After the mover of the substantive motion has commenced the reply:
- (a) no other Member is to speak on the question;
- (b) there is to be no further discussion on, or any further amendment to, the motion.

(5) The right of the reply is to be confined to rebutting arguments raised by previous speakers and no new matter is to be introduced.

(6) At the conclusion of the right of reply, the substantive motion, or the substantive motion as amended, is immediately to be put to the vote.

Part 11 - Procedural motions

11.1 Permissible procedural motions

In addition to the right to move an amendment to a substantive motion (under Part 10), a Member may move the following procedural motions:
- (a) that the debate be adjourned;
- (b) that the meeting now adjourn;
- (c) that the question be now put;
- (d) that the Member be no longer heard;
- (e) that the ruling of the Presiding Member be disagreed with;
- (f) that the meeting be closed to the public (see clause 6.2).

11.2 No debate

(1) The mover of a motion specified in paragraph (a), (b), (c) or (f) of clause 11.1 may speak to the motion for not more than five minutes, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

(2) The mover of a motion specified in paragraph (c) or (d) of clause 11.1 may not speak to the motion, the seconder is not to speak other than to formally second the motion, and there is to be no debate on the motion.

11.3 Who may move

No person who has moved, seconded, or spoken for or against the substantive motion, or any amendment to the substantive motion, may move any procedural motion which, if carried, would close the debate on the substantive motion or amendment.

11.4 Procedural motions - right of reply on substantive motion

The carrying of a procedural motion which closes debate on the substantive motion or amendment and forces a decision on the substantive motion or amendment does not deny the right of reply to the mover of the substantive motion.

11.5 Meeting to proceed to the next business

The motion "that the meeting proceed to the next business", if carried, has the effect that:

(a) the debate on the substantive motion or amendment ceases immediately;
(b) no decision is made on the substantive motion;
(c) the Council moves to the next item of business; and
(d) there is no requirement for the matter to be raised again for consideration.

11.6 Debate to be adjourned

A motion "that the debate be adjourned":

(a) is to state the time to which the debate is to be adjourned; and
(b) if carried, has the effect that all debate on the substantive motion or amendment ceases immediately, but continues at the time stated in the motion.

11.7 Meeting now adjourn

(1) A Member is not to move or second more than one motion of adjournment during the same sitting of the Council.

(2) Before putting the motion for the adjournment of the Council, the Presiding Member may seek leave of the Council to deal first with matters that may be the subject of an adoption by exception resolution (see clause 5.5).

(3) A motion "that the meeting now adjourn":
(a) is to state the time and date to which the meeting is to be adjourned; and
(b) if carried, has the effect that the meeting is adjourned to the time and date specified in the motion.

(4) A meeting adjourned under subclause (3) is to continue from the point at which it was adjourned, unless the Presiding Member or the Council determines otherwise.

11.8 Question to be put

(1) If the motion "that the question be now put", is carried during debate on a substantive motion without amendment, the Presiding Member is to offer the right of reply and then put the motion to the vote without further debate.

(2) If the motion "that the question be now put" is carried during discussion of an amendment, the Presiding Member is to put the amendment to the vote without further debate.

(3) This motion, if lost, causes debate to continue.

11.9 Member to be no longer heard
If the motion "that the member be no longer heard", is carried, the speaker against whom the motion has been moved cannot speak further on the current substantive motion, or any amendment relating to it, except to exercise the right of reply if he or she is the mover of the substantive motion.

11.10 Ruling of the Presiding Member to be disagreed with
If the motion "that the ruling of the Presiding Member be disagreed with", is carried, that ruling is to have no effect and the meeting is to proceed accordingly.

Part 12 - Disclosure of interests

12.1 Disclosure of interests
Disclosure of interests is dealt with in the Act .

Part 13 - Voting

13.1 Question - when put
(1) Immediately after the debate on any question is concluded and the right of reply has been exercised, the Presiding Member -
(a) is to put the question to the Council; and
(b) if requested by any Member, is to again state the terms of the question.

(2) A Member is not to leave the meeting when the Presiding Member is putting any question.

13.2 Voting
Voting is dealt with in the Act and the Regulations.

13.3 Majorities required for decisions
The majorities required for decisions of the Council and committees are dealt with in the Act.

13.4 Method of taking vote
(1) In taking the vote on any motion or amendment the Presiding Member:
(a) is to put the question, first in the affirmative, and then in the negative;
(b) may put the question in this way as often as may be necessary to enable him or her to determine whether the affirmative or the negative has the majority of votes;
(c) may accept a vote on the voices or may require a show of hands; and,
(d) is, subject to this clause, to declare the result.

(2) If a Member calls for a show of hands, the result of the vote is to be determined on the count of raised hands.

(3) If a member of council or a committee specifically requests that there be recorded -
(a) his or her vote; or,
(b) the vote of all members present,
on a matter voted on at a meeting of the council or committee, the person presiding is to cause the vote or votes, as the case may be, to be recorded in the minutes.

(4) If a Member calls for a division:
(a) those voting in the affirmative are to pass to the right of the Chair; and
(b) those voting in the negative are to pass to the left of the Chair.

(5) For every division, the CEO is to record:
(a) the name of each member who voted; and
(b) whether he or she voted in the affirmative or negative.

Part 14 – Minutes of meetings

14.1 Keeping of minutes
The keeping and confirmation of minutes are dealt with in the Act.

14.2 Content of minutes
(1) The content of minutes is dealt with in the Regulations.

(2) In addition to the matters required by regulation 11, the minutes of a Council meeting is to include, where an application for approval is refused or the authorisation of a licence, permit or certificate is withheld or cancelled, the reasons for the decision.

14.3 Public inspection of unconfirmed minutes
The public inspection of unconfirmed minutes is dealt with in the Regulations.

14.4 Confirmation of minutes
(1) When minutes of an ordinary meeting of the Council are distributed for consideration prior to their confirmation at the next meeting, if a Member is dissatisfied with the accuracy of the minutes, the Member may provide the Local Government with a written copy of the alternative wording to amend the minutes no later than 7 clear working days before the next ordinary meeting of the Council.

(2) At the next ordinary meeting of the Council, the Member who provided the alternative wording shall, at the time for confirmation of minutes -
(a) state the item or items with which he or she is dissatisfied; and
(b) propose a motion clearly outlining the alternative wording to amend the minutes.

(3) Members must not discuss items of business contained in the minutes, other than discussion as to their accuracy as a record of the proceedings.

Part 15 - Adjournment of meeting

15.1 Meeting may be adjourned
The Council may adjourn any meeting:
(a) to a later time on the same day; or
(b) to any other time on any other day, including a time which coincides with the conclusion of another meeting or event.

15.2 Effect of adjournment
Where any matter, motion, debate or meeting is adjourned under these Local Laws:
(a) the names of Members who have spoken on the matter prior to the adjournment are to be recorded in the minutes;
(b) debate is to be resumed at the next meeting at the point where it was interrupted; and

(c) the provisions of clause 8.9 [speaking twice] apply when the debate is resumed.

Part 16 – Revoking or changing decisions

16.1 Requirements to revoke or change decisions

The requirements to revoke or change a decision made at a meeting are dealt with in regulation 10 of the Regulations.

16.2 Limitations on powers to revoke or change decisions

(1) Subject to subclause (2), the Council or a committee is not to consider a motion to revoke or change a decision:
   (a) where, at the time the motion is moved or notice is given, any action has been taken under clause 16.3 to implement the decision; or
   (b) where the decision is procedural in its form or effect.

(2) The Council or a committee may consider a motion to revoke or change a decision of the kind described in subclause (1)(a) if the motion is accompanied by a written statement of the legal and financial consequences of carrying the motion.

16.3 Implementing a decision

(1) In this clause:
   (a) "authorisation" means a licence, permit, approval or other means of authorising a person to do anything;
   (b) "implement", in relation to a decision, includes:
      (i) communicate notice of the decision to a person affected by, or with an interest in, the decision; and
      (ii) take any other action to give effect to the decision; and
   (c) "valid notice of revocation motion" means a notice of motion to revoke or change a decision that complies with the requirements of the Act, Regulations and the Local Laws and may be considered, but has not yet been considered, by the Council or a committee as the case may be.

(2) Subject to subclause (4), and unless a resolution is made under subclause (3), a decision made at a meeting is not to be implemented by the CEO or any other person until the afternoon of the first business day after the commencement of the meeting at which the decision was made.

(3) The Council or a committee may, by resolution carried at the same meeting at which a decision was made, direct the CEO or another person to take immediate action to implement the decision.

(4) A decision made at a meeting is not to be implemented by the CEO or any other person:
   (a) if, before commencing any implementation action, the CEO or that person is given a valid notice of revocation motion; and
   (b) unless and until the valid notice of revocation motion has been determined by the Council or the committee as the case may be.

(5) The CEO is to ensure that members of the public attending the meeting are informed by an appropriate notice that a decision to grant an authorisation:
   (a) is to take effect only in accordance with this clause; and

(b) cannot be acted upon by the person who has been granted the authorisation unless and until the decision has been implemented in accordance with this clause.

Part 17 - Suspension of Local Laws

17.1 Suspension of Local Laws

(1) A Member may at any time move that the operation of one or more of the provisions of these Local Laws be suspended.

(2) A Member moving a motion under subclause (1) is to state the reasons for the motion but no other discussion is to take place.

(3) A motion under subclause (1) which is:
(a) seconded; and
(b) carried by an absolute majority,
is to suspend the operation of the clause or clauses to which the motion relates for the duration of the meeting, unless the meeting earlier resolves otherwise.

17.2 Where Local Laws do not apply

(1) In situations where:
(a) one or more provisions of these Local Laws have been suspended; or
(b) a matter is not regulated by the Act, the Regulations or these Standing Orders, the Presiding Member is to decide questions relating to the conduct of the meeting.

(2) The decision of the Presiding Member under subclause (1) is final, except where a motion is moved and carried under clause 11.10.

Part 18 - Meetings of electors

18.1 Electors' general meetings

Electors' general meetings are dealt with in the Act.

18.2 Matters for discussion at electors' general meetings

The matters to be discussed at electors' general meetings are dealt with in the Regulations.

18.3 Electors' special meetings

Electors' special meetings are dealt with in the Act.

18.4 Requests for electors' special meetings

Requests for electors' special meetings are dealt with in the Regulations.

18.5 Convening electors' meetings

Convening electors' meetings is dealt with in the Act.

18.6 Who presides at electors' meetings

Who presides at electors' meetings is dealt with in the Act.

18.7 Procedure for electors' meetings

(1) The procedure for electors' meetings is dealt with in the Act and the Regulations.

(2) In exercising his or her discretion to determine the procedure to be followed at an electors' meeting, the Presiding Member is to have regard to these Local Laws.

18.8 Participation of non-electors
A person who is not an elector of the Local Government shall not take part in any discussion at an electors' meeting unless the meeting, by resolution, permits the person do so.

18.9 Voting at electors' meetings
Voting at electors' meetings is dealt with in the Regulations.

18.10 Minutes of electors' meetings
Minutes of electors' meetings are dealt with in the Act.

18.11 Decisions made at electors' meetings
Decisions made at electors' meetings are dealt with in the Act.

Part 19 - Enforcement

19.1 Penalty for breach
A person who breaches a provision of these Local Laws commits an offence.
Penalty: $5,000.00 and a daily penalty of $500.00.

19.2 Who can prosecute
Who can prosecute is dealt with in the Act.

Dated: [*INSERT DATE*]

The Common Seal of the [*INSERT NAME OF LOCAL GOVERNMENT*]
was affixed by the authority of a resolution of Council in the presence of:

[*INSERT NAME OF MAYOR/PRESIDENT*] Mayor/President	[*INSERT NAME OF CEO*] Chief Executive Officer

10.2 EM CORPORATE SERVICES

10.2.1 AUDIT COMMITTEE 24TH MAY 2019

File No:	**FIN-21-1**
Attachments:	**Appendix 1 – Audit Committee Minutes 24 May 2019**
Responsible Officer:	**Ms Sian Appleton Executive Manager Corporate Services**
Author:	**Ms Sian Appleton Executive Manager Corporate Services**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

For Council to consider the recommendations from the Audit Committee and note the minutes from the 24th May 2019 Audit Committee Meeting.

BACKGROUND

An Audit Committee meeting was held on the 22nd February 2019 and the minutes of that meeting are **attached** (**Appendix 1 refers**).

Role of the Audit Committee:
As a requirement of the *Local Government Act 1995*, the Audit Committee was formed "to provide independent oversight of the financial systems of the local government on behalf of the Council. As such, the committee will operate to assist Council to fulfil its corporate governance, stewardship, leadership and control responsibilities in relation to the local government's financial reporting and audit responsibilities."

COMMENTS/OPTIONS/DISCUSSIONS

There three agenda items on the Audit Committee agenda –

1. Financial Management Review (FMR) Improvement Plan Update
2. Regulation 17 Review (Reg17) Improvement Plan Update
3. Review of Risk Management, Legislative Compliance and Internal Controls (Compliance)

A copy of the FMR Improvement Plan Update, the Reg17 Improvement Plan Update and the Review of the Compliance Report are included within the Audit Committee minutes.

STATUTORY IMPLICATIONS/REQUIREMENTS

Local Government Act 1995
Part 7 Audit
Division 1A Audit Committee
s.7.1A Audit Committee

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.1 Enhance governance capability to deliver sustainable outcomes, roads and buildings

RISK MANAGEMENT CONSIDERATIONS

Legislative - Medium

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201919/164

MOVED: Cr Anita Grace SECONDED: Cr Anthony Middleton

That Council consider and adopt the following recommendations as presented by the Audit Committee.

AUDIT COMMITTEE RECOMMENDATION 1:

That the Council review and receive the CAMMS Financial Management Review Improvement Plan status report as presented.

AUDIT COMMITTEE RECOMMENDATION 2:

That the Council review and receive the CAMMS Regulation 17 Improvement Plan status report as presented.

AUDIT COMMITTEE RECOMMENDATION 3:

THAT Council review and receive the Risk Management, Legislative Compliance and Internal Controls review as presented.

CARRIED UNANIMOUSLY

RECORD OF VOTE: 7-0

To be actioned by Ms Sian Appleton, Executive Manager of Corporate Services

Appendix 1
Minutes Audit Committee 24 May 2019

SHIRE OF EAST PILBARA

MINUTES

ORDINARY COMMITTEE MEETING

NOTICE IS HEREBY GIVEN that an Ordinary Meeting of the **AUDIT COMMITTEE** was held, in Council Chambers, Newman, 8:00am, Friday, 24 May, 2019.

Jeremy Edwards
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: _____
Jeremy Edwards
Chief Executive Officer

AUDIT COMMITTEE

TABLE OF CONTENTS

ITEM	SUBJECT	PAGE NO
1	DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS	1
2	RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE	1
	2.1 ATTENDANCES	1
	2.2 APOLOGIES	1
3	LEAVE OF ABSENCE/PUBLIC QUESTION TIME	1
4	CONFIRMATION OF MINUTES OF PREVIOUS AUDIT COMMITTEE MEETING	1
	4.1 22ND FEBRUARY 2019	1
5	OFFICER'S REPORTS	2
	5.1 FINANCIAL MANAGEMENT REVIEW IMPROVEMENT PLAN UPDATE	2
	5.2 REGULATION 17 REVIEW IMPROVEMENT PLAN UPDATE	14
	5.3 REVIEW OF ORGANISATIONAL RISK REGISTER	35
6	CONFIDENTIAL MATTERS BEHIND CLOSED DOORS	45
7	GENERAL BUSINESS	45
8	DATE OF NEXT MEETING	66
9	CLOSURE	66

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

Cr Anthony Middleton took the Chair and declared the meeting open at 8:10AM

2 RECORD OF ATTENDANCES/APOLOGIES/LEAVE OF ABSENCE

2.1 ATTENDANCES

Councillors

Cr Lynette Craigie OAM	Shire President
Cr Anita Grace	Councillor
Cr Anthony Middleton	Councillor

Officers

Mr Jeremy Edwards	Chief Executive Officer
Ms Sian Appleton	Executive Manager Corporate Services
Mrs Kylie Bergmann	Coordinator Governance

Observer

Cr Michael Kitchin	Councillor

2.2 APOLOGIES

Councillor Apologies

Cr Geraldine Parsons	Councillor

Officer Apologies

3 LEAVE OF ABSENCE/PUBLIC QUESTION TIME

4 CONFIRMATION OF MINUTES OF PREVIOUS AUDIT COMMITTEE MEETING

4.1 22ND FEBRUARY 2019

OFFICER & COMMITTEE RECOMMENDATION

MOVED: Cr Anita Grace, SECONDED: Cr Lynette Craigie OAM

THAT the minutes of the Audit Committee Meeting held at Newman on the 22nd February 2019, be confirmed as a true and correct record of proceedings.

CARRIED UNANIMOUSLY

To be actioned by Ms Sian Appleton, Executive Manager Corporate Services

5 OFFICER'S REPORTS

5.1 FINANCIAL MANAGEMENT REVIEW IMPROVEMENT PLAN UPDATE

Attachments:	**Appendix 1: CAMMS Financial Management Review Improvement Plan status report**
Responsible Officer:	**Ms Sian Appleton Executive Manager Corporate Services**
Author:	**Ms Sian Appleton Executive Manager Corporate Services**
Proposed Meeting Date:	**24 May 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

To report on the status of the Financial Management Review improvement plan.

BACKGROUND

Pursuant to Regulation 5(2)(c) of the Local Government (Financial Management) Regulation 1996 (as amended) the CEO is to undertake a review of the Financial Management.

In June 2016 Moore Stephens undertook this review for the CEO and the report was presented to the Audit Committee on the 8th September 2016 and subsequently at the Ordinary Council Meeting dated 23rd September 2016.

From this report a Financial Management Review (FMR) Improvement Plan was created and entered into Council's CAMMS Strategic Planning software for monitoring.

COMMENTS/OPTIONS/DISCUSSIONS

Attached is a copy of the CAMMS reporting document.

Currently there are 21 actions reported on and all are on track for completion by the 30 June 2019.

STATUTORY IMPLICATIONS/REQUIREMENTS

Regulation 5(2)(c) of the Local Government (Financial Management) Regulation 1996 (as amended).

POLICY IMPLICATIONS

N/A

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.1 Enhance governance capability to deliver sustainable outcomes, roads and buildings

RISK MANAGEMENT CONSIDERATIONS

As set out in the CAMMS reporting for each action item.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER & COMMITTEE RECOMMENDATION

MOVED: Cr Anita Grace **SECONDED: Cr Lynette Craigie OAM**

That the Council review and receive the CAMMS Financial Management Review Improvement Plan status report as presented at Appendix 1.

CARRIED UNANIMOUSLY

To be actioned by Ms Sian Appleton, Executive Manager Corporate Services

Appendix 1
CAMMS Financial Management Review
Improvement Plan status report



Shire of East Pilbara — Action & Task Progress Report

Action Status

Off Track 0.0%
Monitor 0.0%
On Track 100.0%
No Target 0.0%
Total: 100.0%

Action Progress Against Targets

21 Actions reported on
21 At least 90% of action target achieved
0 Between 70 and 90% of action target achieved
0 Less than 70% of action target achieved
0 Actions with no target set

Corporate Services
Financial Services
STRATEGY: **5.1.1 Enhance governance capability to deliver sustainable outcomes**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.62 FMR - Improvement in process needed - Trust transactions were processed through the Municipal bank account and no separate account was maintained as required. COMPLIANCE MEDIUM RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
20.1 Financial Services	Operating				

ACTION PROGRESS COMMENTS
Trust Account created according to regulation.
Last Updated - 22/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.63 FMR - Improvement in process - The objects / reasons of imposing 2015/16 differential rates and the reasons for the difference from the rates advertised and the details of those advertised, were not included in the rate notice of accompanying information as required. COMPLIANCE MEDIUM RISK	Lisa Davis - Manager Corporate Services	Not Started	18/02/2019	30/06/2019	0%	0%	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
20.1 Financial Services	Operating				

Last Updated - 18/02/2019

May 22, 2019 *Page 2 of 9*

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.64 FMR - Improvement in process needed - Rates debtors' reconciliations did not always have the evidence of being independently review. SYSTEMS AND PROCEDURES LOW RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
Process created to ensure reconciliations are reviewed independently and evidenced.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.65 FMR - Improvement in process needed - manual rolling reconciliations have no evidence of being independently review. SYSTEMS AND PROCEDURES LOW RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
Process created to ensure manual rolling reconcilaitons are independently reviewed and evidenced.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.66 FMR - Improvement in process needed - rate notice or accompanying information did not include the required statement regarding the pensioner rebates. COMPLIANCE LOW RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
Checklist created to ensure correct and comprehensive information accompanies rate notices as per legislation,							
Last Updated - 22/05/2019							

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.67 FMR - Improvement process needed - Local public notices were not given as required for fees and charges imposed after budget adoption. COMPLIANCE LOW RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
Process created whereby all changes in fees and charges accepted outside the budget process are correctly advertised.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.68 FMR - Improved process needed - Purchased orders were raISed after the supplier tax invoices were received. SYSTEMS AND PROCEDURES MEDIUM	Lisa Davis - Manager Corporate Services	In Progress	18/02/2019	30/06/2019	80%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
Process created for more rigourous checking of purchase orders against invoice dates. Finance is currently working with Technical Services to abolish all manual purchase order books by staff first creating requistions for entry into electronic system.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.69 FMR - Improved process needed - Purchase orders did not contain information about verbal quotations as required. SYSTEMS AND PROCEDURES MEDIUM RISK	Lisa Davis - Manager Corporate Services	In Progress	18/02/2019	30/06/2019	80%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
Ongoing training needed for officer who have authority to raise purchase orders. More rigourous checking of purchase orders having quotes. Breach notices issued where needed.							
Last Updated - 22/05/2019							

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.70 FMR - Improved process needed - creditor system audit trail report was not printed and reviewed at every payment run. SYSTEMS AND PROCEDURES MEDIUM RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						

ACTION PROGRESS COMMENTS
Process created to ensure creditor system audit trail reports are always printed, reviewed and signed off by appropriate officer.
Last Updated - 22/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.71 FMR - Improvement in process needed - Payroll system audit trail report was not printed and review at every pay run SYSTEMS AND PROCEDURES MEDIUM RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						

ACTION PROGRESS COMMENTS
Process created to ensure payroll system audit trail reports are always printed, reviewed and signed off by appropriate officer.
Last Updated - 22/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.72 FMR - Improved process needed - Payroll officer has the authority to approve payments via electronic funds transfer. SYSTEMS AND PROCEDURES MEDIUM RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						

ACTION PROGRESS COMMENTS
Process improved to delete payroll officer's ability to approve payments.
Last Updated - 22/05/2019

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.73 FMR - Process improvement needed - disposal of properties not in accordance with the Act. COMPLIANCE LOW RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						

ACTION PROGRESS COMMENTS
Improved process created when assets are disposed off. All disposals now controlled by Asset Management Officer in accordance with regulations.
Last Updated - 22/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.74 FMR - Improved process needed - Allocation rates for Plant Operating Costs and Salaries and Wages have not been regularly reviewed and adjusted. SYSTEMS AND PROCEDURES MEDIUM RISK	Lisa Davis - Manager Corporate Services	In Progress	18/02/2019	30/06/2019	50%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						

ACTION PROGRESS COMMENTS
Process currently under review to improve allocation of POC and PWOH.
Last Updated - 22/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.75 FMR - Improved process needed - A copy of the budget was not forwarded to the Dept of Local Government and Communities within 30 days of adoption as required. COMPLIANCE LOW RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	100%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**		**YTD Actual**		**YTD Variance**
20.1 Financial Services	Operating						

ACTION PROGRESS COMMENTS
Process improved whereby as soon as adoption of budget by Council takes place it is entered into the LG portal within two weeks.
Last Updated - 18/02/2019

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.76 FMR - Improved process needed - A copy of the budget review was not forwarded to the Dept Local Government and Communities within 30 days of adoption as required. COMPLIANCE LOW RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	100%	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
20.1 Financial Services	Operating				

ACTION PROGRESS COMMENTS

A process in now in place whereby the budget review is forwarded to the dept (either by email or uploaded through the portal) within two weeks of acceptance of the budget review by Council.

Last Updated - 18/02/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.77 FMR - Improved process needed - Annual Report was not accepted by Council within 2 months of receiving the auditor's report as required. COMPLIANCE LOW RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
20.1 Financial Services	Operating				

ACTION PROGRESS COMMENTS

Process created to ensure Annual Report accepted by Council within legislative timelines.

Last Updated - 22/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.78 FMR - Improved process needed - The Statement of Financial Activity for January 2016 was not prepared and presented to council as required. COMPLIANCE MEDIUM RISK	Lisa Davis - Manager Corporate Services	In Progress	18/02/2019	30/06/2019	60%	0%	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
20.1 Financial Services	Operating				

ACTION PROGRESS COMMENTS

Process still being reviewed. Issues arise due to staff shortages and Council meeting dates.

Last Updated - 22/05/2019

May 22, 2019 Page 7 of 9

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.79 FMR - Improved process needed - The Statement of Financial Activity did not contain explanations for material variances in relation to capital expenditure items as required. COMPLIANCE MEDIUM RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
20.1 Financial Services	Operating				

ACTION PROGRESS COMMENTS

New template now used for the presentation of the Statement of Financial Activity to ensure legislative requirements are met.

Last Updated - 22/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.81 FMR - Improved process needed - Investment Policy did not specify the statutory restriction regarding investment of funds. COMPLIANCE MEDIUM RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
20.1 Financial Services	Operating				

ACTION PROGRESS COMMENTS

Policy updated and accepted by Council.

Last Updated - 22/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.82 FMR - Improved process needed - The Shire did not invest funds with an authorised institution as required. COMPLIANCE MEDIUM RISK	Lisa Davis - Manager Corporate Services	Completed	18/02/2019	30/06/2019	100%	0%	

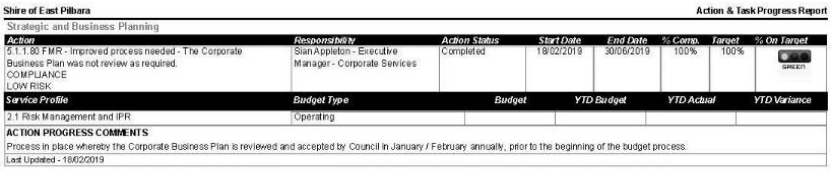
Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
20.1 Financial Services	Operating				

ACTION PROGRESS COMMENTS

Improved process created to ensure funds invested me authorised institution requirements

Last Updated - 22/05/2019

May 22, 2019 Page 8 of 9



Shire of East Pilbara — Action & Task Progress Report

Strategic and Business Planning

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
6.1.1.80 FMR - Improved process needed - The Corporate Business Plan was not review as required. COMPLIANCE LOW RISK	Sian Appleton - Executive Manager - Corporate Services	Completed	18/02/2019	30/06/2019	100%	100%	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
2.1 Risk Management and IPR	Operating				

ACTION PROGRESS COMMENTS

Process in place whereby the Corporate Business Plan is reviewed and accepted by Council in January / February annually, prior to the beginning of the budget process.

Last Updated - 18/02/2019

May 22, 2019 Page 9 of 9

5.2 REGULATION 17 REVIEW IMPROVEMENT PLAN UPDATE

Attachments:	**Appendix 1:**
Responsible Officer:	**Ms Sian Appleton** **Executive Manager Corporate Services**
Author:	**Ms Sian Appleton** **Executive Manager Corporate Services**
Proposed Meeting Date:	**24 May 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

To report on the status of the Regulation 17 Review Improvement Plan.

BACKGROUND

Pursuant to the *Local Government (Audit) Regulations 1996* (the regulations), Regulation 17 requires that the Chief Executive Officer undertakes a review of the appropriateness and effectiveness of its systems and procedures in regard to Risk Management, Legislative Compliance and Internal Control Frameworks.

Previously reviews of Council's audit systems needed to be carried out every two years. The regulations were revised and gazetted on Tuesday, 26 June 2018 to conduct the review no less than every three years. This means that the Shire of East Pilbara will not be required to complete another review until 2021.

In February 2019 Moore Stephens undertook this review for the CEO and the report was presented to the Audit Committee on the 22nd February 2019 and subsequently at the Ordinary Council Meeting dated 22nd February 2019.

From this report a Regulation 17 Improvement Plan was created and entered into Council's CAMMS Strategic Planning software for monitoring.

COMMENTS/OPTIONS/DISCUSSIONS

Attached is a copy of the CAMMS reporting document (***Appendix 1 refers***).

Currently there are 21 actions reported on and all are on track for completion by the 30 June 2019.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

N/A

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.
G1.1 Enhance governance capability to deliver sustainable outcomes, roads and buildings

RISK MANAGEMENT CONSIDERATIONS

As set out in the CAMMS reporting for each action item.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER & COMMITTEE RECOMMENDATION

MOVED: Cr Lynette Craigie OAM **SECONDED: Cr Anita Grace**

That the Council review and receive the CAMMS Regulation 17 Improvement Plan status report as presented at Appendix 1.

CARRIED UNANIMOUSLY

To be actioned by Ms Sian Appleton, Executive Manager Corporate Services

Appendix 1
CAMMS Regulation 17 Improvement Plan status report



Shire of East Pilbara — Action & Task Progress Report





42 Actions reported on
41 At least 90% of action target achieved
0 Between 70 and 90% of action target achieved
0 Less than 70% of action target achieved
1 Actions with no target set

Commercial Services
Airport Services
STRATEGY: **5.1.1 Enhance governance capability to deliver sustainable outcomes**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.37 17D - Risk management practices at the airport should be undertaken in accordance the Shires Risk Management Policy and procedures. These procedures provide the framework for the rating of identified risk and reporting of risks when identified along with the routine reporting on the status of treated risks. HIGH RISK	Ben Lewis - Executive Manager - Commercial Services	In Progress	17/02/2019	31/12/2021	50%	0%	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
6.2 Airport Services	Operating				

ACTION PROGRESS COMMENTS
8/3/19 - Implementation of shire wide incident and hazard reporting has been rolled out at the airport for all staff and subcontractors . HSE contractor inductions have been undertaken with the majority of the major contractors. This process is utilising the shire wide reporting process.
Last Updated - 08/03/2019

May 22, 2019 Page 2 of 10

Shire of East Pilbara — Action & Task Progress Report

Procurement and Contracts

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.21 17D - Amend the Policy to provide the following: Purchasing requirements for the renewal or variation of contracts which did not arise from a public tender. HIGH RISK	Dawn Ronchi - Contract Procurement Officer	Completed	17/02/2019	31/12/2021	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
9.1 Procurement	Operating						
ACTION PROGRESS COMMENTS							
Policy Updated							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.29 17D - All procurement of goods or services should be undertaken in accordance with the Procurement Policy and legislative requirements, regardless of the type of service or goods. HIGH RISK	Dawn Ronchi - Contract Procurement Officer	In Progress	17/02/2019	31/12/2021	50%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
9.1 Procurement	Operating						
ACTION PROGRESS COMMENTS							
Processes currently under review to ensure all procurment is undertakeni n accordance with legislation.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.30 17D - To help ensure probity and fairness when assessing tenders, procedures for the declaration of interests prior to assessing tender should be documented. Purchases over $150,000 should be subject to the same assessment procedures as those applied to tenders. MEDIUM RISK	Dawn Ronchi - Contract Procurement Officer	Completed	17/02/2019	31/12/2021	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
9.1 Procurement	Operating						
ACTION PROGRESS COMMENTS							
Prrocess updted.							
Last Updated - 22/05/2019							

May 22, 2019 Page 3 of 10

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.31 17D - To help support probity and fairness when assessing responses to requests for quotation, the process undertaken should be documented. The process to be followed should require a higher level of probity and due diligence, the higher the value or risk associated with the purchase. MEDIUM RISK	Dawn Ronchi - Contract Procurement Officer	In Progress	17/02/2019	31/12/2021	20%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
9.1 Procurement	Operating						
ACTION PROGRESS COMMENTS							
Processes currently under review.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.40 17D - To help ensure all contractors have the relevant licences and have adequate insurance cover for the works they undertake for the Shire, procedures should be developed, and records maintained to ensure copies of contractor's insurances are held on file. HIGH RISK	Dawn Ronchi - Contract Procurement Officer	Completed	17/02/2019	31/12/2021	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
9.2 Management of Contracts, Leases and MOU's	Operating						
ACTION PROGRESS COMMENTS							
Process updated.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.47 17D - To maintain the confidentiality of submissions received values of submissions received be removed from the tender register. MEDIUM RISK	Dawn Ronchi - Contract Procurement Officer	Completed	17/02/2019	31/12/2021	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
9.1 Procurement	Operating						
ACTION PROGRESS COMMENTS							
Process updated.							
Last Updated - 22/05/2019							

May 22, 2019 Page 4 of 10

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.59 17D - "Values were entered onto Manual Purchase orders after the goods were received. Purchase orders were issued after receipt of the goods or services "	Dawn Ronchi - Contract Procurement Officer	In Progress	17/02/2019	31/12/2021	50%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
9.1 Procurement	Operating						
ACTION PROGRESS COMMENTS							
Review of processes and refresher training currently being considered. Finance working with Technical services to abolish manual purchase order books.							
Last Updated - 22/05/2019							

May 22, 2019 Page 5 of 19

Shire of East Pilbara — Action & Task Progress Report

Corporate Services
Financial Services

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.22 17D - Rescind the Policy or alternatively review and amend the policies requiring Financial Statements to be prepared in accordance with Statutory requirements. MEDIUM RISK	Lisa Davis - Manager Corporate Services	Completed	17/02/2019	31/12/2021	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
Policy recinded.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.33 17D - Given the high value of fees and charges in relation to the airport operations routine documented verification of the accuracy of fees and charges raised should be undertaken. MEDIUM RISK	Lisa Davis - Manager Corporate Services	In Progress	17/02/2019	31/12/2021	10%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
Processes being reviewed to determin how fee accuracy can be verified.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.34 17D - Review controls in relation to records to ensure records are maintained in accordance with statutory requirements and the Record Keeping Plan. HIGH RISK	Lisa Davis - Manager Corporate Services	In Progress	17/02/2019	31/12/2021	20%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
20.2 Records Management	Operating						
ACTION PROGRESS COMMENTS							
New position created and filled in april 2019. Records Officer now working through issues with controls regarding record capture.							
Last Updated - 22/05/2019							

May 22, 2019 Page 6 of 19

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.35 17D - Creation and maintenance of standard checklists may assist in evidencing key points of control and serve as a reminder. Checklists are of assistance in ensuring compliance with repetitive legislative compliance tasks. HIGH RISK	Lisa Davis - Manager Corporate Services	In Progress	17/02/2019	31/12/2021	10%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
Detailed assessment being first undertaken to determine key areas where checklists are needed.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.39 17D - In line with departmental guidelines, all officers issued with credit cards should sign a credit card agreement prior to the issuing of the credit card. Credit cards should physically be maintained by the person in whose name they are issued and credit card details should not be shared with other staff. HIGH RISK	Lisa Davis - Manager Corporate Services	In Progress	17/02/2019	31/12/2021	80%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
New processes created in relation to credit cards to ensure stricter control of credit cards. Some processes still being improved.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.41 17D - The list of payments made by the CEO under delegated authority should be presented to Council with only the minimum information required by legislation. HIGH RISK	Lisa Davis - Manager Corporate Services	Completed	17/02/2019	31/12/2021	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
New process for presentation of creditors to Council complete to ensure compliance with legislative requirements.							
Last Updated - 22/05/2019							

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.42 17D - Prepare the Monthly Statements in accordance with legislative requirements. HIGH RISK	Lisa Davis - Manager Corporate Services	Completed	17/02/2019	31/12/2021	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
New template introduced for the reporting on the monthly statements to meet legislative compliance.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.49 17D - Outstanding items identified within the Financial Management Review be addressed. HIGH RISK	Lisa Davis - Manager Corporate Services	In Progress	17/02/2019	31/12/2021	90%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
20.1 Financial Services	Operating						
ACTION PROGRESS COMMENTS							
Staff currently completing the remaining items on the FMR improvement plan as reported through the FMR improvement plan status report.							
Last Updated - 22/05/2019							

Shire of East Pilbara — Action & Task Progress Report

Human Resources

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.36 17D - In conjunction with, or as an alternative to, the development of documented procedures and checklists, update and development of workflow process diagrams may assist in clearly identifying controls and processes to be followed. MEDIUM RISK	Vacant - Manager Human Resources - Manager Human Resources	Not Started	17/02/2019	31/12/2021	0%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
10.1 Human Resource Management	Operating						
ACTION PROGRESS COMMENTS							
Manager Human Resources position vacant for six months. Position now filled and processes will be reviewed.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.53 17D - OH&S induction is currently undertaken by the supervisors however, evidence of the induction being undertaken is not available for all employees as a signed 'Induction Completion Form' is not filed on each employee's personnel file. MEDIUM RISK	Vacant - Manager Human Resources - Manager Human Resources	Not Started	17/02/2019	31/12/2021	0%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
10.2 Occupational Health and Safety	Operating						
ACTION PROGRESS COMMENTS							
Manager Human Resources position vacant for six months. Position now filled and processes will be reviewed.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.56 17D - A risk register be maintained consistent with the entity risk matrix, enabling reporting and review of OH&S risks identified.	Vacant - Manager Human Resources - Manager Human Resources	Not Started	17/02/2019	31/12/2021	0%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
10.2 Occupational Health and Safety	Operating						
ACTION PROGRESS COMMENTS							
Manager Human Resources position vacant for six months. Position now filled and processes will be reviewed.							
Last Updated - 22/05/2019							

May 22, 2019 *Page 9 of 10*

Page 25

Shire of East Pilbara — Action & Task Progress Report

STRATEGY: **5.1.3 Provide a great place to work**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.3.3 17D - Continuing with the development of a staff training matrix to identify staff training needs relevant to their role is important to ensuring it is co-ordinated across the organisation.	Vacant - Manager Human Resources - Manager Human Resources	Not Started	17/02/2019	31/12/2021	0%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
10.1 Human Resource Management	Operating						
Last Updated - 17/02/2019							

May 22, 2019 *Page 10 of 10*

Page 26

Shire of East Pilbara — Action & Task Progress Report

Information Communication and Technology

STRATEGY: 5.1.1 Enhance governance capability to deliver sustainable outcomes

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.32 17D - We noted limited controls in relation to the access to IT systems both physical access to hardware and network access to software and data. MEDIUM RISK	Sian Appleton - Executive Manager - Corporate Services	Not Started	17/02/2019	31/12/2021	0%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
23.1 Information Communication and Technology	Operating						
Last Updated - 17/02/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.52 17D - Routine testing of the effectiveness of the Plan through annual system recovery testing be undertaken. HIGH RISK	Sian Appleton - Executive Manager - Corporate Services	Not Started	17/02/2019	31/12/2021	0%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
23.1 Information Communication and Technology	Operating						
Last Updated - 17/02/2019							

May 22, 2019 *Page 11 of 19*

Shire of East Pilbara — Action & Task Progress Report

Strategic and Business Planning

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.20 17D - Review and update the Corporate Business Plan to ensure it remains current. MEDIUM RISK	Sian Appleton - Executive Manager - Corporate Services	Completed	17/02/2019	31/12/2021	100%	100%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
Last Updated - 25/02/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.24 17D - Given recent staffing changes, update and review the Business Continuity Plan, identify and document key business continuity risks along with the treatments to reduce the risk to an acceptable level. HIGH RISK	Sian Appleton - Executive Manager - Corporate Services	In Progress	17/02/2019	31/12/2021	10%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
ACTION PROGRESS COMMENTS							
Resources allocated to project. Scope currently being developed.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.25 17D - Review and update the Disaster Recovery Plan, identifying and documenting key ICT risks along with the treatments to reduce the risk to an acceptable level. HIGH RISK	Sian Appleton - Executive Manager - Corporate Services	In Progress	17/02/2019	31/12/2021	10%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
ACTION PROGRESS COMMENTS							
Resources allocated to project. Scope currently being created.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.27 17D - Risk management procedures and process require review and updating in accordance with the latest risk management standard (ISO 31000:2018). HIGH RISK	Sian Appleton - Executive Manager - Corporate Services	In Progress	17/02/2019	31/12/2021	80%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
ACTION PROGRESS COMMENTS							
Risk Management procedures and process reviewed internally and sent to LGIS for comment. Final updated documentation will be completed by 30 June 2019.							
Last Updated - 22/05/2019							

May 22, 2019 *Page 12 of 19*

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.44 17D - Prepare the Statutory Budget in accordance with legislative requirements. HIGH RISK	Sian Appleton - Executive Manager - Corporate Services	Completed	17/02/2019	31/12/2021	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
ACTION PROGRESS COMMENTS							
New process and template established to ensure compliance.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.45 17D - Maintaining risk registers for all identified risks is important to help ensure significant or high risks are adequately treated. HIGH RISK	Sian Appleton - Executive Manager - Corporate Services	In Progress	17/02/2019	31/12/2021	50%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
ACTION PROGRESS COMMENTS							
Risk workshops with LGIS organised for June which will result in an updated Risk Register.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.50 17D - Risk management procedures implemented uniformly across the organisation. HIGH RISK	Sian Appleton - Executive Manager - Corporate Services	In Progress	17/02/2019	31/12/2021	50%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
ACTION PROGRESS COMMENTS							
Risk Management processes currently being review and will then be rolled out to whole organisation.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.51 17D - A central risk register routinely maintained as required by the Policy. HIGH RISK	Sian Appleton - Executive Manager - Corporate Services	In Progress	17/02/2019	31/12/2021	50%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
ACTION PROGRESS COMMENTS							
A central register is maintained and is currently being updated.							
Last Updated - 22/05/2019							

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.54 17D - A single entity-wide Risk Register of identified risks be maintained, with key organisational risks identified and residual risk levels assessed and recorded. MEDIUM RISK	Sian Appleton - Executive Manager - Corporate Services	In Progress	17/02/2019	31/12/2021	50%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
ACTION PROGRESS COMMENTS							
All Risk Management processes currently under review.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.55 17D - Treatment Plans identified within asset management plans be monitored to ensure risks are reduced to an acceptable level. MEDIUM RISK	Sian Appleton - Executive Manager - Corporate Services	Not Started	17/02/2019	31/12/2021	0%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
ACTION PROGRESS COMMENTS							
Still to be implements.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.57 17D - Management continue to monitor the risk register and discuss any identified risk matters in their meetings	Sian Appleton - Executive Manager - Corporate Services	Ongoing	17/02/2019	31/12/2021		0%	
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
ACTION PROGRESS COMMENTS							
Ongoing. On Executive Team meeting agenda.							
Last Updated - 22/05/2019							
Action	**Responsibility**	**Action Status**	**Start Date**	**End Date**	**% Comp.**	**Target**	**% On Target**
5.1.1.58 17D - The improvements detailed within this report be adopted as an Improvement Plan to progress risk management at the Shire. MEDIUM RISK	Sian Appleton - Executive Manager - Corporate Services	Completed	17/02/2019	31/12/2021	100%	0%	GREEN
Service Profile	**Budget Type**	**Budget**	**YTD Budget**	**YTD Actual**	**YTD Variance**		
2.1 Risk Management and IPR	Operating						
ACTION PROGRESS COMMENTS							
Risk Improvement plan now entered into CAMMS software and reported to the Audit Committee and Council quarterly.							
Last Updated - 22/05/2019							

Shire of East Pilbara — Action & Task Progress Report

Executive Services

Governance

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.23 17D - Following review of Policies by Council, update the latest Review/Amendment Date on the Policy to provide an accurate record of when the Policy was reviewed. MEDIUM RISK	Kylie Bergmann - Coordinator Governance	Completed	17/02/2019	31/12/2021	100%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
16.1 Corporate Governance	Operating				

ACTION PROGRESS COMMENTS

New process implemented to provide accurate record of policy review.

Last Updated - 22/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.28 17D - Establish process for the development, review, amendment and authorisation of procedures, checklists and other internal control documentation, to assist with managing changes to procedures. HIGH RISK	Kylie Bergmann - Coordinator Governance	In Progress	17/02/2019	31/12/2021	15%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
16.1 Corporate Governance	Operating				

ACTION PROGRESS COMMENTS

Processes currently being reviewed.

Last Updated - 22/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.43 17D - Residual risks following a Council decision should be evaluated and recorded as required by the risk management framework. MEDIUM RISK	Kylie Bergmann - Coordinator Governance	In Progress	17/02/2019	31/12/2021	10%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
16.1 Corporate Governance	Operating				

ACTION PROGRESS COMMENTS

Processes currently being reviewed.

Last Updated - 22/05/2019

May 22, 2019 Page 15 of 19

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.46 17D - Maintain a gift register on the Shire's website in accordance with legislative requirements. HIGH RISK	Kylie Bergmann - Coordinator Governance	In Progress	17/02/2019	31/12/2021	70%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
16.1 Corporate Governance	Operating				

ACTION PROGRESS COMMENTS

Underway

Last Updated - 22/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.48 17D - To confirm adherence to documented policies and procedures and assist in the identification of internal control weaknesses an internal audit function is required to be established. MEDIUM RISK	Kylie Bergmann - Coordinator Governance	In Progress	17/02/2019	31/12/2021	5%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
16.1 Corporate Governance	Operating				

ACTION PROGRESS COMMENTS

Process to establish internal auditing function currently being investigated.

Last Updated - 22/05/2019

May 22, 2019 Page 16 of 19

Shire of East Pilbara — Action & Task Progress Report

Infrastructure Services

Natural Resource Management

STRATEGY: **4.2.1 Conserve natural vegetation, green spaces and bushland**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
4.2.1.2 17D - Undertake risk assessments in relation to each of the potentially contaminated sites and identify appropriate treatment plans. HIGH RISK	Edmore Masaka - Development Services - Health	In Progress	17/02/2019	31/12/2021	10%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
21.1 Landfill Management	Operating				

ACTION PROGRESS COMMENTS

Initial steps taken to scope detail of risk assessments.

Last Updated - 22/05/2019

STRATEGY: **5.1.1 Enhance governance capability to deliver sustainable outcomes**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.38 17D - Undertake a detailed review of all controls in relation to the waste facility. In particular, if possible, remove or significantly reduce the potential amount of cash received at the waste facility, through use of pre-purchased vouchers etc. Should cash continue to be accepted, appropriate procedures and controls are required. MEDIUM RISK	Raees Rasool - Executive Manager Infrastructure Services	Deferred	17/02/2019	31/12/2021	0%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
21.2 Waste Collection and Recycling	Operating				

ACTION PROGRESS COMMENTS

Project will be deferred until a new manager of waste services and a graduate engineer can be engaged

16/05/2019 - Project is still deferred, however staff have commenced work on a waste management plan which will highlight how we can improve the facility. In combination with the new manager of waste services and a graduate engineer this will provide the necessary resources to scope and review the facility with the view of increasing operational revenue from liquid waste. Waste Manager position has been advertised and the EMIS is liaising with universities to sell the graduate opportunity. Advertising for the graduate engineering role is planned to occur around June/July of 2019

Last Updated - 16/05/2019

May 22, 2019 *Page 17 of 19*

Shire of East Pilbara — Action & Task Progress Report

Project Management

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.26 17D - Update and finalise asset management plans and present to Council for adoption. MEDIUM RISK	Sian Appleton - Executive Manager - Corporate Services	Not Started	17/02/2019	31/12/2021	0%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.2 Asset Management	Operating				

Last Updated - 17/02/2019

May 22, 2019 *Page 18 of 19*

5.3 REVIEW OF ORGANISATIONAL RISK REGISTER

Appendix 1:	**CAMMS current risk status report**
Responsible Officer:	**Ms Sian Appleton** **Executive Manager Corporate Services**
Author:	**Mrs Kylie Bergmann** **Coordinator Governance**
Proposed Meeting Date:	**24 May 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

To report on the identified high and extreme strategic and operational risks.

BACKGROUND

Pursuant to Regulation 17 of the *Local Government (Audit) Regulations 1996*, the CEO is to review the Shire's systems and procedures in relation to risk management, internal control and legislative compliance, at least every 2 years.

In 2018, the Shire engaged Moore Stephens to undertake this review.

One of the improvements suggested by Moore Stephens is that the Audit Committee receive quarterly reports of identified high and extreme strategic and operational risks.

COMMENTS/OPTIONS/DISCUSSIONS

Please see attached copy of the Organisational Risk Register which outlines the identified high and extreme risks.

The Organisational Risk Register was put together following a Risk Workshop conducted by LGIS in February 2015. At the Audit Committee meeting on 6 September 2018, we advised that we had approached LGIS about conducting another workshop to review and update our risk profiles and controls. Unfortunately the facilitator, Mark Harris, had some medical issues which prevented him from coming up sooner. But we are pleased to advise that the workshop has now been set for 5-7 June 2019. An updated version of the Risk Register will be presented at the next Audit Committee meeting.

STATUTORY IMPLICATIONS/REQUIREMENTS

Regulation 17 of the *Local Government (Audit) Regulations 1996*.

POLICY IMPLICATIONS

Risk Management Policy
Risk Management Strategy
Risk Management Procedures

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.3 Provide a great place to work

RISK MANAGEMENT CONSIDERATIONS

To monitor and mitigate all risk considerations.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER & COMMITTEE RECOMMENDATION

MOVED: Cr Anita Grace **SECONDED: Cr Lynette Craigie OAM**

That the Council

1. **Receive the Organisational Risk Report for the quarter ending 31 March 2019.**
2. **Receive the CAMMS current risk status report at Appendix 1.**

CARRIED UNANIMOUSLY

To be actioned by Mrs Kylie Bergmann, Coordinator Governance

Appendix 1
CAMMS current risk status report

Shire of East Pilbara Risk Register

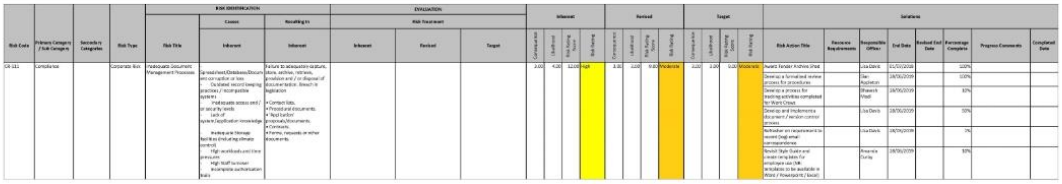
31 May 2019

Risk Code	Primary Category / Sub Category	Secondary Categories	Risk Type	RISK IDENTIFICATION: Risk Title	Causes: Inherent	Resulting In: Inherent	EVALUATION: Risk Treatment: Inherent	Risk Treatment: Revised	Risk Treatment: Target	Inherent: Consequence	Inherent: Likelihood	Inherent: Risk Rating Score	Inherent: Risk Rating	Revised: Consequence	Revised: Likelihood	Revised: Risk Rating Score	Revised: Risk Rating	Target: Consequence	Target: Likelihood	Target: Risk Rating Score	Target: Risk Rating	Solutions: Risk Action Title	Resource Requirements	Responsible Officer	End Date	Revised End Date	Percentage Complete	Progress Comments	Completed Date
ER103	Environmental	Compliance Environmental Impact Health Property Reputational Impact - External Reputational Impact - Internal Service Interruption	Corporate Risk	Inadequate Environmental Management	Inadequate management of Landfill due to lack of understanding/ knowledge Inadequate lined bays / dams/ evaporations Inadequate reporting/ oversight frameworks Community apathy	• Lack of adequate planning leading to depletion of crucial erosion issues. • Failure to identify and effectively manage contaminated sites (including groundwater usage). • Waste facilities (landfill / transfer stations). • Water control. • Ineffective management of water courses (reclaimed, potable). • Illegal dumping. • Illegal clearing / landuse				5.00	4.00	12.00	High	5.00	4.00	12.00	High	5.00	3.00	9.00	Moderate	Review existing Management Plan for the Landfill sites at Nullagine and Marble Bar		Kasey Parrott	28/06/2019		10%		
ER105	Financial Impact		Corporate Risk	External Theft and Fraud	Inadequate security of equipment / supplies / cash holdings Loan monies Land is easily accessible for persons taking gravel Lack of supervision	Fraud Malicious Damage Theft Loan monies Cash or other valuable form to Misplace			Acceptance Reduction	5.00	4.00	12.00	High	5.00	4.00	12.00	High	5.00	3.00	9.00	Moderate	Finalise core safety Safety Plan and have endorsed by Council		Kasey Davis	28/06/2019		10%		

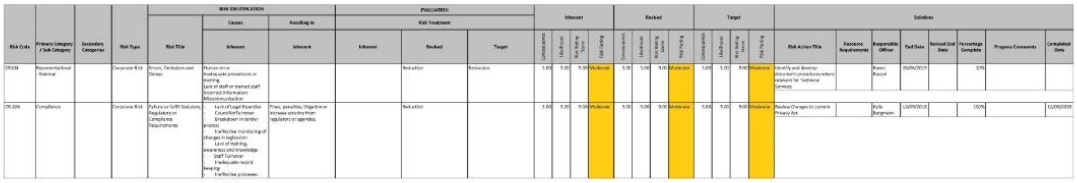
Risk Code	Primary Category / Sub Category	Secondary Categories	Risk Type	RISK IDENTIFICATION: Risk Title	Causes: Inherent	Resulting In: Inherent	EVALUATION: Risk Treatment: Inherent	Risk Treatment: Revised	Risk Treatment: Target	Inherent: Consequence	Inherent: Likelihood	Inherent: Risk Rating Score	Inherent: Risk Rating	Revised: Consequence	Revised: Likelihood	Revised: Risk Rating Score	Revised: Risk Rating	Target: Consequence	Target: Likelihood	Target: Risk Rating Score	Target: Risk Rating	Solutions: Risk Action Title	Resource Requirements	Responsible Officer	End Date	Revised End Date	Percentage Complete	Progress Comments	Completed Date
ER-108	Health	Compliance Environmental Impact Property Reputational Impact - External Reputational Impact - Internal Service Interruption	Corporate Risk	Inadequate Safety and Security Practices	• Inadequate Policy, Frameworks, Systems and Structure to prevent the injury of visitors, staff, contractors and/or tenants. • Inadequate Organisational Hygiene practices leading to unsanitary conditions. • Inadequate Risk Assessment programs, drills, systems etc). • Inadequate security protection measures in place for buildings, depots and other places of work (vehicle, work facility etc). • Public Liability Claims, due to negligence or personal injury. • Employee Liability Claims due to negligence or personal injury. • Inadequate or unsafe modifications to plant & equipment.	Lack of appropriate PPE / Equipment Inadequate signage, barriers or other exclusion methods in Inadequate first aid facilities / personnel Damage and loss of Dangerous Goods Liability / Litter Control Ineffective / Inadequate testing, servicing (electrical, fault & asset reg) Inadequate security arrangements Lack of mandate and commitment from Senior Management.			Reduction	5.00	4.00	12.00	High	5.00	4.00	12.00	High	5.00	4.00	11.00	High	Arrange for Audit 4001 risks reviewed		Interim Manager Human Resources	28/06/2019		10%		
																						Review/Develop Contractor Management / Induction Process		Ben Lewis	28/06/2019		100%		31/05/2019
																						Identify and train wardens		Interim Manager Human Resources	28/06/2019		100%		28/06/2019
																						Investigate water main failing controls for Cape Lambert Port Area		Director Wedco	28/06/2019		10%		
																						Review and improve Incident Management Process		Interim Manager Human Resources	28/06/2019		75%		

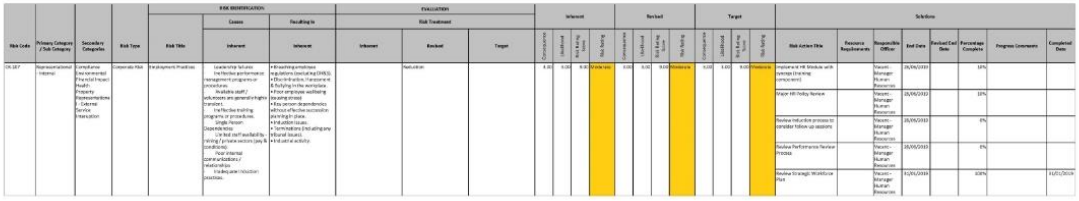
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CR-116	Financial Impact	Reputational Impact - External	Corporate Risk	Inadequate Supplier / Contract Management	Funding Inadequate control/management practices Complaints and quantity of work Ineffective marketing of deliverables Inadequate tendering processes (i.e. Specifications and clarity of requirements) Geographical remoteness Historical contracts remaining	• Concentration issues • Vendor sustainability		Reduction	Reduction	4.00	3.00	12.00	High	4.00	3.00	11.00	High	4.00	3.00	12.00	High	Conduct Evaluation Training to relevant officers		Interim Manager Assets & Procurement	28/06/2019		0%		
																						Conduct refresher procurement training to relevant officers		Interim Manager Assets & Procurement	28/06/2019		0%		
																						Review components of existing contract prior to renewal or tender		Interim Manager Assets & Procurement	28/06/2019		20%		12/09/2018

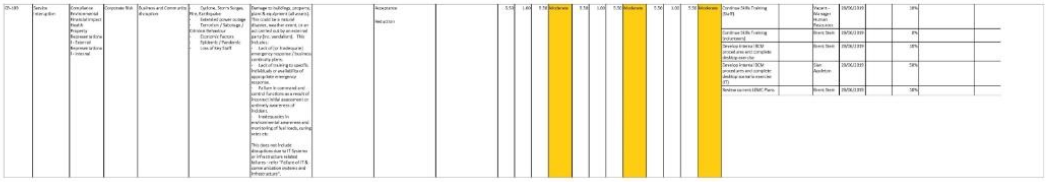
Risk Code	Primary Category / Sub Category	Secondary Categories	Risk Type	RISK IDENTIFICATION: Risk Title	Causes: Inherent	Resulting In: Inherent	EVALUATION: Risk Treatment: Inherent	Risk Treatment: Revised	Risk Treatment: Target	Inherent: Consequence	Inherent: Likelihood	Inherent: Risk Rating Score	Inherent: Risk Rating	Revised: Consequence	Revised: Likelihood	Revised: Risk Rating Score	Revised: Risk Rating	Target: Consequence	Target: Likelihood	Target: Risk Rating Score	Target: Risk Rating	Solutions: Risk Action Title	Resource Requirements	Responsible Officer	End Date	Revised End Date	Percentage Complete	Progress Comments	Completed Date
CR121	Reputational External		Corporate Risk	Providing inaccurate Advice / Information	Lack of qualified staff Long lead times for responses from Government Lack of appropriate technical knowledge relevant to the contract Poor working relationships between internal staff / departments	• Incorrect planning, development or building advice • Attained health or environmental advice • Inconsistent messages or responses from Customer Service Staff • any advice that is not consistent with legislative requirements or local laws.		Reduction		4.00	3.00	12.00	High	3.00	2.00	8.00	Moderate	3.00	2.00	8.00	Moderate								

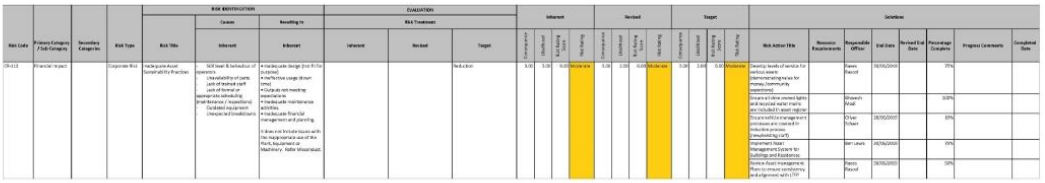




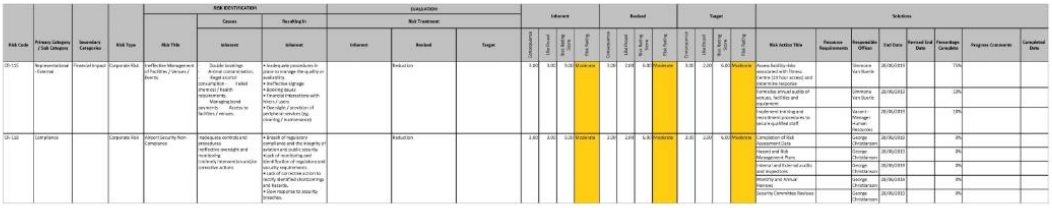


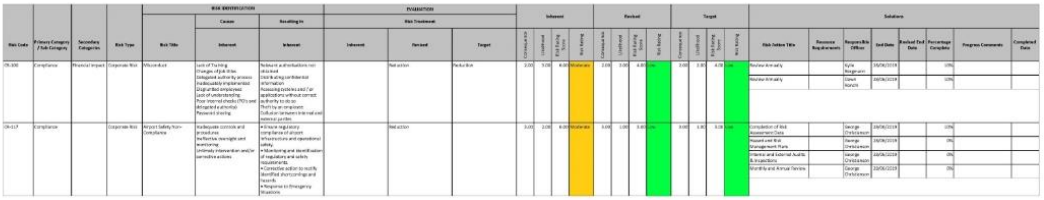


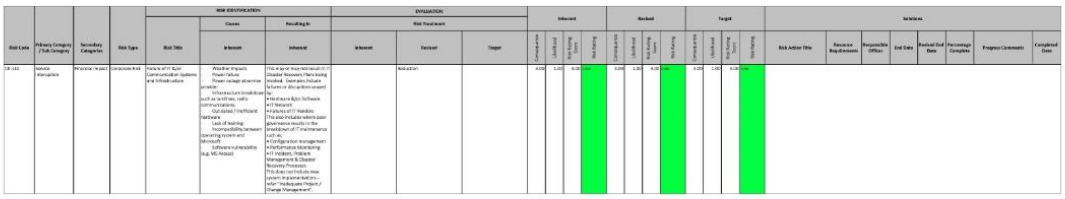












Risk Code	Primary Category / Sub Category	Secondary Categories	Risk Type	RISK IDENTIFICATION			EVALUATION			Inherent				Revised				Target				Solutions							
				Risk Title	Causes	Resulting in	Risk Treatment			Consequence	Likelihood	Risk Rating Score	Risk Rating	Consequence	Likelihood	Risk Rating Score	Risk Rating	Consequence	Likelihood	Risk Rating Score	Risk Rating	Risk Action Title	Resource Requirements	Responsible Officer	End Date	Revised End Date	Percentage Complete	Progress Comments	Completed Date
					Inherent	Inherent	Inherent	Revised	Target																				
OR-162	Service Interruption	Personal Impact	Corporate Risk	Failure of IT &/or Communication Systems and Infrastructure	Weather Impacts Power Failure Power outage also can result in: - Infrastructure breakdown such as lifts, radio communications. - Data Corrupted / Inefficient Hardware - Lack of training - Incompatibility between operating system and Microsoft - Software vulnerability Risk MS Related	This may or may not result in IT Disaster Recovery Plan being invoked. Examples include failure or disruption caused by: • Hardware &/or Software • IT Network • Application or Vendor. This also includes where poor governance results in the breakdown of IT maintenance such as; • Configuration management • Performance Monitoring • IT Incidents / Problems • Data Back-Up & Disaster Recovery Processes This does not include new system implementations - refer "Inadequate Project / Change Management".		Reduction		4.00	3.00	8.00	High	4.00	2.00	8.00	High	3.00	1.00	3.00	Low								

Risk Code	Primary Category / Sub Category	Secondary Categories	Risk Type	RISK IDENTIFICATION			EVALUATION			Inherent				Revised				Target				Solutions							
				Risk Title	Causes	Resulting in	Risk Treatment			Consequence	Likelihood	Risk Rating Score	Risk Rating	Consequence	Likelihood	Risk Rating Score	Risk Rating	Consequence	Likelihood	Risk Rating Score	Risk Rating	Risk Action Title	Resource Requirements	Responsible Officer	End Date	Revised End Date	Percentage Complete	Progress Comments	Completed Date
					Inherent	Inherent	Inherent	Revised	Target																				
OR-021	Compliance	Environmental Impact Health Property Reputation Service Interruption	Operational Risk	[offl]	[offl]	[offl]				5.00	4.00	32.00	High																

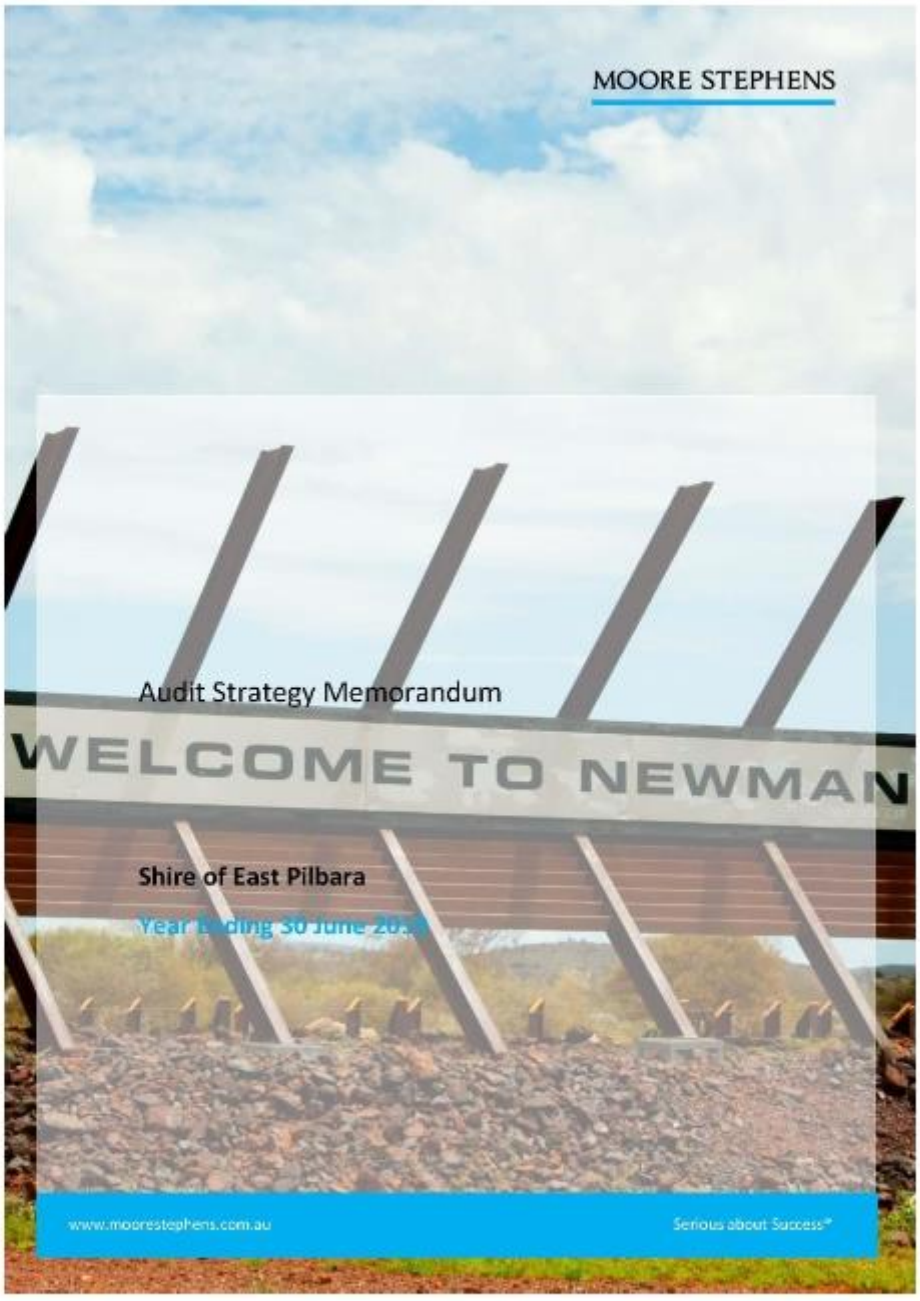
6 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

7 GENERAL BUSINESS

Note that Councillors Middleton, Grace, Craigie and Parsons attended an Entrance Meeting with the Shire of East Pilbara's Auditors, Moore Stephens, at 8:30am on 24 May 2019, immediately following the Audit Committee Meeting.

The purpose of this meeting was to present an Audit Strategy Memorandum for the financial year ending 30 June 2019. Attached at Appendix 1 is a copy of the Audit Strategy Memorandum.

Appendix 1
Audit Strategy Memorandum 30 June 2019


MOORE STEPHENS
Audit Strategy Memorandum
WELCOME TO NEWMAN
Shire of East Pilbara
Year Ending 30 June 20
www.moorestephens.com.au
Serious about Success®

Contents

1. Introduction 3
2. Audit Scope, Approach and Key Deliverables 4
3. Key Audit Risks and Focus Areas 5
4. The Audit Team and Independence 8
5. Other Key Matters 9
Appendix 1: Summary of Audit Methodology and Approach 10
Appendix 2: Recent Regulatory and Technical Developments 13
Appendix 3: Management Representation Letter 15

1. Introduction

Moore Stephens has been engaged to perform an audit of the Shire of East Pilbara (the "Shire")'s annual financial report for the year ending 30 June 2019.

This memorandum sets out the proposed strategy for the audit of the Shire's annual financial report for the year ending 30 June 2019.

The key purposes of this memorandum are to:

- set out the audit scope and approach in summary;
- identify and communicate the key audit risk areas which we expect to be the focus of the audit procedures; and
- promote effective communication between the auditor and those charged with governance.

This document is strictly confidential and although it has been made available to management and those charged with governance to facilitate discussions, it may not be taken as altering our responsibilities to the Shire arising under our audit contract with the Shire.

The contents of this Audit Strategy Document should not be disclosed to third parties without our prior written consent.

2. Audit Scope, Approach and Key Deliverables

Scope

Financial Audit

The primary scope and objective is to express an opinion to Council on whether the Shire's general purpose financial report as a whole is free from material misstatements (whether due to fraud or error) and is prepared (in all material respects) in accordance with applicable Australian Accounting Standards, the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended).

Statutory Reporting

The audit will also report on the following matters in accordance with Reg 10(3) of the Local Government (Audit) Regulations 1996:

a) trends in the financial position or the financial management practices of the Shire;

b) compliance with Part 6 of the Local Government Act 1995 (as amended), the Local Government (Financial Management) Regulations 1996 (as amended), or applicable financial controls of any other written law;

c) details of whether information and explanations were obtained by the auditor; and

d) conduct of audit.

Audit Methodology and Approach

The audit will be conducted using our National methodology and audit automation systems (Caseware) which are underpinned by policies, procedures and templates to ensure the appropriate level of consistency and quality is achieved. Please refer to Appendix 1 for a summary of our audit methodology and approach.

Key Deliverables

The following timetable is a broad outline of the key deliverables and timing aspects of the audit:

Engagement Activity	Timing
Audit Planning	11 March 2019
Entrance Meeting	24 May 2019
Interim Audit Visit	27 – 29 May 2019
Interim management report (if any matters to be reported)	30 June 2019
Receipt of complete and balanced draft financial report	16 September 2019
Final Audit Visit	18 – 20 September 2019
Year end management report (if any matters to be reported)	18 October 2019 (to be confirmed)
Concluding (Exit) Meeting	23 October 2019 (to be confirmed)
Date CEO sign off on financial statements and management representation letter	23 October 2019 (to be confirmed)
Final sign-off of Auditor's report and Management report	23 October 2019 (to be confirmed)

3. Key Audit Risks and Focus Areas

Set out below is an overview of what we consider to be the key overall risks and focus areas for the 30 June 2019 audit. This preliminary risk assessment has been compiled based on our extensive knowledge of the Shire, the industry and issues faced by regional local governments. The audit will include a focus on recent regulatory and technical developments during the financial year (Please refer Appendix 2 for details). This risk assessment process is designed to ensure we focus our audit work on the areas of highest risk.

The table below also includes our audit procedures to be performed to address these risks. This risk assessment and our responses will be updated throughout the engagement to ensure all areas of material risk are addressed by our audit.

RISK AREAS	AUDIT PROCEDURES TO ADDRESS RISK
PROPERTY, PLANT AND EQUIPMENT INFRASTRUCTURE This is a significant industry risk given the judgement applied in determining fair values as well as depreciation expense. 2019 Estimated: $310.8m 2018 Actual: $313m	A broad outline for our approach is as follows: Property, Plant and Equipment and Infrastructure • Document and test key audit controls around Property, Plant and Equipment and Infrastructure balances. • Assess accounting policy associated with fair value assessments and ensure in accordance with accounting standards. • Review any revaluations, including evaluation of independent valuer/consultant (if used) or management's expertise/experience. • Particular attention to whether or not valuation methodology and assumptions used were reasonable. • Substantively test all additions and disposals to the asset classes. • Review impairment assessments. • Review fair value disclosures to ensure in accordance with AASB13 requirements. Depreciation and amortisation • Understand and document depreciation policy and how it relates to the various asset classes. • Document and test key audit controls around the calculation of depreciation/amortisation. • Perform depreciation recalculations based on our sampling approach. • Perform substantive analytical procedures. • In addition, given our industry experience, particular attention will be paid to the determination of applicable depreciation rates and reasonableness in light of any revaluations.
EMPLOYEE BENEFIT PROVISIONS Provisions for annual leave and long service leave involve a degree of management estimation and uncertainty in their calculation. 2019 Estimated: $1.4m 2018 Actual: $1.3m	We will document and test key audit controls and perform walkthroughs of the systems with a view to rely on the internal controls. We would perform substantive test of details utilising our sampling methodology as well as year end analytical review to add to the level of audit assurance obtained. Employee benefit provisions will also be reviewed to ensure they are consistent with the payroll records and calculated in accordance with AASB119.

3. Key Audit Risks and Focus Areas (continued)

RISK AREAS	AUDIT PROCEDURES TO ADDRESS RISK
REVENUE The Shire's main sources of revenue are: • Rates; • Government grants; and • Other fee for service revenue streams. 2019 Estimated: $41.2m 2018 Actual: $47.5m	Given the nature of local government grants, substantive testing of details including verification to third party documentation and vouching receipt of funds will be completed in accordance with our established sampling methodology. We will also perform analytical review procedures. With respect to Rates, we will document and test key audit controls and will perform walkthroughs of the systems with a view to rely on internal controls. We would perform substantive test of details utilising our sampling methodology as well as year-end analytical review to add to the level of assurance obtained. We will also review the design and implementation of controls of all other main sources of revenue. Cut-off testing will form part of these procedures to help ensure revenue is correctly recognised and recorded. We also understand the impact AASB 15 will have on the local government industry and will ensure adequate disclosures regarding the impact are made in the financial report. In the process of identifying the risk of fraud in revenue, we will consider the following factors: • Nature of the revenue transactions • The complexity of the transactions • Materiality of the transactions Having regard to the above factors, we will conclude as to whether the presumption of fraud risk related to revenue recognition is applicable.
EXPENDITURE In keeping with the industry as a whole, expenditure forms a large part of a local government's operations. This takes the form of both operating and capital. 2019 Estimated: $47.7m 2018 Actual: $44.8m	For the testing of expenditure, we will document and test key audit controls and will perform walkthroughs of the systems with a view to rely on internal controls. We would perform substantive test of details based on our sampling methodology as well as year-end analytical review to add to the level of assurance obtained. We would pay particular attention to the cost allocation methodology associated with administration allocations, Public Works Overheads and Plant Operating Costs to ensure these are properly allocated as they can impact the split between operational and capital expenditure. Specific attention will also be paid to credit cards, particularly in light of history and our experience of the industry.
PROVISIONS/CONTINGENT LIABILITIES The Shire has 3 landfill sites (Marble Bar, Nullagine and Newman) of which the Shire has an obligation to make good after their closure in the future.	We will analyse the circumstances that give rise to the obligations and consider the availability of a reliable cost estimate (if any) associated with closure and remediation of the landfill sites. This is to ensure appropriate recognition and disclosure in accordance with AASB 116 - Property, Plant and Equipment and AASB 137 – Provisions, Contingent Liabilities and Contingent Assets.

3. Key Audit Risks and Focus Areas (continued)

RISK AREAS	AUDIT PROCEDURES TO ADDRESS RISK
RELATED PARTY DISCLOSURE This was a new area of disclosure for local governments commencing for the year ended 30 June 2017.	We will review the processes completed by management to assess whether they are robust and thus disclosure requirements are addressed adequately. These procedures will include a review of the system and the records/declarations collected by the Shire to ensure related party transactions are properly disclosed and are on an arm's length basis. We will also remain alert for any undisclosed related party relationships/transactions whilst performing our other audit procedures.
MANAGEMENT OVERRIDE OF CONTROLS Management is involved in day to day operations and monitoring of the business, which gives them the ability to manipulate accounting records and manipulate financial disclosures by overriding controls in place. Due to the unpredictable way in which such override could occur, this leads to potential fraud risk.	To address the risk of management override, the following procedures will be performed: • Review of journal entries and other adjustments for evidence of possible material misstatements due to fraud; • Review accounting estimates and application of accounting policies for evidence of bias or aggressive accounting practices; and • For significant or unusual transactions, evaluate the business rationale (or the lack thereof) for evidence of fraudulent financial reporting or misappropriation of assets.
SIGNIFICANT ADVERSE TRENDS Review of if any material matters that indicate significant adverse trends in the financial position or the financial management practices of the Shire relating to the requirements of Local Government (Audit) Regulation 10(3)(a).	Having extensive local government experience, we would seek to use the statutory ratios disclosed as part of our assessment. This would include a review of calculations as well as our understanding of industry benchmarks and how they impact the operations of the local government (paying particular attention to the type of local government, level of disability etc). We will also consider any breakdowns in systems or procedures that are indicative of a significant adverse trend in the financial management practices of the Shire.
OTHER ASSETS AND LIABILITIES Other focus areas are: • Cash and cash equivalents; • Receivables; • Payables/unrecorded liabilities; • Borrowings; • Reserves (including statutory compliance); and • Trust funds	We will perform analytical reviews and year end substantive testing in accordance with our audit methodology.

4. The Audit Team and Independence

Audit Team

Our audit team assigned to this engagement is set out below.

NAME	ROLE	CONTACT DETAILS
Mr Wen-Shien Chai	Engagement Partner	wschai@moorestephens.com.au
Mr Rohan Nagaich	Engagement Supervisor	rnagaich@moorestephens.com.au
Ms Tamara McCarthy	Engagement Senior	tmccarthy@moorestephens.com.au
Ms Lily Yiting	Engagement Intermediate	lyiting@moorestephens.com.au
Mr Francis Joseph	Engagement Graduate	fjoseph@moorestephens.com.au

The primary objective will always be to balance our experience and knowledge of the Shire with appropriate independence and objectivity of thinking. The development of our people will always be a key objective. Our assurance team will be supported by our specialist technical, taxation and support teams.

Independence

We have established policies and procedures designed to ensure our independence, including policies on holding financial interests in the Shire and other related parties, business relationships, employment relationships, and the provision of non-audit services.

We have assessed our audit independence at the planning stage and to the best of our knowledge and belief, we are of the opinion that each engagement team member and partners of all Moore Stephens network firms in Australia are not in contravention of the auditor independence and ethical requirements of the Accounting Professional and Ethical Standards Board's APES 110 *Code of Ethics for Professional Accountants* that are relevant to our audit of the financial report in Australia. We have also fulfilled our other ethical responsibilities with the Code. We have further considered the safeguards the Moore Stephens Australia network has in place and we are not aware of any services being provided that would compromise our independence as external auditor.

5. Other Key Matters

Auditor's Responsibility to Consider Fraud

As auditors, we obtain reasonable assurance that the financial statements (taken as a whole) are free from material misstatements due to fraud or error.

Accordingly, certain procedures will be performed as part of our audit by way of enquiry, evaluation and review as required by the Australian Auditing Standards on fraud, ASA 240.

Responsibilities of Management and Council

Financial Reporting

Management is responsible for the preparation of the Shire's Annual Financial Report that gives a true and fair view in accordance with Australian Accounting Standards, the Local Government Act 1995 (as amended) and the Local Government (Financial Management) Regulations 1996 (as amended) and for such internal control as management determines is necessary to enable the preparation of the Annual Financial Report that is free from material misstatement, whether due to fraud or error.

The primary responsibility for the prevention, deterrence and detection of fraud remains with the Council.

In preparing the Annual Financial Report, management is also responsible for assessing the Shire's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting.

The Council is responsible for overseeing the Shire's financial reporting process.

Under "Clarity" Australian Auditing Standards, as a precondition of accepting the engagement we are required to determine whether the financial reporting framework to be applied in the preparation of the Shire's Annual Financial Report is acceptable. Given that the Shire's Annual Financial Report continues to be prepared as general purpose financial reports in line with previous years and with no changes in terms of regulations or other issues that might impact the requirements of the report, as at the date of issuing this report we continue to consider this framework acceptable.

Representations by Management

As part of the audit requirements, Management is to provide the auditor a written representation that:

- It has fulfilled its responsibility for the preparation of the financial report in accordance with the applicable and other statutory reporting requirements, including where relevant their fair presentation, as set out in the terms of the audit engagement;
- It has provided the auditor with all relevant information and access as agreed in the terms of the audit engagement;
- All transactions have been recorded and are reflected in the financial report; and
- [If any] significant representations made by management for which the auditor is relying on in forming the audit opinion.

Please refer to Appendix 3 for a standard Representation Letter which can be used as a template for this matter.

Additional Scope / Work

Should additional matters or issues arise requiring additional scope we will in the first instance contact the Shire's management and will agree with them prior to commencing the work. Any accounting or other services, which the auditor may provide from time to time at your request, are distinct from the function as auditors.

Appendix 1: Summary of Audit Methodology and Approach

Methodology



Step 1
Update our understanding of each entity's operations.

Step 2
Obtain comfort over controls for each of the operating cycles.
Determine to what extent it is effective and efficient for us to rely on management's controls.
Completion of controls testing including:

- What are key risks for our audit?
- How are risks controlled / managed?
- Evaluate effectiveness of identified controls
- Test and validate whether the controls have been operating effectively during the year.

Step 3
Assess level of reliance on controls and complete specific procedures necessary to address audit risks.
Residual substantive procedures are tailored and consist of analytical procedures and / or tests of detail.

Step 4
Complete procedures in relation to financial statements as well as other audit completion and reporting procedures, including in respect to the form and context of the opinion.

Approach

Our audit process generally contains three phases being planning, fieldwork and completion.

The planning phase is critical to the audit process as this is where we address the audit risk. Our methodology focuses on the Shire's underlying business risks, recognising that audit risk is affected by the business risks of the Shire, as well as by how well management and Council address those risks.

The most critical aspect of our planning is the assessment of risk and consideration of where material misstatements could occur.

Our audit approach focuses on areas that represent higher risk to the business. Our methodology uses a risk based approach to evaluate and, when appropriate, to test the effectiveness of internal controls with the expectation that a moderate level of reliance can be placed on the operating controls. We will make a combined assessment of inherent and control risk for significant accounts and the related financial statement assertions. We will then establish a portfolio of audit procedures that are customised based on the Shire's significant accounts, critical areas, disclosures and classes of transactions, as well as our assessment of risk, including the risk of fraud.

Our procedures include tests of details of significant account balances, transactions and disclosures and we will adopt a combination of controls and substantive approach to the audit of the Shire for the year ending 30 June 2019.

Summary of Audit Methodology and Approach (continued)

Materiality

Materiality is set at the planning stage to ensure that an appropriate level of audit work is conducted. It is also set at the reporting stage in order to assess the impact of an item on the financial statements.

Materiality depends on the size of the item or error judged in the particular circumstances of its omission or misstatement. Thus, materiality provides a threshold or cut off point rather than being a primary qualitative characteristic which information must have if it is to be useful. An item would be considered material to the financial statements if, through its omission or non disclosure, the financial statements would no longer show a true and fair view.

The primary basis for assessing materiality based on our national MSA audit methodology is in respect to revenue, profit or gross assets.

We have considered gross revenue to be the most appropriate base for auditing the Shire's annual financial report, consistent with previous years.

Materiality - Implications

This does not mean that transactions of an amount under the materiality level will not be tested; rather the setting of a planning materiality is used as a basis for determining sampling levels and analysing results in order to assist in the completion of an efficient and effective audit.

It must also be borne in mind that in many instances our audit approach is primarily based on the testing of controls and substantive tests of detail.

We will report uncorrected misstatements aggregated during our audit, and determined by management to be immaterial, both individually and in aggregate to the annual financial report. We will seek written explanation from management, explaining the reasons for not adjusting the misstatements.

Sampling

In line with the requirements of Australian Auditing Standards a key element of our audit approach is the sampling of transactions for testing across all key control aspects and material account balances.

Our assessment of risk and determination of materiality are key inputs in determining the nature and level of the sample size of transactions to be tested within any particular area of our audit.

While this is always a key area of audit judgment, we confirm that our determination of samples selected for testing is supported by Moore Stephens Australia's audit methodology and procedures manuals as well as our audit automation software, Caseware. Thus, we confirm our approach to sampling is designed so as to provide a sufficient level of confidence in considering our audit conclusions arrived at from our testing.

Summary of Audit Methodology and Approach (continued)

Fraud Risk

We will assess the overall fraud risk of the Shire and perform testing to satisfy ourselves the overall fraud risk is reduced to an acceptable level. In assessing the overall fraud risk of the entity, we consider the following factors:

- Competence of Management.
- Prior period, Shire and industry experience.
- The extent of performance based remuneration arrangements (i.e. bonus, options) with Management and Councillors (unlikely in local government environment).
- The complexity of the operations and transactions.
- Compliance framework.
- Nature of major assets of the entity and their revaluation cycles.
- Segregation of duties and monitoring of controls (such as authorisation, review) in relation to the financial reporting process.
- Consideration of unrealistic timetables or deadlines.

Appendix 2: Recent Regulatory and Technical Developments

The AASB has issued a number of new and amended Accounting Standards and Interpretations and there have been amendments to the Local Government (Financial Management) Regulations 1996, that have mandatory application dates for current or future reporting periods, some of which are relevant to the Shire.

The new and amended pronouncements that are relevant to the Shire are set out as follows:

Title	Issued / Complied	Applicable [1]	Objective
AASB 9 Financial Instruments (incorporating AASB 2014-7 and AASB 2014-8)	December 2014	1 January 2018	This Standard is to improve and simplify the approach for classification and measurement of financial assets compared with the requirements of AASB 139.
AASB 15 Revenue from Contracts with Customers	December 2014	1 January 2019	This Standard establishes principles for entities to apply to report useful information to users of financial statements about the nature, amount, timing and uncertainty of revenue and cash flows arising from a contract with a customer. The effect of this Standard will depend upon the nature of future transactions the Shire has with those third parties it has dealings with. It may or may not be significant.
AASB 16 Leases	February 2016	1 January 2019	Under this Standard there is no longer a distinction between finance and operating leases. Lessees will now bring to account a right-to-use asset and lease liability onto their statement of financial position for all leases. Effectively this means the vast majority of operating leases as defined by the current AASB 117 Leases which currently do not impact the statement of financial position will be required to be capitalised on the statement of financial position once AASB 16 is adopted. Currently, operating lease payments are expensed as incurred. This will cease and will be replaced by both depreciation and interest charges.
AASB 1058 Income of Not-for-Profit Entities (incorporating AASB 2015-7 and AASB 2016-8)	December 2016	1 January 2019	These standards are likely to have a significant impact on the income recognition for NFP's. Key areas for consideration are: - Assets received below fair value; - Transfers received to acquire or construct non-financial assets; - Grants received; - Prepaid rates; - Leases entered into at below market rates; and - Volunteer services.

Appendix 2: Recent Regulatory and Technical Developments (continued)

Title	Issued / Compiled	Applicable[1]	Objective
Local Government (Financial Management) Regulation 17A(5)	June 2018	July 2018	This amendment states that from 1 July 2018, assets acquired for less than $5,000 must be excluded from the fixed asset register.
Local Government (Financial Management) Regulation 17A(4)(a)(b)	June 2018	July 2018	This amendment states that from 27 June 2018, the revaluation of assets will only be required when the local government is of the opinion that the fair value of the asset is likely to be materially different from its carry amount; and in any event, within a period of at least 3 years but not more than 5 years after the day on which the asset was last valued or revalued.

Notes: [1] Applicable for reporting periods commencing on or after the given date.

The impact of these standards and legislative changes, if any, on the Shire's financial statements in future periods should be assessed by the management and disclosed in the 2019 annual financial report.

Appendix 3: Management Representation Letter

[THE SHIRE'S LETTER-HEAD]

[Date]

Moore Stephens
2 The Esplanade
Perth WA 6000

Dear Sirs,

REPRESENTATION LETTER IN RESPECT OF THE SHIRE OF EAST PILBARA'S ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED 30 JUNE 2019

This representation letter is provided in connection with your audit of the Shire of East Pilbara's annual financial report for the year ended 30 June 2019 for the purpose of expressing an opinion as to whether the annual financial report is fairly presented in accordance with the *Local Government Act 1995* (the Act), the *Local Government (Financial Management) Regulations 1996* and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

We submit the following representations for the year ended 30 June 2019 after making appropriate enquiries and according to the best of our knowledge and belief. This representation covers all material items in each of the categories listed below.

1. **GENERAL**

(a) We have fulfilled our responsibilities for the preparation and fair presentation of the annual financial report in accordance with the *Local Government Act 1995* (the Act), the *Local Government (Financial Management) Regulations 1996* and, to the extent that they are not inconsistent with the Act, Australian Accounting Standards.

(b) We have advised you of all material estimates, professional judgement or other variables used in the presentation of the financial report.

(c) There have been no changes in accounting policies or application of those policies that would have a materia effect on the financial report, except as disclosed in Note XX to the financial report.

(d) The prior period comparative information in the financial report has not been restated except as disclosed in Note XX to the financial report.

(e) Significant assumptions used by us in making accounting estimates, including those measured at fair value, are reasonable. We confirm the disclosures related to accounting estimates are complete and appropriate.

(f) We have established and maintained an adequate internal control structure and adequate financial records as we have determined are necessary to facilitate the preparation of the financial report that is free from materia misstatement, whether due to fraud or error.

DRAFT

(g) We have provided you with
   (i) Access to all information of which we are aware that is relevant to the preparation of the financial report, such as records, documentation and other matters.
   (ii) Additional information that you have requested for the purpose of the audit.
   (iii) Unrestricted access to persons within the Shire from whom you determined it necessary to obtain audit evidence.

(h) All transactions have been recorded in the accounting and other records and are reflected in the financial report.

(i) All internal audit reports and reports resulting from other management reviews, including legal issues and legal opinions which have the capacity to be relevant to the fair presentation of the financial report including, where relevant, minutes of meetings, have been brought to your attention and made available to you.

(j) We have advised you of all known instances of non-compliance or suspected non-compliance with laws and regulations whose effects should be considered when preparing the financial report.

(k) We have provided to you the results of our assessment of the risk that the financial report may be materially misstated as a result of fraud.

(l) No frauds or suspected frauds affecting the Shire involving:

   (i) Management;

   (ii) Employees who have significant roles in internal control; or

   (iii) Others where the fraud could have a material effect on the financial report

have occurred to the knowledge of management of the Shire.

(m) To our knowledge no allegations of fraud or suspected fraud affecting the Shire's financial report has been communicated to us by employees, former employees, analysts, regulators or others.

(n) We have disclosed to you all known actual or possible litigation and claims whose effects should be considered when preparing the financial report, and they have been accounted for and disclosed in accordance with Australian Accounting Standards.

2. FAIR VALUE MEASUREMENTS AND DISCLOSURES

We confirm that where assets and liabilities are recorded at fair value, the value attributed to these assets and liabilities is the fair value.

We confirm that the carrying amount of each physical non-current asset does not materially differ from its fair value at the end of the reporting period. Significant fair value assumptions, including those with high estimation uncertainty, are reasonable.

We confirm the measurement methods, including related assumptions, used by management in determining fair values are appropriate and have been consistently applied.

We confirm that the fair value disclosures in the financial report are complete and appropriate.

3. GOING CONCERN

We confirm that the going concern basis of accounting is appropriate for the annual financial report.

DRAFT

4. CONTINGENT LIABILITIES

There are no material contingent liabilities at year end that have not been completely and adequately disclosed in the Notes to the financial report.

5. COMMITMENTS FOR CAPITAL AND OTHER EXPENDITURE

Other than those commitments recorded in the Notes to the financial report, there were no significant commitments for capital or other expenditure contracts carrying over at year end.

6. FINANCIAL LIABILITY FOR CONTAMINATED SITES

We are aware of our obligations under the *Contaminated Sites Act 2003* and have reported to the Department of Water and Environmental Regulation, all land owned, vested or leased by the Shire that is known to be, or is suspected of being, contaminated. All actual liabilities or contingent liabilities, if any, have been recognised and/or disclosed in the financial report as appropriate.

7. RELATED PARTIES

We have disclosed to you the identity of the Shire's related parties as defined in Australian Accounting Standards, of which we are aware, and all the related party relationships and transactions of which we are aware. These include the Shire's key management personnel (KMP) and their related parties, including their close family members and their controlled and jointly controlled entities.

We have appropriately accounted for and disclosed such relationships and transactions in accordance with the requirements of Australian Accounting Standards.

8. KEY MANAGEMENT PERSONNEL COMPENSATION

We confirm the Shire's key management personnel (KMP) have not received any other money, consideration or benefit (except amounts being reimbursements for out of pocket expenses) which has not been included in the compensation disclosed in the Notes to the financial report.

9. SUBSEQUENT EVENTS

All events subsequent to the date of the financial report and up to the date of this letter for which Australian Accounting Standards require adjustment or disclosure, have been adjusted or disclosed.

[OR]

No matters or occurrences have come to our attention between the date of the financial report and the date of this letter which would materially affect the financial report or disclosures therein, or which are likely to materially affect the future results or operations of the Shire.

10. INTERNAL CONTROL

We acknowledge our responsibility for the design, implementation and maintenance of internal control to prevent and detect fraud.

11. INSURANCE

We have established procedures to assess the adequacy of insurance cover on all assets and insurable risks. We believe, where appropriate, assets and insurable risks are adequately covered by insurance.

DRAFT

12. RISK MANAGEMENT

We confirm that we have established and maintained a risk management framework that is appropriate to the Shire.

13. FINANCIAL RATIOS

We confirm that the financial ratios included in the annual financial report have been prepared and fairly presented in accordance with the *Local Government (Financial Management) Regulations 1996*.

We confirm that the asset consumption ratio and the asset renewal funding ratio are supported by verifiable information and reliable assumptions.

14. ELECTRONIC PRESENTATION OF THE AUDITED ANNUAL FINANCIAL REPORT AND AUDITOR'S REPORT

(a) We acknowledge that we are responsible for the electronic presentation of the annual financial report.

(b) We will ensure that the electronic version of the audited annual financial report and the auditor's report presented on the Shire's website is the same as the final signed versions of the audited annual financial report and the auditor's report.

(c) We have clearly differentiated between audited and unaudited information in the construction of Shire's website and understand the risk of potential misrepresentation in the absence of appropriate controls.

(d) We have assessed the security controls over the audited annual financial report and the auditor's report and are satisfied that procedures in place are adequate to ensure the integrity of the information provided.

(e) We will ensure that where the auditor's report on the annual financial report is provided on the website, the annual financial report is also provided in full.

15. MISSTATEMENTS

We have corrected all misstatements noted and informed by you during the course of the audit. We are not aware of any uncorrected misstatements that that are material, both individually and in the aggregate, to the financial report as a whole.

Yours faithfully

[Name of signing officer and title]

DRAFT

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www.moorestephens.com.au Serious about Success®

8 DATE OF NEXT MEETING

23 August 2019.

9 CLOSURE

8:29AM

10.2.2 STATUS OF CAPITAL PROJECT UPDATE AS AT 31 MAY 2019

Attachments:	**Appendix 1 – Capital Projects May 20109**
Responsible Officer:	**Ms Sian Appleton** **Executive Manager Corporate Services**
Author:	**Ms Sian Appleton** **Executive Manager Corporate Services**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

To provide Councillors with a year to date position of the capital works program as set out in the 2018/19 budget.

BACKGROUND

The attached 31 page report details the status of all capital works as set out in the 2018/19 budget for the period 1st July 2018 to 31st May 2019. ***(Appendix 1 refers).***

COMMENTS/OPTIONS/DISCUSSIONS

The report includes a summary of the status of projects Shire wide and also includes comments for officers. Eighty Two capital projects are reported on.

Reportable variations in accordance with accounting policies are as follows:

- 80.5% of projects are on target.
- 11% of projects are currently behind target levels and are being monitored.
- 7.3% of projects are currently at risk of falling behind and are being monitored.
- 1.2% of projects were not approved and have not been reported on.

Deferred projects since budget review are as follows -

Commercial		
Airport Services – Access Roads	$ 20,000	(Reserves)
Airport Safety and Security – CCTV	$ 40,000	(Reserves)
Airport Public Structures	$150,000	(Reserves)
Airport Lighting Project	$750,000	(Reserves)
Airport Waste	$ 80,000	(Reserves)
Community Buildings	$ 85,000	
Gallop Hall	$ 5,000	
Infrastructure		
Turf Mower – Rural	$ 30,000	
Weighbridge	$ 20,000	
Nullagine Entry Statements	$ 5,000	

In monetary terms the total budget for capital projects after budget review was $15,472,300 of which $1,185,000 have been deferred, leaving $14,287,300. Of this amount actual expenditure to the 30 April 2019 is $9,633,012 with funds committed being $1,872,820. Total committed funds to the 30 April 2019 is $11,505,833.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.1 Enhance governance capability to deliver sustainable outcomes, roads and buildings

RISK MANAGEMENT CONSIDERATIONS

Compliance - Medium

FINANCIAL IMPLICATIONS

This report discloses financial information for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/165

MOVED: Cr Geraldine Parsons **SECONDED: Cr Anita Grace**

That Council receive the Capital Works Program Report for the period 1st July 2018 to 31st May 2019 as presented.

CARRIED UNANIMOUSLY

RECORD OF VOTE: 7-0

To be actioned by Ms Sian Appleton, Executive Manager Corporate Services

Appendix 1
Capital Projects May 2019

Shire of EAST Pilbara
AUSTRALIA'S LARGEST SHIRE

Shire of East Pilbara

PREMIUM Action and Task Progress Report

July 2018 - May 2019

Report Filters:
Date From :01-07-2018
Date To :31-05-2019
Display Task : No
Action Filter :Show All

interplan





82 Actions reported on
66 At least 90% of action target achieved
6 Between 70 and 90% of action target achieved
9 Less than 70% of action target achieved
1 Actions with no target set

Commercial Services

Airport Services

STRATEGY: **3.1.3 Maintain and facilitate community infrastructure and urban heritage, including roads and buildings**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
3.1.3.33 CP129008 and CBP - Airport Master and Land Use Plan	Ben Lewis - Executive Manager - Commercial Services	In Progress	27/05/2019	30/06/2019	50%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
6.1 Airport Asset Management	Capital	$200,000	$200,000	$0	$200,000

ACTION PROGRESS COMMENTS

31/09/2018 - RFT created and agreed with all. Only authorisation paper work remaining.
4/2/19 - RFT to be amended to remove the commercial sale aspect. Tender in February
8/3/19 - RFT currently out for tender. Closing 28/3/19
10/5/19 - Tender award to the May Council meeting
18/6/19 - Tender awarded and contracts issued. Consultants are scheduling to visit the airport to commence works
Funding for the works will be rolled into the 19/20 financial year

Last Updated - 18/06/2019

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
3.1.3.35 CP129401 - Airport Services - Access Roads, Car Parks	Ben Lewis - Executive Manager - Commercial Services	Deferred	1/11/2018	30/09/2019	1%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
6.1 Airport Asset Management	Capital	$20,000	$20,000	$0	$20,000

ACTION PROGRESS COMMENTS

31/09/2018 - Awaiting quote from suppliers
4/2/19 - These works need to be inspected and scheduled for 19/20 financial year as part of the scheduling of works in conjunction with Tech Services annual road works

Last Updated - 04/02/2019

Shire of East Pilbara **Action & Task Progress Report**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.36 CP129402 - Airport Services - Water Including RO Plant	Finn Macleod - Project Engineer 2	In Progress	10/09/2018	10/06/2019	80%	100%	YELLOW

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
6.1 Airport Asset Management	Capital	$1,296,000	$1,296,000	$422,544	$873,456

ACTION PROGRESS COMMENTS

Contract offer accepted, contract documents executed. deposit paid and contract work has commenced

4/2/19 - RO unit is in manufacture. Site works to commence shortly on - refer to project gantt chart and Finn PE

8/03/2019 - RO Unit being manufactured in Perth. Site Service location to occur week beginning 11/03/2018. further preparatory site works to begin in April

8/05/2019 - RO unit has been manufactured in Perth and is undergoing factory testing. Site works have commenced constructing the footings for the RO and associated tanks. The tanks are being manufactured in Victoria and there are delays in supply of one of the components of the tanks which will be causing a delay to the entire project . Options to speed up delivery of the project and minimize delays are being investigated.

11/06/2019 - footings and laying of service conduits on site are completed. The RO unit has also been delivered to site at the airport. The tanks are now in Perth and are undergoing hydraulic testing before being shipped up the Newman for installation. Expect all components to be on site 17/06/2019 and installation to be completed by the end of the month.

Last Updated - 11/06/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.38 CP129417 - Airport Safety and Security - CCTV	Ashley Jordan - Corporate Support Officer - Airport	Deferred	10/09/2018	30/09/2019	10%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
6.1 Airport Asset Management	Capital	$40,000	$40,000	$0	$40,000

ACTION PROGRESS COMMENTS

21/09/18 SOW developed, awaiting site visit by external auditor prior to RFQ process

17/10/18 Acknowledgement made that system requires a further audit by an independent party to asses the current technology as a whole in order to determine its viability, installing additional cameras at this point may cause further issues if the technology utilized is not up to standard.

Last Updated - 15/05/2019

Shire of East Pilbara **Action & Task Progress Report**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.39 CP129422 - Marble Bar Airport Infrastructure	Bryan Griggs - Coordinator Asset Maintenance	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
6.1 Airport Asset Management	Capital	$60,000	$60,000	$0	$60,000

ACTION PROGRESS COMMENTS

31/09/2018 - Most of project to be completed in-house.
24/01/2019 - New signage on terminal, new water tank & plumbing to terminal, new lighting in terminal. Outstanding - close off (mens) toilet, remove old tanks & structure
10/5/19 - Completed

Last Updated - 15/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.40 CP129421 - Airport Communications IT	Ashley Jordan - Corporate Support Officer - Airport	In Progress	10/09/2018	30/06/2019	25%	100%	RED

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
6.1 Airport Asset Management	Capital	$20,800	$20,800	$4,571	$16,229

ACTION PROGRESS COMMENTS

30/09/2018 - Awaiting IT to confirm details of IT upgrade.

21/11/2018 Information Services Support Officer has conducted evaluation of Airport Equipment, awaiting quotations for replacement equipment.

Last Updated - 23/01/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.41 CP129426 - ASCE Plant and Equipment	Bryan Griggs - Coordinator Asset Maintenance	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
6.1 Airport Asset Management	Capital	$90,000	$90,000	$15,597	$74,403

ACTION PROGRESS COMMENTS

30/09/2018 - In discussions with Bryan and Oliver
24/01/2019 - Tractor grader blades procured. Outstanding - RTV replacement, Ride-on mower replacement
10/5/19 - Major servicing done to RTV and mower so replacement not required.

Last Updated - 15/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.42 CP129431 - Public Structures	Bryan Griggs - Coordinator Asset Maintenance	Deferred	10/09/2018	30/09/2019	5%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
6.1 Airport Asset Management	Capital	$150,000	$150,000	$0	$150,000

ACTION PROGRESS COMMENTS

30/09/2018 - concepts in process of being drafted. ETA mid October for design RFT.
24/01/19 - original concept from STEA. Outstanding - Exec decision required for limit of scope of design to enable writing SoW
10/5/19 - Deferred to be included in the master plan

Last Updated - 15/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.47 CP129419 - Newman Airport Lighting Project	Ben Lewis - Executive Manager - Commercial Services	Deferred	1/09/2018	30/09/2019	50%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
6.1 Airport Asset Management	Capital	$750,000	$750,000	$0	$750,000

ACTION PROGRESS COMMENTS

4/2/19 - The lighting project has expanded to include the a new ALER building and ancillary cabling . Tender documents are being finanlised for tender in February for the electrical design. Works are to be deferred until the 19/20 financial year.
10/5/19 - RFT currently out to tender - closes 23/5/19

Last Updated - 15/05/2019

Procurement and Contracts

STRATEGY: **2.1.1 Support healthy and safe lifestyle choices**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.1.1.1 CP59010 - Ranger Vehicle - 4WD (51113)	Oliver Schaer - Manager Technical Services - Rural	Completed	9/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
9.1 Procurement	Capital	$70,000	$70,000	$70,454	-$454

ACTION PROGRESS COMMENTS
30/09/2018 - Vehicle allocated for build from factory
31/01/2019 - Vehicle waiting for Pod to be built for Vehicle
Last Updated - 09/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.1.1.3 CP79002 - MDS - Health Vehicle - 4WD (71090)	Oliver Schaer - Manager Technical Services - Rural	Completed	9/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
9.1 Procurement	Capital	$54,900	$54,900	$54,858	$42

ACTION PROGRESS COMMENTS
31/09/2018 - Vehicle allocated for build from factory
31/01/2019 - Completed
Last Updated - 04/02/2019

STRATEGY: **2.2.1 Facilitate community connectedness and inclusion**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.2.1.3 CP139818 - RPT Troop Carrier	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
9.1 Procurement	Capital	$110,000	$110,000	$111,423	-$1,423

ACTION PROGRESS COMMENTS
31/09/2018 - Vehicle allocated for build from factory
31/01/2019 - Vehicle ordered and at dealer for modifications
15/05/2019 - Vehicle Delivered
Last Updated - 15/05/2019

STRATEGY: 3.1.3 Maintain and facilitate community infrastructure and urban heritage, including roads and buildings

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.34 CP129034 - Reporting Officer 4WD X-Cab (121212)	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
9.1 Procurement	Capital	$61,700	$61,700	$61,602	$98

ACTION PROGRESS COMMENTS
31/09/2018 - Vehicle allocated for build from factory
31/01/2019 - Completed
Last Updated - 04/02/2019

STRATEGY: 5.1.1 Enhance governance capability to deliver sustainable outcomes

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.9 CP49004 - CEO Vehicle - Sedan (41218)	Oliver Schaer - Manager Technical Services - Rural	Completed	9/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
9.1 Procurement	Capital	$94,900	$94,900	$94,808	$92

ACTION PROGRESS COMMENTS
30/09/2018 - Vehicle purchased and delivered.
Last Updated - 06/11/2018

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.13 CP49014 - MAP Vehicle 4WD (41230)	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
9.1 Procurement	Capital	$65,000	$65,000	$68,539	-$3,539

ACTION PROGRESS COMMENTS
31/09/2018 - Vehicle allocated for build from factory
31/01/2019 - Completed
Last Updated - 04/02/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.14 CP139007 - MDS - Building Vehicle - 4WD (131113)	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
9.1 Procurement	Capital	$55,700	$55,700	$55,609	$91

ACTION PROGRESS COMMENTS
31/10/2018 - Purchased and delivered
Last Updated - 06/11/2018

Corporate Services

Financial Services

STRATEGY: **3.1.1 Improve local amenity**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
3.1.1.4 CP129315 - RforR Town Centre Revitalisation	Lisa Davis - Manager Corporate Services	Completed	10/09/2018	30/06/2019	100%	100%	

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
20.1 Financial Services	Capital	$100,000	$0	$0	$0

ACTION PROGRESS COMMENTS

31/07/2018 - Acquittal completed and approved.

Last Updated - 06/11/2018

Information Communication and Technology

STRATEGY: **5.1.1 Enhance governance capability to deliver sustainable outcomes**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
5.1.1.8 CP49001 - Computer Equipment	Sian Appleton - Executive Manager - Corporate Services	Completed	9/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
23.1 Information Communication and Technology	Capital	$90,000	$90,000	$48,054	$41,946

ACTION PROGRESS COMMENTS

31/10/2018 - Purchases being made according to asset management plan. Will come in under budget due to complete hardware audit showing some hardward can be replaced at a later date - review to be conducted at January budget review. Recommend underspend be put to the engagement of a consultant to complete Council' s IT Strategic Plan and into Information Technology reserves.

Last Updated - 15/05/2019

Shire of East Pilbara **Action & Task Progress Report**

Martumili Artists

STRATEGY: **2.2.1 Facilitate community connectedness and inclusion**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
2.2.1.2 CP119421 - Martumili Troop Carrier	Carly Day - Manager Martumili	In Progress	10/09/2018	30/06/2019	80%	100%	YELLOW

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
8.2 Development of Martu Art	Capital	$180,000	$180,000	$90,560	$89,440

ACTION PROGRESS COMMENTS

31/10/2018 - Troop Carrier purchased and on site October.
16/06/2019 - 2nd vehicle ordered and due for delivery shortly

Last Updated - 16/06/2019

Strategic and Business Planning

STRATEGY: **1.1.1 Actively support local businesses**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
1.1.1.3 CP119019 - Town Square Fit Out	Sian Appleton - Executive Manager - Corporate Services	Completed	10/09/2018	30/06/2019	100%	100%	

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
2.2 Economic Development	Capital	$11,200	$11,200	$11,217	-$17

ACTION PROGRESS COMMENTS

Works originally identified to the pop up retail spaces have been completed.
Currently no other capital purchases planned.

Last Updated - 04/02/2019

Customer and Community Services

Recreation and Events

STRATEGY: **2.1.1 Support healthy and safe lifestyle choices**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.1.1.5 CP119047 - UV Meters	Simmone Van Buerle - Manager Recreation & Events	In Progress	10/09/2018	30/06/2019	50%	100%	RED

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
15.4 Aquatic Centres	Capital	$12,500	$12,500	$2,422	$10,078

ACTION PROGRESS COMMENTS

30/09/2018 - Purchase order for Newman Installation raised to Wide Glide.
UV meter has been installed at Newman Aquatic Centre with a media release distributed.
Initial quotes have been obtained for Marble Bar installation but these are for more than the current budget allows. Additional funds will be sought during Budget Review to enable the completion of this project. The costs in Marble Bar are higher than anticipated due to the need for a cyclone rated installation,.

Last Updated - 30/01/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.1.1.6 CP119062 - M/Bar Aquatic Centre - P&E	Simmone Van Buerle - Manager Recreation & Events	Deferred	10/09/2018	30/09/2019	25%	25%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
15.4 Aquatic Centres	Capital	$0	$0	$0	$0

ACTION PROGRESS COMMENTS

30/09/2018 - Contacted Department of Education regarding works and they have agreed to scheduled the works in May 2019. Under the terms of the Agreement, the Shire will contribute 50% of the costs.
A meeting was held with the Department of Education (DoE) at the Marble Bar Pool on 17 January 2019 to discuss the scope of remedial works required. A number of repairs are required to enable the facility to be reclassified as a Class One Aquatic Facility including earthing of all metal structures such as the handrails and lane rope anchor points . The quote based on scope of works is expected to be provided in the next few weeks. Further funds will be needed for the 2019/2020 budget to complete these works. The cost of remedial works is expected to be significant and will need to be shared 50% between the Shire and the DoE (as determined by the current Agreement).
The works will take place during the dry season (June - August) and will require the pool to be closed for use during that time.
15/05/2019 Estimates for the Council contribution for the scope of works required is approx $250,000 for the total works (Includes 50% contribution of pool and concrete works and project management, and 100% funding of wheelchair hoist). An agenda item will be considered by Council at the meeting of 24 May 2019 to allocate
Capital budget for the Shire's share of costs in the 19/20 year. Once this is confirmed, a competitive tender process will be initiated by the Dept of Education.

Last Updated - 16/05/2019

Shire of East Pilbara **Action & Task Progress Report**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.1.1.7 CP119083 - Newman Aquatic Centre - L&B	Simmone Van Buerle - Manager Recreation & Events	In Progress	10/09/2018	30/06/2019	20%	20%	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
15.4 Aquatic Centres	Capital	$32,800	$32,800	$0	$32,800

ACTION PROGRESS COMMENTS

30/09/2018 - Wideglide have provided a quote. Two further quotes are being sought.
31/01/2019 Quotes were received from Pindan and from CFC. A PO has been raised for WideGlide to complete the work after 4 June (when winter shutdown commences). Scope of work will include replacing damaged tiles and repainting the shower partitions. To enable to scope of work to include the disable changeroom/toilet, funds from 119062 will be used to supplement the funds in 119083
15/05/2019 The pool has been advertised to close on 2 June 2019. The changeroom works will commence the week after.

Last Updated - 15/05/2019

Infrastructure Services

Infrastructure Services

STRATEGY: **3.1.2 Provide and maintain open spaces for the community to recreate and connect**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.2.1 CP119705 - Turf Mower	Oliver Schaer - Manager Technical Services - Rural	Deferred	10/09/2018	30/09/2019	100%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.3 Open Space Assets - Rural	Capital	$30,000	$30,000	$0	$30,000

ACTION PROGRESS COMMENTS

31/01/2019 - Confirming requirements
15/05/2019 - Not required this financial year
10/06/2019 - Not required this financial year, item deferred when replacement timing identified

Last Updated - 10/06/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.2.2 CP119709 - Playground Equipment	Bhavesh Modi - Manager Technical Services - Newman	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.1 Open Space Assets - Newman	Capital	$40,000	$40,000	$11,470	$28,530

ACTION PROGRESS COMMENTS

19/12/2018 - Reallocation of funds as per Sept Council meeting. $100,000 to Newman resealing. Newman works depot's team P & G dealing with routine maintenance to keep it in nice, clean and safe condition. No more works from the Newman works depot for this FY.
17/05/2019- FYI, budget was split by finance as $25K to Newman depot and $15K to Pip.
10/06/2019- As outlined above on 19/12/2018 , No further comments.
8/03/2019 - Playtech tradesmen in MB on 6-8 March undertaking works to indoor play equipment . Awaiting final report on completion of works
15/06/2019 - MCW - Indoor equipment works completed in full.
Project came in underbudget by approx $28k.

Last Updated - 18/06/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.2.3 CP119728 - Cricket Pitch Covers	Bhavesh Modi - Manager Technical Services - Newman	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.1 Open Space Assets - Newman	Capital	$30,000	$0	$22,738	-$22,738

ACTION PROGRESS COMMENTS

19/12/2018 - Pitch covers PO issued, and to be laid out, most likely to be completed in-house, in March 2019 (after consultation with relevant stakeholders). No further work require.

Last Updated - 07/05/2019

Shire of East Pilbara **Action & Task Progress Report**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.2.4 CP129613 - Oval Reticulation Automation	Bhavesh Modi - Manager Technical Services - Newman	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.1 Open Space Assets - Newman	Capital	$50,000	$50,000	$43,230	$6,770

ACTION PROGRESS COMMENTS

19/12/2018 - This FY a new water storage tank will be bought and install. The project already commenced, quotes received for on site prep/ring beam construction and removal of existing beam and quotes received from various tank suppliers. After a numbers of in-house, and external, discussions, PO issued for the ring beam and tank, work to be completed in February.

Ring beam construction, site preparation were completed in Jan 19 and Tank got installed in Feb 19. The depot chasing a recirculation pump and automatic chlorine dosing system as required by the DoH, which could not be done by the tank supplier and depot needs waiting for the tank to get installed first before inviting any other supplier. This work to be completed in the next FY as a separate CAPEX item.

Last Updated - 07/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.2.5 CP129731 - Reticulation Vehicle (2801)	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.1 Open Space Assets - Newman	Capital	$33,700	$33,806	$33,806	$0

ACTION PROGRESS COMMENTS

31/09/2018 - Vehicle allocated for build from factory.

Last Updated - 08/03/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.2.6 CP119704 (Newman) - Minor Equipment P&G	Bhavesh Modi - Manager Technical Services - Newman	Completed	20/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.1 Open Space Assets - Newman	Capital	$25,000	$25,000	$6,800	$18,200

ACTION PROGRESS COMMENTS

19/12/2018-Newman works depot team looking at a few options under this category and acquisition will be completed as per the below timeline. The depot received a new pressure cleaner system with 500 L tank from Honda. Also, bought a tool box with all the tools. No more purchase for the current FY.

Last Updated - 07/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.2.7 CP119704 (Rural) - Minor Equipment P&G	Oliver Schaer - Manager Technical Services - Rural	Completed	20/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.3 Open Space Assets - Rural	Capital	$25,000	$25,000	$11,900	$13,100

ACTION PROGRESS COMMENTS
15/05/2019 - FY 18/19 Acquisitions have been completed
Last Updated - 15/05/2019

STRATEGY: **3.1.3 Maintain and facilitate community infrastructure and urban heritage, including roads and buildings**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.9 CP129545 - Marble Bar / Woodie Woodie Road	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$225,000	$225,000	$191,879	$33,121

ACTION PROGRESS COMMENTS
30/09/2018 - Scheduled to begin November 2018
30/11/2018 - In Progress
31/01/2019 - In progress, on target
15/05/2019 - Project Completed
Last Updated - 15/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.10 CP129546 - Jigalong Road	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$570,000	$570,000	$567,090	$2,910

ACTION PROGRESS COMMENTS
31/10/2018 - Still to be commenced
31/01/2019 - Completed
Last Updated - 04/02/2019

Shire of East Pilbara **Action & Task Progress Report**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.11 CP129551 - Woodie Woodie Road	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	28/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$300,000	$200,000	$221,110	-$21,110

ACTION PROGRESS COMMENTS
30/09/2018 - Tying in with Main Roads Program
30/11/2018 - In Progress
31/01/2019 - In progress, on target
15/05/2019 - Project Completed for this FY. Remaining funds to be carried forward to FY 19/20
Last Updated - 15/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.12 CP129556 - Munjina-Roy Hill Road	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$477,300	$477,300	$477,295	$5

ACTION PROGRESS COMMENTS
31/01/2019 - Completed
Last Updated - 04/02/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.13 CP129588 - Boreline Road	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$334,800	$334,800	$334,802	-$2

ACTION PROGRESS COMMENTS
30/10/2018 - due for completion end of November
31/01/2019 - Completed
Last Updated - 04/02/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.14 CP129537 - Kiwirrkurra Access Road	Oliver Schaer - Manager Technical Services - Rural	In Progress	10/09/2018	30/06/2019	50%	60%	YELLOW

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$265,000	$265,000	$54,665	$210,335

ACTION PROGRESS COMMENTS
31/01/2019 - In progress, on target - recommence after wet season
15/05/2019 - Graders in the process of mobilising to Kiwirrkurra
10/06/2019 - 2 Graders in operation between Kiwirrkurra and WA/NT border completing a heavy formation grade.
Last Updated - 10/06/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.15 CP129538 - Punmu Access Road	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$630,000	$630,000	$473,236	$156,764

ACTION PROGRESS COMMENTS
31/10/2018 - In progress
31/01/2019 - In progress, on target - recommence after wet season
15/05/2019 - Project in progress and due to be completed by June 2
10/06/2019 - Project completed, contractor demobilised.
Last Updated - 10/06/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.16 CP129539 - Talawana Track	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$230,000	$230,000	$230,361	-$361

ACTION PROGRESS COMMENTS
Completed.
Last Updated - 06/11/2018

Shire of East Pilbara **Action & Task Progress Report**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.17 CP129540 - Jupiter Well Access road	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$58,400	$58,400	$73,220	-$14,820

ACTION PROGRESS COMMENTS
31/10/2018 - In progress
31/01/2019 - Completed
Last Updated - 04/02/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.18 CP129542 - Kunnawarritji Access Road	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$520,000	$520,000	$534,428	-$14,428

ACTION PROGRESS COMMENTS
31/10/2018 - In progress
15/05/2019 - Project in progress, due to be completed by 19 May
10/06/2019 - Project completed, contractor demobilised
Last Updated - 10/06/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.19 CP129577 - Drainage Improvements	Michael Zion - Coordinator Asset Management	Completed	22/10/2018	7/11/2018	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.1 Open Space Assets - Newman	Capital	$100,000	$91,000	$90,834	$166

ACTION PROGRESS COMMENTS
The contract has been awarded on 9 October and works will commence approx 22 October. Works completed on 7 November 2018.
Last Updated - 07/11/2018

Shire of East Pilbara **Action & Task Progress Report**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.22 CP129610 - Newman Town Streets - Additional	Bhavesh Modi - Manager Technical Services - Newman	In Progress	10/09/2018	30/06/2019	50%	75%	RED

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.2 Transport Assets - Newman	Capital	$328,500	$328,500	$142,758	$185,742

ACTION PROGRESS COMMENTS

19/12/2018-Less budget, with no MUNI component only R2R C/F from the FY 2017/18 allowed in budget. Works to be continued through extended contract RFT 10-2017-18-Profiling, Asphalt and Spray seal Works Newman by Fulton Hogan (FH). Due to above mentioned reduced MUNI funding, the Newman depot had to look for another approximately $180k to fix the big roundabout and approaching/exiting lanes near admin office (a Level 1 spot as per our Hierarchy), with 50mm milling and asphalt, which is in bad shape. Budget C/F from the last year R2R was to be used for reseal works over 12 streets as per the SOEP 3-Year Plan for Newman Infrastructure Renewal and Preservation and Drainage Works 2018-19 2019-20 and 2020-21, the depot waiting for the completion of drainage installation works and some source/s for more budget.
The Council approved fund adjustments requested from certain savings and all the above mentioned profiling/ asphalting and spray seal works were listed for the FY 2018/19 to the FH.
2019-05-15- Spray seal works completed in 12 streets in November and asphalt/profiling to be done in May 2019.
2019-06-10- Spray seal works completed in 12 streets in November and asphalt/profiling to be done in the third week of June 2019.

Last Updated - 10/06/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.23 CP129618 - Pavement Failure & Drainage Works	Bhavesh Modi - Manager Technical Services - Newman	In Progress	10/09/2018	30/06/2019	95%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.2 Transport Assets - Newman	Capital	$817,000	$817,000	$750,402	$66,598

ACTION PROGRESS COMMENTS

19/12/2018-A number of streets where drainage works to be undertaken as per the Newman Works Depot planned the SOEP 3-Year Plan for Newman Infrastructure Renewal and Preservation and Drainage Works 2018-19 2019-20 and 2020-21.

For the current FY, project works under the RFT 01-2018-19 Drainage Works Newman completed in October 2018. Followed by spray seal works in November 2018, through the RFT 10-2017-18-Profiling, Asphalt and Spray seal Works Newman by Fulton Hogan (FH).

2019-05-15-Only 5% works remained to be done with asphalt works for intersections and will be done when FH returns to Newman in May 2019.
2019-06-10-Only 5% works remained to be done with asphalt works for intersections and will be done as the contractor FH returning to Newman in the third week of June 2019.

Last Updated - 10/06/2019

Shire of East Pilbara **Action & Task Progress Report**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.24 CP129619 - Streetscape Projects	Finn Macleod - Project Engineer 2	In Progress	10/09/2018	30/06/2019	25%	100%	RED

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.1 Open Space Assets - Newman	Capital	$20,000	$20,000	$9,144	$10,856

ACTION PROGRESS COMMENTS

11/06/19 - No further progress on this project as we are still awaiting feedback from BHP on the below .

15/05/19 - Survey and service location of the site has been completed as well as a design produced by Kath Szczerbik of The City of Swan . A cost estimate was completed which came to approximately $90,000. Three contractors were engaged to provide estimates to confirm this price. One contractor elected not to respond, while the other provided estimates at $115,000 (ex GST) and $133,000 (ex GST). These cost estimates are far above the proposed 30k-40 k that BHP had said they would be willing to spend. 30k-40k would not be sufficient to provided even lawn and irrigation to the area, let alone landscape the verge.

The findings of the estimates, as well as the design have been put to BHP for comment on how they would like to proceed . (provide extra funding, reduce scope significantly or cancel project)

Last Updated - 11/06/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.25 CP129074 - Skid Loader (2753)	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.2 Transport Assets - Newman	Capital	$80,000	$80,000	$79,874	$126

ACTION PROGRESS COMMENTS

31/09/2018 - Vehicle allocated for build from factory
31/01/2019 - Completed

Last Updated - 04/02/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.26 CP129084 - Minor Equipment	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.2 Transport Assets - Newman	Capital	$58,000	$58,000	$15,432	$42,568

ACTION PROGRESS COMMENTS

15/05/2019 - FY 18/19 Acquisitions have been completed

Last Updated - 15/05/2019

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.27 CP129092 - Toyota Hilux - 2WD (2703)	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$65,400	$65,400	$64,889	$511

ACTION PROGRESS COMMENTS
31/09/2018 - Vehicle allocated for build from factory
Last Updated - 06/04/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.28 CP129106 - Fuso Canter	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$84,000	$84,000	$83,143	$857

ACTION PROGRESS COMMENTS
31/01/2019 - Vehicle order, waiting on build
Last Updated - 08/03/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.29 CP129729 - Vehicle Construction Leading Hand (2708)	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$92,000	$92,000	$90,110	$1,890

ACTION PROGRESS COMMENTS
31/09/2018 - Vehicle allocated for build from factory
Last Updated - 06/04/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.30 CP129730 - Vehicle Works Supervisor (2801)	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.2 Transport Assets - Newman	Capital	$60,000	$60,000	$56,494	$3,506

ACTION PROGRESS COMMENTS
31/09/2018 - Vehicle allocated for build from factory
Last Updated - 09/05/2019

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.31 CP129734 - Motor Grader (2743)	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$375,000	$375,000	$369,000	$6,000

ACTION PROGRESS COMMENTS

31/09/2018 - Documents being prepared for WALGA Panel Contract
31/01/2019 - Completed

Last Updated - 04/02/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.32 CP129717 - Skid Loader	Oliver Schaer - Manager Technical Services - Rural	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.4 Transport Assets - Rural	Capital	$68,900	$68,900	$68,897	$3

ACTION PROGRESS COMMENTS

31/09/2018 - Documents being prepared for WALGA Panel Contract
31/01/2019 - Completed

Last Updated - 04/02/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.46 CP129530-129573-129574 - Newman Town Reseals, Kerbing and Footpath program	Bhavesh Modi - Manager Technical Services - Newman	Completed	20/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
19.2 Transport Assets - Newman	Capital	$472,700	$470,000	$452,239	$17,761

ACTION PROGRESS COMMENTS

Works completed, with invoices being addressed following the joint measurements done over the recent days by the contractor and the depot staff , for the FY 2018-19 under the extended contract RFT 02-2016-17 Supply of Concrete works by the Dowsing Group in September 2018. As many as, 16 streets were covered for various pathway, kerb and pram ramp renewal and small scale new works, with majority of them being completed as planned in the SOEP 3-Year Plan for Newman Infrastructure Renewal and Preservation and Drainage Works 2018-19 2019-20 and 2020-21.

Last Updated - 16/06/2019

Shire of East Pilbara **Action & Task Progress Report**

STRATEGY: **4.1.1 Ensure efficient, effective and innovative waste services to reduce, reuse and recycle**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
4.1.1.3 CP109019 - Septage Ponds	Sinead McGuire - Project Engineer 1	In Progress	10/10/2018	28/06/2019	95%	100%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
19.1 Open Space Assets - Newman	Capital	$640,000	$640,000	$487,260	$152,740

ACTION PROGRESS COMMENTS

13/06/2019 - Second sludge pump out completed. A contract for both pumping and earthworks to be set up to allow for more efficient long term management.

Last Updated - 13/06/2019

Natural Resource Management

STRATEGY: **3.1.3 Maintain and facilitate community infrastructure and urban heritage, including roads and buildings**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
3.1.3.37 CP129404 - Airport Services - Waste	Ben Lewis - Executive Manager - Commercial Services	Deferred	10/09/2018	30/09/2019	1%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
21.2 Waste Collection and Recycling	Capital	$80,000	$80,000	$0	$80,000

ACTION PROGRESS COMMENTS

4/2/19 - SoW and drawings done.
10/5/19 - This project is deferred to be considered as part of the Airport Master Plan project

Last Updated - 15/05/2019

STRATEGY: **4.1.1 Ensure efficient, effective and innovative waste services to reduce, reuse and recycle**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
4.1.1.2 CP109017 - Weighbridge	Raees Rasool - Executive Manager Infrastructure Services	Deferred	10/09/2018	30/09/2019	1%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
21.2 Waste Collection and Recycling	Capital	$20,000	$20,000	$0	$20,000

ACTION PROGRESS COMMENTS

Reviewing previous documentation with the view to understand the project requirements

16/05/2019 - There is no previous documentation or internal knowledge about this project. Therefore it is deferred
10/06/2019 - No further update

Last Updated - 10/06/2019

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
4.1.1.4 CP109034 - Newman Landfill Improvements	Sinead McGuire - Project Engineer 1	In Progress	1/11/2018	30/06/2019	60%	100%	RED

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
21.2 Waste Collection and Recycling	Capital	$150,000	$150,000	$14,869	$135,131

ACTION PROGRESS COMMENTS

13/06/2019 - Waste Masterplan- First draft received and currently being reviewed internally.

Last Updated - 13/06/2019

Project Management

STRATEGY: **1.1.1 Actively support local businesses**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
1.1.1.4 CP109002 - Sewerage Plant Upgrade	Sinead McGuire - Project Engineer 1	In Progress	2/07/2018	28/06/2019	55%	100%	RED

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$1,597,000	$1,597,000	$714,107	$882,893

ACTION PROGRESS COMMENTS

13/06/2019 -WWTP upgrade project proposal endorsed in May council meeting. Planning documentation underway so that upgrade can be scheduled.

Last Updated - 13/06/2019

STRATEGY: **1.1.2 Lobby, advocate and facilitate corporate partnerships to support economic growth opportunities**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
1.1.2.1 CP139309 - Desert Discovery Drive Structures	Raees Rasool - Executive Manager Infrastructure Services	Deferred	10/09/2018	30/09/2019	0%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$200,000	$0	$0	$0

ACTION PROGRESS COMMENTS

Will review previous documentation including former council resolutions to understand the project requirements

16/05/2019 - The project will require grant funding to proceed. The shire did not obtain grant funding this financial year and so the project is deferred
10/06/2019 - No further update

Last Updated - 10/06/2019

STRATEGY: **2.1.1 Support healthy and safe lifestyle choices**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.1.1.2 CP59025 - Town Centre CCTV	Warren Barker - Coordinator Building Services	Completed	1/07/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$50,000	$50,000	$2,554	$47,446

ACTION PROGRESS COMMENTS

Tendered.
5/2/19 - Initial upgrade works completed as part of insurance claims.
IP cameras will be returning to Newman at the end of March

Last Updated - 15/05/2019

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.1.1.4 CP59014 - SES Building (Demolition)	Warren Barker - Coordinator Building Services	Completed	9/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$100,000	$100,000	$60,450	$39,550

ACTION PROGRESS COMMENTS
RFQ advertised
Contract awarded to Delta Group at the December Council Meeting.
Works to commence in March 2019.
Work has commenced onsite 07/03/2019 with site works expected to take 6 days
18/6/19 - Works completed. Purchase orders are all closed out and surplus funds to be put back into municipal
Last Updated - 18/06/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.1.1.8 CP119602 - Airconditioner Gym II	Ben Lewis - Executive Manager - Commercial Services	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$130,000	$130,000	$116,776	$13,224

ACTION PROGRESS COMMENTS
30/09/2018 - Purchase order issues
4/2/19 - works complete
Last Updated - 04/02/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.1.1.9 CP119627 - Nullagine Gym	Warren Barker - Coordinator Building Services	Not Approved	10/09/2018	30/06/2019	0%	Not Set	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$22,000	$22,000	$0	$22,000

ACTION PROGRESS COMMENTS
30/09/2018 - Project on Hold until risk assessment completed. Assessment completed, report due end of October.
4/2/19 - Risk assessment completed, need to re-prioritise the works to be undertaken in the facility
Last Updated - 08/03/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.1.1.10 CP119738 - Capricorn Oval Light Upgrade	Ben Lewis - Executive Manager - Commercial Services	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$320,000	$320,000	$295,000	$25,000

ACTION PROGRESS COMMENTS

30/09/2018 - PO issues. Work scheduled during sports off season ie January 2019.
4/2/19 - Works completed.

Last Updated - 04/02/2019

STRATEGY: **2.2.1 Facilitate community connectedness and inclusion**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.2.1.1 CP119306 - Nullagine Radio Building Upgrade	Warren Barker - Coordinator Building Services	In Progress	10/09/2018	30/06/2019	10%	100%	RED

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$8,500	$0	$0	$0

ACTION PROGRESS COMMENTS

4/2/19 - Obtaining details from the broadcasting authority as to equipment required for upgrading
Attempting to find a qualified local contractor (Port Hedland) to carry out a report and provide costings.
15/05/19 - Met onsite with TEC Services from Port Hedland and now awaiting quote
13/06/2019 have been trying to make contact with TEC Services with no result.
Endeavouring to find another contractor.

Last Updated - 13/06/2019

STRATEGY: **2.3.1 Facilitate services for families and children, youth and aged**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
2.3.1.2 CP119309 - Nullagine Community Library	Warren Barker - Coordinator Building Services	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$11,000	$11,000	$5,600	$5,400

ACTION PROGRESS COMMENTS

Tendered 11/18
Contract was awarded to Wideglide Constructions at the November Council Meeting
4/2/19 - Works completed

Last Updated - 04/02/2019

STRATEGY: 3.1.1 Improve local amenity

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.1.1 CP109022 - Public Toilets	Warren Barker - Coordinator Building Services	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$12,000	$12,000	$10,400	$1,600

ACTION PROGRESS COMMENTS
Tendered 11/18
Contract was awarded to Wideglide Constructions at the November Council Meeting
Site works are complete
Last Updated - 08/03/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.1.2 CP109033 - Nullagine Public Toilets	Warren Barker - Coordinator Building Services	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$10,000	$10,000	$25,375	-$15,375

ACTION PROGRESS COMMENTS
31/10/2018 - Toilets insitu
Contract was awarded to Wideglide Constructions at the November Council Meeting
Last Updated - 04/02/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.1.3 CP109025 - Marble Bar Public Toilets	Warren Barker - Coordinator Building Services	Completed	10/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$1,000	$1,000	$15,858	-$14,858

ACTION PROGRESS COMMENTS
31/10/2018 - Toilets insitu
Contract was awarded to Wideglide Constructions at the November Council Meeting
Last Updated - 04/02/2019

Shire of East Pilbara **Action & Task Progress Report**

STRATEGY: **3.1.3 Maintain and facilitate community infrastructure and urban heritage, including roads and buildings**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
3.1.3.3 CP99026 - Marble Bar SPQ External	Marisa Wolfenden - Coordinator Property Services	Completed	9/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
11.1 Project Management	Capital	$14,300	$14,300	$0	$14,300

ACTION PROGRESS COMMENTS

Currently out to tender which closes 8/11/18.
Wideglide appointed contractor
Works in Marble Bar scheduled for April 2019
8/3/19 - works not commenced -Wideglide advised that they will be going to MB in next few weeks. No change to progress percentage or status.
15/5/19 - External painting completed
18/6/19 - Waiting for invoicing to come through to close out the job

Last Updated - 18/06/2019

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
3.1.3.4 CP49039 - Newman Administration Building Security Upgrade	Ben Lewis - Executive Manager - Commercial Services	In Progress	9/09/2018	30/06/2019	80%	100%	YELLOW

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
11.1 Project Management	Capital	$50,000	$50,000	$12,921	$37,079

ACTION PROGRESS COMMENTS

Tendered 11/18
4/2/19 - Security system upgrade completed. Developing master key system
10/5/19 - Planning for master key system is progressing.

Last Updated - 15/05/2019

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
3.1.3.5 CP89007 - Community Services - Public Buildings	Warren Barker - Coordinator Building Services	Deferred	9/09/2018	30/09/2019	1%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
11.1 Project Management	Capital	$85,000	$85,000	$0	$85,000

ACTION PROGRESS COMMENTS

18/6/19 - Works deferred to complete scoping

Last Updated - 18/06/2019

Shire of East Pilbara **Action & Task Progress Report**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.6 CP89018 - Newman House	Warren Barker - Coordinator Building Services	Completed	9/09/2018	30/06/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$53,000	$53,000	$13,300	$39,700

ACTION PROGRESS COMMENTS

Tendered 11/18
Contract was awarded to Wideglide Constructions at the November Council Meeting
Site works are well underway
Work has been completed

Last Updated - 08/03/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.7 CP99027 - Community Housing Capital	Marisa Wolfenden - Coordinator Property Services	In Progress	9/09/2018	30/06/2019	75%	100%	YELLOW

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$34,000	$34,000	$2,563	$31,437

ACTION PROGRESS COMMENTS

Currently out to tender which closes 8/11/18
8/3/19 - No change - Wideglide advises they will be commencing Marble Bar & Nullagine works in next couple of weeks.
14/5/19 - Contractors arriving to do the roofing at Piri Smith Retirement Units on the 22nd May 2019 should take approx. 4-5 days
28/5/2019 - Works to be completed 3/6/2019
7/6/2019 - Roof replacement is current in progress

Last Updated - 07/06/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.8 CP119013 - Gallop Hall	Warren Barker - Coordinator Building Services	Deferred	10/09/2018	30/09/2019	1%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$5,000	$5,000	$0	$5,000

Last Updated - 16/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.20 CP129596 - Depot Redevelopment	Finn Macleod - Project Engineer 2	Completed	1/08/2018	12/03/2019	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$240,000	$240,000	$227,084	$12,916

ACTION PROGRESS COMMENTS

30/09/2018 - Contract has been awarded and construction was due to commence in October. Contractor has declined to sign the contract and will not commence the works. the contract could not be awarded to the next highest tenderer as the price was above the project's budget. the project is deferred until there are additional funds allocated to complete the works. funds now allocated and construction work to commence on 4 February

08/03/2019 - GO2 begun works on the 4th of February and progress has been good. Project is on schedule and due to be completed on 12/3/2019. Handover is to occur during week beginning 11/03/2019 and will be ready for use by depot staff 18/3/2019

8/05/2019 - Project was completed on 18/3/2019, however some minor defects were identified. these defects were rectified by 25/3/2019.

Last Updated - 08/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.21 CP129601 - Nullagine Entry Statement	Raees Rasool - Executive Manager Infrastructure Services	Deferred	1/11/2018	30/09/2019	1%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$5,000	$5,000	$0	$5,000

ACTION PROGRESS COMMENTS

Reviewing previous documentation with the view to understand the project requirements

16/05/2019 - Staff have liaised with Cr Schill regarding this project as she has taken an active interest. The budget is not appropriate for the scope so the project has been deferred to the 2019/20 financial year with $20k listed on the 2019/20 capital works budget
10/06/2019 - No further update

Last Updated - 10/06/2019

Shire of East Pilbara **Action & Task Progress Report**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.43 CP139209 - Cape K - Caretaker's Residence	Michael Zion - Coordinator Asset Management	Completed	10/09/2018	14/12/2018	100%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$500,000	$500,000	$384,094	$115,906

ACTION PROGRESS COMMENTS

30/09/2018 - Factory inspection and sign off for transport is Wednesday 17 October
practical completion reached on 14 December. some minor electrical defects to complete before house can be occupied.
expected completion in early February 2019 - received advice from electrician is now complete.
manual and as-built plans being prepared and delivered on February 28.
defects period commenced on 14 December 2018 and bank guarantee being held for 12 months.
some minor electrical and IT issues that need to be completed during defects period .

Last Updated - 15/05/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
3.1.3.44 CP139210 - Nullagine Caravan Park (Demolition of buildings)	Warren Barker - Coordinator Building Services	In Progress	1/12/2018	30/06/2019	1%	100%	RED

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$150,000	$150,000	$0	$150,000

ACTION PROGRESS COMMENTS

31/09/2018 - This is subject to Council direction and the agenda item going to the October Council meeting
Tender has gone out for submissions and closing on 25th March 2019
Tender closed and assessments completed. Now going back to Council
18/6/19 - Demolition works scheduled to be completed at the end of the current tourist season approximately September 2019. Funds have been budgeted in the 19/20 year.

Last Updated - 18/06/2019

STRATEGY: **5.1.1 Enhance governance capability to deliver sustainable outcomes**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.10 CP99019 - Staff Housing Capital - M/Bar & Nullagine	Marisa Wolfenden - Coordinator Property Services	In Progress	9/09/2018	30/06/2019	40%	100%	RED

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$550,000	$550,000	$216,240	$333,760

ACTION PROGRESS COMMENTS

Currently out to tender which 8/11/18
8/3/19 - Structural Reports (Portion 21 of the Tender) have been completed. Status changed from 10 to 15%. Wideglide advised they will be commencing building works in next few weeks for Marble Bar and Nullagine.
15/5/19 - Nullagine - Structural works near completion at 19 Clemensen - completion date mid June
15/5/19 - Marble Bar - Wideglide to commence concrete works and shed on the 22nd May 2019
28/5/19 - MB, The following is completed, sheds, concrete works, fencing, outstanding, Nullagine Patio and 50% works to Clemensen House and 36 Bohemia Street. Some additional structural works will be carried over to the 19/20 financial year and budgeted accordingly. These are additional works outside the original scope.

Last Updated - 18/06/2019

Shire of East Pilbara — Action & Task Progress Report

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.11 CP99020 - Staff Housing Capital - Newman	Marisa Wolfenden - Coordinator Property Services	In Progress	9/09/2018	30/06/2019	75%	100%	YELLOW

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$444,800	$444,800	$240,162	$204,638

ACTION PROGRESS COMMENTS

Works currently out to tender which closes 8/11/18.
31/01/19 - contract awarded to Wideglide
Works underway due for completion May
Works not in contract has been awarded to other local contractors.
8/3/19 - 48 Forrest Ave nearly completed (few items to be rectified following PC inspection bathroom, laundry & toilet upgrade).
15/5/19 - 3 Ella bathroom near completion, 1 Ella works completed, 48 Forrest works completed, Fencing works to 29 Newman Drive and 33 Nyabalee completed, Security Screens to multiple houses completed, Painting - Internal houses - completed, ceiling fans, near completion, Patio 15 Cullidorah, near completion, outstanding Window Replacement due to commence.. Reticulation - near completion, Solar Panels, approx. 50% completed.
28/5/19 - Bathroom, concrete, security screens, reticulation, painting completed, outstanding but nearly completed is solar, window replacement, and garden services
7/6/2019 - Window Replacement - equipment due to arrive on the 21st June 2019, other works are near completion. Waiting on invoicing to be submitted for completed works.

Last Updated - 18/06/2019

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
5.1.1.12 CP99028 - Staff Housing Capital - Airport	Marisa Wolfenden - Coordinator Property Services	In Progress	9/09/2018	30/06/2019	95%	100%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
11.1 Project Management	Capital	$180,900	$180,900	$106,849	$74,051

ACTION PROGRESS COMMENTS

Works identified, Tender Document drafted, finalised and will be released Saturday 13th October 2018
Tenders close 8/11/18
Works awarded to Wideglide
Works currently underway. Completion May 2019
8/3/19 - concrete & structural works have commenced (portion 4 of tender). Changed status from 10% to 15%.
15/5/119 - All Airport works have been completed, except the solar panels, they
28/5/19 - All Airport works completed, except the installation of the inverters for solar panels
7/6/19 - Works completed awaiting final invoices

Last Updated - 18/06/2019

10.2.3 CORPORATE BUSINESS PLAN ANNUAL REVIEW

File No:	**STR-3-1**
Attachments:	**Appendix 1 – CBP 2019 Review**
Responsible Officer:	**Ms Sian Appleton Executive Manager Corporate Services**
Author:	**Ms Sian Appleton Executive Manager Corporate Services**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

1:28pm Cr Langtree Coppin OAM returned to the Chambers

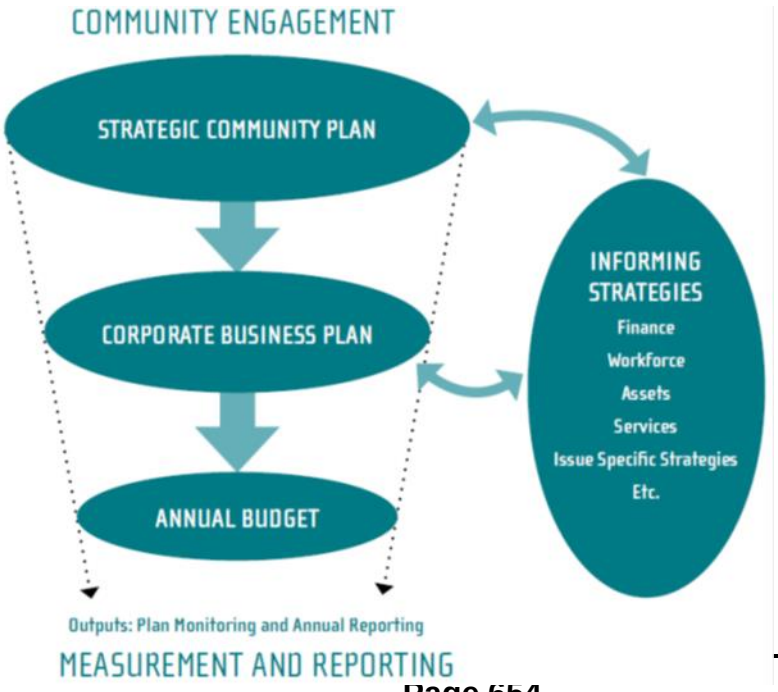
REPORT PURPOSE

For Council to adopt the 2019 review of the Corporate Business Plan as presented.

BACKGROUND

On 26 August 2010, the Minister of Local Government introduced regulations which established new requirements for the Plan for the Future under the Local Government Act 1995. Under these regulations, all local governments in Western Australia are required to have developed and adopted two key documents by 30 June 2013; a Strategic Community Plan and a Corporate Business Plan – supported and informed by resourcing and delivery strategies.

The Elements of the Integrated Planning Framework is set out below:



The Shire of East Pilbara's first Corporate Business Plan was adopted in 24 May 2013 in line with these regulations – Resolution 201213/375.

COMMENTS/OPTIONS/DISCUSSIONS

During the 2018 year Council undertook a review of its Strategic Community Plan. At the 23rd November 2018 Ordinary Council meeting Council resolved to adopt the new Strategic Community Plan 2018-2028 – Resolution 201819/80. The Corporate Business Plan supplements the Strategic Community Plan by identifying and prioritising the principal strategies and activities the council will undertake in response to the aspirations and objectives stated in the SCP.

At the 22 February meeting 2019 Council resolved to adopt the new Corporate Business Plan – Resolution 201819/11. A local government is to review the current corporate business plan for its district every year. The purpose of this is to review priorities and reset the Corporate Business plan where necessary. This document is based on the original plan and any changes, other than minor grammatical changes, are indicated by the red text.

STATUTORY IMPLICATIONS/REQUIREMENTS

LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996
19DA . Corporate business plans, requirements for (Act s. 5.56)

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

5. Governance

Demonstrated accountability and corporate governance

G1 Provide efficient, accountable and ethical governance

RISK MANAGEMENT CONSIDERATIONS

Legislative - Medium

FINANCIAL IMPLICATIONS

From a resourcing and affordability perspective, further provisions will need to be considered within the budget after the Corporate Business Plan has been accepted.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/166

MOVED: Cr Geraldine Parsons SECONDED: Cr Michael Kitchin

That Council adopt the 2019 review of the Corporate Business Plan 2018-2022, as presented.

CARRIED UNANIMOUSLY

To be actioned by Ms Sian Appleton, Executive Manager Corporate Services

Appendix 1
Corporate Business Plan 2019 Review

Shire of EAST Pilbara

AUSTRALIA'S LARGEST SHIRE

Corporate Business Plan 2018 – 2022

Desktop Review 2019

"A diverse community thriving in a vast landscape that offers a world of opportunity and rich heritage and culture."

Message from the CEO

Welcome to the Corporate Business Plan review for the 2019/20 year.

We have reviewed our Corporate Business Plan in preparation for another busy year. We have been and will continue to build more rigour into our integrated planning as we try and develop a more sustainable platform for the Shire of East Pilbara.

The changing economic phases experienced in East Pilbara over the past few years is a reminder that that life in this part of Australia has its challenges. However, our priority has always been to ensure the communities of the Shire of East Pilbara continue to maintain their status as prosperous and cohesive places, offering everyone a safe and healthy environment with the promise of a bright future.

This Corporate Business Plan defines how we intend to implement and action the vision we have identified through our Strategic Community Plan and the steps we'll take to make it a reality. Together, these two plans will act as a detailed roadmap that will continue to push boundaries and drive change for the benefit of the East Pilbara and the people who live here.

Under legislation a local government is to review its current corporate business plan for its district every year. The purpose of this is to review priorities and reset the Corporate Business plan where necessary.

This document is based on the original plan and any changes, other than minor grammatical changes, are indicated by the red text.

Jeremy Edwards
Chief Executive Officer

Table of Contents

1. Planning Context 5
1.1 The Integrated Planning and Reporting Framework 5
1.2 Developing the Corporate Business Plan 6
2. Strategic Context 6
2.1 Our Vision 6
2.2 Our Priorities 6
2.3 Key Opportunities: 7
2.4 Roles and Responsibilities 8
2.4.1 Organisational Structure 9
2.5 Informing Plans and Partnerships 9
3. Actions linked to Strategic Community Plan and Services 9
3.1. Key Result Area 1: Economic 11
3.2. Key Result Area 2: Social 12
3.3. Key Result Area 3: Built Environment 14
3.4. Key Result Area 4: Natural Environment 16
3.5. Key Result Area 5: Governance 17
4. Shire Services 19
5. Resourcing the Plan 21
5.1 Action Plan Budget Summary 21
5.2 Asset Management Planning 21
5.3 Workforce Planning 22
5.4 Long Term Financial Planning 22
6. Key Stakeholders and Partners 24
7. Measuring and Reporting our Progress 26

1. Planning Context

1.1 The Integrated Planning and Reporting Framework

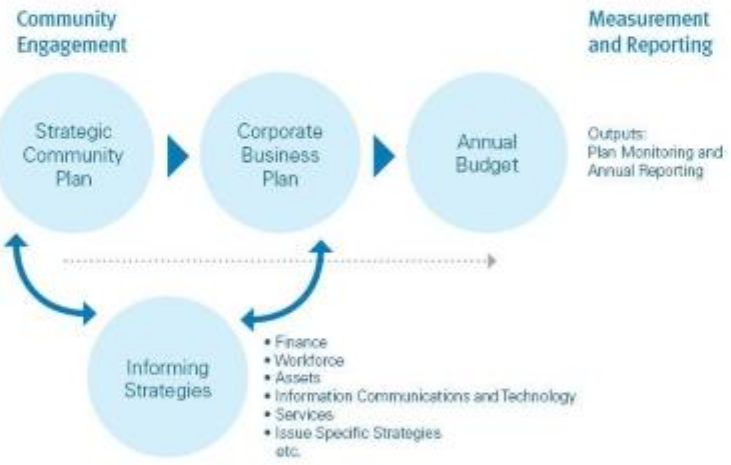
The Integrated Planning and Reporting Framework provides the basis for improving the practice of strategic and business planning in local government and in turn its long term sustainability. It addresses the requirements to meet the intent of the *Local Government Act 1995*, and outlines the processes and activities to develop and integrate the necessary plans.

The core plans in the Integrated Planning and Reporting Framework are the:

Strategic Community Plan – states a long term (10+ years) vision, goals, outcomes and strategies, which drives the development of other local government informing strategies and plans.

Corporate Business Plan – a rolling 4 year plan which identifies the services, activities and projects and their resourcing requirements to deliver on the strategies and outcomes of the Strategic Community Plan.

Annual Budget - the resources required to deliver the Corporate Business Plan on an annual basis.



Elements of Integrated Planning and Reporting Framework

1.2 Developing the Corporate Business Plan

The Corporate Business Plan addresses all of the Shire's operations – including services, assets (capital works and ongoing operating) and projects. It also identifies how the Shire's operations link to the Strategic Community Plan through strategies and outcomes.

The Corporate Business Plan is based on the Shire's Operational and Service plans, which were developed by Shire management and key staff. During this process, service related actions and projects are identified through alignment with the Strategic Community Plan and Informing Strategies.

The following sections of this Plan outline both the Strategic and Operational contexts for the development of the Corporate Business Plan, the Services and associated outputs for the Shire and the actions, projects and associated resource requirements over the 4 year period of the Plan.

Costs associated with the operations and projects that the Shire will deliver over the period of the Plan are indicative and will be refined through the current review of the Strategic Financial Plan.

These figures will be refined once the Long Term Financial Plan, the Asset Management Plan the Workforce Plan and the Annual Budget are adopted by Council.

A local government is to review the current corporate business plan for its district every year. The purpose of this is to review priorities and reset the Corporate Business plan where necessary. This document is based on the original plan and any changes, other than minor grammatical changes, are indicated by the red text.

2. Strategic Context

2.1 Our Vision

A diverse community thriving in a vast landscape that offers a world of opportunity and rich heritage and culture.

2.2 Our Priorities

During the 2017 review of the Shire's Strategic Community Plan, the following themes emerged as key considerations in setting the Shire's strategic direction.

Diverse and sustainable economic growth: The Shire is committed to diverse and sustainable economic growth for the benefit of the local economy and employment opportunities.

Enhancing regional identity, profile and positioning: The Shire is committed to promoting the Shire as a great place to live, work and visit

Lobbying, advocacy and partnerships: The Shire recognises the importance of advocating on behalf of its community and developing partnerships with government, community, NGOs and the private sector to provide accessible services in the most efficient way

Community connectedness and inclusiveness: The Shire recognises the importance of social connectedness and inclusivity in developing a thriving, healthy and active community.

Place based services: The Shire is committed to support the diverse places throughout the Shire by providing access to services close to the communities

Environmental assets, history and heritage: The Shire is committed to conserving, enhancing and promoting the Shire's unique environmental assets, and rich history and heritage for the benefit of the local community and visitors to the Shire.

2.3 Key Opportunities:

The Shire of East Pilbara operates within a unique, multifaceted and challenging context. Community consultation undertaken during the development and review of the Shire's Strategic Community Plan review identified a number of areas that present key opportunities for improvement as the Shire of East Pilbara plans for the future. These include:

- Enhancing tourism through promotion of the region's unique character, lifestyle, culture and natural environment
- Providing a coordinated land and infrastructure supply for the long-term development of each community
- Developing land for commercial, industrial and housing needs to diversify existing uses and activities, which will improve the local economy and quality of life
- Developing cohesive and collaborative approaches with State and Federal governments and the resources sector to community investment
- Developing the Shire's main centre – Newman as a sub-regional service and distribution area
- Enhancing the vitality of the smaller towns of Marble Bar and Nullagine
- Providing a greater diversity of housing to meet the differing community needs
- Enhancing the integration of FIFO workers into local communities
- Extending the range of locally-available employment opportunities.
- Enhancing opportunities for children and young people, particularly in relation to education and community engagement
- Partner and lobby agencies with the aim of improving transport connections and flight affordability.
- Seeking improved access to health and medical services including dentists, general practitioners, specialists, optometrists etc.
- Improving the quality and range of community facilities
- Positively engaging the Martu people, celebrating Martu culture and art, providing improved education, training and employment opportunities.

The development of this plan is based on the Shire's current knowledge. However, there are some critical uncertainties that the Shire has no control over, which may affect its planning, resourcing and implementation of key initiatives described in this plan. These include:

- Global financial conditions that may affect the resources industry and the Australian economy
- Change of State or Federal government policy
- Change of resource sector operations
- Climatic/weather changes
- Natural disasters

2.4 Roles and Responsibilities

The Shire has a wide range of responsibilities which can be summarised as:

- Providing leadership, governance and advocacy for the community
- Providing community facilities, infrastructure and services
- Meeting legislative and compliance requirements

A councillor's role is to: represent the interests of electors, ratepayers and residents; provide leadership and guidance to the community; facilitate communication between the community and the council and vice versa; and participate in decision-making processes at meetings.

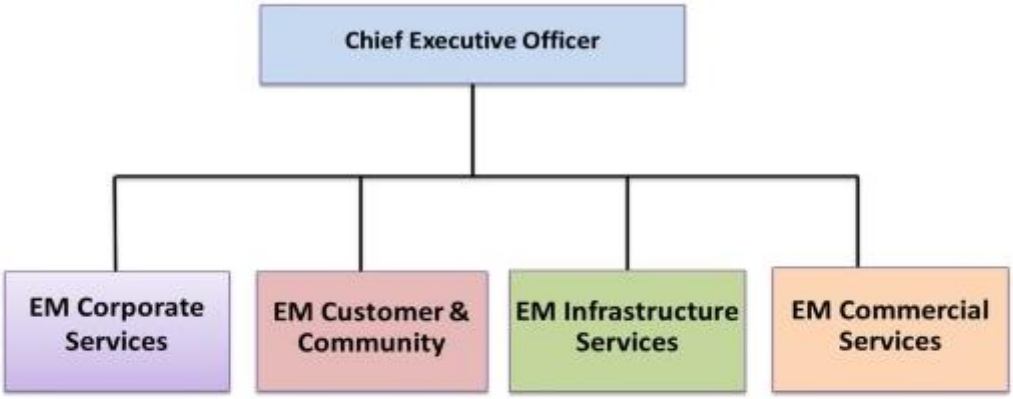
The implementation of Council's policies and plans and the ongoing management and administration of Shire affairs is the responsibility of the Chief Executive Officer and employed staff.

The Council works in partnership with the community as well other government and non government agencies, fulfilling a range of roles in the implementation of the Corporate Business Plan and associated services, projects and activities. Refer to the chart below.

Council's Role	Council will	Example
Advocator	Lobby or advocate on behalf of the community.	Advocate to State government for appropriate health facilities and services.
Facilitator	Help bring about change and beneficial outcomes.	Facilitate economic development opportunities in partnership with industry, business and government.
Funder	Allocate and mange funds for approved projects and services.	Manage the contract for the Regular Passenger Transport bus service.
Leader	Plan and provide direction through policy and practices.	Development and implementation of the Strategic Community Plan
Promoter	Actively support, encourage and publicise programs and activities.	Promote Martu arts and culture in the wider community.
Provider	Ensure services and facilities are provided in accordance with its role.	Construction and maintenance services for Shire infrastructure
Regulator	Undertake its legal responsibilities.	Apply land use and development controls.

2.4.1 Organisational Structure

The Shire manages its responsibilities and services through the organisational structure illustrated below. The Shire has five Directorates, the Executive Services Directorate, the Commercial Services Directorate, Corporate Services Directorate, Customer and Community Services Directorate and Infrastructure Services Directorate.



2.5 Informing Plans and Partnerships

The following Council plans have been referenced throughout the development of, and integrated into, the Corporate Business Plan:

- Public Health Plan
- Disability Access and Inclusion Plan
- Fraud and Corruption Plan
- Strategic Workforce Plan
- Information, Communication & Technology Strategic Plan (draft)
- Long Term Financial Plan
- Asset Management Plans

3. Actions linked to Strategic Community Plan and Services

A local government is to review the current corporate business plan for its district every year. The purpose of this is to review priorities and reset the Corporate Business plan where necessary. This document is based on the original plan and any changes, other than minor grammatical changes, are indicated by the red text.

The following tables provide details for actions, incorporating projects that the Shire will undertake over the next 4 years. Green shaded projects represent one-off strategic projects while brown shaded projects represent capital projects.

All actions/projects in the Corporate Business Plan are aligned to the priorities of the Strategic Community Plan through the appropriate strategy. They are also linked to the respective supporting services of the Shire, which assist the Shire to meet the priorities of the Strategic Community Plan on an ongoing basis.

Recurring operational activities are designated as "services". These are considered "business as usual" within the annual budgetary year. Corporate and Capital Projects have specific start and end dates. Costs have been indicated in the following tables where capital projects are funded through capital expenditure and corporate projects require a financial allocation above business-as-usual expenses.

3.1. Key Result Area 1: Economic

The Shire will support the diverse and sustainable economic development of the region through advocacy, and promotion of the region.

Economic Outcome: A diverse and sustainable regional economy

Objective E1: Develop and promote a diverse and sustainable economy						
Strategy	*Supporting Projects*	*Year 1 19/20*	*Year 2 20/21*	*Year 3 21/22*	*Year 4 22/23*	*Ongoing Supporting Services*
E1.1 Actively support local businesses	E1.1.1 - The Square / The Edge			✓ $150,000	✓ $50,000	– Economic Development Services
E1.2 Lobby, advocate and facilitate corporate partnerships to support economic growth opportunities	E1.2.1 - Review and Update Economic Development and Tourism Strategy		✓ $30,000			– Tourism Development Services

Objective E2: The Shire is a great place for tourists						
Strategy	*Supporting Projects*	*Year 1 19/20*	*Year 2 20/21*	*Year 3 21/22*	*Year 4 22/23*	*Ongoing Supporting Services*
E2.1 Explore partnership opportunities to promote the region	E2.1.1 - Plan for the development of a Caravan Park in Newman and/or short term accommodation	✓ $50,000	✓ $20,000			– Economic Development Services – Partnerships with Newman Chamber of Commerce – Partnerships with external Tourism Agencies and Companies – Tourism Development Services – Tourism service and product research – Community Event Services – Martumili Gallery and Artist Services
	E2.1.2 – Nullagine Caravan Park	✓ $300,000				
	E2.1.3 – Newman Visitors Centre		✓ $183,000		✓ $30,000	
E2.2 Facilitate, support and promote the Shire's unique Arts, Culture and History	E2.2.1 - Review Arts and Culture Strategy	✓				
	E2.2.2 - Implement a Local History Collection Project (Library)					
	E2.2.3 – Public Art Newman	✓ $150,000				
	E2.2.4 – Public Art Marble Bar		✓ $50,000			
E2.3 Develop events relevant to the region to attract visitors	E2.3.1 - Develop a suite of events relevant to the region	✓	✓	✓	✓	

3.2. Key Result Area 2: Social

The Shire will foster harmonious communities that acknowledge cultural diversity and heritage, share strong community connections and have access to relevant and affordable community services.

Social Outcome: Harmonious communities sharing strong community connections

Objective S1: Promote and facilitate safe and healthy communities						
Strategy	*Supporting Projects*	*Year 1 19/20*	*Year 2 20/21*	*Year 3 21/22*	*Year 4 22/23*	*Ongoing Supporting Services*
S1.1 Support healthy and safe lifestyle choices	S1.1.1 - Implement the Public Health Plan	✓	✓	✓	✓	– Community Halls and Recreation Facilities Management – Recreation and Fitness Services – Aquatic Facilities and Services – Club Development Services – Community Events – Community Development – Library Services – Youth and Family Services – Place Based Community Development – Ranger Services – Surveillance and Security – Emergency Management
	S1.1.2 – Community Safety Plan Implementation	✓ $100,000	✓ $100,000	✓ $100,000	✓	
	B1.1.3 - Redevelopment of the Aquatic Centre	✓ $1,050,000	✓ $875,000			
	B1.1.4 - Marble Bar Skate Park Shade	✓ $150,000				
S1.2 Support local sporting clubs and community organisations.	S1.2.1 - Marble Bar Recreation Precinct		✓ $35,000			
	S1.2.2 – Newman Recreation Centre	✓ $42,000	✓ $104,000	✓ $30,000	✓ $5,000	

Objective S2: Build a vibrant community						
Strategy	**Supporting Projects**	**Year 1 19/20**	**Year 2 20/21**	**Year 3 21/22**	**Year 4 22/23**	**Ongoing Supporting Services**
S2.1 Facilitate community connectedness and inclusion		✓	✓	✓	✓	– Community Halls and Recreation Facilities Management – Recreation and Fitness Services – Aquatic Facilities and Services – Club Development Services – Community Events – Community Development – Library Services – Youth and Family Services – Place Based Community Development

Objective S3: Advocate and partner to improve access to services						
Strategy	*Supporting Projects*	*Year 1 19/20*	*Year 2 20/21*	*Year 3 21/22*	*Year 4 22/23*	*Ongoing Supporting Services*
S3.1 Facilitate services for families and children, youth and aged (inclusive of all demographic types including people living with disability, Aboriginal and Torres Strait Islander, Culturally and Linguistically Diverse and LGBTI).	S3.1.1 - Newman Youth Centre Upgrade					– Community Halls and Recreation Facilities Management – Recreation and Fitness Services – Aquatic Facilities and Services – Club Development Services – Community Events – Community Development – Library Services – Youth and Family Services – Place Based Community Development
	S3.1.2 - Family and Youth Hub	✓ $200,000	✓ $3,888,000	✓ $90,000	✓ $81,000	
	S3.1.3 - New Newman Library	✓ $1,500,000				
S3.2 Continue to develop or advocate for new services or programs to meet unmet needs	S3.2.1 - Review feasibility of the Outback Trail Plan			✓ $20,000		
	S3.2.2 – Conduct Jacob's Ladder Feasibility Study				✓ $150,000	
	S3.2.3 – Implement a Local History Collection Project			✓ $75,000		

3.3. Key Result Area 3: Built Environment

The Shire will develop well-connected places and communities with safe roads, housing choice and well-maintained infrastructure to support an increasing population and economic growth.

Outcome: Connected and accessible communities

Objective B1: Optimise places to live, work and enjoy						
Strategy	*Supporting Projects*	*Year 1 19/20*	*Year 2 20/21*	*Year 3 21/22*	*Year 4 22/23*	*Ongoing Supporting Services*
B1.1 Improve local amenity	B1.1.1 – Town Centre Development Works		✓ $100,000			– Upgrade of Roads • Aboriginal Access • Rural Roads • Town Streets and Kerbing – Drainage Works – Footpath Works – Open Space Assets (Newman and Rural) – Streetscapes maintenance – Playground Upgrades – Public Toilets – Airport Services – Town Signs – Building Services (Approvals, Compliance, Policy and Education) – Procurement and Contract Management – Financial Services – Project Management – Lease, Property and Facility Management – Asset Management
	B1.1.2 – Public Amenity Upgrade Program	✓ $50,000	✓ $70,000	✓ $99,000	✓ $135,000	
B1.2 Provide and maintain open spaces for the community to recreate and connect	B1.2.1 – Desert Discovery Trail		✓ $1,000,000			
	B1.2.3– Capricorn Oval Capital Improvements – Grandstand Roof				✓ $625,000	
	B1.2.4 - Develop new Cape Keraudren Coastal Management Plan		✓ $25,000			
	B1.2.5 – Open Space improvement & renewal including WWTP distribution	✓ $190,000	✓ $290,000	✓ $840,000	✓ $140,000	
	B1.2.6 – Mountain Bike Trails		✓ $350,000			
B1.3 Maintain and facilitate community infrastructure and urban heritage, including roads and buildings	B1.3.1 – Newman Depot Redevelopment	✓ $50,000				
	B1.3.1 – Newman Depot Redevelopment	✓ $454,000	✓ $31,000	✓ $79,000	✓ $273,000	
	B1.3.3 – Newman Basketball Courts		✓ $300,000			
	B1.3.4 – Complete Airport Master Plan					
	B1.3.5 – Newman Airport Upgrades	✓ $4,442,700	✓ $8,896,900	✓ $7,367,000	✓ $3,233,300	
	B1.3.6 - Improve Sewerage Plant	✓ $630,000	✓ $300,000	✓ $630,000	✓ $300,000	
	B1.3.7 - Major Drainage Works Newman	✓ $950,000	✓ $700,000	✓ $200,000	✓ $200,000	
	B1.3.8 – Community Safety buildings Improvements and renewal		✓ $30,000	✓ $21,000	✓ $43,000	

	B1.3.9 - Update the Shire's Heritage Buildings List	✓				
	B1.3.10 - Continue to develop and implement Asset Management Plan	✓ $25,000	✓ $25,000			
	B1.3.11 – LIA Bypass Road	✓ $350,000	✓ $5,000,000	✓ $5,000,000	✓	
	B1.3.12 – Cape K Amenity Upgrades	✓ $180,000	✓ $150,000			
	B1.3.13 – Improve and renew Aboriginal Access, Rural and Town Roads & ancilliary road works	✓ $4,150,600	✓ $3,762,700	✓ $3,827,700	✓ $3,762,700	
	B1.3.14 – Build EPAC toilet and storage		✓ $650,000			
	B1.3.14 – Improve and renew other building assets	✓ $1,462,000	✓ $2,403,000	✓ $3,319,500	✓ $1,906,000	

Objective B2: Plan for the future						
Strategy	*Supporting Projects*	*Year 1 19/20*	*Year 2 20/21*	*Year 3 21/22*	*Year 4 21/23*	*Ongoing Supporting Services*
B2.1 Create liveable places through local area planning	B2.1.1 - Complete Review of Town Planning Scheme No.4	✓ $20,000				Strategic Land-Use Planning Development Services: – Planning – Building – Health *(Approval, compliance, policy and education)*
	B2.1.2 – Complete review of the Local Planning Strategy	✓				
B2.2 Facilitate the release of land for diverse and inclusive housing options, industrial and commercial use		✓	✓	✓	✓	

3.4. Key Result Area 4: Natural Environment

The Shire will effectively manage and maintain its iconic Pilbara environmental assets and biodiversity by reducing ecological footprints and developing clean, green towns.

Outcome: Valued iconic Pilbara environmental assets and biodiversity

Objective N1: Protect and sustain our natural resources						
Strategy	*Supporting Projects*	*Year 1 19/20*	*Year 2 20/21*	*Year 3 21/22*	*Year 4 22/23*	*Ongoing Supporting Services*
N1.1 Ensure efficient, effective and innovative waste services to reduce, reuse and recycle	N1.1.1 - Assess feasibility of local recycling facility	✓	✓	✓	✓	– Landfill Management – Waste Collection and Recycling – Waste Water Management – Energy and Biodiversity
	N1.1.3 – Transfer Stations			✓ $400,000	✓	
N1.2 Increase community awareness of appropriate water and energy use	N1.2.1 - Explore Alternative Power Strategy			✓	✓	
	N1.1.2 - Upgrade recycled water network in Newman	✓	✓	✓	✓	

Objective N2: Preserve the unique local ecological biodiversity and ecosystems						
Strategy	*Supporting Projects*	*Year 1 19/20*	*Year 2 20/21*	*Year 3 21/22*	*Year 4 21/22*	*Ongoing Supporting Services*
N2.1 Conserve natural vegetation, green spaces and bushland		✓	✓	✓	✓	– Landfill Management – Waste Collection and Recycling – Waste Water Management – Energy and Biodiversity – Stakeholder Management
N2.2 Lobby for the protection of environmental assets and sites of indigenous significance		✓	✓	✓	✓	

3.5. Key Result Area 5: Governance

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.

Outcome: Demonstrated accountability and corporate governance

Objective G1.1: Provide efficient, accountable and ethical governance						
Strategy	*Supporting Projects*	*Year 1 19/20*	*Year 2 20/21*	*Year 3 21/22*	*Year 4 22/23*	*Ongoing Supporting Services*
G1.1 Enhance governance capability to deliver sustainable outcomes	G1.1.1 - Develop Information Technology Strategic Plan		✓ $50,000			– Corporate Governance – Councillor Support – Land Use Strategy – Information Communication and Technology – Risk Management – Integrated Planning and reporting – Financial Services – Asset Management – Records Management – Customer Service – Marketing, Media and Publications – Stakeholder Management – Rates and Valuations – Payroll – Human Resources Management: • Staff Development and Training • Staff Wellbeing Plan – Staff Housing – Occupational Safety and Health
	G1.1.2 – Conduct Risk Workshops			✓ $20,000		
	G1.1.3 – Develop & Update Strategic Documents	✓ $50,000	✓ $50,000	✓ $60,000	✓ $50,000	
G1.2 Strengthen customer service	G1.2.1 - Develop Community Engagement Strategy & Conduct Annual Surveys	✓ $40,000	✓ $35,000	✓ $40,000		
	G1.2.2 - Website and Intranet Upgrade	✓ $20,000				
	G1.2.3 - Newman Office Improvements		✓ $750,000	✓ $750,000		
G1.3 Provide a great place to work	G1.3.1 – Purchase of necessary plant and equipment	✓ $2,145,000	✓ $2,197,000	✓ $1,954,000	✓ 2,147,000	
	G1.3.2 – Cultural Awareness training	✓ $20,000	✓ $20,000	✓ $20,000	✓ $20,000	

Objective G2: Strong Shire identity and regional capacity						
Strategy	*Supporting Projects*	*Year 1 19/20*	*Year 2 20/21*	*Year 3 21/22*	*Year 4 22/23*	*Ongoing Supporting Services*
G2.1 Increase the Shire's identity and profile through communication, partnerships and lobbying/ advocacy	G2.1.1 - Create and Implement new branding for the Shire	✓	✓	✓	✓	– Customer Service – Marketing, Media and Publications – Stakeholder Management – Information Communication and Technology – Community Development – Economic Services – Tourism Development Services – Tourism service and product research – Community Event Services – Martumili Gallery and Artist Services
	G2.1.2 – Undertake lobbying / advocacy as appropriate	✓ $50,000	✓ $50,000	✓ $50,000	✓ $50,000	
G2.2 Preserve, enhance and celebrate the Shire's history and culture	G2.2 – Implement a local history collection project	✓	✓	✓ $75,000	✓	

4. Shire Services

The Shire resources both internal and external services to fulfill its various roles and responsibilities and to deliver on the strategies and outcomes in its Strategic Community Plan. The following section provides a brief description of the core services, and their FTE resources.

Commercial Services Directorate		
Business Unit	**Service Profile:**	**FTE's**
Airport Services	Airport Asset Management	4.23
	Airport Services	5.18
Development Services	Health (Approvals, Compliance, Policy and Education)	2.55
	Building (Approvals, Compliance, Policy and Education)	0.80
	Planning (Approvals, Compliance, Policy and Education)	0.80
Procurement and Contracts	Procurement	0.85
	Management of Contracts, Leases & MOU's	1.25
Corporate Services Directorate		
Business Unit	**Service Profile:**	**FTE's**
Financial Services	Financial Services	6.01
	Records Management	1.19
	Rates and Valuations	1.19
	Payroll	0.95
Human Resources	Human Resource Management	2.80
	Occupational Health and Safety	1.17
Information Communication and Technology	Information Communication and Technology	1.10
Strategic and Business Planning	Risk Management and IPR	0.30
	Economic Development	2.1
Martumili Artists	Gallery & Exhibition Services	3.25
	Development of Martu Art	2.50

Customer and Community Services Directorate		
Business Unit	**Service Profile:**	**FTE's**
Community Safety	Ranger Services	4.20
	Emergency Management	1.00
	Surveillance and Security	1.00
Community Development	Place Based Com Dev - Newman	2.54
	Library Services	0.76
	Place Based Com Dev - Rural	4.65
	Youth and Family Services	3.20
Customer and Stakeholder Services	Customer Service	3.29
	Marketing, Media and Publications	0.75
	Stakeholder Management	0.90
Recreation and Events	Club Development	0.70
	Events	1.90
	Recreation and Fitness Centres	5.19
	Aquatic Centres	6.35
Executive Services Directorate		
Business Unit	**Service Profile:**	**FTE's**
Governance	Corporate Governance	1.50
	Councillor Support	1.80
	Land Strategy	0.70
Infrastructure Services Directorate		
Business Unit	**Service Profile:**	**FTE's**
Infrastructure Services	Open Space Assets - Newman	6.71
	Transport Assets - Newman	5.12
	Open Space Assets - Rural	3.79
	Transport Assets - Rural	10.14
Natural Resource Management	Landfill Management	1.76
	Waste Collection and Recycling	2.48
	Waste Water Management	1.72
	Energy and Biodiversity	0
Property Management	Built Infrastructure Assets - Newman	1.90
	Built Infrastructure Assets - Rural	1.21
Project Management	Project Management	1.71
	Asset Management	1.46

5 Resourcing the Plan

5.1 Action Plan Budget Summary

The table below summarises the indicative financial position for the four years of the Corporate Business Plan, 2019/20 to 2022/23

	2019/20	2020/21	2021/22	2022/23
Operating Revenue				
Rates	12,310,000	12,556,200	12,807,300	13,063,400
Operating Grants	9,750,000	9,993,800	10,243,600	10,499,700
Fees and Charges	17,883,000	18,330,100	18,788,400	19,258,100
Other	4,720,000	4,956,000	5,005,600	6,507,300
TOTAL	44,663,000	45,836,100	46,844,900	49,328,500
Operating Expenditure				
Employee Costs	(13,000,000)	(13,325,000)	(13,658,100)	(13,999,600)
Materials and Contracts	(13,560,000)	(13,879,000)	(14,226,000)	(14,546,700)
Depreciation	(16,500,000)	(16,750,000)	(16,800,000)	(16,850,000)
Other	(3,200,000)	(3,264,000)	(3,329,300)	(3,395,900)
TOTAL	(46,260,000)	(47,218,000)	(48,013,400)	(48,792,200)
Non-Cash Adjustments	16,500,000	16,750,000	16,800,000	16,850,000
Capital Expenditure & Revenue				
Capital Expenditure	(23,960,200)	(25,416,700)	(11,723,200)	(14,332,000)
Repayment of Loans	(690,800)	(670,900)	(557,800)	(529,100)
New Loan Borrowings	3,750,000	1,550,000	-	-
External Grant Funding	8,150,700	13,210,700	3,230,700	3,130,700
Other - Including Reserves	(1,806,000)	(3,669,000)	(6,393,000)	(5,639,000)
TOTAL	(14,556,300)	(14,995,900)	(15,443,300)	(17,369,400)
Estimated Surplus (Deficit) B'fwd	75,900	346,700	372,200	188,200
Estimated Closing Position	346,700	372,200	188,200	16,900

5.2 Asset Management Planning

The Shire's Asset Management Strategy 2017, provides strategic direction and drive in the development of Asset Management Plans.

The Shire currently owns a substantial asset portfolio and is responsible for:

- Funding the operation and maintenance of the asset; and
- Ensuring the asset is kept at a standard that meets the expected levels of service, safety and amenity requirements.

For the Shire to be able to continue maintaining the existing asset portfolio to the current levels of service, and also meet future expected demands, it will need to understand the estimated costs

required to operate and maintain the current asset portfolio. Competing demands can place constraints on the funding available to undertake this work.

Identifying the current status of the asset portfolio, as well as the expected future requirements can provide the Shire with sufficient information to undertake forward planning works. The development and implementation of work schedules, capital / renewal and replacement work programs will provide the Shire with indicative cost estimates which can be fed into the long term financial plan, corporate business plan, and annual budget; in turn, this will provide the Shire with an overview of possible funding gaps, and identify strategies and actions to address any funding shortfalls.

5.3 Workforce Planning

The Shire has completed a Work Force Plan that identifies and makes recommendations on any weaknesses and threats that are evident in the Shire's organisational structure.

Only minimal growth of less than 2% was noted between the actual employee cost in the 2017/2018 and 2018/2019 budget. It is anticipated that there will be an increase in employee costs for the 2019/20 budget compared to the 2018/2019 budget. This is because of the two new Executive Manager positions along with the establishment of other Management and support roles across the organisation. The addition of these new positions will assist in the implementation of the Corporate Business Plan including the completion of the Council's Capital Program.

The Shire of East Pilbara's Annual Report 2017/2018 confirms that total employee cost contributed approximately 25% of overall expenses in this period and the 2018/2019 budget predicts that total employee costs will remain at a similar level.

5.4 Long Term Financial Planning

The Shire is in the process of reviewing its Long Term Financial Plan. This reviewed document will again help inform an updated Corporate Business Plan through:

- Long Term Financial Plan activities being incorporated into the Corporate Business Plan
- References to the Shire's Forward Capital Works Plan in alignment with initiatives outlined in the Asset Management Plan

The Long Term Financial Plan enables the Shire to set priorities, based on its resourcing capabilities, for the delivery of short, medium and long term community priorities. Mitigating actions to key issues outlined in the Long Term Financial Plan will be factored into the Corporate Business Plan to ensure that the Shire has an action plan to resolve these issues and ensure financial sustainability is achieved in the future.

Examples of key Capital Works projects outlined in the Corporate Business Plan also incorporated in the Long Term Financial Plan include:

- New Newman Library
- New Newman Youth Centre
- Capricorn Oval Capital Improvements

Recommendations from the Shire's Asset Management Plan have been incorporated into the Long Term Financial Plan, through the inclusion of annual upgrade, renewal and operating expenditures for

each of the Shire's asset classes, ensuring the ongoing sustainability of the Shire's asset base is integrated with the financial planning of the organisation.

Global assumptions surrounding the ongoing annual increases in revenue and expenditure items, for example rates, fees and charges, operating grants, interest rates and employee costs have all been set by the Shire.

For more information on the findings, refer to the Shire of East Pilbara Long Term Financial Plan – Summary Analysis document, available on the Shire's website.

6. Key Stakeholders and Partners

Key Stakeholders	Economic	Social	Built Environment	Natural Environment
LOCAL COMMUNITY AND STAKEHOLDERS				
Residents and Ratepayers	*	*	*	*
Aged Care Sector	*	*	*	*
Children, Youth and Family Services Sector		*		
Indigenous Services Sector	*	*	*	*
Education & VET Sector	*	*		
Health Sector		*		
Faith Based Services Sector		*		
Legal Services Sector	*	*	*	*
Tourism Services Sector	*	*	*	*
LOCAL BUSINESS/INTEREST GROUP ASSOCIATIONS				
Newman Chamber of Commerce and Industry	*	*	*	*
Newman Reference Group				
Newman Early Years Network		*		
East Pilbara Interagency	*	*	*	*
BHP	*	*	*	*
Rio Tinto	*	*	*	*
Fortescue Metals Group	*	*	*	*
Newman Visitors Centre	*	*		*
INDUSTRY ASSOCIATIONS				
SDERA Educating for Smarter Choices		*		
Tourism Council of WA	*	*	*	*
Volunteering WA	*	*		
West Australian Council of Social Service		*		
Western Australian Local Government Association	*	*	*	*
Local Government Professionals WA	*	*	*	*
Public Libraries WA		*		
Youth Affairs Council of Western Australia (YACWA)		*		
LOCAL AND REGIONAL GOVERNMENT AGENCIES				
Pilbara Development Commission	*		*	
Neighbouring Shires				
Regional Development Australia - Pilbara	*		*	
STATE GOVERNMENT AGENCIES				
Department of Communities		*		
Department of Education	*	*		
Department of Health		*		

Department of Justice		*		
Department of Local Government, Sport and Cultural Industries		*		
Department of Planning, Lands and Heritage		*	*	*
Department of Transport	*	*	*	*
Public Transport Authority	*	*	*	*
Road Safety Commission			*	
State Library of Western Australia		*		
Water Corporation of Western Australia			*	*
Western Australia Police		*		
FEDERAL GOVERNMENT AGENCIES				
Department of Communications and the Arts		*		
Department of Health		*		
Department of Infrastructure and Regional Development			*	
Department of the Prime Minister and Cabinet				

7. Measuring and Reporting our Progress

The Shire of East Pilbara is committed to delivering on our Strategic Objectives. Because the Corporate Business Plan is integrated with and delivers on the Strategic Community Plan, monitoring and reporting of outcome performance through the strategic key performance indicators is important in determining the effectiveness of the Shire's services and projects.

Each year, Operational and Service Plans are developed which clearly allocate responsibilities, timeframes and resources for implementation of prioritised actions and projects. The implementation of the Corporate Business Plan is monitored monthly and reported corporately on a quarterly basis through progress of action and project delivery against targets and year to date expenditure against budget. Directors and Managers track performance data and the progress of services and projects, and take corrective or preventive action if required.

Community satisfaction of Shire services is captured in various ways, including:

- The annual Community Satisfaction Survey
- Evaluation forms and reviews of individual programs and events to determine community participation and satisfaction levels.
- Various Community Needs Analysis
- Monitoring usage of community facilities, ovals and reserves
- Ongoing Community Consultation via Social Media

Progress is regularly reported to Council and the Community via:

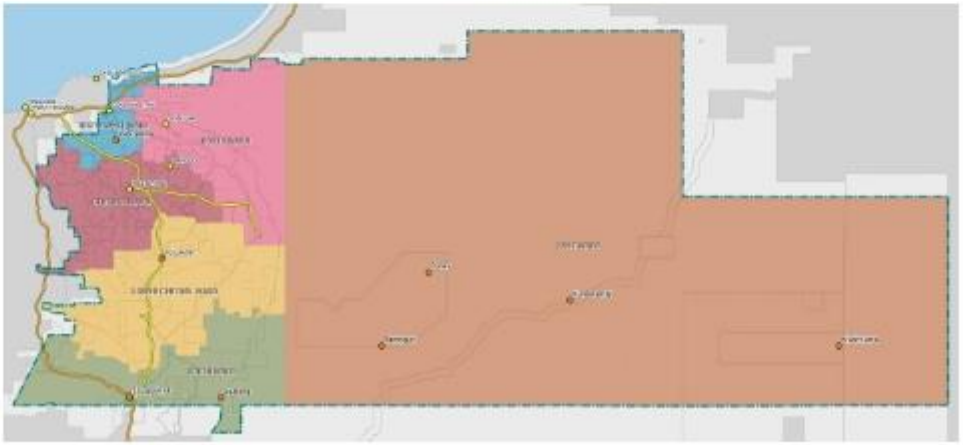
- Quarterly Council Report Progress achieved against each Strategy in the Corporate Business Plan.
- Shire of East Pilbara Annual Report
- Compliance Audits
- Risk Management Profile
- Monthly Reporting on Financials including -
    - Financial Ratio Benchmarked
    - Asset Ratio Benchmarked
    - Capital projects progress
-

All elements of the Corporate Business Plan will be reviewed and amended as required each year, prior to the annual budget process. This enables the corresponding year of the Corporate Business Plan and Long Term Financial Plan to accurately inform the annual budget. The Corporate Business Plan will also be informed by the periodic review of the Strategic Community Plan, the Workforce Plan, Asset Management Plans and the other linked plans and strategies of the Shire.

The Shire of East Pilbara has also instigated organisation wide Service Reviews, which will examine the relevance, need, efficiency and effectiveness of the Town's service delivery and enable informed decisions to ensure the best possible outcomes for our community.

SHIRE OF EAST PILBARA COUNCILLORS

Councillors	Ward	Contact
Lynne Craigie *Shire President*	South Ward	**Mob:** 0407 985 058 President@eastpilbara.wa.gov.au
Vacant	South Ward	
Langtree (Lang) Coppin	North Ward	**Mob:** 0429 956 692 **Fax:** (08)9176 4801 **l.coppin@eastpilbara.wa.gov.au**
Anita Grace	South Ward	**Mob:** 0417 979 302 **a.grace@eastpilbara.wa.gov.au**
Geraldine Parsons	South Ward	**Tel:** (08) 9175 5330 **Mob:** 0429 011 170 **g.parsons@eastpilbara.wa.gov.au**
Vacant	South Ward	
Anthony Middelton	South Ward	**Tel:** (08) 9177 8616 **a.middleton@eastpilbara.wa.gov.au**
Dean Hatwell	Central Ward	**Mob:** 0439 568 118 **d.hatwell@eastpilbara.wa.gov.au**
Biddy Schill	Lower Central Ward	**b.schill@eastpilbara.wa.gov.au**
Michael Kitchin	North West Ward	**Tel:** (08) 9383 4911 **Mob:** 0484 350 879 **M.Kitchin@eastpilbara.wa.gov.au**
Carol Williams	East Ward	**Mob:** 0477 830 951 Parnngurr Community 9176 9009 **c.williams@eastpilbara.wa.gov.au**



10.2.4 CORPORATE BUSINESS PLAN UPDATE

File No:	**STR-3-1**
Attachments:	**Appendix 1 – Corporate Business Plan June 2019**
Responsible Officer:	**Ms Sian Appleton Executive Manager Corporate Services**
Author:	**Ms Sian Appleton Executive Manager Corporate Services**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

1:30PM Cr Carol Williams left the Chambers

REPORT PURPOSE

For Council to review and accept the Corporate Business Plan Update to the 30 June 2019.

BACKGROUND

On the 23rd November 2018 Council resolved to accept the 2018-22 Corporate Business Plan – Resolution 201819/80. The Corporate Business Plan supplements the Strategic Community Plan (SCP) by identifying and prioritising the principal strategies and activities the council will undertake in response to the aspirations and objectives stated in the SCP.

COMMENTS/OPTIONS/DISCUSSIONS

The attached report shows the progress on the actions within the Corporate Business Plan 2018/2022

Appendix 1 refers to the Corporate Business Plan

- 86.7% of projects are on target.
- 0.0% of projects are currently behind target levels and are being monitored.
- 6.7% of projects are currently at risk of falling behind and are being monitored.
- 6.7% of projects have currently not been reported on.

STATUTORY IMPLICATIONS/REQUIREMENTS

LOCAL GOVERNMENT (ADMINISTRATION) REGULATIONS 1996
19DA .Corporate business plans, requirements for (Act s. 5.56)

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.1 Enhance governance capability to deliver sustainable outcomes, roads and buildings

RISK MANAGEMENT CONSIDERATIONS

Legislative - Low

FINANCIAL IMPLICATIONS

Within budget allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/167

MOVED: Cr Michael Kitchin **SECONDED: Cr Bridget Schill**

That Council review and accept the Corporate Business Plan Update to the 30 June 2019.

CARRIED UNANIMOUSLY

RECORD OF VOTE: 7-0

To be actioned by Ms Sian Appleton, Executive Manager of Corporate Services

Appendix 1
Corporate Business Plan - June 2019

Shire of EAST Pilbara
AUSTRALIA'S LARGEST SHIRE

Shire of East Pilbara

PREMIUM Action and Task Progress Report

July 2018 - June 2019

Report Filters:
Date From :01-07-2018
Date To :30-06-2019
Display Task : No
Action Filter :Show All

interplan





15 Actions reported on
13 At least 90% of action target achieved
1 Between 70 and 90% of action target achieved
0 Less than 70% of action target achieved
1 Actions with no target set

Commercial Services

Development Services

STRATEGY: **2.1.1 Support healthy and safe lifestyle choices**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
2.1.1.11 CBP - Implement the Public Health Plan WITHIN SERVICE DELIVERY	Edmore Masaka - Development Services - Health	Not Started	2/07/2018	31/12/2021	0%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
18.1 Health (Approvals, Compliance, Policy and Education)	Operating	$0	$0	$0	$0

ACTION PROGRESS COMMENTS

Framework for the development of Public Health Plan 2.0 completed on 18/5/2019 with partnership with the WACHS Public Health unit having been initiated on 19/05/2019.
Engagement of a consultant Health Promotion Officer do drive the development of the Public Health Plan 2.0 being evaluated

Last Updated - 18/06/2019

Corporate Services

Strategic and Business Planning

STRATEGY: **1.1.1 Actively support local businesses**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
1.1.1.1 CBP - Review and update Economic Development and Tourism Strategy	Sian Appleton - Executive Manager - Corporate Services	Not Started	2/07/2018	31/03/2022	0%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
2.2 Economic Development	New Operating Initiative – One Off	$0	$0	$0	$0

ACTION PROGRESS COMMENTS
Currently programmed for 2020/21 financial year.
Last Updated - 18/06/2019

STRATEGY: **1.2.1 Explore partnership opportunities to promote the region**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
1.2.1.1 CBP - Plan for the development of a caravan park in Newman and/or short term accommodation	Sian Appleton - Executive Manager - Corporate Services	Not Started	2/07/2018	30/06/2021	0%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
2.2 Economic Development	New Operating Initiative – One Off	$0	$0	$0	$0

ACTION PROGRESS COMMENTS
Currently programmed for 2020/21 financial year
Last Updated - 18/06/2019

Customer and Community Services

Community Safety

STRATEGY: **4.2.1 Conserve natural vegetation, green spaces and bushland**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
4.2.1.1 CBP - Develop Cape Keraudren Coastal Management Plan	Brent Stein - Manager Community Safety	Not Started	2/07/2018	30/06/2021	0%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
12.1 Ranger Services	New Operating Initiative – One Off	$0	$0	$0	$0

ACTION PROGRESS COMMENTS

Currently programmed for 2020/21 financial year
At the Council meeting of 27 September 2013 Council accepted the 'Cape Keraudren Recreation Management Plan'. Recommendations within the plan have been carried out by the Community Safety Department and Assets Department. Within that plan, the management options recommended to the Shire were as follows:

- Option 1 – Leave Things as They Are
- Option 2 - Increasing Revenue towards cost recovery by Camping Fee
- Option 3 - Increase Revenue by Increasing Visitation and Reasonable Camping Fee Increases
- Option 4 – Reduce Expenditure

Since 2013, the Shire of East Pilbara has made minor modifications/improvements to Cape Keraudren. The most major improvements being a new residence for the Cape Keraudren Park Ranger and replacing the public toilet blocks.

Between 2013 and 2019, no fees have increased and vehicle entry fees have decreased, yet revenue increased from $ 119,281.46 in 2016/17 to $155,313.91 in 2017/18. This has mainly been as a result of the decrease in entry fees, an increase in advertisement along with a high level of Park Ranger/ Tourist interaction.

$60,000 was set aside in the 2017/18 budget for the Cape Keraudren Management Plan to be reviewed and renewed and a scope of works and requirements was created by the Manager Community Safety for the 2018/19 financial year, however the previous Director Technical and Development Services did not allocate any funds in the 2018/19 financial year for the Cape Keraudren Management Plan. Funds are still available within the Cape Keraudren Function however, Council approval will need to be sought for the Shire of East Pilbara to appoint a suitably qualified and experienced Contractor who has demonstrated experience in the delivery of quality outcomes in master planning of Nature Based Reserves and an understanding of the uniqueness and remoteness of the Pilbara. The intent is to deliver a review on existing operations and provide Council with advice on the future management operations, and options for the Cape Keraudren Nature Based Reserve taking into account the feasibility of the reserve and the financial and tourist potential, while maintaining parallel diversity in environmental protection, as we move into the future. The current plan must be updated and simplified as many of the recommendations are unrealistic due to the remote location.

The Plan in 2013 was created whilst the Cape Keraudren Portfolio was under different management. Looking forward into the 2019/2020 Financial Year, the only capital works required at Cape Keraudren would be upgrades to the boat ramp (including solar lighting), Gas BBQ's and a bore water line to the tourist area so visitors have access to running water (non potable). Discussions a reverse osmosis plant have been discussed, however due to the remote location of Cape Keraudren, maintenance of the infrastructure would not be cost effective as tourists only attend the nature based reserve for approximately 70% of a calendar year.

Last Updated - 18/06/2019

Community Wellbeing

STRATEGY: **2.1.2 Support local sporting clubs and community organisations**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
2.1.2.1 CBP - Explore feasibility of Upgrade to Newman Youth Centre	Philip Parsonson - Manager Community Wellbeing	Not Started	2/07/2018	30/06/2021	0%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
13.4 Youth and Family Services	Operating				

ACTION PROGRESS COMMENTS

Currently programmed for 2019/20 financial year.

Last Updated - 18/06/2019

STRATEGY: **5.2.2 Preserve, enhance and celebrate the Shire's history and culture**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
5.2.2.1 CBP - Implement a local history collection project	Philip Parsonson - Manager Community Wellbeing	In Progress	6/09/2018	30/06/2019	80%	100%	YELLOW

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
13.2 Library Services	Operating				

ACTION PROGRESS COMMENTS

15/06/2019Works undertaken by employee. History collection meetings held. Information collected and collated.
Final reporting and presentation underway.

Last Updated - 18/06/2019

Customer and Stakeholder Services

STRATEGY: **2.3.1 Facilitate services for families and children, youth and aged**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
2.3.1.1 CBP - Develop Community Engagement Strategy BUDGET WITHIN SERVICE DELIVERY	Lisa Clack - Executive Manager - Customer and Community Services	Not Started	2/07/2018	30/06/2020	0%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
14.3 Stakeholder Management - Collective Impact	Operating	$0	$0	$0	$0

ACTION PROGRESS COMMENTS
Currently programmed for 2019/20 financial year
Last Updated - 18/06/2019

STRATEGY: **5.1.2 Strengthen customer service**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
5.1.2.1 CBP - Develop Shire Intranet and Update Shire Website	Lisa Clack - Executive Manager - Customer and Community Services	In Progress	6/09/2018	30/06/2020	10%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
14.2 Marketing, Media and Publications	Operating	$20,000	$0	$0	$0

ACTION PROGRESS COMMENTS
Scope under development and funding in draft 2019/20 budget
Last Updated - 18/06/2019

STRATEGY: **5.2.1 Increase the Shire's identity and profile through communication, partnerships and lobbying / advocacy**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
5.2.1.1 CBP - Create and implement new branding for the Shire BUDGET WITHIN SERVICE DELIVERY	Lisa Clack - Executive Manager - Customer and Community Services	In Progress	6/09/2018	30/06/2022	10%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
14.2 Marketing, Media and Publications	Operating	$0	$0	$0	$0

ACTION PROGRESS COMMENTS
15/06/2019 Corporate branding and new styleguide underway.
Rebranding will be incorporated in Strategic Communication Plan which is currently under development.
Some new strategies already undertaken is the development of redesigned corporate documents and partnering with NCCI for the Business Excellence Awards .
Last Updated - 18/06/2019

Recreation and Events

STRATEGY: **1.2.3 Develop events relevant to the region to attract visitors**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
1.2.3.1 CBP - Develop a suite of events relevant to the regions WITHIN SERVICE DELIVERY	Simmone Van Buerle - Manager Recreation & Events	In Progress	1/01/2019	31/12/2021	30%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
15.2 Events	Operating				

ACTION PROGRESS COMMENTS

15/06/2019 - Events program delivery for 2019 event season is currently underway.
Further negotiation on the suite of events to be delivered over the next two years are advanced and the BHP partnership was considered at Council 's Special Countil Meeting on the 20th June 2019.

Last Updated - 18/06/2019

STRATEGY: **3.1.3 Maintain and facilitate community infrastructure and urban heritage, including roads and buildings**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
3.1.3.1 CBP - Review the feasibility of an Outback Trail	Simmone Van Buerle - Manager Recreation & Events	Not Started	7/01/2019	31/12/2021	0%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
15.3 Recreation and Fitness Centres	Operating	$0	$0	$0	$0

ACTION PROGRESS COMMENTS

Currently programmed for 2021/22 financial year

Last Updated - 18/06/2019

Executive Services

Governance

STRATEGY: **1.1.1 Actively support local businesses**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
1.1.1.2 CBP - Complete Review of Town Planning Scheme No 4.	Lisa Edwards - Manager Land Use and Strategy	Not Started	2/07/2018	30/06/2021	0%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
16.3 Strategy	New Operating Initiative – One Off	$0	$0	$0	$0

ACTION PROGRESS COMMENTS

Currently programmed for 2020/21 financial year

Last Updated - 18/06/2019

Infrastructure Services

Natural Resource Management

STRATEGY: **4.1.1 Ensure efficient, effective and innovative waste services to reduce, reuse and recycle**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
4.1.1.1 CBP - Assess feasibility of local recycling facility BUDGET WITHIN SERVICE DELIVERY	Edmore Masaka - Development Services - Health	Not Started	6/09/2018	31/12/2021	0%	0%	GREEN

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
21.2 Waste Collection and Recycling	Operating				

ACTION PROGRESS COMMENTS

This action is awaiting the commencement of the Manager of Waste currently being engaged by the Shire.

Last Updated - 18/06/2019

STRATEGY: **4.1.2 Increase community awareness of appropriate water and energy use**

Action	Responsibility	Action Status	Start Date	End Date	% Comp.	Target	% On Target
4.1.2.1 CBP - Explore alternative power strategy	Raees Rasool - Executive Manager Infrastructure Services	Ongoing	2/07/2018	31/03/2022		0%	

Service Profile	Budget Type	Budget	YTD Budget	YTD Actual	YTD Variance
21.3 Waste Water Management	Operating	$0	$0	$0	$0

ACTION PROGRESS COMMENTS

Currently programmed for 2021/22 financial year
16/05/2019 - The Shire has an ongoing housing strategy to renew and install solar panels on the roof tops of Shire owned houses. This significantly reduces our electricity and operating costs of owning housing.
Additionally, the state government through the EPA has released an environmental review document concerning a future project titled the "Asian Renewable Energy Hub". At a high level this includes constructing a large scale wind and solar renewable energy project situated on the north east Shire boundary. The onshore components of the proposal comprise a series of linear arrays of wind turbines and solar panels with a transmission cable corridor to the coast. The offshore components of the proposal comprises inert subsea power cables, with the current proposal only extending to the limit of state waters (Commonwealth waters and international permitting will be the subject of a separate assessment (see exec summary)
This $21B dollar project (see 2.2.5.1) is proposed to commence construction in 2024/25 with the project completed in 2035 (see 2.5). Due to the project size construction and installation is anticipated to take place over 10 years (see 2.6.13.1) with the total generation increasing over that time period.
The project would be councils best case for having access to an alternative power supply as is supported by the Pilbara Development Commission (see 2.2.3). Given the state government investment it would not be wise for council to consider further alternative power strategies beyond solar rooftop.
10/06/2019 - No further update

Last Updated - 18/06/2019

Project Management

STRATEGY: **5.1.1 Enhance governance capability to deliver sustainable outcomes**

Action	*Responsibility*	*Action Status*	*Start Date*	*End Date*	*% Comp.*	*Target*	*% On Target*
5.1.1.7 CBP - Continue to develop and implement Asset Management Plan	Raees Rasool - Executive Manager Infrastructure Services	In Progress	2/07/2018	30/06/2021	10%	0%	GREEN

Service Profile	*Budget Type*	*Budget*	*YTD Budget*	*YTD Actual*	*YTD Variance*
11.2 Asset Management	Operating	$0	$0	$0	$0

ACTION PROGRESS COMMENTS

Ongoing project.

Last Updated - 18/06/2019

10.2.5 DIFFERENTIAL RATE SUBMISSION 2019/20

File No:	**FIN-22-1**
Attachments:	**Appendix 1 – Differential Rates 2019**
Responsible Officer:	**Ms Sian Appleton** **Executive Manager Corporate Services**
Author:	**Ms Sian Appleton** **Executive Manager Corporate Services**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

For Council to consider all differential rate submissions and approve final rates for the 2019/20 budget.

BACKGROUND

At the 24th May 2019 Council resolved to advertise the following proposed differential rates for the 2019/2020 financial year.

Category	2018-19 Rate in Dollar Proposed	2019-20 Minimum
Gross Rental Value	0.073662	$663
Unimproved Value – Pastoral/Other	0.085900	$230
Unimproved Value – Mining Leases	0.171800	$430

Council sought to achieve a uniform GRV rate in the dollar ($). This rate has been set at the same level as the last years GRV general rate in the $ of 0.073662 with a minimum as per last year at $663.00. Similarly, the UV mining rate in the $ 0.1718 has been maintained from last year whilst UV pastoral/other has been increased to 50% of the UV mining rate at 0.08590.

The proposed rates in the dollar attempts to balance the need for revenue to fund essential services and capital, with the desire to minimise the impact that rates have on ratepayers. The proposed rates in the dollar will generate sufficient funds to continue to provide services and facilities at the current level and also allow for necessary renewal of assets where possible. Limited new services and infrastructure, in line with the Community Strategic Plan, have also been considered and provided where possible.

Revaluations of properties within the Shire of East Pilbara, particularly Newman, have produced significant fluctuations over the years. Council's rating strategy has tried to minimise major changes in rates and therefore reduce the impact of these revaluations.

COMMENTS/OPTIONS/DISCUSSIONS

Gross Rental Value (GRV)

No submissions were received regarding the proposed rate in the dollar for the GRV rating category. There is nothing further to consider for this category prior to applying for Ministerial approval of the rate in the dollar.

Unimproved Value (UV)

One submission was received regarding the proposed rate in the dollar for the UV rating category and is **attached**.

The submission requests Council consider not increasing the minimum rate for mining tenements.

"Effective from 1 July 2018, the Department increased the rent rate by 1.5% for exploration licences and 6% for all other mining tenements. From 1 July 2019, the Department will increase exploration licence rents by a further 1.5% and the rent of all other mining tenements by a further 6%.

We recognise and commend the decision not to propose an increase to the rate in dollar for UV Mining Leases. We note the Shire has however proposed an increase to the minimum. We therefore write to draw attention to the automatic increase in rates due to the increase in rents so that this may be taken into account in your budget modelling, and ask that you consider maintaining or reducing the minimum for the 2019-20 year."

In comparison minimum mining rates for the three other Pilbara Councils is as follow –

Karratha - $325.00, Ashburton - $1,262.50 and Port Hedland - $200.

General 2018/19 Comparison Rate in the Dollar for other Pilbara and Kimberley Councils

Council	Ashburton	Karratha	Port Hedland	Derby/ WK	Wiluna
Residential	0.100357	0.11544	0.093936	0.126494	0.098335
Transient WF	-	0.388050	0.326058	-	0.194436
Pastoral	0.060976	-	0.107558	1.064434	0.132539
Mining	0.372215	0.136414	0.208799	0.268233	0.206101

STATUTORY IMPLICATIONS/REQUIREMENTS

Part 6 - Financial management (Division 6 - Rates and service charges) (Subdivision 2 - Categories of rates and service) 6.33. Differential general rates (pg 235) makes provision for the application of differential rates and that Ministerial approval is required to impose a differential rate which is more than twice the lowest differential rate.
Part 6 - Financial management (Division 6 - Rates and service charges) (Subdivision 2 - Categories of rates and service) 6.35. Minimum payment (pg 236)

Part 6 - Financial management (Division 6 - Rates and service charges) (Subdivision 2 - Categories of rates and service) 6.36. Local government to give notice of certain rates (pg 237) makes provision for the advertising requirements of imposing differential rates.
Part 6 - Financial management (Division 6 - Rates and service charges) (Subdivision 2 - Categories of rates and service) 6.7. Ground of Objection (pg 266) provides that if a local government imposes a differential general rate a person may object to the rate record.

POLICY IMPLICATIONS

Nil

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.1 Enhance governance capability to deliver sustainable outcomes, roads and buildings

RISK MANAGEMENT CONSIDERATIONS

Financial - High

FINANCIAL IMPLICATIONS

There are no current resources allocated, this will need to be considered as part of next budgetary process.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/168

MOVED: Cr Anita Grace SECONDED: Cr Anthony Middleton

THAT Council having considered submissions regarding the advertised 2018/19 Differential Rates Model, pursuant to Section 6.33 of the Local Government Act 1995:

1. **Note that one submission was received regarding the proposed differential rates model 2019/2020;**
2. **Approve the following rate in the dollar for the 19/20 financial year**

Category	2018-19 Rate in Dollar Proposed	2019-20 Minimum
Gross Rental Value	0.073662	$663
Unimproved Value – Pastoral/Other	0.085900	$230
Unimproved Value – Mining Leases	0.171800	$430

3. **Respond to the submitter regarding the decision of Council regarding their submission.**

CARRIED UNANIMOUSLY

RECORD OF VOTE: 7-0

To be actioned by Ms Sian Appleton, Executive Manager of Corporate Services

Appendix 1
Differential Rates 2019

McMAHON MINING TITLE SERVICES PTY LTD

5 June 2019

Mr Jeremy Edwards
Chief Executive Officer
Shire of East Pilbara
PMB 22, NEWMAN WA 6753

By email to: ceo@eastpilbara.wa.gov.au

Dear Sir

SUBMISSION - DIFFERENTIAL RATING 2019/20

Thank you for the opportunity to make a submission regarding the proposed rates for 2019-20.

We note that valuations provided by the Valuer General are used in calculating mining tenement rates, and these valuations are based on the rent imposed by the Department of Mines, Industry Regulation and Safety. Any increases in the rent therefore result in an increase in valuations and in turn an automatic increase in rates.

Effective from 1 July 2018, the Department increased the rent rate by 1.5% for exploration licences and 6% for all other mining tenements. From 1 July 2019, the Department will increase exploration licence rents by a further 1.5% and the rent of all other mining tenements by a further 6%.

We recognise and commend the decision not to propose an increase to the rate in dollar for UV Mining Leases. We note the Shire has however proposed an increase to the minimum. We therefore write to draw attention to the automatic increase in rates due to the increase in rents so that this may be taken into account in your budget modelling, and ask that you consider maintaining or reducing the minimum for the 2019-20 year.

The resource sector is already one of the most significant contributors to the State's economy, with the WA Government receiving royalty revenue totalling $5.8 billion in 2017–18 – a major proportion of the State's annual revenue. It is also one of the most significant employers in the State, with the WA minerals sector directly employing over 120,000 people in 2018.

To encourage the continued contributions made by the resources sector to the State economy it is critical that all government fees are set so as to reduce the cost of doing business in the State in the face of significant international competition wherever possible, and increase and incentivise investment in local exploration to discover vital new resources which benefit the whole of the State.

I would be happy to discuss this matter further on (08) 6467 7997.

Yours sincerely

Shannon McMahon
Director

28/166 Guildford Rd
Maylands WA 6051

PO Box 592
Maylands WA 6931

(08) 6467 7997
mmts@mmts.net.au

www.mmts.net.au

10.2.6 CREDITORS FOR PAYMENT

File No:	**FIN10-2**
Attachment:	**Appendix 1 – Schedule of Accounts EFT** **Appendix 2 – Schedule of Accounts MasterCard** **Appendix 3 – Schedule of Accounts Cheque** **Appendix 4 – Schedule of Accounts – Directs**
Responsible Officer:	**Ms Sian Appleton** **Executive Manager Corporate Services**
Author:	**Ms Teresa Southwell** **Expenditure Finance Officer**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

1:34PM Cr Carol Williams returned to the Chambers

REPORT PURPOSE

Council endorsement of payment to creditors.

BACKGROUND

As per the attached appendix's, outlines payments made to Creditors since the Council meeting on the 24th May 2019.

COMMENTS/OPTIONS/DISCUSSIONS

FUND	**VOUCHER**	**AMOUNT**
EFT Payments	48867 – 49358	3664736.57
Mastercard Payments	TBA	4038.53
	Total	**$3,668,775.10**
Cheque Payments	24766 – 24781	10473.26
Direct Debit Payments	DD12756.1 – DD12812.1	106456.96
Manual Cheque Payments	313 - 314	817.00
	Total	**$117,747.22**
	GRAND TOTAL	**$3,786,522.32**

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 #48969

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

STRATEGIC COMMUNITY PLAN

Nil

RISK MANAGEMENT CONSIDERATIONS

Nil

FINANCIAL IMPLICATIONS

Total expenses of **$3,786,522.32**

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201919/169

MOVED: Cr Michael Kitchin **SECONDED: Cr Anita Grace**

THAT Council endorse the payments:

FUND	**VOUCHER**	**AMOUNT**
EFT Payments	48867 – 49358	3664736.57
Mastercard Payments	TBA	4038.53
	Total	**$3,668,775.10**
Cheque Payments	24766 – 24781	10473.26
Direct Debit Payments	DD12756.1 – DD12812.1	106456.96
Manual Cheque Payments	313 - 314	817.00
	Total	**$117,747.22**
	GRAND TOTAL	**$3,786,522.32**

CARRIED UNANIMOUSLY

To be actioned by Ms Teresa Southwell, Expenditure Finance Officer

Appendix 1
Schedule of Accounts EFT

SHIRE OF EAST PILBARA
EFT Payments

Chq/EFT	Date	Name	Description	Amount
EFT48867	10/05/2019	Peter Shea	Power reimbursement 12/02/19 - 10/04/19	-$1,215.05
EFT48868	16/05/2019	DEPARTMENT OF HEALTH WESTERN AUSTRALIA	Industrial Permit 18269 - Renewal Fee	-$125.00
EFT48869	16/05/2019	Department of Housing	Homeswest Fortnight PPE 05.05.19	-$200.00
EFT48870	16/05/2019	HORIZON POWER	Supply period 01.04.19 - 30.04.19	-$1,588.23
EFT48871	16/05/2019	BETTY WHYLOUTER	Artist payment # 5219	-$154.34
EFT48872	16/05/2019	BILLY ATKINS	Artist payment # 5225	-$200.00
EFT48873	16/05/2019	BUGAI WHYOULTER	Artist payment # 5223	-$1,032.40
EFT48874	16/05/2019	CORBAN CLAUSE WILLIAMS	Artist payment # 5233	-$250.00
EFT48875	16/05/2019	DOREEN CHAPMAN	Artist payment # 5213	-$300.00
EFT48876	16/05/2019	HELEN DALE SAMSON	Artist payment # 5233	-$652.30
EFT48877	16/05/2019	JAKAYU BILJABU	Artist payment # 5230	-$200.00
EFT48878	16/05/2019	JUDITH ANYA SAMSON	Artist payment # 5216	-$600.00
EFT48879	16/05/2019	KUMPAYA GIRGIRBA	Artist payment # 5227	-$1,000.00
EFT48880	16/05/2019	LUCELLE FRANCIS	Artist payment # 5220	-$292.50
EFT48881	16/05/2019	MARY ROWLANDS	Artist payment # 5226	-$1,292.25
EFT48882	16/05/2019	MULYATINGKI MARNEY	Artist payment # 5224	-$200.00
EFT48883	16/05/2019	89 ENTERPRISES	30 Homestead Ramble - Supply and install new roller door control - need 4 programmed remote controls for unit As per quote	-$1,650.00
EFT48884	16/05/2019	AIRPORT ALLIANCE	PAPI light system components	-$1,155.00
EFT48885	16/05/2019	ALL-RID PEST MANAGEMENT	Carry out mosquito control activities in Newman and Nullagine in accordance with the terms of contract TC2016495 (RTF07-2016/17) up to 30th June 2019	-$1,998.86
EFT48886	16/05/2019	Allied Pickfords (Rainmark Holdings)	Relocation expenses - Bunbury to Newman	-$5,149.10
EFT48887	16/05/2019	Australian Taxation Office (PAYG)	PAYG PPE 05.05.19	-$89,587.00
EFT48888	16/05/2019	BOC GASES	Boc statement to 29/03/19	-$521.10
EFT48889	16/05/2019	BUCHER MUNICIPAL PTY LTD	Supply new screen node and programming to suit 2015 UR-6 Rear Bin Loader.	-$1,839.64
EFT48890	16/05/2019	BUILDING COMMISSION	BSL Remittance - April 2019	-$1,485.07
EFT48891	16/05/2019	Blackwoods	Various items - open PO until 30APR19	-$231.08
EFT48892	16/05/2019	Brian Kane & Sheryl Skipworth	Refund of Duplicate payments of Tax Invoice 79069	-$109.22
EFT48893	16/05/2019	CHILD SUPPORT AGENCY	Payroll deductions	-$1,087.03
EFT48894	16/05/2019	CUSTOMER FIRST CONTRACTING PTY LTD	Various Residential Works	-$16,573.08
EFT48895	16/05/2019	Circuit West Inc	WA Showcase - Community Presenter Development Conference	-$462.00

EFT48896	16/05/2019	Coca-Cola Amatil (acct 1197342)	Kiosk Supplies	-$211.25
EFT48897	16/05/2019	Coca-Cola Amatil (acct 6745685)	Water for kiosk	-$165.00
EFT48898	16/05/2019	Continental Picture Framers	framing of artworks for Pujiman ART ON THE MOVE tour 16-17.09	-$400.00
EFT48899	16/05/2019	DESIGNA AUSTRALIA PTY LTD	Provision of Comprehensive Car Park Maintenance Services as per SOW for Financial Year 18/19	-$12,513.98
EFT48900	16/05/2019	Danielle Airton	Reimbursement for Police Certificate	-$54.30
EFT48901	16/05/2019	ENVIRONMENTAL INDUSTRIES	Various Works	-$1,601.05
EFT48902	16/05/2019	ESPRESSO ESSENTIAL WA	Office Supplies	-$548.97
EFT48903	16/05/2019	EVERARD LEGAL	18-19.05 travel for Governance trip Nullagine and Warralong	-$1,760.72
EFT48904	16/05/2019	FROGGY SERVICES	regular clean of staff house 1/11 moondoorow	-$165.00
EFT48905	16/05/2019	FULTON HOGAN INDUSTRIES PTY LTD	Supply and delivery to nominated transport depot of: 384 x 20kg bags of Ezstreet.	-$14,361.60
EFT48906	16/05/2019	GALJO PTY LTD T/A EAST PILBARA TYRE SERVICE	Supply 2 new tyres as required	-$484.00
EFT48907	16/05/2019	GALVINS PLUMBING SUPPLIES	Various plumbing components as required - Open PO until 31MAY19	-$156.09
EFT48908	16/05/2019	GARY EDWARDS PLUMBING & GAS	Marble Bar Civic Centre Please repair leaking water pipe above the Marble Bar Civic Centre Male Toilets	-$634.33
EFT48909	16/05/2019	Garret Hospitality Regional Hotels Pty Ltd t/s Ibis Styles Port Hedland	Please supply the following: 1 night accommodation	-$184.00
EFT48910	16/05/2019	Glenys Anne Price	Police Clearance Fee	-$54.30
EFT48911	16/05/2019	HARRIS TECHNOLOGY	HP Color LaserJet Pro MFP M181fw (T6B71A)	-$404.85
EFT48912	16/05/2019	JB HIFI SOLUTIONS	Go Pro's and accessories, Camera and accessories	-$1,678.00
EFT48913	16/05/2019	JMW Distributors	Newman Shire Office Please supply 2 only Entrance Lock Lever Set Master keyed to F Number Including Keying as per your quote 178 plus postage. Please ensure both of these locks are keyed alike.	-$93.50
EFT48914	16/05/2019	KMART AUSTRALIA LTD	Cordless Phone	-$53.50
EFT48915	16/05/2019	Kaitlyn Berry	Reimbursements for meals - Training in Tom Price	-$229.30
EFT48916	16/05/2019	Kate Grainger	Cancellation of Mums & Bubs due to low registrations (2)	-$90.00
EFT48917	16/05/2019	Kosmic Electronic Industries Pty Ltd	Music equipment for Youth Centre	-$577.00
EFT48918	16/05/2019	LANDGATE (DOLA)	Rural UV General Revaluation 2018/2019	-$1,452.30
EFT48919	16/05/2019	LEISURE INSTITUTE OF WA AQUATIC (INC.)	NW Regional LIWA Conference registration | Sasha Kovalenko	-$280.00
EFT48920	16/05/2019	LESMILLS AUSTRALIA	BODY PUMP	-$667.60
EFT48921	16/05/2019	Liquitek Pty Ltd	Equipment Storage and Supply and install clarifier	-$34,162.70
EFT48922	16/05/2019	MARBLE BAR TRAVELLERS REST	Groceries for stranded people - Cyclone - GST	-$86.15

EFT48923	16/05/2019	MEGAN ANNE LESLIE	Police Clearance Fee	-$54.95
EFT48924	16/05/2019	Marble Bar Community Resource Centre	ANZAC Day 2019 Advertising - Mirage - Marble Bar & Nullagine	-$140.00
EFT48925	16/05/2019	Marble Bar Electrical Service Pty Ltd	50 General Street - Electrical upgrade to compliance as per quote	-$5,745.38
EFT48926	16/05/2019	Marble Bar Tourist Association	3 Qtrs - 1, 2 and 3 for 18/19	-$22,500.00
EFT48927	16/05/2019	Moore Stephens	Financial reporting workshops	-$1,760.00
EFT48928	16/05/2019	NEWMAN CLEANING RESOURCES P/L	Cleaning Charges as per Contract	-$72,736.66
EFT48929	16/05/2019	NEWMAN HOME HARDWARE & ICE PLUS	Supply 2 x Large Tool Box	-$2,717.21
EFT48930	16/05/2019	NEWMAN NEIGHBOURHOOD CENTRE	Sewing Machine hire for workshops	-$165.00
EFT48931	16/05/2019	NULLAGINE HOTEL GENERAL STORE	March 2019 - Youth Program Nullagine Food and Consumables	-$121.94
EFT48932	16/05/2019	Nor-West Freight Services Pty Ltd	Freight from Fulton Hogan - 8 pallets Hot Mix	-$4,232.80
EFT48933	16/05/2019	North Regional Tafe	Electricity April 2019	-$1,863.52
EFT48934	16/05/2019	OFFICE LINE	Shire of East Pilbara - Furniture	-$429.00
EFT48935	16/05/2019	PARDOO ROADHOUSE & TAVERN	Cape Keraudren trip new housing inspection Fuel	-$181.43
EFT48936	16/05/2019	PAYWISE PTY LTD	Salary Sacrifice Payroll Deduction PPE 05.05.19 - GST Free	-$859.48
EFT48937	16/05/2019	PILBARA GLAZING SERVICES	Supply and fit new windscreen	-$434.50
EFT48938	16/05/2019	PILBARA MOTOR GROUP	120 EPS 62K SERVICES AND ALSO IN LINE WITH LETTER FROM TOYOTA HO VICTORIA FOR SERVICE.	-$1,141.32
EFT48939	16/05/2019	PIRTEK PORT HEDLAND	Supply various fittings	-$345.27
EFT48940	16/05/2019	Pauls Any Job & Icecream	Junior Clubrooms Kiosk Please clean the brick paving at the front of the Junior Clubrooms Kiosk to remove as much of the ground in grease and other marks	-$784.00
EFT48941	16/05/2019	Peter Falconer Walsh	Refund of duplicate payment of invoice 80096	-$24.48
EFT48942	16/05/2019	Port Hedland Discovery Parks	accomadation for two nights in Hedland	-$406.30
EFT48943	16/05/2019	RAND MAINTENANCE SERVICES	Supply and install 8 new LED flood lights to be installed on the four existing poles. A pole to the D.B need to be removed and reinstalled. Lights are to be LED Floodlight 100W 5K Blk IP65 each. Including a Cat 107D to auger drill existing pole into he ground. Light is to be moved away from exiting location in safe area to avoid Truck reversing into it, Shire to install Bollards.	-$6,381.10
EFT48944	16/05/2019	RFF AUSTRALIA	Inland Irrigation Project	-$8,250.00
EFT48945	16/05/2019	ROOS PLUMBING	Removal of tree on the RHS front carport area, when attending the works to remove the large tree at the rear and the palm stump at the front of property	-$187.00

EFT48946	16/05/2019	Repco Auto Parts (Port Hedland)	Workshop Consumables	-$131.68
EFT48947	16/05/2019	SCOPE BUSINESS IMAGING	Scope - Printer Konica C458/658 FY 18-19	-$451.00
EFT48948	16/05/2019	SMITHS DETECTION (AUSTRALIA) PTY LTD	Supply and deliver motor set for EDX-2is checked baggage screening equipment and provide related support services.	-$6,414.10
EFT48949	16/05/2019	ST JOHN AMBULANCE AUSTRALIA WA (NEWMAN)	First Aid Suplies to replenish kits	-$941.25
EFT48950	16/05/2019	STAYKOOL AIRCONDITIONING & ELECTRICAL SERVICES	Circuit Board Repairs to Cape Keraudren Solar and Inverter Unit (including travel)	-$1,171.50
EFT48951	16/05/2019	Sian Appleton	Fuel	-$107.13
EFT48952	16/05/2019	Susanne Millar	Reimbursement for farewell gift	-$100.00
EFT48953	16/05/2019	TECHBRAIN	TechBrain Managed Service - RFT 14 2017/18	-$7,249.00
EFT48954	16/05/2019	TNT Australia Pty Limited	Various Freight	-$1,443.63
EFT48955	16/05/2019	TONER PLUS	CPHT410BXCompatible CF410X #410X Black Toner Cartridge CPHT410CXCompatible CF411X #410X Cyan Toner Cartridge CPHT410MXCompatible CF413X #410X Magenta Toner Cartridge CPHT410YXCompatible CF412X #410X Yellow Toner Cartridge Toners for Laser Jet PRo M377DW	-$349.80
EFT48956	16/05/2019	TYREPOWER NEWMAN	Complete 40k service Replace all filters - oil, fuel, air & cabin filter Check suspension Check Brakes Adjust Handbrake Supply and repace 4 x Tyres (Cooper ST Maxx 265/65 R17 Supply and fit new UHF Aerial	-$7,027.83
EFT48957	16/05/2019	The Workwear Group Pty Ltd	Uniform order	-$226.60
EFT48958	16/05/2019	Veritas Engineering Pty Ltd	Replacement ASIC card	-$121.00
EFT48959	16/05/2019	WATERCHOICE (AUST) PTY LTD	Newman Administration Office - Monthly Rental Charge - 5 stage Reverse Osmosis water filtration System - 12 months 2018/19	-$390.00
EFT48960	16/05/2019	WATERLOGIC AUSTRALIA PTY LTD	Newman Aquatic Centre Please provide maintenance service for the period 01/07/2018 - 30/06/2019	-$78.10
EFT48961	16/05/2019	WIDEGLIDE CONSTRUCTIONS	Various Housing Works as per Contract	-$50,091.80
EFT48962	16/05/2019	Woolworths (WA) Ltd	Field Officer food - GST Free	-$1,026.23
EFT48963	16/05/2019	Youngs Earthmoving	Supply of Hired Road Construction Plant with Operators for Kunawarritji Access Road 8120245 Road Construction/Upgrade/Maintenance Project. Rates as per tender submission RFT 8-2017/18 Supply of Hired Road Construction Plant with Operators.	-$151,701.00
EFT48964	16/05/2019	TELSTRA	Mobile Phone Charges May 2019 - 0476 842 719	-$1,875.27
EFT48965	16/05/2019	BEN LEWIS	Payment of Unit ACCT20077 - Accounting for Management Decision Making	-$1,200.00

EFT48966	23/05/2019	BILLY ATKINS	Artist Payment - reference # 5242	-$100.00
EFT48967	23/05/2019	BUGAI WHYOULTER	Artist Payment - Reference # 5241	-$1,000.00
EFT48968	23/05/2019	CHRISTINE THOMAS	Artist Payment - Reference # 5236	-$110.70
EFT48970	23/05/2019	RAELENE SAMBO	Artist Payment - Reference # 5234	-$637.50
EFT48971	23/05/2019	SHENNIELLE SAMBO	Artist Payment - Reference 5240	-$315.00
EFT48972	23/05/2019	3 MONKEYS AUDIOVISUAL	Please provide a Technician to attend Newman Airport for Troubleshooting of PA System in RPT Terminal as per Estimate #19089	-$2,688.71
EFT48973	23/05/2019	ALL-RID PEST MANAGEMENT	Carry out monthly mosquito control activities in Marble Bar as per the terms of Contract TC2016495 (RTF07-2016/17) up to 30th June 2019	-$4,672.14
EFT48974	23/05/2019	AMAZON SOILS	Supply 3 Pallets of Lawn Fertiliser	-$4,752.00
EFT48975	23/05/2019	AMPAC Debt Recovery (WA) Pty Ltd	Costs for May 2019	-$13,498.16
EFT48976	23/05/2019	AUSTRALIAN TAXATION OFFICE (BAS)	April 2019 BAS Amount including Fuel Tax Credits	-$85,211.00
EFT48977	23/05/2019	Allied Pickfords (Rainmark Holdings)	Relocation Office Line Furniture Canningvale to Newman Admin Office	-$720.16
EFT48978	23/05/2019	Amanda Curby	Re-imbursement for lunch costs - 16.05.19	-$13.05
EFT48979	23/05/2019	Annmarie Maddocks	Reimbursement for DVD purchased for Twilight Series	-$26.90
EFT48980	23/05/2019	Australia Post - Credit Management	POSTAGE AND STATIONERY AS PER DOCKET - April 2019	-$341.16
EFT48981	23/05/2019	Autopro Newman	Electrical parts for blanket roller repair	-$65.96
EFT48982	23/05/2019	B K Hamilton	Rates refund	-$676.05
EFT48983	23/05/2019	BRIDGETOWN DESIGN AND PRINT	Printing - 200 x Program and events guide	-$528.00
EFT48984	23/05/2019	BULL MOTOR BODIES	Supply assembled pod RH side door to suit dual cab 70 series LC as per quote No 19303.	-$2,062.24
EFT48985	23/05/2019	Breanna Shuttleworth	Re-imbursement of training expenses as per agreement - Sprint Les Mills	-$727.63
EFT48986	23/05/2019	Brent Stein	Phone Subsidy reimbursement (Bundle) 11/03/19 - 10/04/19 & 11/04/19-10/05/19	-$89.90
EFT48987	23/05/2019	Brian Tucker Accounting	2017/2018 Audit of Martumili	-$10,279.50
EFT48988	23/05/2019	CHEMCENTRE	Chem Centre- Water and Soil Sample Analysis - Newman Airport Car Yards	-$275.00
EFT48989	23/05/2019	CJD EQUIPMENT	Supply assorted filters	-$686.09
EFT48990	23/05/2019	CUSTOMER FIRST CONTRACTING PTY LTD	Various Works	-$26,216.69
EFT48991	23/05/2019	DEAN HATWELL	Travel Allowance to attend April 2019 Council Meeting - 615 kms @ 103.52 cents per km	-$636.64
EFT48992	23/05/2019	Department of Transport	Refund of Charges for unused equipment hire. Over payment on invoice	-$75.00

EFT48993	23/05/2019	EAST PILBARA EARTHMOVING PTY LTD	Hire of Grader with Operator to complete a hit & miss grade to Garden Pool Road and Nullagine Town Site as directed. Rates as per tender submission RFT 8-2017/18 Supply of Hired Road Construction Plant with Operators.	-$56,567.50
EFT48994	23/05/2019	Earthmoving Maintenance Solutions (EMS)	Service inc, all oils and filters + Travel to Cape Keraudren.	-$4,349.25
EFT48995	23/05/2019	FLEX FITNESS	Concept II Ski Erg, Airmill Bike, Variety of Dumbells and Rack, Bands, Slam Balls	-$3,690.00
EFT48996	23/05/2019	Fuji Xerox Australia Pty Ltd	Lease of photocopier May 2019	-$111.03
EFT48997	23/05/2019	GARY EDWARDS PLUMBING & GAS	18 Francis Street - Major water leak under the house near bathroom	-$802.82
EFT48998	23/05/2019	Gemma Aldred	Re-imbursement for cancellation of Mums & Bubs Yoga class due to low registrations	-$90.00
EFT48999	23/05/2019	HARRIS TECHNOLOGY	HP Workstation Z2 Mini G3 Performance - i7-6700 - 16 GB - 256 GB SSD - M620-2GB	-$5,503.99
EFT49000	23/05/2019	Helen Cuimara	Reimbursement for Jr Futsal Fees as program cancelled	-$43.75
EFT49001	23/05/2019	IRONCLAD HOTEL	Overnight meals for events team (Marble Bar Reverse Triathlon)	-$141.00
EFT49002	23/05/2019	Incite Security Pty Ltd	Newman Recreation Centre Can you please log in and check in the fitness area of the Newman Recreation Centre North East security camera in cardio room - located beside boxing bag has ceased operation sometime this morning	-$30.25
EFT49003	23/05/2019	Jasmine Power	Reimbursement for Police Clearance	-$50.65
EFT49004	23/05/2019	Jayden Amphlett	Reimbursement for Police Clearance	-$54.30
EFT49005	23/05/2019	Jimm Kidd Sports	Uniform order - 3 x Polo shirts	-$140.25
EFT49006	23/05/2019	KOMATSU AUSTRALIA PTY LTD	Complete 500hr interval service	-$3,855.96
EFT49007	23/05/2019	Kerrod Horn	Refund for Mixed Basketball Competition due to program cancellation	-$60.00
EFT49008	23/05/2019	LYNX INTEGRATED SYSTEMS	Investigate why program system is not working	-$253.00
EFT49009	23/05/2019	Lang Tree Eric Coppin	Travelling Allowance for April 2019 Council Meeting - 956kms @ 103.52 cents for KM	-$989.65
EFT49010	23/05/2019	Lisa Edwards	Reimbursement for office equipment	-$371.00
EFT49011	23/05/2019	MCINTOSH & SON	Supply parts as per quote No. 382886. Delivery to Newman Shire Depot via TNT Road ACC 20010621.	-$850.89
EFT49012	23/05/2019	MCLEODS BARRISTERS & SOLICITORS	Newman House - PAMS new lease agreeement	-$1,064.25

EFT49013	23/05/2019	MDC Foundation Limited	Forwarding donated funds from the Mothers Day Classic Event nfrom 12.05.19	-$1,167.40
EFT49014	23/05/2019	MICHAEL TIMOTHY KITCHIN	Travel Allowance to attend April 2019 Council Meeting - 956kms @ 103.52 cents per km	-$989.65
EFT49015	23/05/2019	Marble Bar Electrical Service Pty Ltd	Nullagine Depot Please carry out replacement of the hot water unit in the crib room at the Nullagine Depot as per your estimate dated 01/04/2019	-$4,324.39
EFT49016	23/05/2019	Marble Bar Tourist Association	Shire Sales EOFY 17/18	-$368.50
EFT49017	23/05/2019	Minuteman Press Perth	printing of Pujiman touring booklets for ART ON THE MOVE - PROJECT 16-17.09	-$1,887.60
EFT49018	23/05/2019	NEWMAN HOTEL MOTEL	Please supply the following: 1 nights accommodation x2 Single Rooms Meal package and soft drink only included	-$333.00
EFT49019	23/05/2019	NEWMAN RETRAVISION	Tech and Camera equipment for artworkers profesisional development - PROJECT 18-19.11	-$271.00
EFT49020	23/05/2019	NULLAGINE HOTEL GENERAL STORE	Meals - Tuesday 12th March 2019 - No Alcohol	-$250.00
EFT49021	23/05/2019	Nor-West Freight Services Pty Ltd	Freight from Fulton Hogan - 8 pallets Hot Mix	-$2,217.60
EFT49022	23/05/2019	OFFICEWORKS BUSINESS DIRECT	Full Set Of HP 410X Toners - IT HP 410X High Yield Laser Cartridge Black $260 HP 410X High Yield Laser Cartridge Magneta $348 HP 410X High Yield Laser Cartridge Yellow $348 HP 410X High Yield Laser Cartridge Cyan $348 Delivery $25.95	-$3,269.75
EFT49023	23/05/2019	PAYWISE PTY LTD	Salary Sacrifice - Payroll Deduction - PPE 19.05.19	-$859.48
EFT49024	23/05/2019	PILBARA META MAYA	Electricity Charges 28/02/19 - 31.03.19	-$3.41
EFT49025	23/05/2019	PIRTEK PORT HEDLAND	Supply 4 x Valves	-$433.62
EFT49026	23/05/2019	Parnawarri IGA	Catering for the Marble Bar Reverse Triathlon - GST Free	-$103.96
EFT49027	23/05/2019	Paulene Whakaruru	Reimbursement of WA Police Clearance	-$54.30
EFT49028	23/05/2019	ROOS PLUMBING	Various Works	-$6,650.60
EFT49029	23/05/2019	SONIC HEALTHPLUS PTY LTD	Pre-employment medical	-$759.00
EFT49030	23/05/2019	SUBWAY	Subway Platters for Friday Night Hive	-$400.00
EFT49031	23/05/2019	Sally Cruickshank	Delivery of resin art and ukulele workshops on the weekend of 27 and 28 April 2019	-$2,410.00
EFT49032	23/05/2019	Samantha Hawkins	Re-imbursement of Police Clearance	-$54.30
EFT49033	23/05/2019	Shannen Cusack	Reimbursement for toiletries purchased for the Town Square - NCCI Awards Night	-$45.30
EFT49034	23/05/2019	Silkway Holdings t/a Novatron Australia	Design, install, commission water treatment plant - Payment 3 for 30% of design and supply amount upon completion of factory testing	-$161,389.32

EFT49035	23/05/2019	TECHBRAIN	Labour	-$341.00
EFT49036	23/05/2019	TYREPOWER NEWMAN	Two Way Radio and Tow Link Removal from 167 EPS - Vehicle to be transferred out	-$2,296.85
EFT49037	23/05/2019	Theona Councillor	Provide entertainment services at Reconciliation Ball (25 May) and Family Fun Day 26 (May). Minimum wo sets @ 45 mins each at each event. (Note. This fee includes performance fee of 2 x $2,000 + travel costs of 2,800.	-$1,400.00
EFT49038	23/05/2019	VENKATA RAMESH MYGAPULA	Refund for Junior Futsal Program cancellation	-$43.75
EFT49039	23/05/2019	WATER CORPORATION	Water Consumption Charges - Multiple Accounts	-$23,886.22
EFT49040	23/05/2019	WIDEGLIDE CONSTRUCTIONS	Emergency works for external broken pipe	-$17,509.80
EFT49041	23/05/2019	Woolworths (WA) Ltd	Consumables for Ranger Stuck in Marble bar after Cyclone veronica. - GST - GST Free	-$1,749.39
EFT49042	27/05/2019	DONNA CAPPLEMAN	Term 1 2019 - Group Fitness Instructing	-$1,070.00
EFT49043	27/05/2019	MSS SECURITY PTY LTD	Provide security screeners to operate passenger screening points and checked baggage screening points and provide Front of House security officers to operate kerbside and crowd control services at Newman Airport for the period of February 2019	-$134,151.54
EFT49044	30/05/2019	BILLY ATKINS	Artist Payment - Ref # 5263	-$200.00
EFT49045	30/05/2019	BUGAI WHYOULTER	Artist Payment - Ref # 5262	-$1,000.00
EFT49046	30/05/2019	CHRISTINE THOMAS	Artist Payment - Ref # 5247	-$137.50
EFT49047	30/05/2019	CORBAN CLAUSE WILLIAMS	Artist Payment - Ref # 5252	-$800.00
EFT49048	30/05/2019	DADDA SAMSON	Artist Payment - Ref # 5250	-$200.00
EFT49049	30/05/2019	DENISE ATKINS	Artist Payment - Ref # 5251	-$100.00
EFT49050	30/05/2019	DOREEN CHAPMAN	Artist Payment - Ref # 5256	-$300.00
EFT49051	30/05/2019	Derrick Butt	Artist Payment - Ref # 5258	-$311.72
EFT49052	30/05/2019	IVY BIDU	Artist Payment - Ref # 5249	-$137.50
EFT49053	30/05/2019	JUDITH ANYA SAMSON	Artist Payment - Ref # 5253	-$700.00
EFT49054	30/05/2019	MARIANNE BURTON	Artist Payment - Ref # 5255	-$600.00
EFT49055	30/05/2019	MAY BROOKS	Artist Payment - Ref # 5266	-$680.00
EFT49056	30/05/2019	MINYAWE MILLER	Artist Payment - Ref # 5259	-$500.00
EFT49057	30/05/2019	NANCY CHAPMAN	Artist Payment - Ref # 5257	-$973.87
EFT49058	30/05/2019	NGAMARU BIDU	Artist Payment - Ref # 5254	-$1,000.00
EFT49059	30/05/2019	PAULINE WILLIAMS	Artist Payment - Ref # 5246	-$309.00
EFT49060	30/05/2019	Department of Housing	Homeswest Rent - Reference 35349887	-$200.00
EFT49061	30/05/2019	FOXTEL CABLE TELEVISION	MONTHLY SUBSCRIPTION April 2019	-$430.00
EFT49062	30/05/2019	HORIZON POWER	Power consumption charges 15/03/19 - 14/05/19	-$1,314.70
EFT49063	30/05/2019	ANALYTICAL REFERENCE LABORATORY (WA)	Monthly Samples for the WWTP March 2019	-$3,373.70

EFT49064	30/05/2019	Australian Taxation Office (PAYG)	PAYG PPE 19.05.19	-$93,937.00
EFT49065	30/05/2019	BRIDGET SCHILL	reimbursement of travel costs to attend Council Meeting - 24/05/19	-$405.79
EFT49066	30/05/2019	BRIDGETOWN DESIGN AND PRINT	Design work - Program and Events guide	-$665.50
EFT49067	30/05/2019	BRUCE ROCK ENGINEERING	Fabricate and install A-frame to 1GSV578	-$3,333.25
EFT49068	30/05/2019	Blackwoods	Supply of Various Goods	-$2,389.04
EFT49069	30/05/2019	CATS FOOTBALL AND SPORTING CLUB	Tigers Football Club Set Up and Pack Down - NCCI Awards Night 11 May 2019	-$2,000.00
EFT49070	30/05/2019	CHILD SUPPORT AGENCY	Payroll deductions	-$1,097.94
EFT49071	30/05/2019	CJD EQUIPMENT	Radio, UHF Microphone, Hubcap, Freight	-$1,124.27
EFT49072	30/05/2019	COASTAL MACHINERY HIRE PTY LTD	Coastmac 10x5 Offroad Trailer + Cage + Spare	-$4,999.00
EFT49073	30/05/2019	COLS EXCAVATOR HIRE	Monthly PO for the month March 2019	-$1,870.00
EFT49074	30/05/2019	CUSTOMER FIRST CONTRACTING PTY LTD	Repair Shire Lights in newman for the month of March 2019	-$10,638.83
EFT49075	30/05/2019	Chester Ladrillono	Reimbursement for cancelled mixed volleyball Comp due to low signup	-$60.00
EFT49076	30/05/2019	Chloe Townsend	Reimbursement for workshop catering - GST Free	-$39.72
EFT49077	30/05/2019	Cleanaway (acct 85008)	Monthly PO for the month of April 2019 WWTP Newman	-$4,048.00
EFT49078	30/05/2019	Coca-Cola Amatil (acct 6745685)	Water for kiosk	-$161.70
EFT49079	30/05/2019	Crazy Communities	Constitution Workshops - May 7 & May 8 Includes hire car, travel and accommodation	-$2,788.96
EFT49080	30/05/2019	DAIMLER TRUCKS PERTH	Supply Service Parts	-$475.02
EFT49081	30/05/2019	DEAN HATWELL	Reimbursement for travel costs to attend Council Meeting - 24/05/19	-$823.47
EFT49082	30/05/2019	DEPARTMENT OF TRANSPORT	Release of Owner Information Requests 2018/2019	-$20.40
EFT49083	30/05/2019	Dunnings	Supply 9,400ltrs of diesel fule to maintenance graders on Jigalong Road	-$17,270.59
EFT49084	30/05/2019	EAST PILBARA BMX CLUB	Refund of overpayment of balance of Tax Invoice 78315 & 78919 made on 04/12/2019	-$2.40
EFT49085	30/05/2019	EAST PILBARA EARTHMOVING PTY LTD	Supply of Hired Road Grader with Operator to complete full maintenance grade to Skull Springs Road from Nullagine to Woodie Woodie Road. Rates as per tender submission RFT 8-2017/18 Supply of Hired Road Construction Plant with Operators.	-$49,797.00
EFT49086	30/05/2019	EAST PILBARA SMASH REPAIRS	Repairs as per quote No 1966 to 107EPS	-$3,498.60
EFT49087	30/05/2019	EAST PILBARA VETERINARY SERVICE	Standing PO for the period 1/08/2018 to 30/06/2019 for the sentinal chicken program	-$968.45

EFT49088	30/05/2019	EM ELECTRICAL MOVEMENT	15 Culldorah - currently vacant Supply and install a new GPO to the rear of house for reticulation box Supply new external security sensor lights to rear yard both sides Supply and install sensor to carport light Transfer light from lounge to the storeroom Replacement of several light switches and Gpo as discussed	-$1,417.52
EFT49089	30/05/2019	ENVIRONMENTAL INDUSTRIES	Retic Repair works at Woolworths Carpark	-$348.15
EFT49090	30/05/2019	Earthmoving Maintenance Solutions (EMS)	Complete major service and repairs to 1CER158	-$27,171.34
EFT49091	30/05/2019	Food Hub Newman (Eduardo Barrientos)	50% 2nd installment after compeletion of the ball	-$6,600.00
EFT49092	30/05/2019	GALVINS PLUMBING SUPPLIES	PHILMAC SERVO TANK VALVE 50MM #90381600	-$2,361.49
EFT49093	30/05/2019	GARY EDWARDS PLUMBING & GAS	Marble Bar Shire Office Next time that you are in Marble Bar please check and rectify supply issue with the Zip Hot Water unit in the kitchen of the office. Please speak with Kate when attending Do not make a special trip for this work.	-$5,927.26
EFT49094	30/05/2019	Garret Hospitality Regional Hotels Pty Ltd t/s Ibis Styles Port Hedland	Please supply the following: x2 nights accommodation- Standard Queen room - Meals and Soft drinks only Included	-$184.00
EFT49095	30/05/2019	HERSEY JR & A	Supply of a 200l Alemlube diesel storage/refueling tank.	-$1,831.89
EFT49096	30/05/2019	Hedland Offroad T/A Tyrepower Port Hedland	Tyres and rims for Pod trailer 1TIC539 - Ranger use	-$2,228.00
EFT49097	30/05/2019	JASON SIGNMAKERS	Newman Traithlon 2019 - Addition road & events signage	-$3,286.48
EFT49098	30/05/2019	JB HIFI SOLUTIONS	Canon Camera	-$2,780.00
EFT49099	30/05/2019	Kevan Sercombe	Refund of LGIS Insurance Claim for glasses damaged during work hours - Claim Date 29/11/19	-$112.64
EFT49100	30/05/2019	MARTUMILI 3 - LOAD N GO	PIN Coles - Meals & Consumables - Project 18-19.08 - GST Free	-$988.81
EFT49101	30/05/2019	MCINTOSH & SON	Supply and delivery of one 1800mm Digga Bucket Broom attachment as per quote 379427. Delivery to Nor West Transport Depot, 14 Davison Street Maddington.	-$6,448.65
EFT49102	30/05/2019	MCMULLEN NOLAN & PARTNERS SURVEYORS P/L	Update existing feature survey	-$1,100.00
EFT49103	30/05/2019	MICHAEL TIMOTHY KITCHIN	Reimbursement of travel costs to attend Council Meeting - 24/05/19	-$989.65
EFT49104	30/05/2019	MIDLAND MOWERS	Hansa C13RT Mulcher/chipper on road trailer as per email Quote 28MAR19	-$6,680.00
EFT49105	30/05/2019	Maia Financial	Fitness Centre Lease Equipment 1/7/2019 - 30/9/2019	-$19,428.46

EFT49106	30/05/2019	Marble Bar Electrical Service Pty Ltd	Supply 2 x Industrial 3 phase power boards	-$1,911.25
EFT49107	30/05/2019	McSweeny Group	Detail of Manager Human Resources vehicle - EPS 119	-$242.00
EFT49108	30/05/2019	NEWMAN CHAMBER OF COMMERCE & INDUSTRY	5 x Tickets - 2019 NCCI Business Excellence Awards	-$450.00
EFT49109	30/05/2019	NEWMAN HOME HARDWARE & ICE PLUS	2 x Industrial Fans With Low Pressure Mist Kits For Animal Management Facility	-$2,256.88
EFT49110	30/05/2019	NEWMAN HOTEL MOTEL	Twin Room	-$440.00
EFT49111	30/05/2019	NEWMAN RETRAVISION	2 hard drives	-$198.00
EFT49112	30/05/2019	NORTH WEST WASTE ALLIANCE	Supply septic waste tanker to dispose of approximately 10,000L of septic waste from airport housing holding tanks.	-$1,615.68
EFT49113	30/05/2019	OFFICEWORKS BUSINESS DIRECT	stationery order May 2019 - Rangers	-$1,342.05
EFT49114	30/05/2019	PILA GROUP PTY LTD	Supply and delivery to nominated transport company (Nor West Freight Services, 14 Davison Street Maddington WA 6109) of one 9m Banner Pole and accessories as per quote submission Q23662..	-$3,322.00
EFT49115	30/05/2019	PILBARA GLAZING SERVICES	REPORT THAT WINDOW IN WEIGHTS ROOM DOES NOT HAVE A SEAL ON ONE SIDE. PLEASE ATTEND AND RECTIFY. PLEASE PROVIDE A QUOTE BEFORE PROCEEDING IF THE COST IS GOING TO EXCEED $1,000.	-$242.00
EFT49116	30/05/2019	PILBARA MOTOR GROUP	Supply, licensing and delivery of one (1) new 2018 Toyota LC70 T/D Troop Carrier Workmate 2 seat as per specifications and quote 95964(1). Prices as per State Government Procurement Contract CUA37804.	-$122,945.34
EFT49117	30/05/2019	Parnawarri IGA	Purple People Show - Hot Dog bun	-$58.76
EFT49118	30/05/2019	Pioneers Football & Sporting Club	Refund of duplicate payments of Tax Invoices 78324 & 78325 made on 14/02/2019	-$2,132.72
EFT49119	30/05/2019	RENTOKIL INITIAL GROUP	Sanitary Disposal - June 2019 - Newman - Airport	-$1,894.94
EFT49120	30/05/2019	ROOS PLUMBING	North Newman Reserve Works - repair water leak	-$2,585.00
EFT49121	30/05/2019	SARAH STAMPFLI/SERENE BEDLAM	Photobooth and Event Photography for Reconciliation Week	-$3,960.00
EFT49122	30/05/2019	SIGMA CHEMICALS	Pool chemicals as quoted - Quote 128903	-$2,542.65
EFT49123	30/05/2019	SOUTH HEDLAND CARPET COURT	3A Warrambucca - A Ahipene Replacement of carpet to the two Rear bedrooms	-$1,500.00
EFT49124	30/05/2019	ST JOHN AMBULANCE AUSTRALIA WA (NEWMAN)	Tenielle Lewis - HLTAID003 - Senior First Aid/ CPR 23/05/2019 & 30/05/2019 @ The Newman Neighbourhood Centre	-$284.35
EFT49125	30/05/2019	SUE GROSSE	Reimbursement for Social Club Murder Mystery game and decorations	-$258.58
EFT49126	30/05/2019	Seton Australia	Storage shelves for NAC	-$1,830.40

EFT49127	30/05/2019	Sharon Gosling	Delivery of Sewing and pattern making workshops on the weekend of 27 and 28 April 2019	-$2,050.00
EFT49128	30/05/2019	Sheffield Wire Products	modification to cattery door to improve safe transfer of cats	-$264.00
EFT49129	30/05/2019	TECHBRAIN	Renewal of Deep Freeae Cloud Subscription for twelve months from 05/07/2019	-$867.77
EFT49130	30/05/2019	TRAFFIC FORCE	Traffic Management Plan - Marble Bar Reverse Triathlon 2019	-$352.00
EFT49131	30/05/2019	TYREPOWER NEWMAN	Service Colorado 131EPS New Tyres	-$4,785.67
EFT49132	30/05/2019	The Workwear Group Pty Ltd	Uniform order - MAY19	-$420.90
EFT49133	30/05/2019	VISIMAX	Dangerous Dog Stock, Muzzles, Collars	-$1,390.30
EFT49134	30/05/2019	WASE Timing	Provision of Timing Services for the Newman Triathlon Sunday 19 May 2019 Hire of Timing Chips ($3 per competitor) - TBA after the Event. Replacement of Lost Timing Chips ($100/Chip) - TBA after the Event.	-$1,897.50
EFT49135	30/05/2019	WATER CORPORATION	Water Consumption Charges - Multiple Accounts	-$39,434.13
EFT49136	30/05/2019	WESTRAC PTY LTD	Supply cat yellow paint spray cans	-$96.82
EFT49137	30/05/2019	WIDEGLIDE CONSTRUCTIONS	Various Works as per Contract	-$81,543.00
EFT49138	30/05/2019	WOW Wipes	Fitness Centre Wipes	-$1,115.40
EFT49139	30/05/2019	Woolworths (WA) Ltd	Goods as per receipt - GST	-$946.40
EFT49140	30/05/2019	Wormald Australia Pty Ltd	Fire Equipment Inspections, Servicing & Testing - Nwman - Airport	-$645.12
EFT49141	30/05/2019	YIRRINJULA DREAMING	50% final (Second of two payments). For MC and Stand up comedy services at Reconciliation Week events on 25 and 26 May 2019 in Newman WA at completion of events	-$3,000.00
EFT49142	30/05/2019	Youngs Earthmoving	Supply of Hired Road Construction Plant with Operators for Kunawarritji Access Road 8120245 Road Construction/Upgrade/Maintenance Project. Rates as per tender submission RFT 8-2017/18 Supply of Hired Road Construction Plant with Operators.	-$308,885.50
EFT49143	06/06/2019	Anita Marlene Grace	Councillors Sitting Fee 4th Quarter	-$5,191.67
EFT49144	06/06/2019	Anthony Middleton	Councillors Sitting Fees 4th Quarter	-$4,275.00
EFT49145	06/06/2019	BRIDGET SCHILL	Councillors Sitting Fees 4th Quarter	-$4,275.00
EFT49146	06/06/2019	CAROL WILLIAMS	Councillors Sitting Fees 4th Quarter	-$4,275.00
EFT49147	06/06/2019	DEAN HATWELL	Councillors Sitting Fees 4th Quarter	-$4,275.00
EFT49148	06/06/2019	GERALDINE PARSONS	Councillors Sitting Fees 4th Quarter	-$4,275.00
EFT49149	06/06/2019	JETON AHMEDI	Councillors Sitting Fees 4th Quarter	-$2,341.67
EFT49150	06/06/2019	LYNETTE SUZANNE CRAIGIE	President Allowance Fees 4th Quarter	-$16,900.00

EFT49151	06/06/2019	Lang Tree Eric Coppin	Councillors Sitting Fees 4th Quarter	-$4,275.00
EFT49152	06/06/2019	MICHAEL TIMOTHY KITCHIN	Coucillors Sitting Fees 4th Quarter	-$4,275.00
EFT49153	06/06/2019	BIDDY BUNAWARRIE	Artist Payment - Ref # 5275	-$123.00
EFT49154	06/06/2019	BILLY ATKINS	Artist Payment - Ref # 5280	-$200.00
EFT49155	06/06/2019	BUGAI WHYOULTER	Artist Payment - Ref # 5279	-$1,000.00
EFT49156	06/06/2019	DONNA LOXTON	Artist Payment - Ref # 5272	-$330.00
EFT49157	06/06/2019	Desmond Taylor	Artist Payment - Ref # 5278	-$500.00
EFT49158	06/06/2019	ELIZABETH TOBY	Artist Payment - Ref # 5269	-$294.25
EFT49159	06/06/2019	JAKAYU BILJABU	Artist Payment - Ref # 5276	-$250.00
EFT49160	06/06/2019	JASON TINKER	Artist Payment - Ref # 5277	-$522.50
EFT49161	06/06/2019	MARIANNE BURTON	Artist Payment - Ref # 5274	-$500.00
EFT49162	06/06/2019	MULYATINGKI MARNEY	Artist Payment - Ref # 5285	-$200.00
EFT49163	06/06/2019	PAULINE WILLIAMS	Artist Payment - Ref # 5286	-$514.25
EFT49164	06/06/2019	THELMA JUDSON	Artist Payment - Ref # 5287	-$286.10
EFT49165	06/06/2019	Theresa Colleen Jadai	Artist Payment - Ref # 5267	-$600.00
EFT49166	06/06/2019	YIKARTU BUMBA	Artist Payment - Ref # 5271	-$1,045.00
EFT49167	06/06/2019	AIRPORT ALLIANCE	Supply Replacement PAPI CCR as per Quote #1350	-$1,017.50
EFT49168	06/06/2019	AIT SPECIALISTS PTY LTD	Professional Services Rendered - Fuel Tax Credits from July 2018 - June 2019	-$1,089.33
EFT49169	06/06/2019	AUSCO MODULAR	Newman Shire Depot Please supply 1 only 6.0 x 3.0 meter office accomodation as per your quote number 0065003268.	-$627.00
EFT49170	06/06/2019	AUSTRALIAN SAFETY ENGINEERS WA	Service Parts BA Unit	-$525.31
EFT49171	06/06/2019	AVIS AUSTRALIA	Please supply the following: Vehicle Hire - Toyota Corolla or similar	-$156.00
EFT49172	06/06/2019	Amy Morton	Delivery of Contemporary Polymer Clay Making and beading workshop on weekend of 18 and 19 May 2019	-$1,750.00
EFT49173	06/06/2019	BHP BILLITON IRON ORE PTY LTD	Power consumption Charges - multiple Accounts	-$48,986.38
EFT49174	06/06/2019	CARLY DAY	Reimbursement for dinner on the Corban Exhibitian trip in Hedland - Yummy Noodle	-$61.89
EFT49175	06/06/2019	CELLARBRATIONS AT NEWMAN	Drinks for KJ and Funders visit	-$196.97
EFT49176	06/06/2019	CHAPMAN & BAILEY	Ongoing Suppy of art materials as per tender	-$27,866.84
EFT49177	06/06/2019	CHEFMASTER AUSTRALIA	Green 80L bin bags	-$344.55
EFT49178	06/06/2019	CUSTOMER FIRST CONTRACTING PTY LTD	repairs to actron package unit	-$10,698.11
EFT49179	06/06/2019	Cleanaway (acct 85008)	Water Water treatment plant waste removal - 21/05/19	-$5,401.00
EFT49180	06/06/2019	Curtis Taylor	assistance with interviewws and technical production on the MMA/KJ camp May 2019	-$2,000.00
EFT49181	06/06/2019	DEPARTMENT OF FIRE AND EMERGENCY SERVICES	2018/19 ESL Quarter 4	-$38,777.44

EFT49182	06/06/2019	DON WHYTE FRAMING	fraiming on 2019 NATSIA artwork Bugai & Cyril	-$415.00
EFT49183	06/06/2019	Dean Jesperson	Reconciliation Week 2019 - Production for both the Ball 25 May and the Family Fun Day 26 May - Robbers Dog	-$8,085.00
EFT49184	06/06/2019	Doublegee Entertainment	WA Day Festival - Short & Curly Performance	-$1,000.00
EFT49185	06/06/2019	EDMORE MASAKA	Phone Subsidy reimbursement (Bundle) - 22/05/19 - 21/06/19	-$44.95
EFT49186	06/06/2019	EM ELECTRICAL MOVEMENT	PORTABLE PA SYSTEM AND REPLACE CABINET -HEAD PIECE DUEL-SET UP AND DEMONSTRATE.	-$3,702.59
EFT49187	06/06/2019	East Pilbara Recycling	12 x RFT 07-201718 Waste Management Services -Landfill	-$99,037.86
EFT49188	06/06/2019	Elizabeth Chadwick	graphic design items for MMA 18/19	-$1,440.00
EFT49189	06/06/2019	Expo Signage and Digital Pty Ltd	Sponsorship Proposal	-$456.50
EFT49190	06/06/2019	GALVINS PLUMBING SUPPLIES	Pop up sprinkler x 25	-$1,038.62
EFT49191	06/06/2019	GARY EDWARDS PLUMBING & GAS	Replaced hose tap at Civic Centre rear	-$163.88
EFT49192	06/06/2019	Garret Hospitality Regional Hotels Pty Ltd t/s Ibis Styles Port Hedland	Please supply the following: 3 nights accommodation - Standard Queen room Meals and soft drink only included	-$605.50
EFT49193	06/06/2019	HARRIS TECHNOLOGY	Please Supply 2x KVMP Switches as Per IQuote_245249	-$554.69
EFT49194	06/06/2019	HOSPITALITY INN PORT HEDLAND	Wednesday 29th May 2019 - Accommodation & Meals - No Alcohol	-$1,106.00
EFT49195	06/06/2019	IFAP	Injury Management Coordinator Course	-$1,430.00
EFT49196	06/06/2019	IRIS Consulting	Records & Information Management Training	-$2,075.00
EFT49197	06/06/2019	JMW Distributors	Newman Shire Office Please supply 2 only Entrance Lock Lever Set Master keyed to F Number Including Keying as per your quote 178 plus postage. Please ensure both of these locks are keyed alike.	-$1,479.50
EFT49198	06/06/2019	LANDGATE (DOLA)	SLIP Subscription Services - Small	-$2,273.00
EFT49199	06/06/2019	Lang Tree Eric Coppin	Reimbursement of travel costs to attend Council Meeting - 24/05/19 - 860kms @ 103.52c per km	-$890.27
EFT49200	06/06/2019	MARBLE BAR TRAVELLERS REST	Lunch for field officer	-$15.00
EFT49201	06/06/2019	MARKETFORCE	Please supply the following: Local Govt Vacancies Advertisement Wednesday 3 April Edition 113 x 1 Lines Invoice Number: 107908	-$2,549.95
EFT49202	06/06/2019	MONSTERBALL AMUSEMENTS & HIRE	WA Day Inflatable Hire as per quote QU-4339 WA Day 2019 Time: 10am - 2pm Monday Date: 3rd June 2019	-$7,500.00
EFT49203	06/06/2019	Managed System Services	Fortinet 1 Year UTM Subscription	-$579.63

EFT49204	06/06/2019	Marble Bar Electrical Service Pty Ltd	50 General Street - Replacement of carport fluro fitting, replacement bedroom light switch, Replacement light over, New smoke Alarm - please provide expiry date - stove repairs	-$1,279.17
EFT49205	06/06/2019	Mark Patrick Morresey	Rec Centre Membership refund due to leaving town	-$69.40
EFT49206	06/06/2019	Michael Nielson	Reimbursement of 25% of fees as member is entitled to a loyalty discount	-$156.25
EFT49207	06/06/2019	NEWMAN CLEANING RESOURCES P/L	Cleaning Charges as per Contract	-$6,255.70
EFT49208	06/06/2019	NEWMAN HOME HARDWARE & ICE PLUS	Water bottles for Reconciliation Week Events 2019	-$154.00
EFT49209	06/06/2019	Newman Mainstreet Project T/A Red Desert Events	Sustainability Litter Collection Program contribution- Rostered Dates 15 April - 12 May 2019	-$2,200.00
EFT49210	06/06/2019	Newman State Emergency Services	Reimbursement for ESL Monies in Newman SES	-$13,798.15
EFT49211	06/06/2019	OFFICEWORKS BUSINESS DIRECT	Martumili stationary order May 2019	-$990.72
EFT49212	06/06/2019	PIP PARSONSON	Phone Subsidy reimbursement (bundle) 05/03/19 - 04/05/19	-$89.90
EFT49213	06/06/2019	Parnawarri IGA	Please supply the follwing: OCM 24 May Mixed wraps (vege, ham and chicken) Hot Chicken Medium Fruit Platter Salads	-$461.35
EFT49214	06/06/2019	ROOS PLUMBING	3A Warrambucca - Works at front of property, approved to attend Broken copper pipe near garden bed.	-$264.00
EFT49215	06/06/2019	ROWCON PTY LTD	Routine consultation for the Newman WWTP, resue water line and other resue water outlet related issues/malfunction reports etc. @$120/hr.	-$5,280.00
EFT49216	06/06/2019	Regal Transport	Connote 2730701 - Tuff Grass Solutions to Newman Depot - Parks & Gardens	-$72.94
EFT49217	06/06/2019	Robin Austen	Reimbursement for taxi services whilst interviewing for Manager of Waste position	-$211.52
EFT49218	06/06/2019	SARAH STAMPFLI/SERENE BEDLAM	WA Day Festival - Event Photography	-$1,485.00
EFT49219	06/06/2019	SCOPE BUSINESS IMAGING	Scope - Printer Konica C458/658 FY 18-19 - March 2019	-$481.45
EFT49220	06/06/2019	SIMMONE VAN BUERLE	Phone Subsidy reimbursement (Bundle) 24/04/19 - 23/05/19	-$44.95
EFT49221	06/06/2019	SMITHS DETECTION (AUSTRALIA) PTY LTD	Supply and deliver 1xkit, air purification cartridge for 500DT screening equipment.	-$1,919.07
EFT49222	06/06/2019	Steve Dhu	Power reimbursement for 14/07/18 - 13/19/18; 14/11/18 - 14/1/19	-$2,044.49
EFT49223	06/06/2019	TNT Australia Pty Limited	Connote 980248417075 - SoEP - ARL - Health	-$898.82
EFT49224	06/06/2019	TRAFFIC FORCE	Newman Triathlon 2019 - Traffic Management Plan	-$319.00
EFT49225	06/06/2019	The Workwear Group Pty Ltd	Uniform Order	-$472.40

EFT49226	06/06/2019	ULTI MECH	Vehicle Service Toyota LC 200 GXL 30,000km	-$253.00
EFT49227	06/06/2019	WA TREASURY CORPORATION	Capital Repayment Loans	-$409,960.84
EFT49228	06/06/2019	WARD PACKAGING	Container round 100ml Lid round	-$430.38
EFT49229	06/06/2019	WIDEGLIDE CONSTRUCTIONS	15 Culldorah Street - Shire repairs to dwelling Kitchen - repair to kitchen cupboard hinge Kitchen and Laundry door - check flyscreens Replace door handles in bedroomscupboard Passage, install shelving to the passage cupboard Maintenance repair works at this property Paint entrance door Ceiling fan in lounge, paint patche after new lights installed	-$396.00
EFT49230	06/06/2019	Woolworths (WA) Ltd	Various Goods	-$1,300.45
EFT49231	06/06/2019	XYLEM WATER SOLUTIONS AUST	Supply and deliver NP3127-060-MT437-05.9-B-1 pump, with 00-A20-CI-AXX 20M SUBCAB 4 G2.5+2X1.5 Cable, to the Newman works depot,as per your email quote, dated 15/04/2019.	-$8,649.06
EFT49232	07/06/2019	TNT Australia Pty Limited	Various Freight	-$1,211.61
EFT49233	07/06/2019	Theona Councillor	Provide entertainment services at Reconciliation Ball (25 May) and Family Fun Day 26 (May). Minimum wo sets @ 45 mins each at each event. (Note. This fee includes performance fee of 2 x $2,000 + travel costs of 2,800.	-$4,200.00
EFT49234	07/06/2019	WIDEGLIDE CONSTRUCTIONS	Various Works	-$28,600.00
EFT49235	13/06/2019	BETTY WHYLOUTER	Artist Payment - Ref # 5319	-$52.27
EFT49236	13/06/2019	BILLY ATKINS	Artist Payment - Ref # 5315	-$200.00
EFT49237	13/06/2019	BUGAI WHYOULTER	Artist Payment - Ref # 5314	-$1,000.00
EFT49238	13/06/2019	CORBAN CLAUSE WILLIAMS	Artist Payment - Ref # 5290	-$518.00
EFT49239	13/06/2019	DOREEN CHAPMAN	Artist Payment - Ref # 5312	-$189.75
EFT49240	13/06/2019	Derrick Butt	Artist Payment - Ref # 5299	-$288.00
EFT49241	13/06/2019	HELEN DALE SAMSON	Artist Payment - Ref # 5316	-$596.75
EFT49242	13/06/2019	JANICE NIXON	Artist Payment - Ref # 5296	-$20.94
EFT49243	13/06/2019	JUDITH ANYA SAMSON	Artist Payment - Ref # 5303	-$110.00
EFT49244	13/06/2019	Janelle Booth	Artist Payment - Ref # 5313	-$121.00
EFT49245	13/06/2019	KUMPAYA GIRGIRBA	Artist Payment - Ref # 5318	-$143.72
EFT49246	13/06/2019	MARIANNE BURTON	Artist Payment - Ref # 5301	-$501.00
EFT49247	13/06/2019	MAY CHAPMAN	Artist Payment - Ref # 5297	-$1,000.00
EFT49248	13/06/2019	MIRIAM ATKINS	Artist Payment - Ref # 5294	-$130.00
EFT49249	13/06/2019	MULYATINGKI MARNEY	Artist Payment - Ref # 5309	-$500.00
EFT49250	13/06/2019	NGAMARU BIDU	Artist Payment - Ref # 5306	-$2,818.40
EFT49251	13/06/2019	NOLA TAYLOR	Artist Payment - Ref # 5302	-$428.95

EFT49252	13/06/2019 ROMA GIBSON	Artist Payment - Ref # 5295	-$489.50
EFT49253	13/06/2019 Robina Clause	Artist Payment - Ref # 5291	-$61.50
EFT49254	13/06/2019 WOKKA TAYLOR	Artist Payment - Ref # 5308	-$1,360.00
EFT49255	13/06/2019 YIKARTU BUMBA	Artist Payment - Ref # 5311	-$158.42
EFT49256	13/06/2019 Curtin University (Act-Belong-Commit)	Act-Belong-Commit May trip 2019, contributions for workshops and community events as per scope of work agreement	-$962.02
EFT49257	13/06/2019 Department of Housing	Homeswest Rent - PPE 02/06/19	-$200.00
EFT49258	13/06/2019 ADVAM PTY LTD	Provision of Credit Card Payment Processing Services for Newman Airport FY18/19	-$462.83
EFT49259	13/06/2019 AERODROME MANAGEMENT SERVICES	Please supply 2x I-COM FASC72U UHF Radio Antenas and Freight as per quote #QU00917	-$116.36
EFT49260	13/06/2019 AIRPORT ALLIANCE	Supply and install PLC, power supply and light sensing module for the PAPI.	-$7,073.00
EFT49261	13/06/2019 AMPAC Debt Recovery (WA) Pty Ltd	Costs	-$1,960.86
EFT49262	13/06/2019 AUSCO MODULAR	Newman Shire Depot - June 2019 Please supply 1 only 6.0 x 3.0 meter office accomodation as per your quote number 0065003268.	-$627.00
EFT49263	13/06/2019 AUSWATER SYSTEMS PTY LTD	Investigate & repair faults with RO3 plant, including callout mobilisation, accommodation, & parts.	-$16,555.00
EFT49264	13/06/2019 Allightsykes Pty Ltd	As per quote - suction hoses male and female fittings	-$2,364.21
EFT49265	13/06/2019 Australia Post - Credit Management	POSTAGE AND STATIONERY AS PER DOCKET	-$493.31
EFT49266	13/06/2019 BCITF	BCITF Applications 5632, 5633 & 5627	-$12,845.16
EFT49267	13/06/2019 BHAVESH MODI	Reimbursement of Police Clearance	-$99.25
EFT49268	13/06/2019 BUDGET CAR & TRUCK RENTAL PERTH	Please supply the following: - Car Hire	-$201.87
EFT49269	13/06/2019 BUILDING COMMISSION	BSL Remittance May 2019	-$11,296.07
EFT49270	13/06/2019 Blackwoods	Various ites as required - Open PO until 30JUN	-$700.97
EFT49271	13/06/2019 CAMERA ELECTRONIC	Camera len's and camera accessories	-$4,136.90
EFT49272	13/06/2019 CATS FOOTBALL AND SPORTING CLUB	Set up for the Newman Reconcilliation Ball - Refer PO 32010	-$1,300.00
EFT49273	13/06/2019 CHAPMAN & BAILEY	Supply of art materials from Chapman Bailey	-$997.06
EFT49274	13/06/2019 CHILD SUPPORT AGENCY	Payroll deductions	-$1,116.68
EFT49275	13/06/2019 COMPNET	Registration of Domain name martumili.com.au - 1 year	-$55.00
EFT49276	13/06/2019 CONRAD SHORT	Employee Incentive Scheme - April 2019	-$200.00
EFT49277	13/06/2019 CUSTOMER FIRST CONTRACTING PTY LTD	Various Works	-$17,126.03
EFT49278	13/06/2019 Carly Williams	Employee Incentive Scheme - April 2019	-$200.00
EFT49279	13/06/2019 Centurion Transport Co Pty Ltd	Freight charges for connote 8104613 - Sigma Chemicals to Newman Aquatic	-$996.78

EFT49280	13/06/2019	Chloe Townsend	Reimbursement for Woolies items for the Rec Ball 2019	-$39.40
EFT49281	13/06/2019	Cleanaway (acct 85008)	WWTP Waste Removal	-$781.00
EFT49282	13/06/2019	Corporate Travel Management Group Pty Ltd	Travel Costs April - May 2019	-$23,317.62
EFT49283	13/06/2019	DTR FITNESS	3rd, 7th, 31st May - Term 2 Group Fitness covers	-$225.00
EFT49284	13/06/2019	Department of Water and Environmental Regulation	Newman Refuse Site License	-$6,496.15
EFT49285	13/06/2019	EDMORE MASAKA	Reimbursement for fuel purchases	-$165.38
EFT49286	13/06/2019	EM ELECTRICAL MOVEMENT	Supply and install a new GPO to the rear of house for reticulation box Supply new external security sensor lights to rear yard both sides Supply and install sensor to carport light Transfer light from lounge to the storeroom Replacement of several light switches and Gpo as discussed	-$268.97
EFT49287	13/06/2019	ENVIRONMENTAL HEALTH AUSTRALIA	Environmental Health Australia - Membership Fee	-$650.00
EFT49288	13/06/2019	ENVIRONMENTAL INDUSTRIES	Tenant has reported reticulation issues	-$2,185.49
EFT49289	13/06/2019	ESPRESSO ESSENTIAL WA	Rainforest Coffee beans - ctn 5x1kg	-$2,779.74
EFT49290	13/06/2019	Fuji Xerox Australia Pty Ltd	Copying charges April 2019 - Admin Office	-$1,540.21
EFT49291	13/06/2019	GALVINS PLUMBING SUPPLIES	SS Repair Clamp & Freight	-$3,728.14
EFT49292	13/06/2019	GARY EDWARDS PLUMBING & GAS	Leaking tap at the front of property, please check all taps and toilet whilst on site	-$21.57
EFT49293	13/06/2019	Garret Hospitality Regional Hotels Pty Ltd t/s Ibis Styles Port Hedland	Please supply the following: 2 nights accommodation - Standard Queen Room	-$1,427.50
EFT49294	13/06/2019	HERSEY JR & A	Items purchased as per invoice - Workshop Consumables	-$3,906.26
EFT49295	13/06/2019	Hydramet Pty Ltd (part of Trility)	Scheduled maintenance as per contract including parts - Multiple Sites	-$19,137.25
EFT49296	13/06/2019	IRONCLAD HOTEL	Meal Allowance	-$80.00
EFT49297	13/06/2019	Ixom Operations Pty Ltd	920kg Chlorine Drum WWTP	-$4,000.30
EFT49298	13/06/2019	JANITA ANGIE	Artist Fee for attending KJ Camp in Yulpu	-$600.00
EFT49299	13/06/2019	Joel Boardman	preparation of AV equipment for Yulpu camp, cration of markering material	-$6,446.00
EFT49300	13/06/2019	KANYIRNINPA JUKURRPA	Artist Fees for KJ/MMA collaborative trip to Yulpu, Thelma, Yikartu, Mulyatingki, Kumpaya, Nola, Muuki, Wokka	-$6,751.49
EFT49301	13/06/2019	KMART AUSTRALIA LTD	Car seat for bus	-$129.00
EFT49302	13/06/2019	LANDGATE (DOLA)	Mining tenements	-$510.25
EFT49303	13/06/2019	LESMILLS AUSTRALIA	BODY PUMP	-$667.60
EFT49304	13/06/2019	LYNELLE GIBBS	Artist Fee for attending Martumili KJ Camp in Yulpu	-$300.00

EFT49305	13/06/2019	Linda Cooper	Reimbursement for travel costs to attend Library Conference	-$471.12
EFT49306	13/06/2019	Links Modular Solutions	Links Online Training	-$660.00
EFT49307	13/06/2019	Lisa George	Reimbursement for meals for work trip	-$166.88
EFT49308	13/06/2019	MARKETFORCE	Advetising - North West Telegraph Newman Triathlon Advetise: 10/4/19 & 24/4/19	-$1,263.78
EFT49309	13/06/2019	MARTUMILI 1 - LOAD & GO	Auski Tourist Village - Accommodation - Ref 6 - Project 18-19.06	-$817.67
EFT49310	13/06/2019	MARTUMILI 2 - LOAD & GO	Refuel Australia Swagman - Fuel	-$997.59
EFT49311	13/06/2019	MARTUMILI 4 - LOAD N GO CARD	Auski Tourist Village - Fuel - Ref 14 - Project 18-19.06	-$676.71
EFT49312	13/06/2019	MARTUMILI 5 - LOAD N GO	Dome Port Hedland - Meals - Project 18-19.06 - Ref 8	-$947.66
EFT49313	13/06/2019	MCLEODS BARRISTERS & SOLICITORS	Costs to Prepare Licence - SoEP and BOM - weather apparatus - Newman Airport Reserve	-$1,424.50
EFT49314	13/06/2019	MCMULLEN NOLAN & PARTNERS SURVEYORS P/L	Locate and Surface Mark Underground Assets	-$10,857.00
EFT49315	13/06/2019	MOMAR AUSTRALIA PTY LTD	Please supply 24 cans Clean Air Purge 111	-$1,614.80
EFT49316	13/06/2019	MR BILLIARDS	Pool table repairs x 2 youth centre	-$1,617.00
EFT49317	13/06/2019	MSS SECURITY PTY LTD	Provide security screeners to operate passenger screening points and checked baggage screening points and provide Front of House security officers to operate kerbside and crowd control services at Newman Airport for April 2019	-$149,425.21
EFT49318	13/06/2019	Marble Bar Electrical Service Pty Ltd	Marble Bar Civic Centre Please be aware that your services may be required tomorrow 24/05/2019 at the Marble Bar Civic Centre. The plumber from Port hedland will be there to carry out repairs to a major water leak in the Civic Centre and may require electrical work to enable completion of the work	-$226.56
EFT49319	13/06/2019	Moore Stephens	Rates Comparison Report	-$250.00
EFT49320	13/06/2019	NEWMAN CLEANING RESOURCES P/L	Monthly cleaning charges for the month of May 2019 as per contract	-$72,725.66
EFT49321	13/06/2019	NEWMAN HOME HARDWARE & ICE PLUS	Potitng Mix, Cable Ties & Gaffa Tape	-$745.87
EFT49322	13/06/2019	NEWMAN HOTEL MOTEL	Please supply the following: 2 nights accommodation	-$1,478.00
EFT49323	13/06/2019	NEWMAN VISITORS CENTRE	Shire funding for the Newman Visitors Centre Qtr 1 18/19 FY	-$24,833.85
EFT49324	13/06/2019	Naomi Reuben	2 x 45 Minutes performances at WA Day Festival on 03/06/19 and additional baggage allowance reimbursement	-$580.00
EFT49325	13/06/2019	Newman Community Radio Inc	Outback Fusion Festival 2019 - Community News Sponsorship	-$2,000.00

EFT49326	13/06/2019	Newman Mainstreet Project T/A Red Desert Events	Equiptment Hire for Reconciliation Ball 2019	-$836.00
EFT49327	13/06/2019	OFFICEWORKS BUSINESS DIRECT	Stationary order	-$1,828.27
EFT49328	13/06/2019	ONSITE RENTAL GROUP	Supply of portaloos and equiptment for Reconcilliation Ball - Delivery on Friday 24th and Pick on Monday 27th May	-$666.09
EFT49329	13/06/2019	PARKER BLACK & FORREST PTY LTD	4 x keys to suit system 238 - 841 D08 Please send all to Shire of East Pilbara, PMB 22, Newman WA 6753 and clearly marke ATTENTION WARREN BARKER	-$160.60
EFT49330	13/06/2019	PARNNGURR ABORIGINAL	Fuel following Yulpu combined KJ trip for field vehicle 78.9 litres	-$650.14
EFT49331	13/06/2019	PAYWISE PTY LTD	Salary Sacrafice - PPE 02.06.19	-$859.48
EFT49332	13/06/2019	Parnawarri IGA	Catering for Act-Belong-Commit workshops 16th May 2019	-$96.80
EFT49333	13/06/2019	Pauls Any Job & Icecream	Capricorn Junior Clubrooms Please resecure another paving block along the side of the Junior Clubrooms	-$141.66
EFT49334	13/06/2019	Phoenix Security, Training & Event Group Pty Ltd	Reoncilliation Ball 2019 Security	-$4,875.29
EFT49335	13/06/2019	Pindan Asset Management Pty Ltd	Replace failed extractor fans in RPT Terminal toilets as per quote 16APR	-$8,207.55
EFT49336	13/06/2019	RED DUST EVENTS	Makers Market - Event Entertainment - 30 March 2019	-$600.00
EFT49337	13/06/2019	ROBERT WEIR	Reimbursement of Police Clearance	-$54.30
EFT49338	13/06/2019	ROOS PLUMBING	Water Leak Cnr Thulluna & Mulgungba Please urgently repair a water leak on consumer side of water meter that feeds tennis court toilets etc. have already met onsite with Roo	-$790.90
EFT49339	13/06/2019	ROWCON PTY LTD	Newman Landfill Annual License Fee Reporting	-$2,904.00
EFT49340	13/06/2019	Raees Rasool	Phone Subsidy reimbursement 06/02/19 - 05/03/19 & 06/04/19 - 05/05/19	-$89.90
EFT49341	13/06/2019	Regal Transport	Connote 2541202 - Freight charges Reidoz Enginerring to Rangers - Rangers	-$994.27
EFT49342	13/06/2019	Royal Life Saving Society - Aust	Membership to GSPO	-$99.00
EFT49343	13/06/2019	SABAH DUBAKH	Reimbursement of Police Clearance	-$54.30
EFT49344	13/06/2019	SEASONS HOTEL NEWMAN	Please supply the following: 3 nights accommodation	-$3,626.30
EFT49345	13/06/2019	SMITHS DETECTION (AUSTRALIA) PTY LTD	Supply and deliver Ionscan 500DT consumables in accordance with the attached order form.	-$1,661.75
EFT49346	13/06/2019	Sheilla Ondangan	ApplicationbP007/19 withdrawl - Receipt for payment 95631	-$220.00
EFT49347	13/06/2019	Sian Appleton	Phone Sunsidy Reimbursement (Bundle) 14/04/19 to 13/05/19	-$67.07

EFT49348	13/06/2019	TENDERLINK	Upload of RFT 13-2018/19 Pest Mangement Services to Tenderlink Portal	-$172.70
EFT49349	13/06/2019	TNT Australia Pty Limited	Connote 980208121217 - Newman Admin to ARL - Tech Services	-$172.25
EFT49350	13/06/2019	TYREPOWER NEWMAN	Please supply a 260 000km service	-$1,304.76
EFT49351	13/06/2019	The Hub Marketing Communciations Pty Ltd	Annual website maintainance plan	-$4,950.00
EFT49352	13/06/2019	The Jaffa Room/Artistralia	Screening Copy Rights How to Train Your Dragan : The Hidden World - June 16 2019 Captain Marvel - July 20 2019	-$1,127.50
EFT49353	13/06/2019	ULTI MECH	40,000km service for Toyota Prado 112-EPS	-$694.69
EFT49354	13/06/2019	WATER CORPORATION	Water Consumption Charges - Multiple Accounts	-$7,380.42
EFT49355	13/06/2019	WATERLOGIC AUSTRALIA PTY LTD	Newman Aquatic Centre Please provide maintenance service for the period 01/07/2018 - 30/06/2019	-$78.10
EFT49356	13/06/2019	WIDEGLIDE CONSTRUCTIONS	Various Works	-$103,023.80
EFT49357	13/06/2019	Woolworths (WA) Ltd	Groceries for Field Officer - GST Free	-$1,975.30
EFT49358	13/06/2019	Youngs Earthmoving	Supply of Hired Road Construction Plant with Operators for Road Construction/Upgrade Project to Punmu Road 8120244. Rates as per tender submission RFT 8-2017/18 Supply of Hired Road Construction Plant with Operators.	-$151,882.50
			Total	-$3,664,736.57

Appendix 2
Schedule of Accounts MasterCard

SHIRE OF EAST PILBARA

MasterCard Transactions 18/04/19 - 22/05/19

Card Holder	Card Number	Transaction Date	Narration	Debit	Credit
Oliver Shaer	5586 **** **** 3908		NIL TRANSACTIONS		
Ben Lewis	5586 **** **** 3732		NIL TRANSACTIONS		
Jeremy Edwards	5586 **** **** 6818	21/05/2019	QANTAS AIRWAYS - CHANGE OF FLIGHT GERRY.P	-$107.79	
	5586 **** **** 6818	20/05/2019	NEWMAN OTC PTY LTD NEWMAN	-$85.00	
	5586 **** **** 6818	16/05/2019	BITEABLE PTY LTD - MEDIA RELATIONS SOFTWARE	-$142.50	
	5586 **** **** 6818	29/04/2019	WANEWSDTI Osborne Park WA	-$22.15	
	5586 **** **** 6818	18/04/2019	AVIAIR - MARTUMILI ARTIST FLIGHT	-$680.00	
Sian Appleton	5586 **** **** 4940	21/05/2019	FACEBK *MKT5NLA4L2 fb.me/ads IR	-$497.13	
	5586 **** **** 4940	20/05/2019	ADOBE PHOTOGPHY PLAN 1800614863 IR	-$171.47	
	5586 **** **** 4940	20/05/2019	ADOBE PHOTOGPHY PLAN 1800614863 IR	-$171.47	
	5586 **** **** 4940	20/05/2019	ADOBE PHOTOGPHY PLAN 1800614863 IR	-$171.47	
	5586 **** **** 4940	17/05/2019	ADOBE PHOTOGPHY PLAN 1800614863 IR	-$171.47	
	5586 **** **** 4940	23/04/2019	FACEBK *T89F9LW3L2 fb.me/ads IR	-$453.27	
Raees Rasool	5586 **** **** 6081	21/05/2019	SEBEL WEST PERTH WEST PERTH WA	-$520.20	
	5586 **** **** 6081	20/05/2019	ROWE SCIENTIFIC PTY LT WANGARA WA	-$792.13	
Lisa Clack	5586 **** **** 6489		NIL TRANSACTIONS		
Lisa Edwads	5586 **** **** 6352		NIL TRANSACTIONS		
Billing Account	5586 **** **** 8665	21/05/2019	FOREIGN TRANSACTION FEE	-$14.67	
	5586 **** **** 8665	20/05/2019	FOREIGN TRANSACTION FEE	-$5.06	
	5586 **** **** 8665	20/05/2019	FOREIGN TRANSACTION FEE	-$5.06	
	5586 **** **** 8665	20/05/2019	FOREIGN TRANSACTION FEE	-$5.06	
	5586 **** **** 8665	17/05/2019	FOREIGN TRANSACTION FEE	-$5.06	
	5586 **** **** 8665	16/05/2019	FOREIGN TRANSACTION FEE	-$4.20	
	5586 **** **** 8665	7/05/2019	PERIODICAL PAYMENTS 06		$7,278.07
	5586 **** **** 8665	23/04/2019	FOREIGN TRANSACTION FEE	-$13.37	
			TOTAL	**-$4,038.53**	**$7,278.07**

Appendix 3
Schedule of Accounts Cheque

SHIRE OF EAST PILBARA

Cheque Payments

Chq/EFT	Date	Name	Description	Amount
24766	16/05/2019	SOEP - CASH	Staff Lotto Syndicate 1 - PPE 05.05.19	-$297.60
24767	16/05/2019	SOEP - LOTTO SYNDICATE 2	Staff Lotto Syndicate 2 & 3 - PPE 05.05.19	-$621.70
24768	16/05/2019	SOEP - CASH	Umpire and coaching fund for mixed volleyball and basketball	-$210.00
24771	30/05/2019	Arts Unwined Ltd	Delivery of Introduction to Metal Texturing and Small Business planning workshop on 18 and 19 May 2019	-$2,310.00
24772	30/05/2019	GREAT EASTERN MOTOR LODGE	Please supply the following: 1 night accommodation-Standard Motel Suite	-$180.00
24773	30/05/2019	SOEP - CASH	Staff Lotto Syndicate 1 - PPE 19.05.19	-$297.60
24774	30/05/2019	SOEP - LOTTO SYNDICATE 2	Staff Lotto Syndicate 2 - PPE 19.05.19	-$621.70
24775	06/06/2019	AVIS AUSTRALIA	Please supply the following: Car hire	-$247.65
24776	06/06/2019	WANGKA MAYA PILBARA ABORIGINAL LANGUAGE	merchandise for resale in gallery 18-19.01	-$4,129.50
24777	13/06/2019	Australian Institute of Building Surveyors	Membership renewal - David Evrett	-$560.00
24778	13/06/2019	SOEP - LOTTO SYNDICATE 1	Staff Lotto Syndicate 1 - PPE 02/06/19	-$297.60
24779	13/06/2019	SOEP - LOTTO SYNDICATE 2	Staff Lotto Syndicate 2 - PPE 02/06/19	-$383.70
24780	13/06/2019	SOEP - LOTTO SYNDICATE 3	Staff Lotto Syndicate 3 - PPE 02/06/19	-$238.00
24781	13/06/2019	SOEP - POOL PETTY CASH	Petty Cash Re-imbursement	-$78.21
			TOTAL	**-$10,473.26**

SHIRE OF EAST PILBARA

Manual Cheque Payments

Chq/EFT	Date	Name	Description	Amount
313	23/05/2019	MULYATINGKI MARNEY	Artist Payment - reference # 5235	-500.00
314	13/06/2019	DADDA SAMSON	Artist Payment - Ref # 5307	-317.00
			TOTAL	**-$817.00**

Appendix 4
Schedule of Accounts Directs

SHIRE OF EAST PILBARA
Direct Debit Payments

Chq/EFT	Date	Name	Description	Amount
10617548	21/05/2019	BP AUSTRALIA PTY LTD	FLEET CONTROL REPORT - April 2019	-$2,397.23
DD12756.1	19/05/2019	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	Payroll deductions	-$32,608.64
DD12756.10	19/05/2019	MLC MASTERKEY SUPER FUNDAMENTALS	Payroll deductions	-$632.55
DD12756.11	19/05/2019	EDWARDS J E AND A J SUPERANNUATION FUND	Superannuation contributions	-$1,017.41
DD12756.12	19/05/2019	NORTH PERSONAL SUPER FUND	Superannuation contributions	-$173.57
DD12756.13	19/05/2019	LUCRF SUPER	Superannuation contributions	-$252.03
DD12756.14	19/05/2019	UNISUPER	Payroll deductions	-$608.90
DD12756.15	19/05/2019	Care Super	Superannuation contributions	-$306.32
DD12756.16	19/05/2019	Media Super	Superannuation contributions	-$13.59
DD12756.17	19/05/2019	EQUIPSUPER	Superannuation contributions	-$228.01
DD12756.18	19/05/2019	ANZ SMART CHOICE SUPER	Superannuation contributions	-$295.74
DD12756.19	19/05/2019	CHRISTEX SUPERANNUATION FUND	Superannuation contributions	-$914.90
DD12756.2	19/05/2019	Sequoia Superannuation Pty Ltd C/ Fairhall SMSF	Superannuation contributions	-$234.88
DD12756.20	19/05/2019	LOCAL GOVERNMENT SUPER	Superannuation contributions	-$873.44
DD12756.21	19/05/2019	AUSTRALIAN SUPER	Superannuation contributions	-$3,093.03
DD12756.22	19/05/2019	COLONIAL FIRST STATE	Superannuation contributions	-$1,363.60
DD12756.23	19/05/2019	Hostplus	Payroll deductions	-$1,934.11
DD12756.24	19/05/2019	GANESHA SUPERFUND	Superannuation contributions	-$466.04
DD12756.3	19/05/2019	REST SUPERANNUATION	Payroll deductions	-$1,117.84
DD12756.4	19/05/2019	SUNSUPER	Payroll deductions	-$891.75
DD12756.5	19/05/2019	GUILD SUPER	Payroll deductions	-$736.23
DD12756.6	19/05/2019	BRYKAS SUPERANNUATION FUND	Superannuation contributions	-$625.77
DD12756.7	19/05/2019	AMP	Superannuation contributions	-$603.32
DD12756.8	19/05/2019	BT SUPER FOR LIFE	Superannuation contributions	-$460.96
DD12756.9	19/05/2019	HESTA SUPER FUND	Payroll deductions	-$1,012.53
DD12781.1	02/06/2019	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	Payroll deductions	-$33,788.91
DD12781.10	02/06/2019	MLC MASTERKEY SUPER FUNDAMENTALS	Payroll deductions	-$632.55
DD12781.11	02/06/2019	EDWARDS J E AND A J SUPERANNUATION FUND	Superannuation contributions	-$1,017.41
DD12781.12	02/06/2019	NORTH PERSONAL SUPER FUND	Superannuation contributions	-$161.51
DD12781.13	02/06/2019	LUCRF SUPER	Superannuation contributions	-$252.03
DD12781.14	02/06/2019	UNISUPER	Payroll deductions	-$569.49
DD12781.15	02/06/2019	Care Super	Superannuation contributions	-$306.32

DD12781.16	02/06/2019	EQUIPSUPER	Superannuation contributions	-$228.01
DD12781.17	02/06/2019	ANZ SMART CHOICE SUPER	Superannuation contributions	-$299.92
DD12781.18	02/06/2019	CHRISTEX SUPERANNUATION FUND	Superannuation contributions	-$914.90
DD12781.19	02/06/2019	LOCAL GOVERNMENT SUPER	Superannuation contributions	-$873.44
DD12781.2	02/06/2019	Sequoia Superannuation Pty Ltd C/ Fairhall SMSF	Superannuation contributions	-$252.13
DD12781.20	02/06/2019	AUSTRALIAN SUPER	Superannuation contributions	-$4,337.47
DD12781.21	02/06/2019	COLONIAL FIRST STATE	Superannuation contributions	-$1,132.46
DD12781.22	02/06/2019	Hostplus	Payroll deductions	-$2,498.93
DD12781.23	02/06/2019	GANESHA SUPERFUND	Superannuation contributions	-$466.04
DD12781.3	02/06/2019	REST SUPERANNUATION	Payroll deductions	-$1,166.78
DD12781.4	02/06/2019	SUNSUPER	Payroll deductions	-$966.21
DD12781.5	02/06/2019	GUILD SUPER	Payroll deductions	-$666.88
DD12781.6	02/06/2019	BRYKAS SUPERANNUATION FUND	Superannuation contributions	-$325.56
DD12781.7	02/06/2019	AMP	Superannuation contributions	-$627.00
DD12781.8	02/06/2019	HESTA SUPER FUND	Payroll deductions	-$1,016.30
DD12781.9	02/06/2019	BT SUPER FOR LIFE	Superannuation contributions	-$391.60
DD12810.1	02/06/2019	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	Superannuation contributions	-$132.65
DD12811.1	02/06/2019	WA LOCAL GOVERNMENT SUPERANNUATION PLAN	Superannuation contributions	-$342.06
DD12812.1	02/06/2019	EQUIPSUPER	Superannuation contributions	-$228.01
			TOTAL	**-$106,456.96**

10.2.7 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDING 30 APRIL 2019

File No:	**FIN-23-1**
Attachment:	**Appendix 1 – Monthly Financial Statement**
Responsible Officer:	**Ms Sian Appleton Executive Manager Corporate Services**
Author:	**Mrs Lisa Davis Manager Corporate Services**
Proposed Meeting Date:	**28 June 2019**
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 25-page report details the financial activities of the Council for the period 1st July 2018 to 30th April 2019 of the 2018/2019 financial year –

There are 4 sections of the monthly report:

1. Monthly Health Checks and Summary Graphs

2. Statutory Reports – Rate Setting Statement, Operating Statement, Cash Flow

3. Various other Notes to give council an overview of the Shire's current financial situation, including Material Variances for Programs and Nature and Type as per the budget the council adopted variance threshold limits of 10% or $10,000 whichever is greater.

4. A detailed Capital Projects schedule detailing all expenditure

COMMENTS/OPTIONS/DISCUSSIONS

The Executive Manager of Corporate Services 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)

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

POLICY IMPLICATIONS

3.1 ACCOUNTING POLICIES

STRATEGIC COMMUNITY PLAN

Nil

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.1 Enhance governance capability to deliver sustainable outcomes, roads and buildings

RISK MANAGEMENT CONSIDERATIONS

Legislative – Medium.

FINANCIAL IMPLICATIONS

This report discloses financial activities for the period under review.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/170

MOVED: Cr Geraldine Parsons **SECONDED: Cr Anthony Middleton**

That the monthly financial statements for the period 1st July 2018 to 30th April 2019 of the 2018/2019 financial year as presented be received.

CARRIED UNANIMOUSLY

To be actioned by Mrs Lisa Davis, Manager Corporate Services

Appendix 1
Monthly Financial Statement

Shire Of East Pilbara

Monthly Financial Statements

(Containing the Statement of Financial Activity)

For The Period Ending 30th April 2019

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

TABLE OF CONTENTS

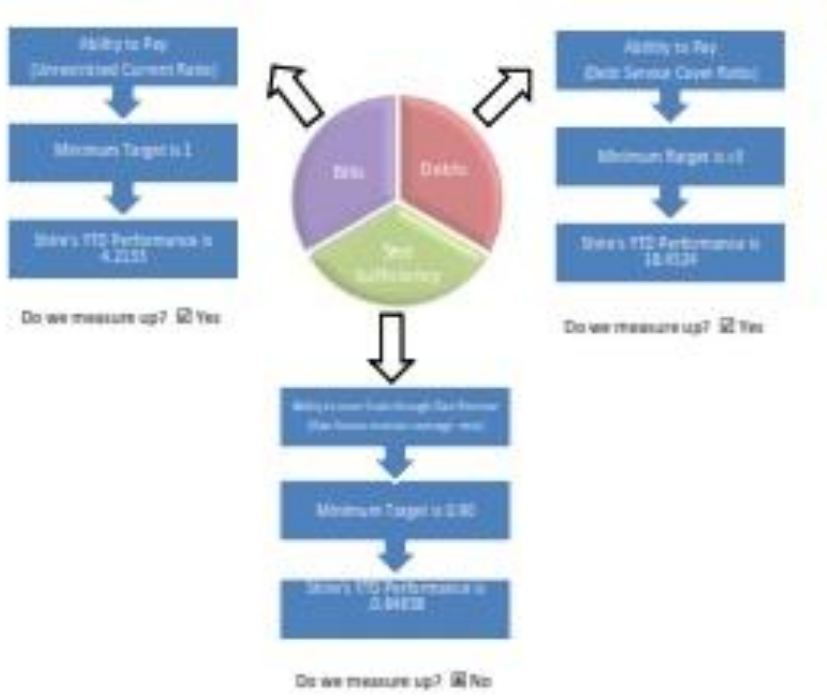
Monthly Health Checks & Summary Graphs		...	1
Statement of Financial Activity by Program		...	3
Statement of Financial Activity by Nature or Type		...	5
Rate Setting Statement		...	6
Cash Flow		...	7
Acquisitions and Construction of Assets		...	8
Note 1	Net Assets	...	13
Note 2	Explanation of Material Varianc	...	14
Note 3	Rating Revenue	...	15
Note 4	Receivables	...	17
Note 5	Disposal of Assets	...	18
Note 6	Borrowings	...	19
Note 7	Reserves	...	21
Note 8	Grants and Contributions	...	22
Note 9	Trusts	...	23
Note 10	Budget Amendments	...	24

Produced
18/06/2019 8:37

MONTHLY FINANCIAL HEALTH CHECKS

For The Period Ending 30th April 2019

Highlighting how the Shire of East Pilbara is tracking against financial ratios



How are we tracking against our budget targets?

Ajusted Operating Surplus

- A measure of the Shire's ability to cover its operatinal costs including depreciation and have funds left over to cover capital expenditure (including principal loan repayments) without relying on debt or reserves

Minimum Target is 1%

Shire's YTD Performance Is 0.09438

Do we meet the target? ☒ No

Adjusted operating surplus and self sufficient ratios are high due to rates being fully funded at the beginning of the financial year. However as the year progresses, operating expenditure will continue to draw on this revenue source reducing to target by 30 June 2019.

It should be noted that the increase in depreciation (following the revaluation of assets at fair value over the last four years) has significantly increased the annual depreciation and puts pressure on the operating surplus result.

Asset Sustainability Ratio

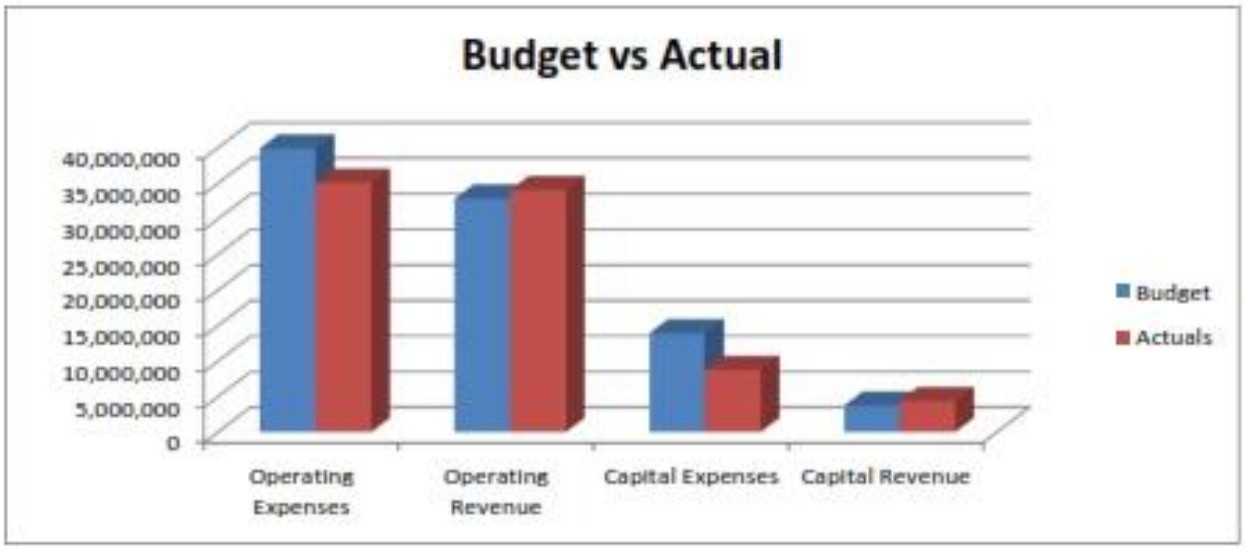
- Measures if the Shire is replacing or renewing existing non-financial assets at the same rate that its overall asset stock is wearing out

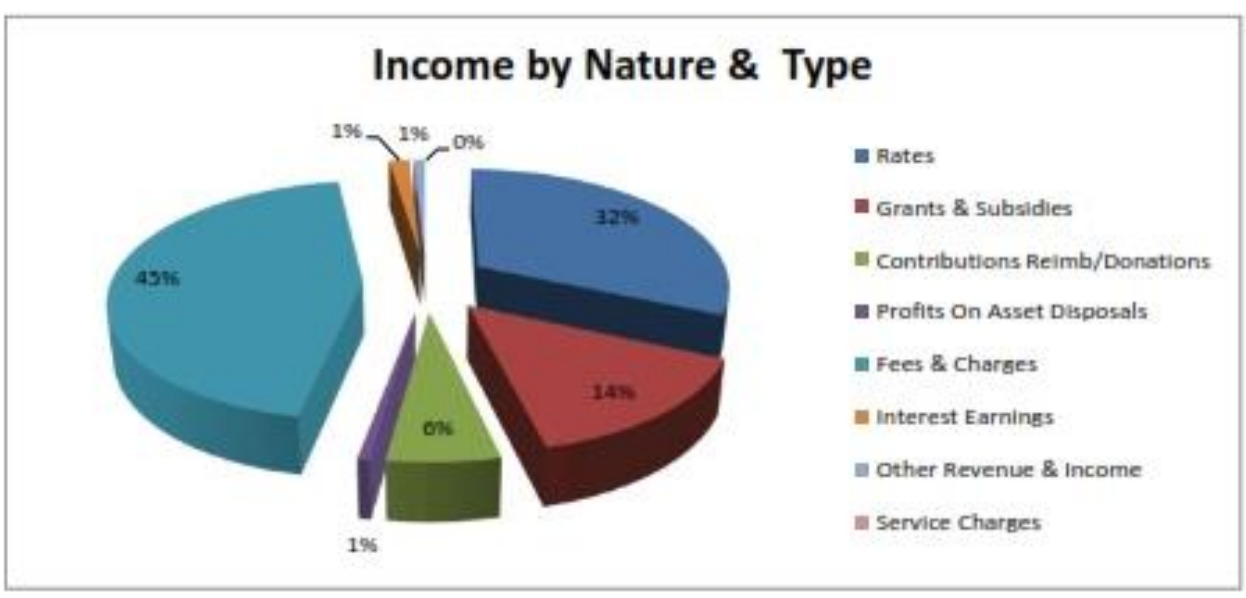
Minimum Target is 90%

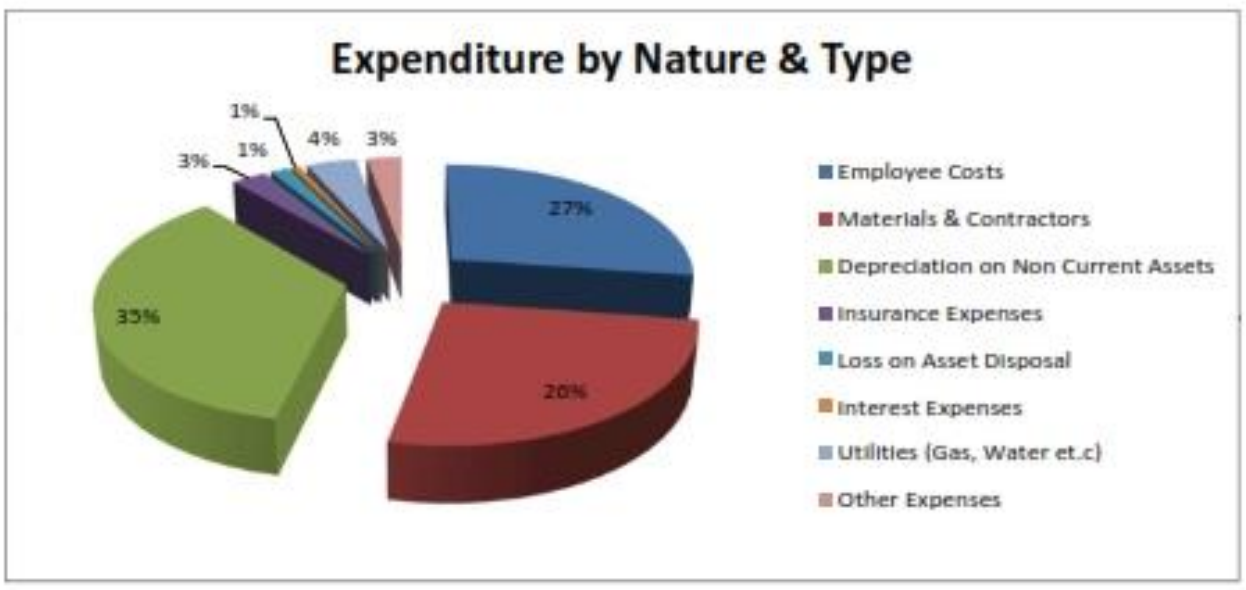
Shire's YTD Performance is

Do we meet the target? N/A

Shire Of East Pilbara
Financial Graphs
For The Period Ending 30th April 2019







Shire Of East Pilbara
Operating Revenue and Expenses
For The Period Ending 30th April 2019

Function, Sub-Function and Department Name	Budget Annual Revenue	Budget YTD Revenue	Actual YTD Revenue	Monthly Budget vs Actual $ Variance	Monthly Bud vs Actual % Variance		Budget Annual Expenditure	Budget YTD Expenditure	Actual YTD Expenditure	Monthly Budget vs Actual $ Variance	Monthly Bud vs Actual % Variance	
General Purpose Funding												
Rates	12,174,200	12,294,450	12,308,133.88	(13,683.86)	(0.11)		33,900	661,720	640,920.55			
Other General Purpose Funding	2,170,000	1,808,330	304,769.02	1,503,560.98	83.15		491,100	408,970	325,875.33			
Total General Purpose Funding	**14,344,200**	**14,102,780**	**12,612,904.88**				**524,400**	**1,070,690**	**966,795.88**	**103,894.12**	9.70	
Governance												
Members of Council	100	80	-				734,600	477,090	439,708.77			
Other Governance	90,200	77,640	73,247.20				4,674,900	3,980,790	3,346,292.29			
Assets & Procurement	-	-	-				812,500	648,950	583,501.83			
Fixed Assets	2,900	2,430	(0.01)				445,100	370,900	356,132.30			
Allocations To Other Functions	-	-	-				(4,705,100)	(3,920,880)	(3,136,704.00)			
Total Governance	**93,200**	**80,150**	**73,247.19**	**6,902.81**	8.61		**1,962,000**	**1,556,850**	**1,568,931.19**	**(12,081.19)**	(0.78)	
Law, Order & Public Safety												
Fixed Assets	-	-	-				232,700	185,900	136,436.11			
Fire Prevention / Emergency Services	83,000	69,160	62,667.50				97,100	80,660	39,825.02			
Animal Control	55,000	29,310	31,476.57				19,000	15,820	14,562.02			
Other Law, Order & Public Safety	42,500	35,400	6,706.00				832,900	731,430	590,149.16			
Total Law, Order & Public Safety	**180,500**	**133,870**	**101,150.07**	**32,719.03**	24.44		**1,181,700**	**1,022,010**	**780,970.51**	**241,039.69**	23.58	
Health												
Fixed Assets	9,400	7,830	1,768.58				27,700	23,080	17,518.09			
Maternal and Infant Health	-	-	-				-	-	-			
Health Inspection and Administration	70,200	52,880	52,792.29				576,100	481,840	382,022.79			
Preventative Services	-	9,580	18,171.35				95,200	80,810	70,459.23			
Total Health	**79,600**	**70,290**	**72,732.22**	**(2,442.22)**	(3.47)		**699,000**	**585,730**	**470,000.08**	**105,729.92**	18.05	
Education & Welfare												
Fixed Assets	-	-	-				435,100	362,570	305,745.36			
Care of Families & Children	-	-	-				15,500	12,900	2,546.68			
Community Services												
Administration	-	-	-				531,000	471,670	384,884.61			
Community Grants & Programs	7,700	6,410	4,665.63				206,200	183,800	147,857.20			
Community Projects	165,600	139,470	208,993.33				676,700	600,520	542,271.73			
Total Education & Welfare	**173,300**	**145,880**	**213,658.96**	**(67,778.96)**	(46.46)		**1,864,500**	**1,631,460**	**1,383,307.58**	**248,152.42**	15.21	
Housing												
Fixed Assets	-	-	-				435,800	363,160	300,580.28			
Staff Housing	180,500	150,410	165,332.13				180,500	150,010	239,331.48			
Airport Housing	54,100	45,070	45,052.55				54,100	(140)	54,021.97			
Martumill Housing	10,300	8,570	10,780.74				10,300	36,630	16,661.73			
Other Housing	103,500	79,160	95,158.95				242,300	243,000	205,637.24			
Total Housing	**348,400**	**283,210**	**323,384.37**	**(40,174.37)**	(14.19)		**923,000**	**793,560**	**816,432.70**	**(22,872.70)**	(2.88)	

Shire Of East Pilbara
Operating Revenue and Expenses
For The Period Ending 30th April 2019

Function, Sub-Function and Department Name	Budget Annual Revenue	Budget YTD Revenue	Actual YTD Revenue		Monthly Bud vs Actual % Variance		Budget Annual Expenditure	Budget YTD Expenditure	Actual YTD Expenditure		Monthly Bud vs Actual % Variance	
Community Amenities												
Fixed Assets	-	-	-				687,700	573,080	769,503.55			
Sanitation & Household Refuse	850,100	626,130	830,213.91				602,400	492,500	304,851.92			
Other Sanitation	2,810,000	2,368,580	2,501,213.10				2,363,300	1,948,950	1,668,476.00			
Sewerage	879,700	855,010	877,503.49				803,000	655,120	945,220.89			
Protection of the Environment	-	-	-				4,600	3,830	-			
Town Planning & Regional Develop't	42,500	31,240	25,588.60				413,700	284,100	88,795.93			
Other Community Amenities	7,000	5,830	5,270.94				219,000	180,720	86,995.23			
Total Community Amenities	**4,589,300**	**3,887,370**	**4,037,792.04**	**(150,422.04)**	(3.87)		**5,093,700**	**4,138,280**	**3,475,914.24**	**604,365.76**	16.05	
Recreation & Culture												
Fixed Assets	-	-	-				2,824,400	2,353,660	1,578,908.01			
Public Halls & Civic Centres	82,300	72,740	71,004.56				233,000	197,780	186,811.21			
Swimming Areas/Beaches - Newman	200,400	175,380	193,453.74				841,200	712,280	648,406.23			
Swimming Areas/Beaches - M/Bar	-	-	-				183,600	165,850	143,655.50			
TV & Radio Re Broadcasting	-	-	-				23,400	19,470	15,805.56			
Recreation Centre	352,600	295,800	241,208.93				1,081,400	922,970	705,972.83			
Libraries	5,000	4,160	7,602.02				440,300	362,980	283,635.99			
Other Culture	1,383,700	1,268,040	1,346,070.45				1,128,400.00	943,090.00	837,577.49			
Recreation Services Admin	41,400	38,720	44,271.49				1,019,600	867,790	741,677.56			
Recreation Ovals/Parks & Other	214,100	178,390	208,008.65				2,648,300	2,175,240	1,732,841.21			
Culture & the Arts							205,600.00	159,540.00	78,875.80			
Events							445,500.00	398,010.00	325,867.34			
Total Recreation & Culture	**2,279,500**	**2,051,250**	**2,011,619.84**	**10,610.16**	0.97		**11,054,700**	**9,279,369**	**7,275,029.95**	**2,006,539.07**	21.62	
Transport												
Fixed Assets	83,000	69,160	234,508.54				7,413,000	6,177,480	6,532,882.83			
Sts/Rds/Bridges/Depots - Construction	4,518,500	3,651,880	4,323,426.41				-	-	-			
Sts/Rds/Bridges/Depots - Maintenance	1,753,900	1,461,580	1,102,230.41				5,091,500	4,387,500	3,797,215.59			
Road Plant Purchases	59,800	49,830	46,677.56				-	-	-			
Aerodromes	12,103,700	10,086,360	12,069,705.40				9,872,428	7,748,664	6,538,669.75			
Total Transport	**18,518,900**	**15,318,810**	**17,796,548.32**	**(2,447,738.32)**	(15.98)		**22,376,928**	**18,313,644**	**16,868,768.17**	**1,444,875.83**	7.89	
Economic Services												
Fixed Assets	16,700	13,910	7,322.32				255,600	212,980	461,735.15			
Tourism and Area Promotion	187,800	156,480	172,556.76				541,000	458,410	290,548.45			
Building Control	139,600	116,310	75,574.13				566,400	479,420	385,151.08			
Rural Services	133,300	111,080	107,288.92				183,500	152,880	115,847.33			
Economic Services	100,000	-	-				168,500	51,490	127,388.11			
Total Economic Services	**577,400**	**397,780**	**362,720.13**	**35,059.87**	8.81		**1,715,000**	**1,355,180**	**1,380,671.02**	**(25,491.02)**	(1.88)	
Other Property & Services												
Fixed Assets	-	-	-				55,000	45,820	53,104.64			
Private Works	15,300	12,750	36,723.18				9,800	8,000	3,588.94			
Public Works Overheads	10,200	8,500	6,040.00				10,200	8,400	(12,066.68)			
Plant Operation Costs	-	-	-				-	(10)	58,354.04			
Salaries and Wages	10,600	8,830	6,102.78				10,600	8,830	10,979.00			
Unclassified	191,500	159,570	812,148.26				191,500	159,570	482,402.39			
Total Other Property & Services	**227,600**	**189,650**	**861,014.22**	**(671,364.22)**	(354.00)		**276,900**	**230,610**	**594,365.25**	**(363,755.25)**	(157.74)	
Total Revenue & Expenditure As Per Operating Statement	**41,171,900**	**36,641,020**	**38,436,771.14**				**47,671,828**	**39,977,585**	**35,587,184.35**			

SHIRE OF EAST PILBARA
Statement of Financial Activity By Nature and Type
For The Period Ending 30th April 2019

Description	2018/2019 Budget	2018/2019 YTD Budget	2018/2019 YTD Actual	Monthly Budget vs Actual $ Variance	Monthly Bud vs Actual % Variance
OPERATING REVENUE					
Rates	**12,068,600**	**12,068,600**	**12,168,504.60**	99,904.60	(0.83)
Grants And Subsidies	**8,111,600**	**6,759,667**	**5,615,863.63**	(1,143,803.04)	16.92
Contributions, Reimbursements and Donations	**1,668,200**	**1,390,167**	**2,305,879.48**	915,712.81	(65.87)
Gain On Asset Disposals	**112,000**	**93,333**	**243,599.43**	150,266.10	(161.00)
Fees and Charges	**17,362,100**	**14,468,417**	**17,177,597.27**	2,709,180.60	(18.72)
Interest	**994,500**	**828,750**	**601,633.37**	(227,116.63)	27.40
Other Revenue/Income	**865,100**	**720,917**	**323,693.36**	(397,223.31)	55.10
Service Charges	**0**	**0**	**0.00**	- na	
Total Operating Revenue	**$41,182,100**	**$36,329,850**	**38,436,771.14**	2,106,921.14	(5.80)
Less: OPERATING EXPENDITURE					
Employee Costs	**12,848,700**	**10,707,250**	**9,705,380.82**	(1,001,869.18)	9.36
Materials And Contracts	**14,033,100**	**11,694,250**	**9,268,084.13**	(2,426,165.87)	20.75
Depreciation On Non Current Assets	**16,758,400**	**13,965,333**	**12,567,133.72**	(1,398,199.61)	10.01
Insurance Expenses	**1,018,700**	**1,018,700**	**954,753.81**	(63,946.19)	6.28
Loss On Asset Disposal	**104,000**	**86,667**	**523,269.01**	436,602.34	(503.77)
Interest Expenses	**333,300**	**277,750**	**223,697.04**	(54,052.96)	19.46
Utilities (Gas, Electricity, Water Etc)	**1,803,500**	**1,502,917**	**1,382,160.56**	(120,756.11)	8.03
Other Expenditure	**765,800**	**638,167**	**962,704.94**	324,538.27	(50.85)
Sub Total	**$47,665,500**	**$39,891,033**	**35,587,184.03**	(4,303,849.30)	10.79
Less: Applicable To Capital Expenditure	**0**	**0**	**0.00**	- na	
Total Operating Expenditure	**$47,665,500**	**$39,891,033**	**35,587,184.03**	(4,303,849.30)	10.79
NET PROFIT/(LOSS) RESULT	**($6,483,400)**	**($3,561,183)**	**2,849,587.11**	6,410,770.44 na	
Other Comprehensive Income	**$0**		**0.00**		
TOTAL COMPREHENSIVE INCOME	**($6,483,400)**	**($3,561,183)**	**2,849,587.11**	6,410,770.44 na	

Rate Setting Statement
Operating Revenue and Expenses
For The Period Ending 30th April 2019

OPERATING REVENUE	Budget	YTD Budget	YTD Actual
General Purpose Funding	14,344,200	14,102,780	12,612,904.88
Governance	90,300	77,720	73,247.19
Law, Order & Public Safety	135,500	113,040	101,150.97
Health	70,200	62,460	70,963.64
Education & Welfare	173,300	145,880	213,656.96
Housing	348,400	283,210	323,384.37
Community Amenities	4,369,300	3,887,370	4,037,792.04
Recreation and Culture	2,209,500	1,969,570	1,937,293.84
Transport	13,935,200	11,605,100	13,463,675.57
Economic Services	460,700	397,780	355,399.33
Other Property & Services	227,600	189,650	801,014.22
Total Operating Revenue	**36,364,200**	**32,834,560**	**34,050,483.01**
Less: OPERATING EXPENSES			
General Purpose Funding	524,400	1,070,690	966,795.88
Governance	1,962,000	1,556,850	1,548,407.67
Law, Order & Public Safety	1,179,800	1,020,430	780,970.31
Health	699,000	585,730	480,000.08
Education & Welfare	1,864,500	1,631,460	1,383,307.58
Housing	923,000	793,560	816,432.70
Community Amenities	5,093,700	4,138,280	3,174,312.66
Recreation and Culture	11,054,700	9,279,569	7,186,522.53
Transport	22,289,128	18,240,484	16,752,131.66
Economic Services	1,700,700	1,343,270	1,380,671.02
Other Property & Services	276,900	230,610	594,363.23
Total Operating Expenditure	**47,567,828**	**39,890,933**	**35,063,915.32**
Add:			
Capital Grants and Contributions	4,695,700	3,727,040	4,377,198.75
Sale of Assets	540,000	449,980	365,586.25
Write Back Depreciation	16,758,400	13,965,210	12,567,133.72
	21,994,100	**18,142,230**	**17,309,918.72**
Less: CAPITAL WORKS PROGRAMME			
Governance	350,000	258,250	224,321.59
Law, Order & Public Safety	220,000	183,330	133,457.65
Health	60,000	45,750	54,858.74
Education & Welfare	138,000	138,000	13,300.00
Housing	1,329,400	1,020,860	294,019.40
Community Amenities	1,686,000	2,298,330	1,266,879.30
Recreation and Culture	1,269,000	814,670	577,291.18
Transport	10,031,800	8,479,700	5,749,753.28
Economic Services	1,035,000	679,760	439,703.50
Other Property & Services	-	-	-
	16,119,200	**13,918,650**	**8,753,584.64**
Less: OTHER			
Repayments of Debentures	947,900	623,914	623,913.81
Less Contributions to Loan Principal	-	-	-
Transfers to Reserves	3,212,700	28,801	9,487,536.86
	4,160,600	**652,715**	**10,111,450.67**
Add: FUNDING SOURCES			
Reserves Utilised	2,766,600	230,550	3,077,701.41
Proceeds from New Debentures	-	-	-
Estimated Surplus/(Deficit) July 1 b/fwd	6,782,100	6,719,100	6,330,685.00
	9,548,700	**6,949,650**	**9,408,386.41**
Estimated Surplus/(Deficit) June 30 c/fwd	**59,372**	**3,464,142**	**6,839,837.51**

CASHFLOW
For The Period Ending 30th April 2019

Municipal Fund

Cashflows From Operating Activities		
Receipts from Operations		33,715,819.52
Less: Payments for Operations		-22,407,201.78
	Net Cash Provided by Operating Activities	11,308,617.74
Cashflow from Investing Activities		
Interest received		564,742.82
Payment for Property, Plant & Equipment		-7,091,171.97
Less: Proceeds - Sale of Assets		-781,662.12
	Net Cash Used by Investing Activities	-7,308,091.27
Cashflows from Financing Activities		
Interest Paid		-223,697.04
Repayment of Borrowings		-623,913.81
Proceeds from Borrowings		0.00
	Net Cash Used by Financing Activities	-847,610.85
	Net Increase in Cash Held	**$3,152,915.62**
	Municipal Fund Cash at Beginning of Year - 01/07/18	43,812,286.61
	Municipal Fund Cash at End of Period - 30/06/2018	48,517,203.55
	Net Increase in Cash Held	**$4,704,916.94**

Total Cash Balances

Municipal Fund		
- Cash At Bank	4,853,797.39	
- Cash Floats	18,088.23	
- Cash Invested	1,086,806.14	5,958,691.76
Reserve Fund - Cash Invested		42,558,511.79
	Total Cash Held	**$48,517,203.55**

Shire Of East Pilbara

Acquisition & Construction of Assets

For The Period Ending 30th April 2019

A/c No	Function/Sub Function	Budget	Monthly Budget	Amended Budget	Actuals to Date	Monthly Bud vs Actual % Variance	2018/2019 Funds Committed	2018/2019 Total Funds Spent YTD
	Governance							
	Other Governance							
49001	Computer Equipment	150,000	75,000	90,000	48,053.51		30.00	48,083.51
49004	CEO Vehicle - Sedan (41218)	85,000	79,080	94,900	94,808.09		-	94,808.09
49014	MAP Vehicle 4WD (41230)	65,000	54,170	65,000	68,539.45		-	68,539.45
49025	Newman Admin Blg - Photocopier x1	0	0	0	-		-	-
49039	Nmw Admin Blg Security Upgrade	50,000	50,000	50,000	12,920.54		-	12,920.54
	Total Governance	**$350,000**	**$258,250**	**$299,900**	**224,321.59**	13.14	**$30.00**	**$224,351.59**
	Law, Order & Public Safety							
	Fire Prevention/Emergency Services							
59010	Ranger Vehicle - 4WD (51113)	70,000	58,330	70,000	70,453.65		-	70,453.65
59014	SES Building	100,000	83,330	100,000	60,450.00		-	60,450.00
		$170,000	**$141,660**	**$170,000**	**130,903.65**		**$0.00**	**$130,903.65**
	Animal Control							
59025	Town Centre CCTV	50,000	41,670	50,000	2,554.00		-	2,554.00
		$50,000	**$41,670**	**$50,000**	**2,554.00**		**$0.00**	**$2,554.00**
	Total Law, Order, P/Safety	**$220,000**	**$183,330**	**$220,000**	**133,457.65**	27.20	**$0.00**	**$133,457.65**
	Health							
79002	MHRS Vehicle - 4WD (71090)	60,000	45,750	54,900	54,858.74		-	54,858.74
	Total Health	**$60,000**	**$45,750**	**$54,900**	**54,858.74**	-19.91	**$0.00**	**$54,858.74**
	Education and Welfare							
	Community Services							
89007	Community Services - Public Building	85,000	85,000	85,000	-		-	-
89018	Newman House	53,000	53,000	53,000	13,300.00		-	13,300.00
	Total Education and Welfare	**$138,000**	**$138,000**	**$85,000**	**13,300.00**	90.36	**$0.00**	**$13,300.00**
	Housing							
	Staff Housing							
99019	Staff Housing Capital - M/Bar & Nullagine	655,400	458,330	550,000	101,125.02		448,714.90	549,839.92
99020	Staff Housing Capital - Newman	444,800	333,330	400,000	139,397.62		197,520.00	336,917.62
99026	SPQ External	14,300	14,300	14,300	-		-	-
99027	Community Housing Capital	34,000	34,000	34,000	2,562.87		107,470.00	110,032.87
99028	Staff Housing Capital - Airport	180,900	180,900	180,900	50,933.89		35,149.84	86,083.73
99029	Staff Housing Capital - Martumili	0	0	0	-		-	-
	Total Housing	**$1,329,400**	**$1,020,860**	**$1,179,200**	**294,019.40**	71.20	**$788,854.74**	**$1,082,874.14**
	Community Amenities							
	Sewerage							
109002	Sewerage Plant Capital Improv'ts	1,000,000	1,597,000	1,597,000	714,106.97		304,629.44	1,018,736.41
		$1,000,000	**$1,597,000**	**$1,597,000**	**714,106.97**		**$304,629.44**	**$1,018,736.41**
	Sanitation Other							
109017	Weighbridge	20,000	20,000	20,000	-		-	-
109019	Septage Ponds	400,000	533,330	640,000	487,269.95		111,373.80	598,643.75
109034	Newman Landfill Improvements	150,000	125,000	150,000	13,868.93		39,649.00	53,517.93
		$570,000	**$678,330**	**$810,000**	**501,138.88**		**$151,022.80**	**$652,161.68**

Shire Of East Pilbara

Acquisition & Construction of Assets

For The Period Ending 30th April 2019

A/c No	Function/Sub Function	Budget	Monthly Budget	Amended Budget	Actuals to Date	Monthly Bud vs Actual % Variance	2018/2019 Funds Committed	2018/2019 Total Funds Spent YTD
	Other Community Amenities							
109022	Public Toilets	12,000	12,000	12,000	10,400.00		-	10,400.00
109033	Nullagine Public Toilets	52,000	10,000	10,000	25,375.45		6,719.65	32,095.10
109025	Marble Bar Public Toilets	52,000	1,000	1,000	15,858.00		12,629.65	28,487.65
		116,000	**23,000**	**$23,000**	**51,633.45**		**$19,349.30**	**$70,982.75**
	Total Community Amenities	**$1,680,000**	**$2,298,330**	**$2,430,000**	**1,206,879.30**	44.88	**$475,001.54**	**$1,741,880.84**
	Recreation And Culture							
119013	Gallop Hall	5,000	0	0	-		-	-
119019	Town Square - Fit Out	35,000	11,200	11,200	11,217.00		-	11,217.00
	Public Halls & Civic Centre	**$40,000**	**$11,200**	**$11,200**	**11,217.00**		**$0.00**	**$11,217.00**
119047	UV Meters	5,000	12,500	12,500	2,422.73		-	2,422.73
119062	M/Bar Aquatic Centre - P&E	7,300	0	0	-		-	-
119083	Newman Aquatic Centre - L&B	25,000	32,800	32,800	-		29,735.00	29,735.00
	Swimming Areas / Beaches	**$37,500**	**$45,300**	**$45,300**	**2,422.73**		**$29,735.00**	**$32,157.73**
119306	Nullagine Radio Building Upgrade	8,500	8,500	8,500	-		2,272.73	2,272.73
	Television & Radio Broadcasting	**$8,500**	**8,500**	**8,500**	**-**		**$2,272.73**	**$2,272.73**
119309	Newman Community Library Upgrade	11,000	11,000	11,000	5,600.00		-	5,600.00
	Libraries	**$11,000**	**$11,000**	**$11,000**	**5,600.00**		**$0**	**$5,600**
119602	Air Conditioner Gym II	200,000	130,000	130,000	116,776.46		-	116,776.46
	Recreation Centre	**$200,000**	**$130,000**	**$130,000**	**116,776.46**		**$0.00**	**$116,776.46**
119410	Martumili - Artwork	0	10,000	10,000	2,624.00		-	2,624.00
119415	Martumili - Office Equipment	0	10,000	10,000	-		-	-
119421	Plant & Equipment - Martumili	100,000	150,000	180,000	90,560.30		94,238.43	184,798.73
	Other Culture - Indigenous Arts Officer	**$100,000**	**$170,000**	**$460,000**	**93,184.30**		**$94,238.43**	**$187,422.73**
119627	Nullagine Gym	22,000	22,000	22,000	-		-	-
	Recreation Services Admin	**$22,000**	**$22,000**	**$22,000**	**-**		**$0.00**	**$0.00**
119704	Minor Equipment - Parks & Gardens	50,000	50,000	50,000	18,700.00		-	18,700.00
119705	Turf Mower	30,000	30,000	30,000	-		-	-
119709	Playground Equipment	140,000	40,000	40,000	11,470.00		-	11,470.00
119728	Cricket Pitch Covers	30,000	30,000	30,000	22,920.69		-	22,920.69
119738	Capricorn Oval Light Upgrade	600,000	266,670	320,000	295,000.00		13,904.00	308,904.00
	Ovals, Parks and Other Reserves	**$850,000**	**416,670**	**$470,000**	**348,090.69**		**$13,904.00**	**$361,994.69**
	Total Recreation And Culture	**$1,269,000**	**$814,670**	**$1,158,000**	**577,291.18**	29.14	**$140,150**	**$717,441**
	Transport							
129545	Marble Bar / Woodie Woodie Road	225,000	225,000	225,000	191,878.78		-	191,878.78
129546	Jigalong Road	570,000	567,000	567,000	567,090.00		-	567,090.00
129551	Woodie Woodie Road	300,000	300,000	300,000	188,890.39		31,818.18	220,708.57
129556	Munjina-Roy Hill Road	450,000	477,300	477,300	477,295.00		-	477,295.00
129588	Boreline Road	330,000	334,800	334,800	334,801.87		-	334,801.87

Shire Of East Pilbara

Acquisition & Construction of Assets

For The Period Ending 30th April 2019

A/c No	Function/Sub Function	Budget	Monthly Budget	Amended Budget	Actuals to Date	Monthly Bud vs Actual % Variance	2018/2019 Funds Committed	2018/2019 Total Funds Spent YTD
	Road Construction	**$1,875,000**	**$1,904,100**	**$1,904,100**	**1,759,956.04**		**$31,818.18**	**$1,791,774.22**
129537	Kiwirrkurra Access Road	265,000	265,000	265,000	34,665.00		-	34,665.00
129538	Punmu Access Road	630,000	630,000	630,000	473,235.64		-	473,235.64
129539	Talawana Track	230,000	230,400	230,400	230,361.40		-	230,361.40
129540	Jupiter Well Access Road	75,000	58,400	58,400	58,365.00		-	58,365.00
129542	Kunawarritji Access	520,000	520,000	520,000	253,622.50		-	253,622.50
	Aboriginal Access Roads	**$1,720,000**	**$1,703,800**	**$1,703,800**	**1,070,249.54**		**$0.00**	**$1,070,249.54**
129530	Newman Town Streets - Reseals	397,700	452,700	452,700	452,238.98		-	452,238.98
129573	Kerbing Program	25,000	0	0	-		-	-
129574	Footpath Program	50,000	0	0	-		-	-
129577	Drainage Improvements	160,000	83,330	100,000	90,834.00		-	90,834.00
129596	**CLGF - Depot Development	150,000	200,000	240,000	217,213.64		36,137.40	253,351.04
129601	Nullagine Entry Statement	5,000	4,170	5,000	-		-	-
129610	Newman Town Streets - Reseals	168,500	273,750	328,500	142,758.30		185,700.00	328,458.30
129613	Ovals Reticulation Automation	50,000	41,670	50,000	43,230.00		-	43,230.00
129618	Pavement Failure and Drainage Works	918,000	680,830	817,000	750,402.10		66,584.83	816,986.93
129619	Streetscape Projects / Landscaping - Variou	20,000	20,000	20,000	9,143.85		1,999.55	11,143.40
	Other Construction	**$1,944,200**	**$1,756,450**	**$2,013,200**	**1,705,820.87**		**$290,421.78**	**$1,996,242.65**
129074	Toyota Hilux - 2WD (2811)	100,000	66,670	80,000	79,874.00		-	79,874.00
129084	Minor Equipment	58,000	48,330	58,000	10,081.55		-	10,081.55
129092	Toyota Hilux - 2WD (2703)	75,000	54,500	65,400	64,888.76		-	64,888.76
129106	Fuso Canter (2823)	95,000	70,000	84,000	83,142.35		-	83,142.35
129729	Construction Leading Hand (2708)	75,000	76,670	92,000	90,109.94		-	90,109.94
129730	Works Supervisor (2801)	60,000	50,000	60,000	56,493.91		-	56,493.91
129731	Reticulation Vehicle (2802)	40,000	33,700	33,700	33,822.77		-	33,822.77
129734	Motor Grader (2743)	420,000	312,500	375,000	369,000.00		-	369,000.00
129717	Skid Loader (2832)	100,000	57,420	68,900	68,897.00		-	68,897.00
	Road Plant Purchases	**$1,023,000**	**$769,790**	**$917,000**	**856,310.28**		**$0.00**	**$856,310.28**
129315	**Roe 8 TC Revital/Land Release - Infra	100,000	0	0	-		-	-
	Royalties for Regions Projects	**$100,000**	**$0**	**$0**	**-**		**$0.00**	**$0.00**
129008	Master and Land Use Plan	200,000	166,670	200,000	-		-	-
129034	Reporting Officer 4WD X-Cab (121212)	65,000	51,420	61,700	61,602.32		-	61,602.32
129401	Services - Access Roads, Car Parks	20,000	20,000	20,000	-		-	-
129402	Services - Water Inc Ro	1,893,800	1,080,000	1,296,000	275,646.32		146,544.08	422,190.40
129404	Services - Waste	80,000	66,670	80,000	-		-	-
129417	Safety & Security - CCTV	40,000	40,000	40,000	-		-	-
129419	Safety & Security - Lighting	750,000	625,000	750,000	-		-	-
129421	Communications - IT	20,800	20,800	20,800	4,570.91		-	4,570.91
129422	Marble Bar - Infastructure	60,000	50,000	60,000	-		-	-
129426	ASCE Plant & Equipment	90,000	75,000	90,000	15,597.00		-	15,597.00
129431	Public Structures	150,000	150,000	150,000	-		-	-
	Landside Expenses	**$3,369,600**	**$2,345,560**	**$2,768,500**	**357,416.55**		**$146,544.08**	**$503,960.63**
	Total Airport	**$3,369,600**	**$2,345,560**	**$2,768,500**	**357,416.55**		**$146,544.08**	**$503,960.63**

Shire Of East Pilbara

Acquisition & Construction of Assets

For The Period Ending 30th April 2019

A/c No	Function/Sub Function	Budget	Monthly Budget	Amended Budget	Actuals to Date	Monthly Bud vs Actual % Variance	2018/2019 Funds Committed	2018/2019 Total Funds Spent YTD
	Economic Services							
139818	RPT Troop Carrier (131166)	120,000	91,670	110,000	-		-	-
	Rural Services	$120,000	$91,670	$110,000	-		$0.00	$0.00
139209	Cape K - Caretakers Residence	500,000	416,670	500,000	384,094.06		-	384,094.06
139210	Nullagine Caravan Park Upgrade	150,000	125,000	150,000	-		-	-
139309	Desert Discovery Drive Structures	200,000	0	0	-		-	-
	Tourism & Area Promotion	$850,000	$541,670	$650,000	384,094.06		$0.00	$384,094.06
139007	MD5-B Vehicle - 4WD (131113)	65,000	46,420	55,700	55,609.44		-	55,609.44
	Building Control	$65,000	$46,420	$55,700	55,609.44		$0.00	$55,609.44
	Total Economic Services	$1,035,000	$679,760	$650,000	439,703.50	35.31	$0.00	$439,703.50
	Other Works & Services							
149014	Toyota Prado	0	0	0	-		-	-
	Total Other Works & Services	$0	$0	$0	-	na	$0.00	$0.00
	Totals of All Assets	$16,119,200	$13,918,650	$15,383,600	8,753,584.64	37.11	$1,872,820.48	$10,626,405.12

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

OPERATING ACTIVITIES

For The Period Ending 30th April 2019

NOTE 1

ADJUSTED NET CURRENT ASSETS

Adjusted Net Current Assets	Budget 2018/2019 $	YTD Actuals 2018/2019 $
Current Assets		
Cash		
Municipal Fund Cash At Bank	153,600	4,853,797.39
Municipal Fund Cash On Hand	18,000	18,088.23
Municipal Fund Cash Invested	969,600	1,086,806.14
Reserve Funds	37,482,900	42,558,511.79
Total Cash	**$38,624,100**	**$48,517,203.55**
Stock on Hand		
Fuels	50,000	191,256.08
History Books	15,000	13,131.54
Martumili Baskets	15,000	16,222.80
Total Stock	**$80,000**	**$220,610.42**
Debtors		
Rates	210,000	1,460,787.26
Sundry Debtors	40,000	2,251,803.83
ATO	0	21,798.00
Aust Securities Commission	200	0.00
Total Debtors	**$250,200**	**$3,734,389.09**
Total Current Assets	**$38,954,300**	**$52,472,203.06**
Current Liabilities		
Creditors & Provisions		
Sundry Creditors	($500,000)	($1,284,782.53)
Accruals - Employee Entitlements	($773,100)	($1,179,241.25)
Accruals - Other	$0	($847,322.04)
Trust Accounts	$0	$383.52
Tax Liability	$0	($56,536.54)
ESL Levy	$15,000	$59,132.67
Other Liabilities	$0	$0.00
Total Current Liabilities	**($1,258,100)**	**($3,308,366.17)**
Total Net Current Assets	**$37,696,200**	**$49,163,836.89**
Less Restricted Cash - Reserves	**$37,482,900**	**$42,558,511.79**
Net Current Assets less Restricted Cash	**$213,300**	**$6,605,325.10**

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For The Period Ending 30th April 2019

NOTE 2
EXPLANATION OF MATERIAL VARIANCES

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.
The material variance adopted by Council for the 2018/19 year is $10,000 or 10% whichever is the greater.

Reporting Program	Var. $	Var. %	Var.	Timing/ Permanent	Explanation of Variance
VARIANCE BY FUNCTION & ACTIVITY	$	%			
Revenue from operating activities					
Governance	NA	NA			
General Purpose Funding - Rates	NA	NA			
General Purpose Funding - Other	1,503,560.98	83.15	▼	Timing	Interest accrual and WALGOC Income
Law, Order & Public Safety	32,719.03	24.44	▼	Permanent	Grant not received. Less expended to match
Health	NA	NA			
Education and Welfare	(67,776.96)	(46.46)	▲	Permanent	Newman House Income
Housing	(40,174.37)	(14.19)	▲	Timing	Rents slightly above budget
Community Amenities	NA	NA			
Recreation and Culture	NA	NA			
Transport	(2,447,738.32)	(15.98)	▲	Permanent	Airport income up on budget
Economic Services	NA	NA			
Other Property and Services	(671,364.22)	(354.00)	▲	Permanent	Income from Private Works
Expenditure from operating activities					
Governance	(12,081.19)	(0.78)	▼	Timing	Expenditure down in Other Governance
General Purpose Funding	NA	NA			
Law, Order and Public Safety	241,039.69	23.58	▼	Timing	Expenditure down over Function
Health	105,729.92	18.05	▼	Timing	Expenditure down over Function
Education and Welfare	248,152.42	15.21	▼	Timing	Expenditure down over Function
Housing	NA	NA			
Community Amenities	664,365.76	16.05	▼	Timing	Minor - timing only
Recreation and Culture	2,006,539.07	21.62	▼	Timing	Expenditure down over Function
Transport	NA	NA			
Economic Services	NA	NA			
Other Property and Services	(363,753.23)	(157.74)	▲	Timing	Plant Operating Costs over allocated
VARIANCE BY NATURE & TYPE					
Operating Revenue					
Rates	NA	NA			
Grants And Subsidies	NA	NA			
Contributions, Reimb. & Donations	915,712.81	(65.87)	▲	Timing	
Gain On Asset Disposals	150,266.10	(161.00)	▲	Timing	
Fees and Charges	2,709,180.60	(18.72)	▲	Timing	Airport and other various income
Interest	(227,116.63)	27.40	▼	Timing	Maturity Dates of Term Deposits
Other Revenue/Income	(397,223.31)	55.10	▼	Timing	
Service Charges					
Operating Expenditure					
Employee Costs	NA	NA			
Materials And Contracts	(2,426,165.87)	20.75	▼	Timing	
Depreciation On Non Current Assets	NA	NA			
Insurance Expenses	NA	NA			
Loss On Asset Disposal	436,602.34	(503.77)	▲	Timing	Loss on Assets higher than budgeted
Interest Expenses	(54,052.96)	19.46	▼	Timing	
Utilities (Gas, Electricity, Water Etc)	NA	NA			
Other Expenditure	324,538.27	(50.85)	▲	Timing	Doubtful Debt - Rates & various

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For The Period Ending 30th April 2019

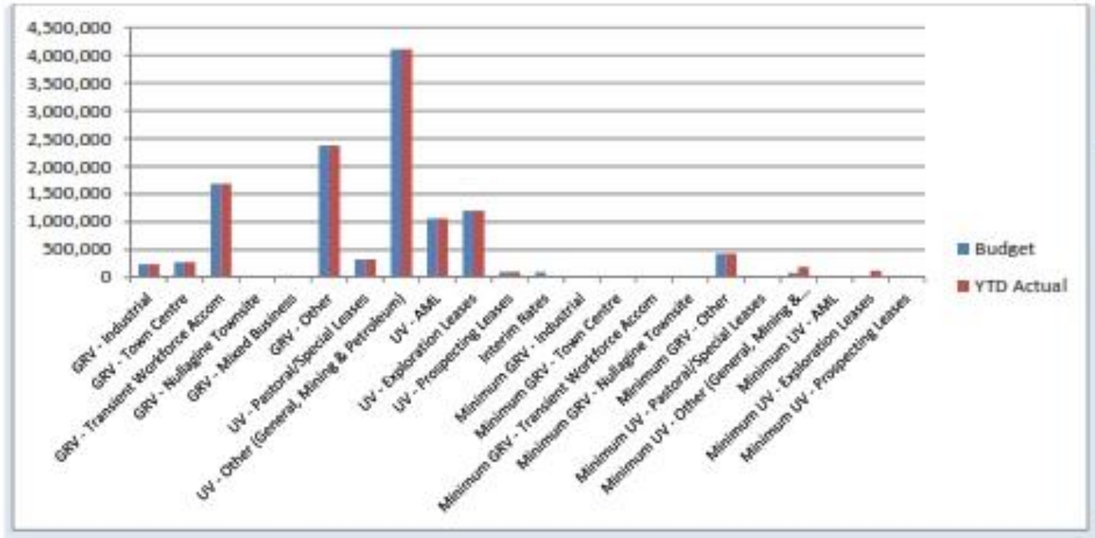
OPERATING ACTIVITIES
NOTE 3
RATE REVENUE

General Rate Revenue				Budget				YTD Actual			
	Rate in	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE	$			$	$	$	$	$	$	$	$
Differential General Rate											
GRV - Industrial	0.018998	100	12,359,391	234,804			234,804	234,804	-724	1,181	235,261
GRV - Town Centre	0.057426	34	4,702,022	270,018			270,018	270,018			270,018
GRV - Transient Workforce Accom	0.068077	18	24,724,500	1,683,170			1,683,170	1,683,170			1,683,170
GRV - Nullagine Townsite	0.073662	22	206,756	15,230			15,230	15,230			15,230
GRV - Mixed Business	0.037603	7	1,051,340	39,534			39,534	39,534	-12,365		27,169
GRV - Other	0.073662	1854	32,164,416	2,369,295			2,369,295	2,369,201	564	198	2,369,962
UV - Pastoral/Special Leases	0.060894	46	5,383,213	327,805			327,805	327,805			327,805
UV - Other (General, Mining & Petroleum)	0.171800	410	23,883,847	4,103,245			4,103,245	4,103,245			4,103,245
UV - AML	0.171800	34	6,122,826	1,051,902			1,051,902	1,051,901			1,051,901
UV - Exploration Leases	0.171800	587	6,989,328	1,200,767			1,200,767	1,200,767			1,200,767
UV - Prospecting Leases	0.171800	245	568,672	97,698			97,698	97,698			97,698
					90,600		90,600				0
Minimums	Minimum $										
GRV - Industrial	$ 663	23	478,862	15,249			15,249	15,249			15,249
GRV - Town Centre	$ 663	8	46,154	5,304			5,304	5,304			5,304
GRV - Transient Workforce Accom	$ 663	0	-	0			0	0			0
GRV - Nullagine Townsite	$ 265	20	37,198	5,300			5,300	5,300			5,300
GRV - Other	$ 663	641	2,056,016	424,983			424,983	424,983			424,983
UV - Pastoral/Special Leases	$ 230	23	14,347	5,290			5,290	5,290	230	31	5,551
UV - Other (General, Mining & Petroleum)	$ 230	349	238,299	80,270			80,270	80,270	116,776	-11,589	185,457
UV - AML	$ 230	0	-	0			0	0			0
UV - Exploration Leases	$ 230	133	37,950	30,590			30,590	30,590	95,374	-1,760	124,204
UV - Prospecting Leases	$ 230	78	17,940	17,940			17,940	17,940	2,865	87	20,892
											0
Sub-Totals		**4,632**	**121,083,077**	**11,978,393**	**90,600**	**0**	**12,068,994**	**11,978,298**	**202,720**	**-11,851**	**12,169,166**
Discount							0				
Concession							0				
Amount from General Rates							**12,068,994**				**12,169,166**
Ex-Gratia Rates							0				-
Total General Rates							**12,068,994**				**12,169,166**

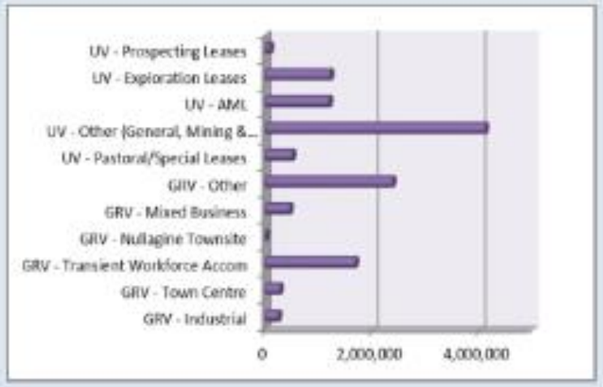
SIGNIFICANT ACCOUNTING POLICIES

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

KEY INFORMATION



General Rates		
Budget	YTD Actual	%
$12.07 M	$12.17 M	101%



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For The Period Ending 30th April 2019

OPERATING ACTIVITIES
NOTE 4
RECEIVABLES

Rates Receivable	1 July 2017	30 Apr 19
	$	$
Opening Arrears Previous Years	780,330	1,000,991
Levied this year	11,626,519	12,169,166
Less Collections to date	(11,405,857)	(11,650,702)
Equals Current Outstanding	**1,000,991**	**1,519,456**
Net Rates Collectable	**1,000,991**	**1,519,456**
% Collected	92.00%	95.74%

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	$	$	$	$	$
Receivables - General	1,439,246	237,861	526,195	48,702	2,251,804
Percentage	64%	11%	23%	2%	
Balance per Trial Balance					
Sundry debtors					2,251,804
Total Receivables General Outstanding					**2,251,804**

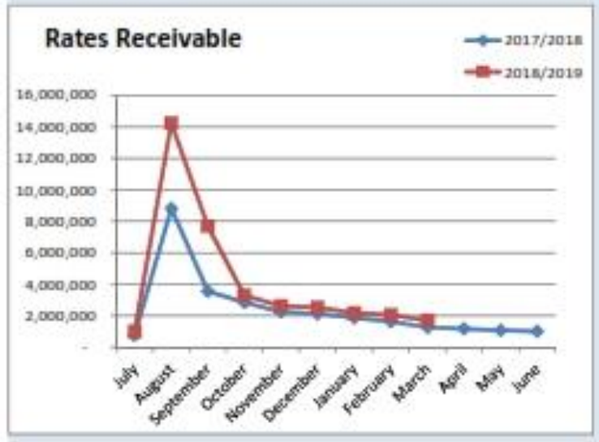
Amounts shown above include GST (where applicable)

KEY INFORMATION

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

SIGNIFICANT ACCOUNTING POLICIES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified. An allowance for doubtful debts is raised when there is objective evidence that they will not be collectible.



Collected	Rates Due
96%	$1,519,456



Debtors Due
$2,251,804

Over 30 Days
36%

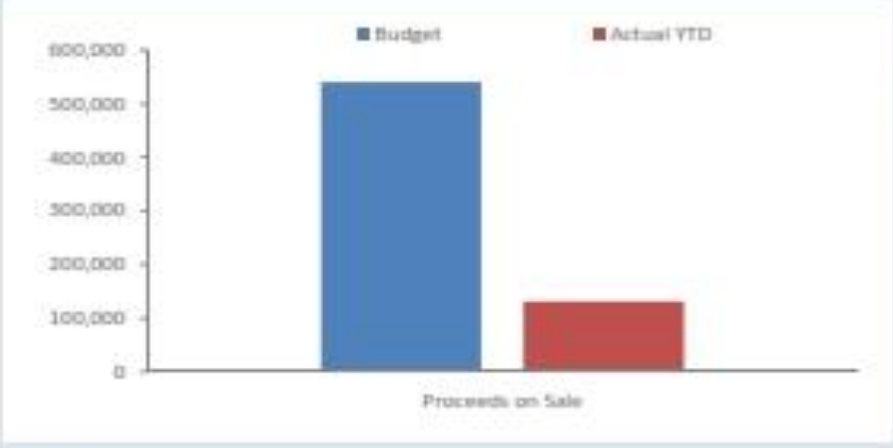
Over 90 Days
2%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For The Period Ending 30th April 2019

OPERATING ACTIVITIES
NOTE 5
DISPOSAL OF ASSETS

		Budget				YTD Actual			
Asset Ref.	Asset Description	Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		$	$	$	$	$	$	$	$
Program 4	**Governance**								
41230B	Toyota Prado GX	32,143	35,000	2,900					
41224F	Toyota Aurion Sedan (41224)					15,470	13,021		2,448
41229A	Toyota Hilux 4x4					33,906	20,976		12,930
141119F	Toyota Prado GX Auto MTSR					36,349	31,203		5,146
Program 5	**Law, Order & Public Safety**								
P51112E	Toyota Hilux SR with Pod	26,904	25,000		(1,900)				
Program 7	**Health**								
71092A	Toyota Hilux SR Dual Cab	17,559	27,000	9,400		20,798	22,567	1,769	
Program 10	**Community Amenities**								
61740	Cape K - Public Toilets - Sub Structure					15,949	0		15,949
61741	Cape K - Public Toilets - Super Structure					111,157	0		111,157
61742	Cape K - Public Toilets - Roof					26,866	0		26,866
61743	Cape K - Public Toilets - Finishes					26,829	0		26,829
61744	Cape K - Public Toilets - Fittings					8,943	0		8,943
61745	Cape K - Public Toilets - Services					106,064	0		106,064
61746	Cape K - Public Toilets - External Services					3,794	0		3,794
(Three of the five Public Toilets at Cape Keraudren Disposed)									
Program	**Culture and Recreation**								
Z15027A	Capricorn Water Tanks					86,507	0		86,507
Program 12	**Transport**								
2705D	Toyota 79 Series LC D/C	15,064	30,000	14,900					
2708J	Toyota 70 Series Dual Cab Workmate	40,679	45,000	4,300					
2801E	Holden Colorado Extra Cab 4WD	17,536	20,000	2,500					
2802E	Holden Colorado Extra Cab 4WD	14,789	10,000		(4,800)				
2823E	Fuso Canter 815 Tipper Tray Top	33,112	27,000		(6,100)	37,617	10,539		27,078
2824C	Fuso Canter 815 Tipper Tray Top	29,543	25,000		(4,500)				
2743C	Caterpillar 140M Motor Grader	202,422	130,000		(72,400)				
2753B	Case 430 Skid Steer Loader	0	20,000	20,000					
2832A	Case 430 Skid Steer Loader	0	20,000	20,000					
121208B	Holden Commodor Sports Wagon	1,711	15,000	13,300					
121212A	Toyota Hilux 4WD X-Cab	14,405	22,000	7,600					
121216A	Toyota Hilux 4WD X-Cab	21,632	22,000	400					
124923	Newman Depot - Office Block - Finishes					10,191	0		10,191
124924	Newman Depot - Office Block - Fittings					3,094	0		3,094
124925	Newman Depot - Office Block - Services					33,432	0		33,432
124926	Newman Depot - Office Block - External					408	0		408
124920	Newman Depot - Office Block - Sub Struct.					5,345	0		5,345
124921	Newman Depot - Office Block - Super					25,266	0		25,266
124922	Newman Depot - Office Block - Roof					11,822	0		11,822
Program 13	**Economic Services**								
P131113D	Toyota Prado GX	18,289	35,000	16,700		25,449	32,770	7,321	
P131166F	Toyota Landcruiser Troop Carrier Bus	46,303	32,000		(14,300)				
		532,091	**540,000**	**112,000**	**(104,000)**	**645,256**	**131,076**	**9,089**	**523,269**

KEY INFORMATION



Proceeds on Sale		
Budget	YTD Actual	%
$540,000	$131,076	24%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For The Period Ending 30th April 2019

FINANCING ACTIVITIES
NOTE 6
BORROWINGS

Information on Borrowings	Opening Bal	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	2018/2019	Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
	$	$	$	$	$	$	$	$	$
Governance									
Newman Admin Building Redevelopment	227,500			110,371	110,400	117,129	117,100	11,996	12,000
								951	2,000
Housing									
Staff Housing	304,700			82,666	82,700	282,034	282,000	22,282	22,200
								1,341	2,800
Staff Housing	1,168,400			115,550	115,500	1,052,850	1,052,900	73,983	74,000
								3,962	8,000
Community Amenities							0		
Sewerage Plant	1,398,500			56,656	114,600	1,341,844	1,283,900	35,680	70,100
								5,375	10,800
Sewerage Plant	1,000,000			43,139	86,900	956,861	913,100	15,250	29,800
							0	3,525	9,000
Transport									
Newman Airport Precinct	1,589,300			215,531	437,800	1,373,769	1,151,500	45,704	80,700
							0	5,669	11,900
	5,748,400	0	0	623,914	947,900	5,124,486	4,800,500	225,697	333,500
Self supporting loans									
							0		
	0	0	0	0	0	0	0	0	0
Total	5,748,400	0	0	623,914	947,900	5,124,486	4,800,500	225,697	333,500

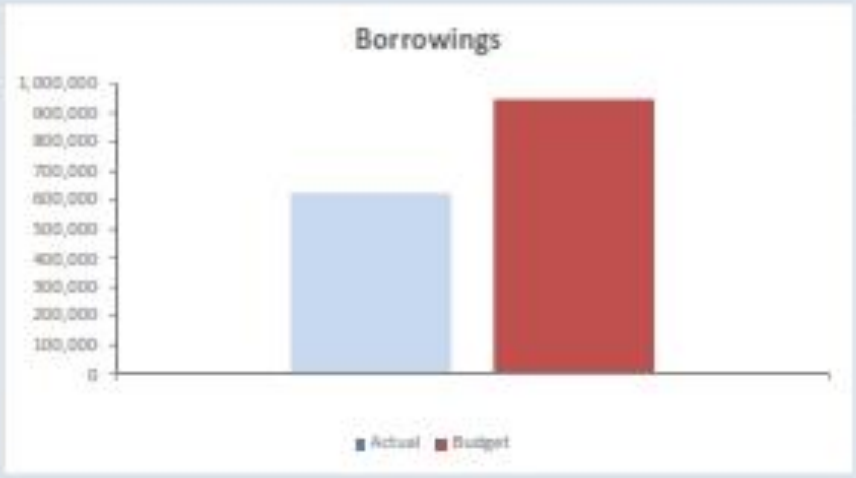
All debenture repayments were financed by general purpose revenue.

SIGNIFICANT ACCOUNTING POLICIES

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.



Principal Repayments
$623,914

Note: Interest Accrual - As per Auditors Request

Interest Earned	Interest Expense
$604,633	$223,697

Reserves Bal	Loans Due
$42.56 M	$5.12 M

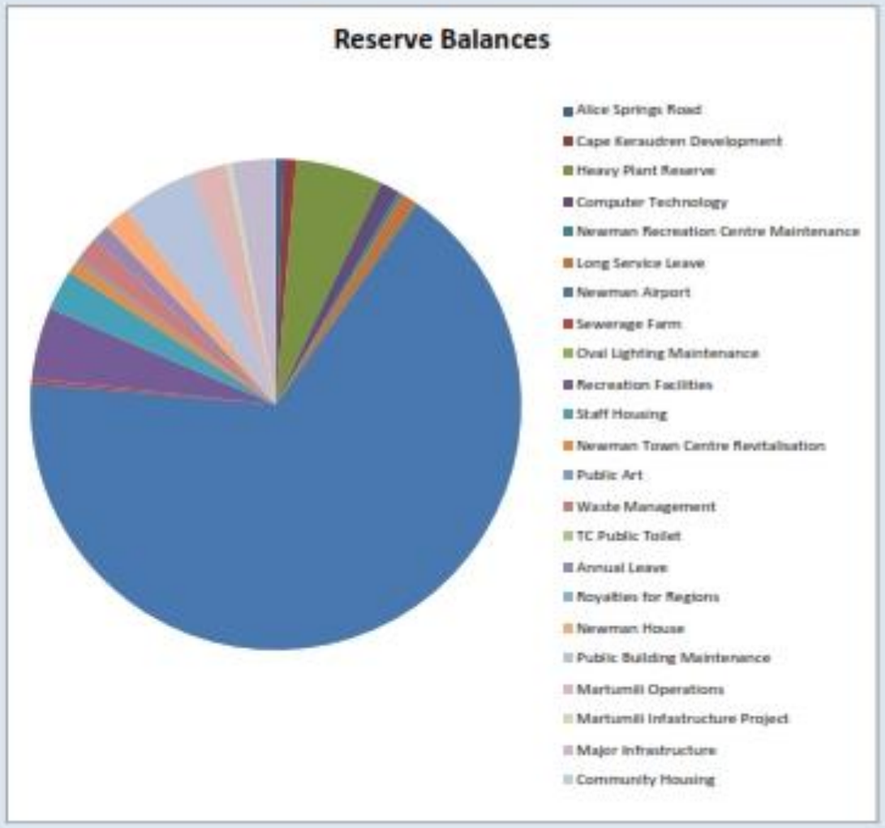
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For The Period Ending 30th April 2019

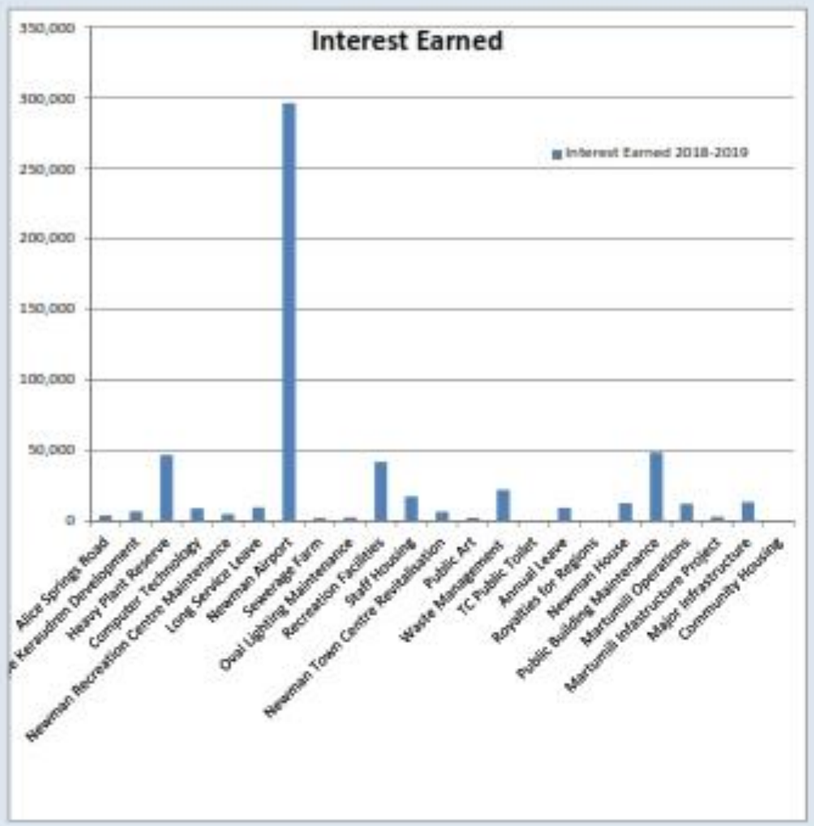
CASH AND INVESTMENTS
NOTE 7

Cash Backed Reserve

Reserve Name	Opening Balance - 01.07.2018	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	$	$	$	$	$	$	$	$	$
Alice Springs Road	209,499	4,300	4,078	0	0	(100,000)	0	113,799	213,577
Cape Keraudren Development	351,462	7,200	6,842	0	0	0	0	358,662	358,303
Heavy Plant Reserve	2,397,846	59,800	46,678	0	0	0	0	2,457,646	2,444,523
Computer Technology	531,600	11,500	8,986	50,000	0	0	0	593,100	540,586
Newman Recreation Centre Maintenance	251,763	2,100	4,901	0	0	(100,000)	(130,000)	153,863	126,664
Long Service Leave	496,039	12,400	9,656	0	0	0	(43,000)	508,439	462,696
Newman Airport	21,700,604	566,600	296,102	1,135,800	7,439,442	(512,400)	(1,068,594)	22,890,604	28,367,554
Sewerage Farm	113,175	2,300	2,203	0	0	0	0	115,475	115,378
Oval Lighting Maintenance	139,992	2,900	2,725	0	0	(130,000)	(130,000)	12,892	12,717
Recreation Facilities	2,152,105	23,400	41,894	0	0	(370,000)	(190,000)	1,805,505	2,003,999
Staff Housing	886,362	16,200	17,254	500,000	250,000	(250,000)	0	1,152,562	1,153,616
Newman Town Centre Revitalisation	332,646	4,500	6,475	0	0	0	0	337,146	339,121
Public Art	120,773	2,400	2,351	0	0	0	0	123,173	123,124
Waste Management	637,878	23,200	22,150	0	0	(570,000)	0	91,078	660,029
TC Public Toilet	993	0	0	0	0	0	(993)	993	0
Annual Leave	483,686	12,100	9,416	0	0	0	0	495,786	493,101
Royalties for Regions	0	9,000	0	0	0	(100,000)	0	(91,000)	0
Newman House	657,731	8,900	12,804	50,000	50,000	(53,000)	0	663,631	720,535
Public Building Maintenance	2,497,699	62,300	48,627	0	120,993	(500,000)	(620,000)	2,059,999	2,047,319
Martumili Operations	899,613	21,100	12,059	0	485,214	(81,200)	(395,114)	839,513	1,001,772
Martumili Infastructure Project	152,755	0	2,974	100,000	0	0	0	252,755	155,729
Major Infrastructure	1,180,717	11,700	13,251	512,400	0	0	0	1,704,817	1,193,968
Community Housing	23,739	600	462	0	0	0	0	24,339	24,201
	30,218,676	**864,500**	**571,888**	**2,348,200**	**8,345,649**	**(2,766,600)**	**(2,577,701)**	**30,664,776**	**42,558,512**

KEY INFORMATION





NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

GRANTS & CONTRIBUTIONS
NOTE 8

For The Period Ending 30th April 2019

Non Operating Grants & Contributions For The Development Of Assets

Grant Source	Purpose	2018/2019 Estimated Actual	2018/2019 Budget	2018/2019 Actual	Variance (Under)/Over
		$	$	$	
State Grants					
State Grant	CCTV Capital Grant	25,000.00	25,000.00	0.00	100.00
LotteryWest	Martumili Vehicle	70,000.00	70,000.00	74,326.00	-6.18
WA Grants Commission	Aboriginal Access Roads	299,334.00	627,000.00	470,250.00	-57.10
Main Roads WA	Aboriginal Access Roads	104,334.00	313,000.00	630,552.90	-504.36
Main Roads WA	Regional Road Group	431,112.00	970,000.00	723,050.20	-67.72
WA Grants Commission	Untied Road Grants	277,000.00	585,000.00	438,750.00	-58.39
Main Roads WA	Direct Grants	375,000.00	397,700.00	374,130.00	0.23
State Government	Discovery Drive Sign Project	33,333.00	100,000.00	0.00	100.00
		$ 1,615,113.00	**$ 3,087,700.00**	**$ 2,711,059.10**	-67.86
Federal Grants					
Federal Dep't Of Transport	Roads To Recovery	658,000.00	658,000.00	1,252,140.09	-90.29
Federal Dep't Of Transport	Roads to Recovery - Additional	411,666.00	750,000.00	244,932.60	40.50
		$ 1,069,666.00	**$ 1,408,000.00**	**$ 1,497,072.69**	-39.96
Contributions					
Private Mine Contributions	Woodie Woodie Road	200,000.00	200,000.00	169,066.96	15.47
		$ 200,000.00	**$ 200,000.00**	**$ 169,066.96**	15.47
Non-Operating grants, subsidies and contributions Total		**$ 2,884,779.00**	**$ 4,695,700.00**	**$ 4,377,198.75**	-51.73

Grants & Contributions Toward Operating Expenditure

Grant Source	Purpose	2018/2019 Estimated Actual	2018/2019 Budget	2018/2019 Actual	Variance (Under)/Over
		$	$	$	
State Grants					
WA Grants Commission	General Purpose Grants	680,001.00	2,040,000.00	275,023.50	59.56
FESA	FESA Administration Grant	4,000.00	4,000.00	4,000.00	0.00
FESA	FESA Grant - Nullagine VBFB	10,425.00	13,900.00	0.00	100.00
FESA	FESA - SES Operating Grant	65,100.00	65,100.00	58,967.50	9.42
Dept of Health	Mosquito Control	0.00	0.00	18,171.35	na
Healthways	Triathlon	10,000.00	10,000.00	15,780.00	-57.80
Dept of Sport and Rec	Kidsport	0.00	700.00	0.00	na
Dept of Sport and Rec	Club Development	20,000.00	20,000.00	25,000.00	-25.00
Art Enterprise Activities (NACIS)	Martumilli Arts Project	205,000.00	205,000.00	0.00	100.00
Dept Environmen. & Heritage	Martumilli Arts Project	33,000.00	66,000.00	0.00	100.00
Celebrate Australia Day	WA Day	0.00	20,000.00	21,000.00	na
Tourism WA	Fusion Festival	10,500.00	15,000.00	15,000.00	na
Lotterywest	Fusion Festival	20,000.00	20,000.00	19,158.00	4.21
DLGSC	Freighting of Ideas	0.00	0.00	50,000.00	na
DLGSC	Waru Camp & Exhibition	0.00	0.00	11,184.00	na
WA Grants Commission	Untied Road Grants	510,734.00	1,083,300.00	812,475.00	-59.08
State Dep't of Transport	RPT Bus Service Subsidy	98,330.00	118,000.00	97,752.49	0.59
		$ 1,667,090.00	**$ 3,681,000.00**	**1,423,511.84**	0.59
Federal Grants					
Nil		0.00	0.00	0.00	na
		$ -	**$ -**	**0.00**	na
Contributions					
Water Corporation	Newman Sewerage Farm	140,700.00	140,700.00	140,389.35	0.22
BHPB - Contribution	Fusion Festival	155,000.00	155,000.00	150,000.00	3.23
Main Roads WA	Flood Damage	473,000.00	600,000.00	247,473.41	47.68
BHPB	Martumili Community Development	220,000.00	440,000.00	530,000.00	-140.91
		$ 988,700.00	**$ 1,335,700.00**	**$ 1,067,862.76**	-8.01
Operating grants, subsidies and contributions Total		**$ 2,655,790.00**	**$ 5,016,700.00**	**$ 2,491,374.60**	0.59

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For The Period Ending 30th April 2019

NOTE 9
TRUST FUND

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance 01 Jul 2018	Amount Received	Amount Paid	Closing Balance 30 Apr 2019
	$	$	$	$
EPSC Social Club	8,035	5,941	(13,754)	**222**
EPSC Lotto Syndicate	1,348	25,462	(21,916)	**4,893**
Refreshments Trust	831	1,335	(1,323)	**843**
FAO - Booking Bonds	8,000	26,115	(26,480)	**7,635**
Building & Road Side Kerbing Retentions	251,000	0	0	**251,000**
BCITF Holdings	0	66,527	(60,452)	**6,074**
Recreation Centre Holdings	3,050	5,714	(4,814)	**3,950**
Unclaimed Monies	47,896	91,575	(86,874)	**52,596**
Prepaid Swimming Pool Inspection	41,735	10,131	(375)	**51,490**
Martumili Arts Trust Account	325,613	540,663	(620,189)	**246,088**
BRB Receipts	0	42,496	(38,039)	**4,456**
Public Open Space	231,500	0	0	**231,500**
Cash in Lieu of Parking	526,724	0	0	**526,724**
Dept Health Trust	2,051	0	0	**2,051**
Retention Monies Held	28,979	166,722	(51,455)	**144,247**
Floodworks to Telfer	193,000	0	0	**193,000**
Maintenance Bond	26,795	0	0	**26,795**
Martumili Unclimaed Monies	17,610	1,703	(369)	**18,944**
Tourist Assoc - Souvenir Sales	0	422	(53)	**369**
	1,714,166	**984,804**	**(926,093)**	**1,772,877**



NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY

For The Period Ending 30th April 2019

NOTE 10
BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				$	$	$	$
	Budget Adoption		Opening Surplus				0
	Permanent Changes						0
							0
							0
							0
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				0	0	0	

KEY INFORMATION

10.3 EM COMMERCIAL SERVICES

10.3.1 NEWMAN HOUSE - APPROVAL TO ENTER A NEW LEASE AGREEMENT WITH PILBARA COMMUNITY LEGAL SERVICES

Responsible Officer:	**Mr Ben Lewis** **Executive Manager Commercial Services**
Author:	**Mrs Marisa Wolfenden** **Coordinator Property Services**
Proposed Meeting Date:	**24 May 2019**
Location/Address:	**15 Iron Ore Parade, Newman**
Name of Applicant:	**Pilbara Community Legal Services**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

To seek Council approval to enter into a new agreement between the Shire of East Pilbara and Pilbara Community Legal Services (PCLS) for office accommodation at Newman House for 12 months with four (4) x one (1) year options and to apply the common seal of the Shire of East Pilbara to the new lease agreement.

BACKGROUND

The Pilbara Community Legal Services current has an existing lease for offices 18, 19 and 20 which is due to expire on the 30th June 2019.

The Pilbara Community Legal Services Chief Executive Officer, Sharyn Morrow emailed on the 30th May requesting a new lease agreement to continue with the same office space.

COMMENTS/OPTIONS/DISCUSSIONS

The terms of the new lease agreement are:

Term	One (1) year, commencing 1 July 2019
Option Term	4 x 1 year
Newman House	Rental Rate
Rental Rate	$470 m2, including outgoings, GST exclusive
Rental Increase	3.0%

Pilbara Community Legal Services	SQM	47.2		
P.O. BOX 2506	Rate	$470.00		
South Hedland WA 6722	Total	$22,184.00		
New Lease 2019	3.0%			
Periods - invoice annually	Yrly Fee Gst Exc	Yrly Fee Gst Inc	Monthly Fee Gst Exc	Monthly Fee Gst Inc
1 July 2019 - 30 June 2020	$ 22,184.00	$ 24,402.40	$ 1,848.67	$ 2,033.53
1 July 2020 - 30 June 2021	$ 22,849.52	$ 25,134.47	$ 1,904.13	$ 2,094.54
1 July 2021 - 30 June 2022	$ 23,535.01	$ 25,888.51	$ 1,961.25	$ 2,157.38
1 July 2022 - 30 June 2023	$ 24,241.06	$ 26,665.16	$ 2,020.09	$ 2,222.10
1 July 2023 - 30 June 2024	$ 24,968.29	$ 27,465.12	$ 2,080.69	$ 2,288.76

STATUTORY IMPLICATIONS/REQUIREMENTS

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

POLICY IMPLICATIONS

4.5 – Execution of Documents – Item 9.1.2 – 27th July, 2018.

STRATEGIC COMMUNITY PLAN

1: Economic

A diverse and sustainable regional economy.

E1 Develop and promote a diverse and sustainable economy.

E1.1 Actively support local businesses.

2: Social

Harmonious communities sharing strong community connections.

S3 Advocate and partner to improve access to services.

S3.1 Facilitate services for families and children, youth and aged (inclusive of all demographic types including people living with a disability, Aboriginal and Torres Strait Islander, Culturally and Linguistically Diverse and LGBTI).

S3.2 Continue to develop or advocate for new services or programs to meet unmet needs

RISK MANAGEMENT CONSIDERATIONS

Failure to enter into a new agreement will result in the loss of revenue.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201919/171

MOVED: Cr Anita Grace **SECONDED: Cr Geraldine Parsons**

That Council

1. **Approves entering into a new agreement with Pilbara Community Legal Services for office accommodation located at Newman House for a term of 12 months commencing from the 1st July 2019 with four x 1 year options.**
2. **Approve the common seal to be applied to the agreement between the Pilbara Community Legal Services and the Shire of East Pilbara.**

CARRIED UNANIMOUSLY

To be actioned by Mrs Marisa Wolfenden, Coordinator Property Services

10.3.2 EAST PILBARA RACE CLUB - NEW LEASE AGREEMENT FOR RESERVE 39519

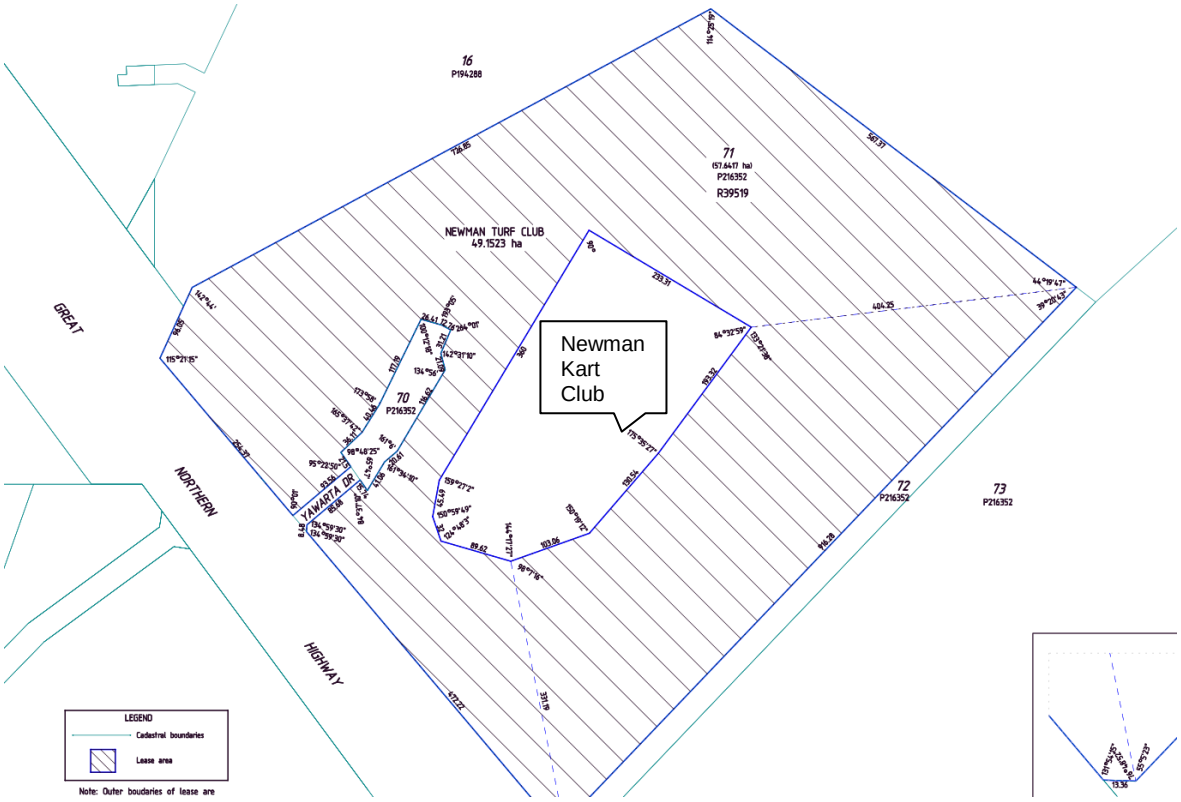
Responsible Officer:	**Mr Ben Lewis** **Executive Manager Commercial Services**
Author:	**Mrs Marisa Wolfenden** **Coordinator Property Services**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**Reserve 39519, Lot 71 Newman**
Name of Applicant:	**East Pilbara Race Club**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

To seek Council approval to enter into a new lease agreement between the Shire of East Pilbara and the East Pilbara Race Club Incorporated for full or part portion of Reserve 39519, Newman.

BACKGROUND

Both the East Pilbara Race Club and the Newman Kart Club lease expired on the 26th January 2019 for Reserve 39519.



The Shire of East Pilbara gave the Newman Kart Club 3 months to see if they could elect a new committee which would enable them to apply to the Shire of East Pilbara

for a new lease for the internal portion of the racetrack. Unfortunately the club was not successful, therefore cannot apply for a new lease as they have no currently elected committee members.

The East Pilbara Race Club have expressed interest in making application to enter into a lease for the full Reserve 39519 as part of the new lease agreement, including the internal racetrack area.

The club has concerns with the number of buildings that have been left by the Newman Kart Club, many are aged and no longer serviceable and the club does not have the finances for the disconnection or disposal from the site.

The Shire of East Pilbara arranged a site inspection for Development Services – Building and Coordinator Building Services to inspect the buildings on site and compile a report. The report indicated that the structures were all unapproved and in various forms of dilapidation and the recommendation is that they be demolished.

COMMENTS/OPTIONS/DISCUSSIONS

The East Pilbara Race Club wishes to enter into a lease agreement for the full Reserve;

Details of Proposal New Lease Agreement

Term	5 years
Option Term	2 x 5 years'
Land	Whole Reserve 39519
Maintenance	Lessee is responsible for all outgoings
Agreement	Lessee is responsible for all associated cost for the preparation, documentation and execution of the lease document.
Rent	Peppercorn
Annual Service	As Per Council Policy
Insurance	To provide the Shire of East Pilbara with a current copy of the Public Liability and Building Insurance documents
Committee	To provide the Shire of East Pilbara with a current copy of the committee with contact details
Buildings	To sort Shire approval and meet all building and regulatory requirements
Events	To ensure all Public Events are approved by the Shire of East Pilbara.

There are two options available to Council which are:

1. The Shire of East Pilbara approved entering into a lease agreement for the existing lease area with the East Pilbara Race Club, excluding the internal track area;
2. The Shire of East Pilbara approve entering into a lease agreement for the full Reserve with the East Pilbara Race Club;

Regardless which option Council decides to take, the structures on the site will need to be addressed by Council as the effective land owner.

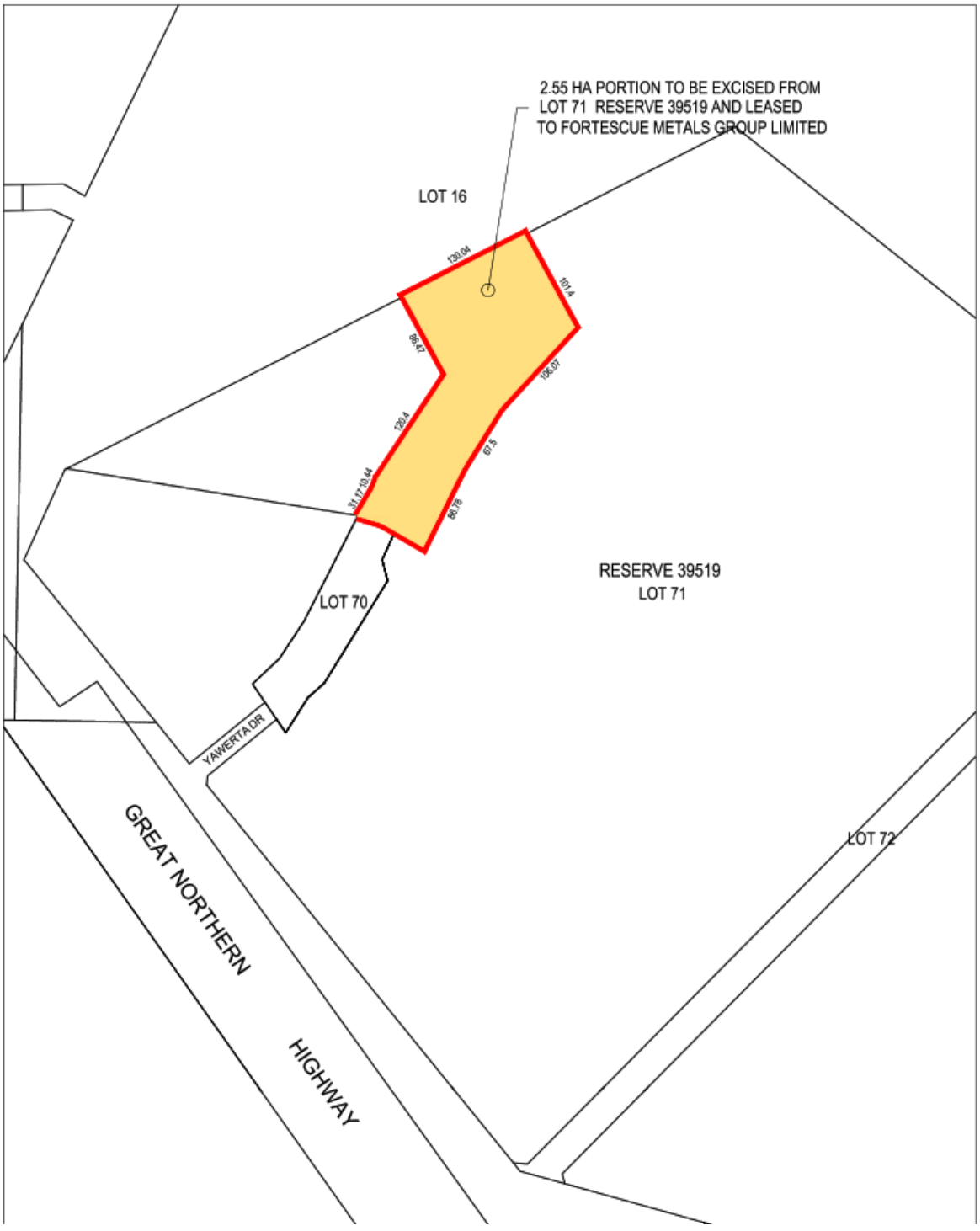
The estimated cost to demolish the structures is approximately $70,000 and would be subject to a formal RFQ.

Photos of the Newman Kart Club Site









STATUTORY IMPLICATIONS/REQUIREMENTS

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

POLICY IMPLICATIONS

4.5 – Execution of Documents – Item 9.1.2 – 27th July, 2018.

STRATEGIC COMMUNITY PLAN

1. Economic

A diverse and sustainable regional economy

E2 The Shire is a great place for tourists
E2.1 Explore partnership opportunities to promote the region

E2.3 Develop events relevant to the region to attract visitor

2. Social

Harmonious communities sharing strong community connections

S2 Build a vibrant community

RISK MANAGEMENT CONSIDERATIONS

If the property is not re-let, the Shire of East Pilbara will be responsible for the cost of maintaining the Reserve. Additionally, it could be a location for anti-social behaviour, property damage as the location is on the outskirts of the town.

FINANCIAL IMPLICATIONS

No financial resource impact for the Lease Agreement. However, there will be a cost to council in relation to the demolition of the unapproved structures.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/172

MOVED: Cr Anita Grace **SECONDED: Cr Anthony Middleton**

THAT Council

1. **Approves entering into a lease agreement with the East Pilbara Race Club for the whole portion of Reserve 39519 for a period of five (5) years commencing on 1 July 2019 with two (2) x 5 year options**
2. **Agree for the staff to seek formal quotations to demolish the unapproved structures on the site;**
3. **Affix the Shire of East Pilbara Common Seal to the agreement between the Shire of East Pilbara and the East Pilbara Race Club;**
4. **Seek ministerial approval for the lease agreement.**

CARRIED UNANIMOUSLY

To be actioned by Mrs Marisa Wolfenden, Coordinator Property Services

10.4 EM CUSTOMER & COMMUNITY SERVICES

10.4.1 AFFIXING THE COMMON SEAL TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE MARBLE TOURIST ASSOCIATION INC. AND THE SHIRE OF EAST PILBARA

Attachments:

Responsible Officer:	**Ms Lisa Clack Executive Manager Customer & Community Services**
Author:	**Mr Pip Parsonson Manager Community Wellbeing**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

To seek Council approval to apply the common seal of the Shire of East Pilbara to the Marble Bar Tourist Association Inc. Memorandum of Understanding and Funding Agreement for the provision of visitor services for an amount of $30,000.

BACKGROUND

The Shire of East Pilbara currently has a Memorandum of Understanding and Funding Agreement with the Marble Bar Tourist Association Inc., (MBTA), which officially expires on the 30th June 2019.

Conditions and terms of the expired Memorandum of Understanding and Funding Agreement have been honoured whilst a review of the document was recently undertaken by both parties.

It is recommended that a new 12 month agreement is entered into with the MBTA for the provision of tourist services in Marble Bar.

COMMENTS/OPTIONS/DISCUSSIONS

At the expiry of the 2017-2019 Memorandum of Understanding both parties met, to better understand the requirements of each party and to devise a new Memorandum of Understanding that is proposed to be a 12 month term.

The proposed new MOU incorporates the same purpose and the general principles of the previous MOU.

There are significant changes brought about by the Tourist Information Centre moving from the Shire Administration Offices to the Old Government Building. These changes primarily relate to the removal of a number of provisions that are no longer relevant due to their relocation.

As a result of the joint review of the soon to be expired MOU the following areas of the MOU have been updated:

Specifics of the Agreement:

a) This Agreement is valid 12 months, commencing 1st July 2019 and expiring 30 June 2020.

b) The specified annual funding is $30,000 per annum will be paid by The Shire of East Pilbara for services rendered by Marble Bar Tourist Association Inc. as outlined in the agreement.

Purpose of the Agreement:

The MBTA and the SoEP hereby agree to work together to:

a) Increase tourism to Marble Bar and the wider East Pilbara region

b) Improve the tourist experience when visiting Marble Bar and other areas of the East Pilbara

c) Identify ways to continue to develop the range of services that can be provided by the MBTA and facilitate the development of joint proposals for projects between the two organisations, including exploring possibilities for grants and other forms of funding.

d) Ensure collaborative approach to communication of tourism, resources and attractions

Funding and Financial Responsibilities:

The Shire of East Pilbara agrees to provide financial support to the value of $30,000 for the term of this agreement, ($7,500 quarterly) to the MBTA. This financial support is to be paid in quarterly instalments to the MBTA by electronic funds transfer, upon presentation of a tax invoice.

If the quarterly reporting is not completed by the dates specified in item 6 below; this may affect the quarterly payment schedule moving forward.

This funding arrangement will be subject to an annual review three (3) months prior to the anniversary of the execution of this MOU.

Payment and Reporting Schedule 2019– 2020

Quarter	Date	Item
1st Quarter July, August, September 2019	1st July 2019	Payment released for 1st Quarter: July, August & September 2019
	14th October 2019	1st Quarter (July, August & September) Financial Reconciliation and Activity Reports due
2nd Quarter October, November, December 2019	1st October 2019	Payment released for 2nd Quarter: October, November & December 2019
	14th January 2020	2nd Quarter (October, November & December) Financial Reconciliation and Activity Reports due
3rd Quarter January, February, March 2020	1st January 2020	Payment released for 3rd Quarter: January, February March 2020
	14th April 2020	3rd Quarter (January, February & March) Financial Reconciliation and Activity Reports due

4th Quarter April, May, June 2020	1st April 2020	Payment released for 4th Quarter: April, May & June 2020
	14th July 2020	4th Quarter (April, May & June) Financial Reconciliation and Activity Reports due

Reporting Details:

MBTA Reporting requirements are as follows:

a) MBTA will provide the SOEP with quarterly reconciliation reports of funds spent in accordance with the MBTA annual budget supplied by MBTA. This reporting must include a profit and loss statement that shows income and spending against the MBTA's annual budget, relevant bank statements and an indication of how the SoEP funds have been spent;

b) Quarterly Activity Reports will be submitted to SOEP by MBTA utilising at minimum the supplied reporting template;

c) MBTA to provide SOEP a copy of the MBTA's Annual Financial Statements for the 2018/2019 year by 30th August 2020;

d) MBTA to provide a public liability certificate of insurance to the Shire.

To accomplish the purpose and objective set forth in the MOU, partners will meet at least once per quarter to discuss progress and reporting.

Agreed Operational Details of the Collaboration:

8.1 Under the terms of this agreement Marble Bar Tourist Association Inc. will:

a) Ensure a MBTA staff member is present at the Marble Bar Visitor Centre for a minimum of five hours per day, Monday to Friday over a minimum of 28 weeks during peak tourist season, (anytime within the period from 1 March and 31 October at the MBTA's discretion) with the option for the MBTA to staff Saturday and Sunday within their own financial discretion and obligation separate to this MOU;

b) Ensure that the MBTA staff member is neatly attired and either wear a MBTA signifying uniform or wear a prominent organisational name badge;

c) The MBTA staff member duties include but are not necessarily limited to the following;

c1. Be the first point of contact for all tourists who enter the Marble Bar Visitor Centre;

c2. Maintain all tourism information resources on public display;

c3. Undertake stock-takes and ordering of all MBTA resources and merchandise;

c4. Maintain a close relationship with local businesses and services and keep an up-to-date record of their hours of business so as to accurately inform visitor;

d) Be responsible for the supervision, assessment, wages and on-costs, risk and all industrial matters and insurance requirements associated with employing staff;

e) Explore opportunities for tourism development projects within the township of Marble Bar and the surrounding areas;

f) Where possible, work with the Shire to develop a yearly marketing plan which identifies target audiences, methodologies and appropriate budget allocations suitable to desired yearly plan outcome;
g) Operate within the terms and conditions of the Constitution of the Marble Bar Tourist Association Inc.;
h) Ensure that the Shire is informed and agreement reached on any plans that the MBTA may have that may impact on the terms of this agreement.

8.2 Under the terms of this agreement the Shire of East Pilbara will:

a) Provide funding of $30,000 for the term of this agreement to the MBTA Inc. payable in (quarterly) instalments of $7,500 via electronic funds transfer;
b) Continue to provide customer services support to tourists when the MBTA is unable to;
c) Support, with consideration of budget limitations, tourism marketing opportunities and projects identified through the MBTA;
d) Communicate directly with the President of the MBTA on matters of policy or significance affecting the MBTA and the SoEP.

It is recommended that Council approves the application of the common seal of the Shire of East Pilbara to the Marble Bar Tourist Association Inc. Memorandum of Understanding for the provision of visitor services for an amount of $30,000 per annum.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

4.5 EXECUTION OF DOCUMENTS

4.9 TOURISM – OBJECTIVES AND GUIDELINES

STRATEGIC COMMUNITY PLAN

1: Economic

A diverse and sustainable regional economy.

E1 Develop and promote a diverse and sustainable economy.

E1.2 Lobby, advocate and facilitate corporate partnerships to support economic growth opportunities.

2: Social

S3 Advocate and partner to improve access to services.

S3.2 Continue to develop or advocate for new services or programs to meet unmet needs.

5: Governance

G2 Strong Shire identity and regional capacity.

G2.1 Increase the Shire's identity and profile through communication, partnerships and lobbying/advocacy.

G2.2 Preserve, enhance and celebrate the Shire's history and culture

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

G1.2 Strengthen customer service.

Harmonious communities sharing strong community connections.

S2 Build a vibrant community.

S2.1 Facilitate community connectedness and inclusion.

RISK MANAGEMENT CONSIDERATIONS

Between 20 and 80 tourists visit Marble Bar daily in the peak tourist months of April to September. If a new MOU between the Shire and the MBTA is not endorsed there is a moderate reputational risk to the Shire as the capacity to service tourists with information would be significantly reduced. Furthermore, tourists would go to the Shire administration building to seek information which would create increased stress on staff and inhibit their ability to undertake core functions.

FINANCIAL IMPLICATIONS

Resource requirements are in accordance with existing budgetary allocation.

VOTING REQUIREMENTS

Absolute.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/173

MOVED: Cr Michael Kitchin SECONDED: Cr Langtree Coppin OAM

That Council approve the application of the common seal of the Shire of East Pilbara to the updated Marble Bar Tourist Association Inc. Memorandum of Understanding and Funding Agreement for the provision of visitor services for an amount of $30,000 for a 12 month period commencing on 1 July 2019 and concluding on 30 June 2020.

CARRIED UNANIMOUSLY

To be actioned by Mr Pip Parsonson, Manager of Community Wellbeing

10.4.2 SENIOR SCHOOL ENGAGEMENT PROGRAM TO BE LOCATED AT NEWMAN YOUTH CENTRE

Attachment:	**Appendix 1 – Draft Letter of Agreement**
Responsible Officer:	**Ms Lisa Clack** **Executive Manager Customer & Community Services**
Author:	**Mr Pip Parsonson** **Manager Community Wellbeing**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

To seek Council endorsement of an agreement between Newman Senior High School and the Shire of East Pilbara to allow a Senior School Engagement Program (SSEP) to operate from the Newman Youth Centre.

BACKGROUND

Newman Senior High School, with the support of the Department of Education, wishes to establish a new innovative offsite program targeting young people at risk of disengaging from school. The preferred location identified for the proposed program to operate from is the Newman Youth Centre.

Senior School Engagement Program

The Newman Senior High School Principal recognises the demonstrated historical and current capacity of the Newman Youth Centre to attract and engage at-risk youth. Based on this, the Youth Centre has been identified as the ideal location for the SSEP to operate from.

The SSEP will comprise a small group of senior school aged students who are at risk of disengaging from senior schooling, further training and/or employment. It is anticipated that the SSEP will operate Monday to Friday 9.00 am to 2.30pm July to November 2019 with the possibility (subject to review) of a 12 month extension.

After these core program hours participants will be able to access the usual services provided by the Youth Centre.

Government agencies and the not for profit sector in Newman including: the Shire of East Pilbara, West Australian Police Service, Department of Communities - Child Protection and Family Services and Housing, Department of Health and Department of Education, represented by all Newman school Principals currently collaborate to provide support to this group of young people through the Juvenile Intervention

Management Strategy forum (JIMS) meetings, hosted by Newman Police Officer in Charge.

This innovative Newman Senior High School SSEP will provide for the first time, a referral end point for the JIMS collaboration. The SSEP will also provide a continuation of service for at-risk lower school aged Newman Senior High School students currently engaged in the on-site engagement program (LSSP).

The program participants/students will be supported fulltime by a very experienced Newman Senior High School Administrator (Program Coordinator) and a fulltime Aboriginal Islander Education Officer who have been specifically funded by the Department of Education to support this group of young people. In addition to this, the Regional Executive Director of Education Pilbara, has approved the appointment of a part time Level 4 Ministerial Participation Coordinator to be based in Newman to work specifically with this group and other young people who meet this groups' selection criteria. The Participation Coordinator's role will be to individually case manage these young people and support their transition to further education and training options available in Newman through collaboration and liaison with existing agencies, not for profit services and employers.

In addition to literacy and numeracy development, an engaging sports and recreation focussed accredited training program forms a component of the SSEP. The training program has the capacity to have participants achieve a Cert I or Cert II qualification. The Department of Education has procured private registered training organisation, Vocational Training Services to deliver this element of the program.

The development of the SSEP draws significantly on the success of the Youth Centre as having strong connections with youth. Furthermore, the Youth Centre has had great success in 2019 engaging young people in a weekly 'Homework Club' where some of the most disengaged young people in Newman have been regularly, actively participating in the program which is run after school hours. This success gives considerable confidence to the vision for the proposed SSEP.

COMMENTS/OPTIONS/DISCUSSIONS

Council support for the program to operate from the Newman Youth Centre is now sought, with the endorsement of a Letter of Agreement outlining the partnership between Newman Senior High School and the Shire of East Pilbara. A copy of the proposed agreement is attached for the information and consideration of Council.

The proposed term of the agreement is 22 July 2019 and continues, (subject to review) until 31 December 2020. Either party may terminate the agreement in writing at any time.

Overall, the proposed program will provide improved outcomes for young people at risk of disengaging from education, and is consistent with the Shires Strategic Community Plan social objectives of facilitating services for families and children.

The program will have a minimal impact on the Youth Centre, and will have the added benefit of an increased activation of the Youth Centre building. The proposal overall will be cost neutral to the Shire as the parameters are the program will:

- Be staffed entirely by Department of Education and Vocational Training Services staff;
- While operating at the Youth Centre, utilise existing resources only and where new resources are required for the operation of the program, they will be procured by the Newman Senior High School or Vocational Training Services at their expense;
- Operate solely during school hours and during school terms on Monday to Friday for 5.5 hours per day at times where the Youth Centre is not currently open;
- Not impact on current service provision levels of the Youth Centre;
- Provide an opportunity for young people who are currently disengaged from school education to re-engage with an alternative education program that will contribute to their future education and employment prospects.

Based on the potential positive outcomes, and minimal impact, it is recommended that Council endorse the Letter of Agreement between the Shire of East Pilbara and the Department of Education (Newman Senior High School) for the program to operate from the Newman Youth Centre.

STATUTORY IMPLICATIONS/REQUIREMENTS

Nil

POLICY IMPLICATIONS

6.3 YOUTH – PLANNING COMMUNITY FACILITIES AND YOUTH RECREATION PROGRAMS

STRATEGIC COMMUNITY PLAN

1: Economic

A diverse and sustainable regional economy.

E1 Develop and promote a diverse and sustainable economy.

E1.2 Lobby, advocate and facilitate corporate partnerships to support economic growth opportunities.

2: Social

S3 Advocate and partner to improve access to services.

S3.1 Facilitate services for families and children, youth and aged (inclusive of all demographic types including people living with a disability, Aboriginal and Torres Strait Islander, Culturally and Linguistically Diverse and LGBTI).

S3.2 Continue to develop or advocate for new services or programs to meet unmet needs.

5: Governance

Demonstrated accountability and corporate governance.

G2 Strong Shire identity and regional capacity.

G2.1 Increase the Shire's identity and profile through communication, partnerships and lobbying/advocacy

Harmonious communities sharing strong community connections.

S2 Build a vibrant community.

RISK MANAGEMENT CONSIDERATIONS

There is a moderate risk that the SSEP may not be as successful as envisaged if it is not located at the Newman Youth Centre due to a lack of other suitable venues.

FINANCIAL IMPLICATIONS

No financial resource impact.

VOTING REQUIREMENTS

Simple.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/174

MOVED: Cr Anthony Middleton **SECONDED: Cr Geraldine Parsons**

That Council

1. **Note the proposed operation of the Senior School Engagement Program (SSEP) at the Newman Youth Centre, commencing on 22 July 2019 and (subject to review) concluding on 18 December 2020.**
2. **Endorse the attached Letter of Agreement between Newman Senior High School and the Shire of East Pilbara relating to the operation of the Senior School Engagement Program (SSEP) at Newman Youth Centre.**

CARRIED UNANIMOUSLY

To be actioned by Mr Pip Parsonson, Manager of Community Wellbeing

Appendix 1
Draft Letter of Agreement

LETTER OF AGREEMENT

Between Newman Senior High School and the Shire of East Pilbara relating to the Senior School Engagement Program (SSEP)

This Letter outlines the terms of agreement between Newman Senior High School and the Shire of East Pilbara relating to the operation of the **Senior School Engagement Program (SSEP)** at Newman Youth Centre from 22 July 2019 until 18 December 2020.

PURPOSE OF AGREEMENT

Newman Senior High School and the Shire of East Pilbara propose to work collaboratively and in partnership to provide a high-quality education program, which connects into existing community organisations and initiatives within the Newman community. This includes utilising the existing Youth Centre as a course delivery venue to take advantage of participant familiarity and comfort with the venue and continuity for students accessing both the SSEP and existing Youth Centre activities.

The program will be delivered at the Newman Youth Centre, either wholly or in part, and will include:

- Accredited training (at AQF Cert I and II levels)
- Non-accredited training
- Provision of mentors and case management wrap around services
- Provision of transport services between the students residence and program venue
- Provision of food/meals
- Individual participant pathway planning and portfolio development

AGREED DELIVERABLES

Newman Senior High School will:

- Be the sole accountable organization for the program.
- Oversee the accredited training is delivered in line with the VET Quality Framework and Standards for Registered Training Organisations (2015).
- Deliver non-accredited training either directly or through the engagement and coordination of other specialist providers.
- Manage and administer participant enrolment to the program.
- Provide food/meals to participants during the course.
- Provide all necessary staff and contractor resources to deliver a successful program.
- Provide, or pay the cost of, any additional resources, furniture or equipment required that are not currently at the venue.

DRAFT

- Only use the venue at times that do not impact on the existing services at the Youth Centre.

The Shire of East Pilbara will assist and support Newman Senior High School in the program delivery through:

- Providing access and use of the Youth Centre and its facilities for course delivery, including use of existing equipment within the Youth Centre.
- Providing use of the on-site kitchen for preparation and storage of food by SSEP staff. Newman Senior High School is to supply the food and consumables at its cost.
- Provide secure storage space for storage of minor sports equipment.
- Provide a small desk space, network access and print services for use by approved SSEP staff.
- The Youth Centre is not required to provide any staff resources to deliver the program.

The representatives of both Newman Senior High School and the Shire of East Pilbara will consult and cooperate in good faith to maximise the benefits of the program for individual participants and the broader community.

TERM OF AGREEMENT

The agreement will become effective on the 22 July 2019 and subject to review will remain in effect until 18 December 2020. The Agreement shall remain in effect until such time of the expiration date or agreed upon termination, unless otherwise agreed upon by mutual agreement in writing by both parties.

FINANCIAL ARRANGEMENTS

The Youth Centre will be available for use in delivering the program on a free-issue basis.

Where additional resources are required to support program delivery, beyond that which exists at the venue upon commencement, Newman Senior High School (or its contractors) will provide or pay the cost of these resources. The Youth Centre is not expected to contribute any costs to the program.

COMMUNICATION AND EXCHANGE OF INFORMATION

Each party must keep the terms of this agreement and any confidential information of the other party confidential.

Any formal correspondence to external stakeholders in relation to the program will be managed by Newman Senior High School.

Confidential information of participants will be respected by both parties and used only in good faith for the benefit of the individual. Record keeping of case-managed participants will be managed by Newman Senior High School

DRAFT

INSURANCE

Both parties must provide to the other appropriate public liability certificates of currency before program commencement.

WORKING WITH CHILDREN PROTOCOLS

Both parties agree that all staff and contactors engaged with the program will have current Western Australian Working With Children Cards.

SIGNING

By the signing of this Letter of Agreement, both parties acknowledge and agree, with full understanding as to the accuracy of the contents herein, and with the terms agreed upon during negotiations.

SIGNED for and on behalf of Newman Senior High School:

Carolyn Cook
Principal

_____

Signature Date

SIGNED for and on behalf of the Shire of East Pilbara:

Jeremy Edwards
Chief Executive Officer

_____

Signature Date

DRAFT

11 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11.1 CR LANG COPPIN OAM

Elected Member:	**Cr Lang Coppin OAM Councillor**
Author:	**Mr Jeremy Edwards Chief Executive Officer**
Proposed Meeting Date:	**28 June 2019**
Location/Address:	**N/A**
Name of Applicant:	**N/A**
Author Disclosure of Interest:	**Nil**

REPORT PURPOSE

Five motions of which previous notice has been given have been submitted by Councillor Coppin OAM.

These motions are listed below, and a consolidated report regarding these matters will be provided prior to the Council Meeting 28 June 2019

The motions are:

1. Shire abandoned its pursuit of purchase old ANZ Bank.

It should be noted Confidential ITEM 13.1 of the OCM Agenda for 28 June 19 relates to this.

2. Money that would be raised either loan or general a/c for ANZ Building be directed to Caravan Park Nullagine, either re-build or relocate, allow $1,000,000 ASAP

3. Council start Corporate Discussion 8am till 10am. 1st hour to concentrate on Newman issues even if on Agenda

4. General Council Meeting start at 10am. Guest speakers and presentations by done in Council not Corporate

5. Bring back the Info Bulletin even if in smaller form

STATUTORY IMPLICATIONS

To be advised.

POLICY IMPLICATIONS

4.9 TOURISM – OBJECTIVES AND GUIDELINES

STRATEGIC COMMUNITY PLAN

5: Governance

Demonstrated accountability and corporate governance.

G1 Provide efficient, accountable and ethical governance.

Key Result Area 1: Economic

Support the diverse and sustainable economic development of the region through

Advocacy, and the promotion of the region.

Outcome: A diverse and sustainable regional economy.

Objective: The Shire is a great place for tourists.

RISK MANAGEMENT CONSIDERATIONS

To be advised.

FINANCIAL IMPLICATIONS

To be advised.

VOTING REQUIREMENT

Simple.

MEMBER'S RECOMMENDATION:

MOVED: Cr Langtree Coppin OAM SECONDED: Cr Michael Kitchin

1. That Council abandon its pursuit of the purchase of the old ANZ Bank building in Newman.

This issue is considered at Item 14.1. Therefore, the mover and seconder agreed to consider this matter later in the agenda.

MEMBER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/175

MOVED: Cr Langtree Coppin OAM SECONDED: Cr Michael Kitchin

2. That Council allocate funding for the Nullagine Caravan Park in the 2019/2020 budget

CARRIED UNANIMOUSLY

MEMBER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/176

MOVED: Cr Langtree Coppin OAM SECONDED: Cr Anita Grace

3. Council start Corporate Discussion from 8am to 10am.

CARRIED UNANIMOUSLY

MEMBER'S RECOMMENDATION:

MOVED: Cr Langtree Coppin OAM SECONDED: Cr Michael Kitchin

4. General Council Meeting start at 10am. Guest speakers and presentations by done in Council not Corporate.

LOST

RECORD OF VOTE: 3-5

FOR: Councillors Coppin OAM, Kitchin and Williams

AGAINST: Councillors Craigie, Grace, Parsons, Middleton and Schill

FORESHADOWED MOTION:

4. That the General Council Meeting start at 11am.

LOST

RECORD OF VOTE: 4-4

FOR: Councillors Coppin OAM, Kitchin, Grace and Schill

AGAINST: Councillors Craigie, Middleton, Parsons and Williams

NOTE: The Shire President used a casting vote to vote against the motion.

MEMBER'S RECOMMENDATION/COUNCIL RESOLUTION: 201920/177

MOVED: Cr Langtree Coppin OAM SECONDED: Cr Michael Kitchin

5. Bring back the Info Bulletin even if in smaller form.

CARRIED UNANIMOUSLY

12 QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

12.1 CR LANG COPPIN OAM

Elected Member: **Cr Lang Coppin OAM**

Councillor

Proposed Meeting Date: **28 June 2019**

2:30PM Cr Anita Grace left the Chambers

2:32PM Cr Anita Grace returned to the Chambers

QUESTION 1: How much loss is the Cape costing?

RESPONSE: On average (last 2 financial years) the Cape is costing approximately $50,000 a year. A full financial analysis can be provided back to 2014.

QUESTION 2: What percentage of use is locals?

RESPONSE: This information is difficult to obtain however officers are attempting to ascertain and will advise accordingly

QUESTION 3: What is the total cost of the Caretakers residence?

RESPONSE: For the 2017/18 and 2018/19 financial year, the year to date expenditure is approximately $424,000.

QUESTION 4: What is happening with the water (new bore) when water going to be put on?

RESPONSE: An RO plant is scheduled to be built in the 2019/20 financial year at a cost of $180,000, this budget allocation is subject to Council approval.

QUESTION 5: Has the Shire done anything about the resolution to try and stop the waste of food re. Camels as motion dated 27 July 2018

RESPONSE: Officers have written to the relevant agencies however to date a response has not been received.

QUESTION 6: What has been done about signs around Shire $250,000 in budget?

RESPONSE: Question taken on notice and a response will be provided at the Council meeting.

QUESTION 7: What has been done about the desert road project that money has been approved?

RESPONSE: This project has not been progressed any further and has been carried forward to the 2019/20 financial year.

2:39PM Cr Anita Grace left the Chambers

2:40PM Cr Anita Grace returned to the Chambers

2:40PM Cr Carol Williams left the Chambers

2:42PM Cr Carol Williams returned to the Chambers

12.2 CR MICHAEL KITCHIN

Elected Member: **Cr Michael Kitchin**

Councillor

Proposed Meeting Date: **28 June 2019**

QUESTION 1 **At the start of this year I presented a Question on Notice requesting that Council be advised with regard to waste rubbish and Recycling procedures handled by Council. The CEO advised that this would be presented at the June Meet of Council. Will this be effected?**

RESPONSE: Over the last few months Shire staff have been concentrating upon the upgrades at the Newman Waste Water Treatment plant, which is part of the Shire's Waste operations. This has included engaging with the water corporation in a Memorandum of Understanding, undertaking a full site risk assessment and working with the water corporation to in developing costings and scopes of work. This was presented to Council at the April Corporate Discussion and endorsed by council at the May council meeting. This has diverted a significant amount of staffing resources as they have been spent developing this project.

Notwithstanding, the Shire does not have any waste management staff permanently employed. As a result, the Executive Manager of Infrastructure services has undertaken the position development, recruitment and selection of the role of Manager of Waste. The preferred candidate is due to commence in late July. Additionally, staff have engaged consultants to prepare a Waste Management Plan for our landfill sites which will outline the future development. The draft copy of the plan is currently being finalised and should be completed by late July.

Due to the above circumstances the presentation to council will be delayed until around August/September to allow for the completion of the waste management plan and recruitment of the Manager of Waste position.

QUESTION 2: **The Marble Bar-Nullagine road is in poor condition; will the CEO request MRDept. Whether it is possible to grade/service this road?**

RESPONSE: Main Roads WA have advised the Shire of East Pilbara that they currently expend between $50,000 - $60,000 a month on maintenance grading upon the Marble bar – Nullagine road. In addition to this they have allocated $2million for re-sheeting in priority areas along this road for the 2019/20 financial year along with a $200million funding submission with the Federal Government to address priority areas along this road.

QUESTION 3: Roy Hill/Atlas Iron (Ms. Rhinehart) has approached the EPA seeking approval for implementation of the Corunna Downs iron ore operation to again start, (ie., hauling ore.) Has Council been advised of when the haul road between the mine and MB will be laid down/completed for allowing Quad trailer road trains to operate?

RESPONSE: Shire officers are currently in discussion/negotiation with Atlas regarding road upgrade requirements and we are currently waiting upon a response from Atlas.

2:47PM Cr Bridget Schill left the Chambers

2:48PM Cr Langtree Coppin OAM left the Chambers

2:49PM Cr Bridget Schill returned to the Chambers.

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

14 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

MOVED: Cr Geraldine Parsons **SECONDED: Cr Anthony Middleton**

THAT the meeting go behind closed doors

CARRIED UNANIMOUSLY

RECORD OF VOTE: 7-0

2:49pm The meeting was closed to the public

14.1 ABANDON THE PURCHASE OF LOT 1412 (16) HILDITCH AVENUE, NEWMAN WA 6753

Responsible Officer:	**Mr Jeremy Edwards Chief Executive Officer**
Author:	**Mr Jeremy Edwards Chief Executive Officer**
Proposed Meeting Date:	**28 June 2019**

REASONS FOR CONDFIDENTIALITY

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:

(c) A contract entered into or which may be entered into by the Local Government and relates to matters to be discussed at the meeting.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201819/178

MOVED: Cr Anita Grace SECONDED: Cr Michael Kitchin

That Council abandon its pursuit for the purchase of Lot 1412 (16) Hilditch Avenue, Newman.

CARRIED UNANIMOUSLY

RECORD OF VOTE: 7-0

To be actioned by Mr Jeremy Edwards, Chief Executive Officer

14.2 NEWMAN VISITORS CENTRE

Responsible Officer:	**Ms Lisa Clack Executive Manager Customer & Community Services**
Author:	**Ms Lisa Clack Executive Manager Customer & Community Services**
Proposed Meeting Date:	**28 June 2019**

REASON FOR CONFIDENTIALITY

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:

(c) A contract entered into or which may be entered into by the Local Government and relates to matters to be discussed at the meeting.

(e) A matter that if disclosed would reveal, trade secrets, information of commercial value, information about the business, professional, commercial or financial affairs of a person.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201819/179

MOVED: Cr Geraldine Parsons SECONDED: Cr Anita Grace

That Council

1. **Notes the current operational model being undertaken by the Shire of East Pilbara for the Newman Visitors Centre and supports the continuation of this until June 2020.**

2. **Notes and supports the continued participation in an operational management sub-committee and that the Shire of East Pilbara is the sole member of the operational management sub-committee to undertake the following functions:**

    a) **The exercise of the functions of the Manager, as specified under Part 10.2 and 10.3 of the rules of association, for the period of 1 July 2019 to 30 June 2020,**

    b) **Attendance at any Operational Management sub-committee metings and Executive Board meeting in an ex-offcio capacity, for the period of 1 July 2019 to 30 June 2020 to exercise the functions usually undertaken by the Manager under Part 9 of the rules of the association; and**

c) Preparation of a report and recommendation to the Executive Board of a future business model for consideration by January 2020.

3. Advise the Newman Visitors Centre of points 1 to 2 above and that all reasonable financial costs incurred will be reimbursed to the Shire of East Pilbara by the Newman Visitors Centre Executive Board.

CARRIED UNANIMOUSLY

RECORD OF VOTE: 7-0

To be actioned by Ms Lisa Clack, Executive Manager Customer & Community Services

14.3 INTER-REGIONAL FLIGHTS

Responsible Officer: **Mr Ben Lewis**
Executive Manager Commercial Services

Author: **Mr Ben Lewis**
Executive Manager Commercial Services

Proposed Meeting Date: **28 June 2019**

2:51PM Cr Langtree Coppin OAM returned to the Chambers
2:56PM Cr Carol Williams left the Chambers
2:59PM Cr Carol Williams returned to the Chambers

REASON FOR CONFIDENTIALITY

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:

(c) A contract entered into or which may be entered into by the Local Government and relates to matters to be discussed at the meeting.

OFFICER'S RECOMMENDATION

MOVED: Cr Michael Kitchin SECONDED: Cr Anita Grace

That Council
1. Agree to participate in the interregional flight program and select option _____ and resolve to commit a total of $_____ for the next five years to be included in the annual budget; and

2. Provide written advice to the City of Karratha confirming council's commitment to the interregional program allowing the negotiations to be finalised and the contract to be issued to Aviair Pty Ltd.

AMENDMENT

MOVED: Cr Langtree Coppin OAM SECONDED: Cr Geraldine Parsons

Add in point 3 as below:
3. Note that if other stakeholders become involved in the interregional flight program for the next five years, then the financial commitment of the Shire of East Pilbara will decrease proportionately.

CARRIED
RECORD OF VOTE: 7-1

FOR: Councillors Craigie, Grace, Coppin, Middleton, Parsons, Schill and Williams

AGAINST: Councillor Kitchin

COUNCIL RESOLUTION: 201819/180

MOVED: Cr Michael Kitchin **SECONDED: Cr Anita Grace**

That Council

1. **Agree to participate in the interregional flight program and select option 2 and resolve to commit a total of $650,725.00 for the next five years to be included in the annual budget; and**

2. **Provide written advice to the City of Karratha confirming council's commitment to the interregional program allowing the negotiations to be finalised and the contract to be issued to Aviair Pty Ltd.**

3. **Note that if other stakeholders become involved in the interregional flight program for the next five years, then the financial commitment of the Shire of East Pilbara will decrease proportionately.**

CARRIED

RECORD OF VOTE: 7-1

FOR: Councillors Craigie, Grace, Coppin, Middleton, Parsons, Schill and Williams

AGAINST: Councillor Kitchin

To be actioned by Mr Ben Lewis, Executive Manager Commercial Services

14.4 AIRPORT SECURITY SERVICES NEWMAN AIRPORT

Responsible Officer:	**Mr Ben Lewis Executive Manager Commercial Services**
Author:	**Mr Ben Lewis Executive Manager Commercial Services**
Proposed Meeting Date:	**28 June 2019**

REASON FOR CONFFIDENTIALITY

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:

(c) A contract entered into or which may be entered into by the Local Government and relates to matters to be discussed at the meeting.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201819/181

MOVED: Cr Anita Grace SECONDED: Cr Geraldine Parsons

That Council

1. **Award Tender RFT 11-2018/19 for the Supply of Airport Security Services for the Newman Airport to MSS Security Pty Ltd at the tendered price of $5,064,580.24 ex GST for three (3) years.**

2. **Approve the Chief Executive Office to apply the common seal of the Shire of East Pilbara to the contract between the Shire and MSS Security Pty Ltd with respect to this tender.**

CARRIED UNANIMOUSLY

To be actioned by Mr Ben Lewis, Executive Manager Commercial Services

14.5 RECOMMENDATION REPORT RFT 12-2018 19 AIRPORT LIGHTING DESIGN

Responsible Officer:	**Mr Ben Lewis** **Executive Manager Commercial Services**
Author:	**Mr Bryan Griggs** **Airport Coordinator Asset Maintenance**
Proposed Meeting Date:	**28 June 2019**

REASON FOR CONFIDENTIALITY

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:

(c) A contract entered into or which may be entered into by the Local Government and relates to matters to be discussed at the meeting.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201819/182

MOVED: Cr Anthony Middleton SECONDED: Cr Geraldine Parsons

That Council

1. **Award Tender RFT 12-2018/19 for the Airside Lighting Design for the Newman Airport to Alliance Power & Data (Airport Infrastructure Management Services) at the tendered price of $216,374.00 ex GST.**

2. **Approve the Chief Executive Officer to apply the common seal of the Shire of East Pilbara to the contract between the Shire and Alliance Power & Data (Airport Infrastructure Management Services) with respect to this Tender.**

CARRIED UNANIMOUSLY

To be actioned by Mr Bryan Griggs, Airport Coordinator Asset Maintenance

14.6 CHIEF EXECUTIVE OFFICER - ANNUAL LEAVE DELEGATION

Responsible Officer: **Mr Jeremy Edwards**
Chief Executive Officer

Author: **Mr Jeremy Edwards**
Chief Executive Officer

Proposed Meeting Date: **28 June 2019**

An interest was declared by Mr Jeremy Edwards for Item 14.6
Nature of Interest: Financial
Extent of Interest: Mr Jeremy Edwards is the CEO

3:12PM *Mr Jeremy Edwards, Mr Ben Lewis, Mr Raees Rasool, Ms Sian Appleton, Ms Lisa Clack, Mrs Kylie Bergmann and Mrs Gabrielle Anderson left the Chambers.*

REASON FOR CONFIDENTIALITY

This Report is CONFIDENTIAL in accordance with Section 5.23 (2) of the *Local Government Act 1995* which permits the Meeting to be closed to the public for business relating to the following:

(b) The personal affairs of any person.

OFFICER'S RECOMMENDATION/COUNCIL RESOLUTION: 201819/183

MOVED: Cr Anthony Middleton **SECONDED: Cr Geraldine Parsons**

THAT:

1. Council delegates authority to the Shire President to approve leave requests for the Chief Executive Officer.

2. Council be notified.

CARRIED

RECORD OF VOTE: 7-1

FOR: Councillors Craigie, Grace, Coppin, Middleton, Parsons, Schill and Williams

AGAINST: Councillor Kitchin

NOTE: Council requested to add in dot point 2 – that Council be notified. The mover and seconder were in agreeance therefore, there was no need to move an amendment.

To be actioned by Cr Lynette Craigie OAM, Shire President.

15 DATE OF NEXT MEETING

26 July 2019, Newman

16 CLOSURE

3:47PM