

**SHIRE OF EAST PILBARA
ORDINARY MEETING
29 November 2024**



Minutes to be confirmed at the next Ordinary Council Meeting on 13 December 2024.

I hereby certify that these Minutes are a true and correct record as confirmed by Council at the Ordinary Council Meeting on 13 December 2024

Presiding Member's Signature

Date

18/12/2024

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President declared the Shire of East Pilbara Council Meeting of 29 November 2024 open at 10.30am in the Newman Council Chambers.

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

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

All present were also advised that the meeting was being live streamed and audio recorded which can be accessed by members of the public and the media, as such Council Members were reminded to refrain from making any defamatory statements.

Members of the public were advised that anyone who has any application lodged with the Shire of East Pilbara must obtain and should only rely on the written confirmation of the outcome of the application and any conditions attaching to the decision made by the Shire of East Pilbara in respect of the application.

2 ATTENDANCE BY ELECTRONIC MEANS

A request to attend the meeting via a virtual platform (MS Teams) was received from:

- **Cr Milton Chapman**

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

3 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3.1 ATTENDANCES

Council Members

Anthony Middleton	Shire President
Cr Wendy McWhirter-Brooks	Deputy Shire President / Councillor
Cr David Evrett	Councillor
Cr David Kular	Councillor
Cr Karen Lockyer	Councillor
Cr Milton Chapman	Councillor (<i>MS Teams</i>)

Executive Team

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

Shire Officers

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

Public Gallery

Nil

3.2 APOLOGIES

Cr Peta Baer - Leave of Absence for OCM 29 November 2024
Cr Annabell Landy - Leave of Absence for OCM 29 November 2024
Cr Lee Anderson - Leave of Absence for OCM 29 November 2024

3.3 LEAVE OF ABSENCE

At the Ordinary Council Meeting of 25 October 2024, Cr Lee Anderson was granted a Leave of Absence for the Ordinary Council Meeting of 29 November 2024.

4 DISCLOSURE OF INTEREST

Name	Chief Executive Officer, Steven Harding
Item No and Title of Report	12.1.3 - Policy Review - Chief Executive Officer's Annual Remuneration
Nature of Interest	Pursuant to section of 5.60A of the Local Government Act 1995, the nature of the interest is ' Financial '
Reason	I am the Chief Executive Officer of the Shire of East Pilbara.
Action Taken	The Chief Executive Officer will leave the Council Chamber and take no part in the deliberation or discussion of this item.

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

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

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

Anthony Middleton

Shire President

Cr Wendy McWhirter-Brooks

Deputy Shire President / Councillor

Cr David Evrett

Councillor

Cr David Kular

Councillor

Cr Karen Lockyer

Councillor

Cr Milton Chapman

Councillor

6 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

6.1 QUESTIONS TAKEN ON NOTICE FROM THE ORDINARY COUNCIL MEETING - 25 OCTOBER 2024

The following questions were taken on notice at the Ordinary Council Meeting on 25 October 2024.

Item 17.1.1 Request to Write Off Outstanding Rates Debts

Question from President Anthony Middleton

Can the CEO consider the preparation of a draft delegation for the write-off of small outstanding rates debts?

Response from Chief Executive Officer:

A report has been prepared recommending the amendment of the Delegation in relation to the write of debts, which will be considered by Council at this meeting.

Item 17.3.1 Proposed Property Acquisitions – Staff Housing

Question from Cr Baer

For the properties identified for purchase with the leases in place, what is the expected amount of rental income?

Response from Acting Director Regulatory Services:

It is anticipated that rental income on two of the properties Council approved for purchase at the last meeting, will be in the order of \$33,550. This amount may vary depending on the actual settlement date and the date the first rental payment begins.

Question from Cr Baer

Is the Saints Football and Sporting Club required to provide the Shire with a copy of its liquor licence as a term of the lease?

Response from Chief Executive Officer:

The terms of the lease require that the premises may not be used for the consumption or sale of alcohol without the written consent of the Shire. A condition of the Shire's consent would be a requirement that the Club provide the Shire with a copy of its liquor licence. An application for a liquor licence or permit also require the written consent of the Shire.

7 PUBLIC QUESTION TIME

Nil

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

**National Airport Industry Awards 2024
Small Regional Airport of the Year**

The Shire was recognised as the winner of the above award for 2024.

9 APPLICATION FOR LEAVE OF ABSENCE

Applications for Leave of Absences for the 29 November 2024 Ordinary Council Meeting were received from **Cr Peta Bear and Cr Annabell Landy**

Resulting from the these requests the below resolution was moved:

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 207)

Moved: Cr Lockyer

Seconded: Cr Kular

That Council approves the applications for Leave of Absence for the 29 November 2024 Ordinary Council Meeting from:

- Cr Peta Baer
- Cr Annabell Landy.

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

**10 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL
MEETINGS**

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 187)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That the corrected Ordinary and Confidential Minutes of the Council meeting held on 25 October 2024 as published on the Shire Website and Councillor Portal be confirmed as true and correct records of proceedings.

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

11 MEMBERS REPORTS

Cr Wendy McWhirter-Brooks reported attendance at the following during the month of October 2024:

- WALGA and Main Roads Safety 3 Day Education Course - Recommended this course.

Cr Lou Lockyer reported attendance at the following during the month of October 2024:

- Wangka Lampa Kujunka Lunch - Positive response from attendees
- Chaired the Martumili Opening and LEMAC Meeting
- Sports and Community Award - Good community representation

Shire President, Anthony Middleton reported attendance at the following during the month of October 2024:

- Stars of East Pilbara Event - Thank you to community and congratulations to award winners.
- Mining Cities Alliance - Shire of East Pilbara is now a Member - CEO and Shire President attended the first meeting of this group.
- Pilbara Country Zone - Workshop for Councillors to discuss future presentations they would like to see.

Councillors were advised that their reports should be sent to the Governance Team for inclusion in the Minutes for this meeting.

12 OFFICER REPORTS

12.1 DIRECTORATE - EXECUTIVE

12.1.1 INTENTION TO IMPOSE FEE - NEWMAN AIRPORT VEHICLE STORAGE

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 188)

Moved: Cr Lockyer

Seconded: Deputy Shire President McWhirter-Brooks

That Council:

1. Adopts an amendment to the 2024/25 Schedule of Fees and Charges with respect to vehicle storage at Newman Airport as follows:

Shire of East Pilbara Fees & Charges 2024/25	GST Applicable	2024/25 Fee (incl GST)	Description
Use of Temporary Vehicle Storage Area per month	Yes	\$3,850.00 per month	For the temporary storage of vehicles and trailers at the designated storage parking facility at Newman Airport.

2. Imposes the amended 2024/25 Fees and Charges Schedule as per Appendix 1 to the report, in accordance with s.6.16(3)(b) of the *Local Government Act 1995*, with effect from 16 December 2024.
3. Authorises the Chief Executive Officer to give local public notice of the adopted Fees and Charges (as amended), pursuant to s.6.19 of the *Local Government Act 1995*.
4. Authorises the Chief Executive Officer to impose terms and conditions on the use of the Newman Airport parking facilities, and to prepare an indemnity against any claim made against it arising out of the use of the Newman Airport parking facilities.

CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 6/0

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

Against: None

12.1.2 POLICY REVIEW - PREQUALIFIED SUPPLIER PANELS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 189)

Moved: Cr Lockyer

Seconded: Deputy Shire President McWhirter-Brooks

That Council accepts the review and adopts the revised Prequalified Supplier Panel Policy attached as Appendix 1 to the report.

CARRIED
RECORD OF VOTE 6/0

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

Against: None

12.1.3 POLICY REVIEW - CHIEF EXECUTIVE OFFICER'S ANNUAL REMUNERATION REVIEW POLICY

Having declared an interest in this item, the Chief Executive Officer left the Council Chamber at 10.52am and returned at 10.53am.

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 190)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Everett

That Council accepts the review of and adopts the Chief Executive Officer Annual Remuneration Review Policy (Appendix 1).

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

12.1.4 NEW POLICY - COMMUNITY AND COMMERCIAL TENANCIES POLICY

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 191)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council endorses the draft Community and Commercial Tenancies Policy attached as Appendix 1 for public consultation.

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

12.1.5 MEETING TIMES - COUNCIL AND COMMITTEE MEETINGS FOR 2025

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 192)

Moved: Cr Lockyer

Seconded: Deputy Shire President McWhirter-Brooks

That Council:

- 1. Adopts the following dates, times and places for Ordinary Council Meetings:**

Meeting Date	Time	Place
28 February 2025	10.30am	Newman
28 March 2025	10.30am	Marble Bar
2 May 2025	10.30am	Newman
30 May 2025	10.30am	First Nations Community
27 June 2025	10.30am	Nullagine
25 July 2025	10.30am	Newman
22 August 2025	10.30am	Newman
26 September 2025	10.30am	Marble Bar
24 October 2025 (Special Council Meeting)	10.30am	Newman
28 November 2025	10.30am	Newman
12 December 2025	10.30am	Newman

- 2. Authorises the President to amend the start time of Ordinary Council Meetings to facilitate community engagement activities and inspections as required in consultation with other Council Members with at least one (1) week's notice;**

- 3. Adopts the following dates, times and places for Committee Meetings:**

Audit, Risk and Governance Committee:

Meeting Date	Time	Place
28 March 2025	10.00am	Marble Bar
27 June 2025	10.00am	Nullagine
26 September 2025	10.00am	Marble Bar
12 December 2025	10.00am	Newman

CEO Performance Committee:

Meeting Date	Time	Place
5 September 2025	8.00am	Newman

4. Authorises the President to change the date and time of committee meetings as required in consultation with other Council Members with at least one (1) week's notice;
5. Publishes the dates, time and place of Council and Committee Meetings in accordance with regulation 12(2) of the *Local Government (Administration) Regulations 1996*.

CARRIED
RECORD OF VOTE 6/0

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

Against: None

With the agreement of the Mover and Seconder the following amendment to the Officers Resolution was discussed and endorsed:

The addition of the wording:

- in consultation with other Council Members with at least one (1) week's notice;

was added to points 2 and 4 of the recommendation.

12.1.6 STATUS OF COUNCIL DECISIONS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 193)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Evrett

That Council notes the report.

CARRIED
RECORD OF VOTE 6/0

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

Against: None

12.1.7 AFFIXING THE COMMON SEAL UNDER DELEGATED AUTHORITY

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 194)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Kular

That Council notes the report.

CARRIED
RECORD OF VOTE 6/0

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

Against: None

12.2 DIRECTORATE - CORPORATE SERVICES

12.2.1 APPROVAL OF SOLE SOURCE OF SUPPLY ARRANGEMENT

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 195)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Evrett

That Council, in accordance with regulation 11(2)(f) of the *Local Government (Functions and General) Regulations 1996*, approves for the express purpose of direct negotiations, a unique supply arrangement with Vocus Group for the possible supply of fibre infrastructure, for the following reasons:

- **Vocus Group is the only supplier that can supply exclusive (non-vendor managed) fibre access in Newman at this time; and**
- **Expected significant cost savings on project construction mobilisation.**

For the avoidance of doubt, the approval does not commit Council to enter a contract with Vocus Group.

CARRIED
RECORD OF VOTE 6/0

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

Against: None

12.2.2 POLICY REVIEW - ASSET MANAGEMENT

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 196)

Moved: Cr Lockyer

Seconded: Deputy Shire President McWhirter-Brooks

That Council accepts the review and revokes Asset Management Policy adopted 25 June 2021 (attached as Appendix 1) and adopts the new draft Asset Management Policy (attached as Appendix 2).

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

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

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 197)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

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

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

12.2.4 LIST OF PAYMENTS - OCTOBER 2024

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 198)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council endorses the below payments for the period of 1 October 2024 to 31 October 2024:

EFT Payments \$5,287,599.42

MasterCard \$34,286.33

Cheque Payments \$200.00

Direct Payments Nil

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

**12.2.5 REGISTER OF DELEGATIONS AND AUTHORISATION - AMENDMENT -
DEFER, GRANT DISCOUNTS, WAIVE OR WRITE OFF DEBTS**

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 199)

Moved: Cr Evrett

Seconded: Deputy Shire President McWhirter-Brooks

**That Council adopts an amendment to Delegation 1.2.20 Defer, Grant Discounts, Waive or Write
Off Debts as detailed in Appendix 1.**

**CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 6/0**

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

Against: None

13 COMMITTEE REPORTS

13.1 DIRECTORATE - REGULATORY SERVICES

13.1.1 MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEES - NOVEMBER 2024

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 200)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council notes the minutes of the meetings of the Shire of East Pilbara Local Emergency Management Committees held as follows:

Marble Bar - 6 November 2024

Nullagine - 7 November 2024; and

Newman - 8 November 2024.

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

14 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

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

Nil

17 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION (Resolution No:2024 / 201)	
Moved: Cr Lockyer	
Seconded: Deputy Shire President McWhirter-Brooks	
That items:	
17.1.1	PROPOSED PROPERTY ACQUISITION - STAFF HOUSING
17.2.1	AWARD OF TENDER - RFT 06-2024/25 - OVAL LIGHTING UPGRADES
17.2.2	RFQ 03-2024/25 - NULLAGINE AQUATIC CENTRE PAVING AND CONCRETE WORKS
17.3.1	REGIONAL PRECINCTS AND PARTNERSHIPS PROGRAM - STREAM TWO: PRECINCT DELIVERY COUNCIL CONTRIBUTION
17.3.2	APPOINTMENT OF SENIOR EMPLOYEE
of the Agenda be dealt with behind closed doors, in accordance with section 5.23 (2) of the Local Government Act 1995.	
<div>CARRIED RECORD OF VOTE 6/0</div>	
For:	Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Chapman, Cr Evrett, Cr Kular, Cr Lockyer
Against:	None

The meeting was closed to the public at 11.08am and live streaming of the meeting was interrupted by Governance Staff at this point.

Cr Milton Chapman in accordance with the regulation on members attending by electronic means, declared that he will maintain confidentiality during the closed part of the meeting in accordance with regulations.

17.1 DIRECTORATE - REGULATORY SERVICES

17.1.1 PROPOSED PROPERTY ACQUISITION - STAFF HOUSING

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 202)

Moved: Cr Lockyer

Seconded: Cr Kular

That Council:

1. Authorises the Chief Executive Officer to negotiate the purchase of Property A as detailed in the confidential report, up to the amount not exceeding the ceiling price identified in the confidential report; and
2. Authorises the Chief Executive Officer to finalise the purchase of the property, to sign and execute the contract documents for sale, subject to undertaking all necessary due diligence, and within the ceiling price identified in the confidential report.

CARRIED

RECORD OF VOTE 6/0

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

Against: None

17.2 DIRECTORATE - INFRASTRUCTURE SERVICES

17.2.1 AWARD OF TENDER - RFT 06-2024/25 - OVAL LIGHTING UPGRADES

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 203)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council:

1. Awards Tender RFT 06-2024/25 for Oval Lighting Upgrades (Separable Portions) to National Grid Link Power for the contracted price \$852,048 (GST excl) for Separable Portion 1;
2. Awards Tender RFT 06-2024/25 for Oval Lighting Upgrades (Separable Portions) to National Grid Link Power for the contracted price \$103,924.39 (GST excl) for Separable Portion 2;
3. Authorises the Chief Executive Officer to approve any minor contract variations during the Contract(s) duration in accordance with Council's Minor Variations Policy.

CARRIED

RECORD OF VOTE 6/0

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

Against: None

17.2.2 RFQ 03-2024/25 - NULLAGINE AQUATIC CENTRE PAVING AND CONCRETE WORKS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 204)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Kular

That Council:

1. **Not accept any Offer received for RFQ 03-2024/25 – Concrete and Paving Works - Nullagine Aquatic Centre in accordance with *Regulation 18(5) of the Local Government (Functions & General) Regulations 1996*;**
2. **Authorises the Chief Executive Officer (or delegate) to enter into direct negotiations with any suitably experienced Contractor for a Contract for these Works at the Nullagine Aquatic Centre with no variation to the scope of works as tendered and within the allocated budget.**
3. **Authorises, in the event of unsuccessful negotiations, the Chief Executive Officer to invite Tenders for these Works at Nullagine Aquatic Centre with a variation to the Scope of Works.**

CARRIED

RECORD OF VOTE 6/0

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

Against: None

17.3 DIRECTORATE - EXECUTIVE

17.3.1 REGIONAL PRECINCTS AND PARTNERSHIPS PROGRAM - STREAM TWO: PRECINCT DELIVERY COUNCIL CONTRIBUTION

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 205)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council:

1. **Authorises the non-publication of this resolution in accordance with section 5.23(2)(c) and (e).**

(Full resolution available as a Confidential Appendix).

CARRIED

RECORD OF VOTE 6/0

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

Against: None

17.3.2 APPOINTMENT OF SENIOR EMPLOYEE

Executive Team Members, excluding the Chief Executive Officer, and Shire Staff present left the Chamber for the deliberation and vote of this item at 11.32am. The Manager of Governance also remained in the Chamber to record the vote.

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 206)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

The Council accepts the Chief Executive Officer's proposal to employ the Senior Employee as detailed in the Confidential Report in accordance with Section 5.37(2) of the Local Government Act 1995.

**CARRIED
RECORD OF VOTE 6/0**

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Chapman, Cr
Evrett, Cr Kular, Cr LockyerCr Peta Baer

Against: None

COUNCIL RESOLUTION

Moved: Cr Lockyer

Seconded: Cr Evrett

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

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

The meeting returned to open forum at 11.38am and live streaming recommenced.

18 DATE OF NEXT MEETING

The next Council Meeting of the Shire of East Pilbara will be held on 13 December 2024 in the Newman Council Chambers commencing at 10:30am.

19 CLOSURE

The Council Meeting of the Shire of East Pilbara held on 29 November 2024 was declared closed by the Presiding Member closed at 11.42am.

The Presiding Member thanked Council Members and Staff for their attendance.

Please use the link below for access to the 29 November 2024 OCM Agenda and Attachments:

[DocStream.aspx](#)

SHIRE OF EAST PILBARA ORDINARY MEETING 29 November 2024



Minutes to be confirmed at the next Ordinary Council Meeting on 13 December 2024.

I hereby certify that these Minutes are a true and correct record as confirmed by Council at the Ordinary Council Meeting on 13 December 2024

Presiding Member's Signature _____ Date _____

1 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The President declared the Shire of East Pilbara Council Meeting of 29 November 2024 open at 10.30am in the Newman Council Chambers.

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

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Members of the public were advised that anyone who has any application lodged with the Shire of East Pilbara must obtain and should only rely on the written confirmation of the outcome of the application and any conditions attaching to the decision made by the Shire of East Pilbara in respect of the application.

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A request to attend the meeting via a virtual platform (MS Teams) was received from:

- **Cr Milton Chapman**

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

3 RECORD OF ATTENDANCE/APOLOGIES/LEAVE OF ABSENCE

3.1 ATTENDANCES

Council Members

Anthony Middleton	Shire President
Cr Wendy McWhirter-Brooks	Deputy Shire President / Councillor
Cr David Evrett	Councillor
Cr David Kular	Councillor
Cr Karen Lockyer	Councillor
Cr Milton Chapman	Councillor (<i>MS Teams</i>)

Executive Team

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

Shire Officers

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

Public Gallery

Nil

3.2 APOLOGIES

Cr Peta Baer - Leave of Absence for OCM 29 November 2024
Cr Annabell Landy - Leave of Absence for OCM 29 November 2024
Cr Lee Anderson - Leave of Absence for OCM 29 November 2024

3.3 LEAVE OF ABSENCE

At the Ordinary Council Meeting of 25 October 2024, Cr Lee Anderson was granted a Leave of Absence for the Ordinary Council Meeting of 29 November 2024.

4 DISCLOSURE OF INTEREST

Name	Chief Executive Officer, Steven Harding
Item No and Title of Report	12.1.3 - Policy Review - Chief Executive Officer's Annual Remuneration
Nature of Interest	Pursuant to section of 5.60A of the Local Government Act 1995, the nature of the interest is ' <i>Financial</i> '
Reason	I am the Chief Executive Officer of the Shire of East Pilbara.
Action Taken	The Chief Executive Officer will leave the Council Chamber and take no part in the deliberation or discussion of this item.

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

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

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

Anthony Middleton	Shire President
Cr Wendy McWhirter-Brooks	Deputy Shire President / Councillor
Cr David Evrett	Councillor
Cr David Kular	Councillor
Cr Karen Lockyer	Councillor
Cr Milton Chapman	Councillor

6 RESPONSE TO PREVIOUS QUESTIONS TAKEN ON NOTICE

6.1 QUESTIONS TAKEN ON NOTICE FROM THE ORDINARY COUNCIL MEETING - 25 OCTOBER 2024

The following questions were taken on notice at the Ordinary Council Meeting on 25 October 2024.

Item 17.1.1 Request to Write Off Outstanding Rates Debts

Question from President Anthony Middleton

Can the CEO consider the preparation of a draft delegation for the write-off of small outstanding rates debts?

Response from Chief Executive Officer:

A report has been prepared recommending the amendment of the Delegation in relation to the write of debts, which will be considered by Council at this meeting.

Item 17.3.1 Proposed Property Acquisitions – Staff Housing

Question from Cr Baer

For the properties identified for purchase with the leases in place, what is the expected amount of rental income?

Response from Acting Director Regulatory Services:

It is anticipated that rental income on two of the properties Council approved for purchase at the last meeting, will be in the order of \$33,550. This amount may vary depending on the actual settlement date and the date the first rental payment begins.

Question from Cr Baer

Is the Saints Football and Sporting Club required to provide the Shire with a copy of its liquor licence as a term of the lease?

Response from Chief Executive Officer:

The terms of the lease require that the premises may not be used for the consumption or sale of alcohol without the written consent of the Shire. A condition of the Shire's consent would be a requirement that the Club provide the Shire with a copy of its liquor licence. An application for a liquor licence or permit also require the written consent of the Shire.

7 PUBLIC QUESTION TIME

Nil

8 PETITIONS/DEPUTATIONS/PRESENTATIONS

National Airport Industry Awards 2024

Small Regional Airport of the Year

The Shire was recognised as the winner of the above award for 2024.

9 APPLICATION FOR LEAVE OF ABSENCE

Applications for Leave of Absences for the 29 November 2024 Ordinary Council Meeting were received from **Cr Peta Bear and Cr Annabell Landy**

Resulting from the these requests the below resolution was moved:

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 207)

Moved: Cr Lockyer

Seconded: Cr Kular

That Council approves the applications for Leave of Absence for the 29 November 2024 Ordinary Council Meeting from:

- Cr Peta Baer
- Cr Annabell Landy.

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

**10 CONFIRMATION OF MINUTES OF PREVIOUS COUNCIL
MEETINGS**

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 187)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That the corrected Ordinary and Confidential Minutes of the Council meeting held on 25 October 2024 as published on the Shire Website and Councillor Portal be confirmed as true and correct records of proceedings.

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

11 MEMBERS REPORTS

Cr Wendy McWhirter-Brooks reported attendance at the following during the month of October 2024:

- WALGA and Main Roads Safety 3 Day Education Course - Recommended this course.

Cr Lou Lockyer reported attendance at the following during the month of October 2024:

- Wangka Lampa Kujunka Lunch - Positive response from attendees
- Chaired the Martumili Opening and LEMAC Meeting
- Sports and Community Award - Good community representation

Shire President, Anthony Middleton reported attendance at the following during the month of October 2024:

- Stars of East Pilbara Event - Thank you to community and congratulations to award winners.
- Mining Cities Alliance - Shire of East Pilbara is now a Member - CEO and Shire President attended the first meeting of this group.
- Pilbara Country Zone - Workshop for Councillors to discuss future presentations they would like to see.

Councillors were advised that their reports should be sent to the Governance Team for inclusion in the Minutes for this meeting.

12 OFFICER REPORTS

12.1 DIRECTORATE - EXECUTIVE

12.1.1 INTENTION TO IMPOSE FEE - NEWMAN AIRPORT VEHICLE STORAGE

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION (Resolution No:2024 / 188)			
Moved: Cr Lockyer			
Seconded: Deputy Shire President McWhirter-Brooks			
That Council:			
1. Adopts an amendment to the 2024/25 Schedule of Fees and Charges with respect to vehicle storage at Newman Airport as follows:			
Shire of East Pilbara Fees & Charges 2024/25	GST Applicable	2024/25 Fee (incl GST)	Description
Use of Temporary Vehicle Storage Area per month	Yes	\$3,850.00 per month	For the temporary storage of vehicles and trailers at the designated storage parking facility at Newman Airport.

2. Imposes the amended 2024/25 Fees and Charges Schedule as per Appendix 1 to the report, in accordance with s.6.16(3)(b) of the *Local Government Act 1995*, with effect from 16 December 2024.
3. Authorises the Chief Executive Officer to give local public notice of the adopted Fees and Charges (as amended), pursuant to s.6.19 of the *Local Government Act 1995*.
4. Authorises the Chief Executive Officer to impose terms and conditions on the use of the Newman Airport parking facilities, and to prepare an indemnity against any claim made against it arising out of the use of the Newman Airport parking facilities.

CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 6/0

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

Against: None

12.1.2 POLICY REVIEW - PREQUALIFIED SUPPLIER PANELS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 189)

Moved: Cr Lockyer

Seconded: Deputy Shire President McWhirter-Brooks

That Council accepts the review and adopts the revised Prequalified Supplier Panel Policy attached as Appendix 1 to the report.

CARRIED
RECORD OF VOTE 6/0

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

Against: None

12.1.3 POLICY REVIEW - CHIEF EXECUTIVE OFFICER'S ANNUAL REMUNERATION REVIEW POLICY

Having declared an interest in this item, the Chief Executive Officer left the Council Chamber at 10.52am and returned at 10.53am.

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 190)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Everett

That Council accepts the review of and adopts the Chief Executive Officer Annual Remuneration Review Policy (Appendix 1).

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

12.1.4 NEW POLICY - COMMUNITY AND COMMERCIAL TENANCIES POLICY

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 191)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council endorses the draft Community and Commercial Tenancies Policy attached as Appendix 1 for public consultation.

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

12.1.5 MEETING TIMES - COUNCIL AND COMMITTEE MEETINGS FOR 2025

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 192)

Moved: Cr Lockyer

Seconded: Deputy Shire President McWhirter-Brooks

That Council:

1. Adopts the following dates, times and places for Ordinary Council Meetings:

Meeting Date	Time	Place
28 February 2025	10.30am	Newman
28 March 2025	10.30am	Marble Bar
2 May 2025	10.30am	Newman
30 May 2025	10.30am	First Nations Community
27 June 2025	10.30am	Nullagine
25 July 2025	10.30am	Newman
22 August 2025	10.30am	Newman
26 September 2025	10.30am	Marble Bar
24 October 2025 (Special Council Meeting)	10.30am	Newman
28 November 2025	10.30am	Newman
12 December 2025	10.30am	Newman

2. Authorises the President to amend the start time of Ordinary Council Meetings to facilitate community engagement activities and inspections as required in consultation with other Council Members with at least one (1) week's notice;

3. Adopts the following dates, times and places for Committee Meetings:

Audit, Risk and Governance Committee:

Meeting Date	Time	Place
28 March 2025	10.00am	Marble Bar
27 June 2025	10.00am	Nullagine
26 September 2025	10.00am	Marble Bar
12 December 2025	10.00am	Newman

CEO Performance Committee:

Meeting Date	Time	Place
5 September 2025	8.00am	Newman

4. Authorises the President to change the date and time of committee meetings as required in consultation with other Council Members with at least one (1) week's notice;
5. Publishes the dates, time and place of Council and Committee Meetings in accordance with regulation 12(2) of the *Local Government (Administration) Regulations 1996*.

CARRIED
RECORD OF VOTE 6/0

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

Against: None

With the agreement of the Mover and Seconder the following amendment to the Officers Resolution was discussed and endorsed:

The addition of the wording:

- in consultation with other Council Members with at least one (1) week's notice;

was added to points 2 and 4 of the recommendation.

12.1.6 STATUS OF COUNCIL DECISIONS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 193)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Evrett

That Council notes the report.

CARRIED
RECORD OF VOTE 6/0

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

Against: None

12.1.7 AFFIXING THE COMMON SEAL UNDER DELEGATED AUTHORITY

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 194)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Kular

That Council notes the report.

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

12.2 DIRECTORATE - CORPORATE SERVICES

12.2.1 APPROVAL OF SOLE SOURCE OF SUPPLY ARRANGEMENT

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 195)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Evrett

That Council, in accordance with regulation 11(2)(f) of the *Local Government (Functions and General) Regulations 1996*, approves for the express purpose of direct negotiations, a unique supply arrangement with Vocus Group for the possible supply of fibre infrastructure, for the following reasons:

- **Vocus Group is the only supplier that can supply exclusive (non-vendor managed) fibre access in Newman at this time; and**
- **Expected significant cost savings on project construction mobilisation.**

For the avoidance of doubt, the approval does not commit Council to enter a contract with Vocus Group.

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

12.2.2 POLICY REVIEW - ASSET MANAGEMENT

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 196)

Moved: Cr Lockyer

Seconded: Deputy Shire President McWhirter-Brooks

That Council accepts the review and revokes Asset Management Policy adopted 25 June 2021 (attached as Appendix 1) and adopts the new draft Asset Management Policy (attached as Appendix 2).

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

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

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 197)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

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

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

12.2.4 LIST OF PAYMENTS - OCTOBER 2024

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 198)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council endorses the below payments for the period of 1 October 2024 to 31 October 2024:

EFT Payments \$5,287,599.42

MasterCard \$34,286.33

Cheque Payments \$200.00

Direct Payments Nil

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

**12.2.5 REGISTER OF DELEGATIONS AND AUTHORISATION - AMENDMENT -
DEFER, GRANT DISCOUNTS, WAIVE OR WRITE OFF DEBTS**

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 199)

Moved: Cr Evrett

Seconded: Deputy Shire President McWhirter-Brooks

**That Council adopts an amendment to Delegation 1.2.20 Defer, Grant Discounts, Waive or Write
Off Debts as detailed in Appendix 1.**

**CARRIED BY AN ABSOLUTE MAJORITY
RECORD OF VOTE 6/0**

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

Against: None

13 COMMITTEE REPORTS

13.1 DIRECTORATE - REGULATORY SERVICES

13.1.1 MINUTES OF THE LOCAL EMERGENCY MANAGEMENT COMMITTEES - NOVEMBER 2024

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 200)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council notes the minutes of the meetings of the Shire of East Pilbara Local Emergency Management Committees held as follows:

Marble Bar - 6 November 2024

Nullagine - 7 November 2024; and

Newman - 8 November 2024.

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

14 MOTIONS FOR WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

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

Nil

17 CONFIDENTIAL MATTERS BEHIND CLOSED DOORS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 201)

Moved: Cr Lockyer

Seconded: Deputy Shire President McWhirter-Brooks

That items:

17.1.1	PROPOSED PROPERTY ACQUISITION - STAFF HOUSING
17.2.1	AWARD OF TENDER - RFT 06-2024/25 - OVAL LIGHTING UPGRADES
17.2.2	RFQ 03-2024/25 - NULLAGINE AQUATIC CENTRE PAVING AND CONCRETE WORKS
17.3.1	REGIONAL PRECINCTS AND PARTNERSHIPS PROGRAM - STREAM TWO: PRECINCT DELIVERY COUNCIL CONTRIBUTION
17.3.2	APPOINTMENT OF SENIOR EMPLOYEE

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

CARRIED
RECORD OF VOTE 6/0

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

Against: None

The meeting was closed to the public at 11.08am and live streaming of the meeting was interrupted by Governance Staff at this point.

Cr Milton Chapman in accordance with the regulation on members attending by electronic means, declared that he will maintain confidentiality during the closed part of the meeting in accordance with regulations.

17.1 DIRECTORATE - REGULATORY SERVICES

17.1.1 PROPOSED PROPERTY ACQUISITION - STAFF HOUSING

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 202)

Moved: Cr Lockyer

Seconded: Cr Kular

That Council:

1. Authorises the Chief Executive Officer to negotiate the purchase of Property A as detailed in the confidential report, up to the amount not exceeding the ceiling price identified in the confidential report; and
2. Authorises the Chief Executive Officer to finalise the purchase of the property, to sign and execute the contract documents for sale, subject to undertaking all necessary due diligence, and within the ceiling price identified in the confidential report.

CARRIED

RECORD OF VOTE 6/0

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

Against: None

17.2 DIRECTORATE - INFRASTRUCTURE SERVICES

17.2.1 AWARD OF TENDER - RFT 06-2024/25 - OVAL LIGHTING UPGRADES

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 203)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council:

1. Awards Tender RFT 06-2024/25 for Oval Lighting Upgrades (Separable Portions) to National Grid Link Power for the contracted price \$852,048 (GST excl) for Separable Portion 1;
2. Awards Tender RFT 06-2024/25 for Oval Lighting Upgrades (Separable Portions) to National Grid Link Power for the contracted price \$103,924.39 (GST excl) for Separable Portion 2;
3. Authorises the Chief Executive Officer to approve any minor contract variations during the Contract(s) duration in accordance with Council's Minor Variations Policy.

CARRIED

RECORD OF VOTE 6/0

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

Against: None

17.2.2 RFQ 03-2024/25 - NULLAGINE AQUATIC CENTRE PAVING AND CONCRETE WORKS

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 204)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Kular

That Council:

1. Not accept any Offer received for RFQ 03-2024/25 – Concrete and Paving Works - Nullagine Aquatic Centre in accordance with *Regulation 18(5) of the Local Government (Functions & General) Regulations 1996*;
2. Authorises the Chief Executive Officer (or delegate) to enter into direct negotiations with any suitably experienced Contractor for a Contract for these Works at the Nullagine Aquatic Centre with no variation to the scope of works as tendered and within the allocated budget.
3. Authorises, in the event of unsuccessful negotiations, the Chief Executive Officer to invite Tenders for these Works at Nullagine Aquatic Centre with a variation to the Scope of Works.

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

17.3 DIRECTORATE - EXECUTIVE

17.3.1 REGIONAL PRECINCTS AND PARTNERSHIPS PROGRAM - STREAM TWO: PRECINCT DELIVERY COUNCIL CONTRIBUTION

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 205)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

That Council:

1. Authorises the non-publication of this resolution in accordance with section 5.23(2)(c) and (e).

(Full resolution available as a Confidential Appendix).

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

17.3.2 APPOINTMENT OF SENIOR EMPLOYEE

Executive Team Members, excluding the Chief Executive Officer, and Shire Staff present left the Chamber for the deliberation and vote of this item at 11.32am. The Manager of Governance also remained in the Chamber to record the vote.

COUNCIL RESOLUTION / OFFICER'S RECOMMENDATION

(Resolution No:2024 / 206)

Moved: Deputy Shire President McWhirter-Brooks

Seconded: Cr Lockyer

The Council accepts the Chief Executive Officer's proposal to employ the Senior Employee as detailed in the Confidential Report in accordance with Section 5.37(2) of the Local Government Act 1995.

**CARRIED
RECORD OF VOTE 6/0**

For: Shire President Middleton, Deputy Shire President McWhirter-Brooks, Cr Chapman, Cr Evrett, Cr Kular, Cr LockyerCr Peta Baer

Against: None

COUNCIL RESOLUTION

Moved: Cr Lockyer

Seconded: Cr Evrett

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

**CARRIED
RECORD OF VOTE 6/0**

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

Against: None

The meeting returned to open forum at 11.38am and live streaming recommenced.

18 DATE OF NEXT MEETING

The next Council Meeting of the Shire of East Pilbara will be held on 13 December 2024 in the Newman Council Chambers commencing at 10:30am.

19 CLOSURE

The Council Meeting of the Shire of East Pilbara held on 29 November 2024 was declared closed by the Presiding Member closed at 11.42am.

The Presiding Member thanked Council Members and Staff for their attendance.

Please use the link below for access to the 29 November 2024 OCM Agenda and Attachments:

[DocStream.aspx](#)
