



# AGENDA

## COUNCILLORS AND GUESTS

**I wish to advise that the Ordinary Meeting of Council  
is to be held on Friday 2<sup>nd</sup> March 2012  
at the Geographe Room, State Library of WA, Perth Cultural Centre, Perth  
commencing at 9.00 am**

\* The State Library of Western Australia, located in the Alexander Library Building is part of the Perth Cultural Centre. Situated in Northbridge between Francis Street and the James Street Mall, it is within walking distance of the main city shopping and business districts.



**SHELLEY PIKE  
CHIEF EXECUTIVE OFFICER**

### **DECLARATION OF INTERESTS (NOTES FOR YOUR GUIDANCE)**

A member who has a Financial Interest in any matter to be discussed at a Council or Committee Meeting, that will be attended by the member, must disclose the nature of the interest:

- a) In a written notice given to the Chief Executive Officer before the Meeting or;
- b) At the Meeting, immediately before the matter is discussed.

A member, who makes a disclosure in respect to an interest, must not:

- c) Preside at the part of the Meeting, relating to the matter or;
- d) Participate in, or be present during any discussion or decision-making procedure relative to the matter, unless to the extent that the disclosing member is allowed to do so under Section 5.68 or Section 5.69 of the Local Government Act 1995.

### **NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)**

The following notes are a basic guide for Councillors when they are considering whether they have a **Financial Interest** in a matter. These notes will be included in each agenda for the time being so that Councillors may refresh their memory.

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc.), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. **If in doubt declare.**
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
  - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
  - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

### **INTERESTS AFFECTING IMPARTIALITY**

DEFINITION: An interest that would give rise to a reasonable belief that the impartiality of the person having the interest would be adversely affected, but does not include an interest as referred to in Section 5.60 of the 'Act'.

A member who has an Interest Affecting Impartiality in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest;

- (a) in a written notice given to the Chief Executive Officer before the Meeting; or
- (b) at the Meeting, immediately before the matter is discussed.

### **IMPACT OF AN IMPARTIALITY CLOSURE**

There are very different outcomes resulting from disclosing an interest affecting impartiality compared to that of a financial interest. With the declaration of a financial interest, an elected member leaves the room and does not vote. With the declaration of this new type of interest, the elected member stays in the room, participates in the debate and votes. In effect then, following disclosure of an interest affecting impartiality, the member's involvement in the Meeting continues as if no interest existed.

**Pilbara Regional Council  
DECLARATION OF INTEREST FORM**

To: Chief Executive Officer  
Pilbara Regional Council  
Level 1, 414 Murray Street  
Perth WA 6000

I, <sup>(1)</sup> \_\_\_\_\_ wish to declare an interest in  
the following item to be considered by Council at its meeting to be held on <sup>(2)</sup> \_\_\_\_\_  
Agenda Item <sup>(3)</sup> \_\_\_\_\_.

The type of Interest I wish to declare is <sup>(4)</sup>.

- Financial pursuant to Section 5.60A of the Local Government Act 1995
- Proximity pursuant to Section 5.60B of the Local Government Act 1995
- Indirect Financial pursuant to Section 6.51 of the Local Government Act 1995
- Closely Associated Persons pursuant to Section 5.62 of the Local Government Act 1995
- Impartiality pursuant to Regulation 11 of the Local Government (Rules of Conduct) Regulations 2007.

The nature of my interest is <sup>(5)</sup> \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

The extent of my interest is <sup>(6)</sup> \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

I understand that the above information will be recorded in the minutes of the meeting and placed in the Disclosure of Financial and Impartiality of Interest Register.

Yours sincerely

\_\_\_\_\_  
Signed

\_\_\_\_\_  
Date

Notes:

1. Insert your name (print).
2. Insert the date of the Council Meeting at which the item is to be considered.
3. Insert the Agenda Item Number and Title.
4. Tick box to indicate type of interest.
5. Describe the nature of your interest.
6. Describe the extent of your interest (if seeking to participate in the matter under S. 5.68 of the Act).

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**ATTACHMENTS:**

- 8.1 MINUTES OF THE PRC MEETING ON 28<sup>TH</sup> NOVEMBER 2011
- 11.1 STATE COUNCIL REPORT
- 12.1 FINANCIAL STATEMENTS AS AT 30<sup>TH</sup> NOVEMBER 2011
- 12.1 FINANCIAL STATEMENTS AS AT 31<sup>ST</sup> DECEMBER 2011
- 12.1 FINANCIAL STATEMENTS AS AT 31<sup>ST</sup> JANUARY 2012
- 12.2 REVIEW OF 2011/12 ANNUAL BUDGET
- 14.2 2011 ANNUAL COMPLIANCE RETURN
- 14.3 DISPOSAL OF ASSETS POLICY

**CONFIDENTIAL AGENDA ITEMS TO BE TABLED AT MEETING:**

- 19.1 PILBARA DEMAND NEEDS ANALYSIS FOR SHORT STAY ACCOMMODATION STUDY
- 19.2 CEO PERFORMANCE AND CONTRACT REVIEW
- 19.3 PILBARA REGIONAL COUNCIL GOVERNANCE OPTIONS

**1. OATH OF OFFICE**

Any Councillors or Deputy Councillors who have not undertaken an Oath of Office will do so before the Chief Executive Officer, Ms Shelley Pike, prior to the commencement of the Council meeting.

**2. OFFICIAL OPENING**

The Ordinary Meeting of Council is to be held on Friday 2<sup>nd</sup> March 2012 at the Geographe Room, of the State Library Building, Perth.

**3. PUBLIC QUESTION TIME****Notes:**

- At the commencement of the Council business the Chairperson shall invite questions from the public and the time allowed for such questions shall be a minimum of 15 minutes, if required;
- Each question shall be limited to two minutes duration;
- A member of the public who raises a question during question time is to state his or her name.
- All questions shall be answered by the Chairperson, unless at his/her discretion another member is invited to answer; and
- Questions are restricted to items in the previous quarters Council minutes or the current quarters Council Agenda.

**4. RECORD OF ATTENDANCE****Attendances:**

<b>Councillors</b>	Cr Lynne Craigie	Shire of East Pilbara
	Cr Kelly Howlett	Town of Port Hedland
	Cr George Daccache	Town of Port Hedland
	Cr Kerry White	Shire of Ashburton
	Cr Lorraine Thomas	Shire of Ashburton
	Cr Fiona White-Hartig	Shire of Roebourne
<b>Deputy Councillors</b>	Cr Anita Grace	Shire of East Pilbara
	Cr Sharon Vertigan	Shire of Roebourne
	Cr Evette Smeathers	Shire of Roebourne
<b>Staff</b>	Ms Shelley Pike	Chief Executive Officer
	Ms Sue Shepherdson	Executive Assistant
<b>Guests:</b>	Mr Paul Martin, CEO, Town of Port Hedland	
	Mr Jeff Breen, CEO, Shire of Ashburton	
	Ms Collene Longmore, CEO Shire of Roebourne	
	Mr Brad Jolly - Executive Director Governance and Legislation, Department of Local Government	

Ms Joanne Burges, Regional Cooperation Manager, WALGA  
Mr John Lane, Emergency Management Coordinator, WALGA  
Mr Shannon Wood, Research Officer, Structural Reform, Department of Local Government  
Mr Cliff Winfield, and Mr Ian Charles, Cliff Winfield and Associates

**Apologies:** Cr Shane Carter and Mr Allen Cooper, Shire of East Pilbara

**Leave of Absence:** Nil

#### **4.1 APPLICATIONS FOR LEAVE OF ABSENCE**

### **5. RESPONSE TO QUESTIONS WHICH WERE TAKEN ON NOTICE**

- 5.1 Question taken on notice from Cr Nicole Lockwood – “Can you please advise the expenditure for the Regional Investment Tour?”

At the November meeting it was reported in the November financials that \$4,750 had been expended against the Regional Investment Tour on Legal Fees for the development of a non-disclosure agreement (\$2,750) and for the Pilbara Project Book for guests (\$2,000) which the PRC still has available for use.

### **6. DECLARATION OF INTEREST AND INTERESTS AFFECTING IMPARTIALITY**

*Additional Information is detailed on page 2 of this agenda.*

#### **6.1 Disclosure of Financial Interest and Proximity Interests**

*Members must disclose the nature of their interest in matters to be discussed at the meeting. (Sections 5.60B and 5.65 of the Local Government Act 1995). Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the Local Government Act 1995).*

#### **6.2 Disclosure of Interest Affecting Impartiality**

*Members and staff must disclose their interest in matters to be discussed at the meeting in respect of which the member or employee has given or will give advice. (Pilbara Regional Council Code of Conduct, Local Government (Admin) Reg. 34C).*

### **7. PETITIONS/ DEPUTATIONS/ PRESENTATIONS**

- 7.1 Mr Shannon Wood, Department of Local Government - New methodology the Commission will be introducing for determining the allocation of Financial Assistance Grants

7.2 Mr Cliff Winfield, and Mr Ian Charles, Cliff Winfield and Associates – Pilbara Project (CLGF Coastal Rest Stops).

**8. CONFIRMATION OF MINUTES AND BUSINESS ARISING FROM MINUTES OF PREVIOUS MEETING**

**Attachments:** 8. Minutes of the PRC meeting on 28<sup>th</sup> November 2011  
**Responsible Officer:** Ms Sue Shepherdson, Executive Assistant  
**Action Officer:** Ms Sue Shepherdson, Executive Assistant  
**Officer Disclosure of Interest:** Nil

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**OFFICER RECOMMENDATION**

That the minutes of the Ordinary Meeting of Council held on the 28<sup>th</sup> November 2011 be confirmed as a true and correct record of proceedings.

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**9. ANY BUSINESS LEFT OVER FROM PREVIOUS MEETING**

Nil.

**10. CHAIRPERSONS REPORT**

A verbal update from the Chairperson will be provided at the meeting.



**11. COUNCILLORS' REPORTS**

**11.1 STATE COUNCIL REPORT**

**Attachments:** 11.1 State Council Presidents Report March 2012.  
**Responsible Councillor:** Cr Craigie – Councillor to State Council  
**Action Officer:** Ms Sue Shepherdson, Executive Assistant  
**Officer Disclosure of Interest:** Nil

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Mayor Mr Troy Pickard State Council Presidents Report March 2012 to the Councillors is attached.

**Policy Implications – Nil**

**Legislative Implications - Nil**

**Financial Implications - Nil**

**Voting Requirements - Simple Majority**

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**OFFICER RECOMMENDATION**

**That the State Council President's Report as presented be received.**

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**11.2 WALGA STATE COUNCIL AGENDA**

**Attachments:** Nil  
**Responsible Councillor:** Ms Lynne Craigie, Chairperson  
**Action Officer:** Ms Sue Shepherdson, Executive Assistant  
**Officer Disclosure of Interest:** Nil

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**Purpose**

To seek Council agreement to the Pilbara Country Zone's position on of the WALGA State Council meeting. The next meeting of the Western Australia Local Government Association State Council will be held in the WALGA, 15 Altona Street, Perth, on Wednesday 7<sup>th</sup> March 2012.

**Background**

The Pilbara Regional Council is also the secretariat to WALGA Pilbara Country Zone delegate and is responsible for assisting the delegate to prepare to represent the Zone at the next State Council meeting. WALGA has distributed its State Council agenda for its 7 December 2011 meeting.

The Pilbara Country Zone delegate will represent the Zone's views at the State Council meeting and is seeking feedback on State Council agendum Items to represent the Zone's views at the State Council meeting.

**State Council Agendum Items**

State Council Agendum is divided into three main parts that require Zone endorsement or comment, which are Part 5 - Matters for Decision; Part 6 – Matters for Noting / Information; and Part 7 – Organisational Reports.

**5. MATTERS FOR DECISION****5.1 Constitutional Recognition****Recommendations****1. That State Council note;**

- a. the publication of the report of the Expert Panel on the recognition of Local government in the Australian Constitution;
- b. the Panel's majority conditional support for the specific financial recognition of local government in the Australian Constitution; and
- c. that the Commonwealth government is yet to consider the recommendations of the Expert Panel and the key conditions for supporting Local Government recognition, viz:
  - negotiating with the States to achieve their support for the financial recognition option.
  - adopting steps to achieve informed and positive public engagement.

**2. That ALGA be requested to clarify the likely costs to State Associations and/or local governments of any campaigning for a referendum at the earliest opportunity.**

## 5.2 Review of 2011 Local Government Elections – Member Feedback

### Recommendation

That WALGA advocate on behalf of the Sector for improvements to the Local Government Elections process by:

1. Recommending the Western Australian Electoral Commission (WAEC) continue to improve their Returning Officer training programs to ensure they are robust and that Returning Officers are only released to their duties upon adequate completion of this training;
2. Proposing the development of Rules of Conduct for Elections, that have capacity to disqualify a candidate where a breach occurs in relation to misleading, false and defamatory statements;
3. Propose the development of a Candidates' Code of Conduct;
4. Encouraging the WAEC to develop a reporting mechanism that will assist in the calculation of the cost of running a postal election, where a Local Government seeks compensation for its direct involvement in the postal voting process due to a breakdown in document distribution processes.
5. Continuing to advocate for an appropriate amendment to the Local Government Act that will address principles of price competitiveness

## 5.3 Local Government Services Delivery to Discrete Aboriginal Communities Forum – Draft Communiqué

### Recommendation

That State Council endorses the draft communiqué developed at the WALGA Forum held 5 December 2011 on Service Delivery to Aboriginal Communities as follows:

“In order for Local Governments to engage in the transfer of responsibility for municipal services delivery to Aboriginal communities, in accordance with the National Partnership Agreement on Remote Aboriginal Housing 2008, the following pre-requisites must be put in place:

1. A written commitment by the Commonwealth and State Governments to the transition principles for the transfer of services (attached);
2. Agreement to defer any change in service delivery or existing funding levels to communities to at least July 2013 or after, to provide sufficient time for community engagement and business planning by Local Governments;
3. Confirmation of the quantum of funding that will be transferred to Local Government to undertake service delivery, and the mechanism to do so;
4. Identification and confirmation of the outcomes that are to be achieved through the transfer of responsibilities and service ‘normalization’ to Aboriginal communities;
5. Confirmation of which Aboriginal communities are to be included in the ‘normalization of service delivery’ process in the short and long term;
6. A commitment by the Commonwealth to fund and lead a comprehensive Aboriginal community consultation and engagement program, in conjunction with affected Local Governments, to ascertain community views and support for the proposed changes. The program must commence by March 2012;

7. Funding to be made available to individual Local Governments by July 2012, for the employment (including overheads) of the additional resources required by each Local Government to undertake the activities required to plan for and implement the new arrangements/responsibilities related to service delivery to communities;
8. Confirmation of the timeframe for the transition of delivery eg 10 years / 20 years and commitment to developing regional / local implementation plans with affected Local Governments.
9. That the definition of Municipal Services shall be more clearly defined taking into account the executive function provisions of Section 3.18 of the Local Government Act 1995:
  - I. 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.
  - II. In performing its executive functions, a Local Government may provide services and facilities.
  - III. A Local Government is to satisfy itself that services and facilities that it provides:–
    - a) integrate and coordinate , so far as practicable, with any provided by the Commonwealth, the State or any public body;
    - b) do not duplicate, to an extent that the Local Government considers inappropriate, services or facilities provided by the Commonwealth, the State or any other body or person, whether public or private; and
    - c) are managed efficiently and effectively.
10. A commitment by the State Government to address the lack of understanding of Local Government functions by the Commonwealth and State agencies in relation to community development and governance needs.
11. A commitment to pursue support from the Commonwealth to address the devastating effect that the reform of the CDEP program is having on the functionality and cohesiveness of remote communities that needs to be resolved urgently.
12. A commitment to the establishment of a high level committee, that includes senior officers from the Department of Premier and Cabinet, Department of Indigenous Affairs, Department of Treasury and Finance, Department of Local Government, Western Australia Local Government Association (WALGA) and others as necessary, to oversee the process for transfer. WALGA representatives will be: Ricky Burges, Chief Executive Officer, Graeme Campbell, President, Shire of Broome, and Allison Hailes, Executive Manager Planning and Community Development.

**5.4 Draft Development Control Policy 1.8 – Canal Estates and Artificial Waterway Developments****Recommendation****That State Council:**

1. Endorse the interim submission to the WA Planning Commission on the review of Draft Development Control Policy 1.8 – Canal estates and artificial waterway developments; and
2. Request the State Government to legislate for a total ban on future canal estates as it creates an unsustainable form of residential development.

**5.5 Review of the Heritage of Western Australia Act 1990 – Discussion Paper****Recommendation**

1. That State Council endorse the interim submission to the Heritage Council on the Discussion Paper - Review of the Heritage of Western Australia Act 1990.
2. That further consultation with the Local Government sector be undertaken during the preparation and release of the Green Bill for a new Heritage Act for WA.

**5.6 Draft Structure Plan Preparation Guidelines****Recommendation**

1. That the interim submission to the WA Planning Commission on the draft Structure Plan Preparation Guidelines be endorsed.
2. The State Government be advised that the Local Government sector is disappointed on the lack of progress and consultation on the preparation of the General Provisions for Local Planning Schemes (GPLPS) Regulations, to guide the approval process for structure planning within WA.

**5.7 Metropolitan Region Scheme Amendment 1221/41 – Banjup Urban Precinct****Recommendation**

1. That the interim submission to the WA Planning Commission on the Metropolitan Region Scheme Amendment 1221/41 – Banjup Urban Precinct be endorsed.
2. WALGA advocates for the deferral of the amendment until a comprehensive review of State Planning Policy 2.3 – Jandakot Groundwater Protection policy is finalised.

**5.8 Mid West Regional Planning and Infrastructure Framework****Recommendation**

That the interim submission to the Western Australia Planning Commission regarding the review of the Mid West Regional Planning and Infrastructure Framework be endorsed.

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5.9 The National Disability Insurance Scheme and the Every Australian Counts Campaign

Recommendation

That the National Disability and Carers Alliance Every Australian Counts campaign be endorsed.

5.10 Update on Funding and Contracting Reforms for Not-for-Profit Community Service Providers – Implications for Local Government

Recommendation

That WALGA advocate to the WA State Government that funding increases under the Funding and Contracting Reforms for Not-for-Profit Community Service Providers should include Local Government and request that Local Government representation be included in the Premier's Partnership Forum.

5.11 Physical Activity Framework for Western Australia

Recommendation

That the Physical Activity Taskforce Physical Activity Framework for Western Australia 2012- 2016 be endorsed.

5.12 Public Libraries Regional Model

Recommendation

That WALGA advise the Strategic Library Partnership Agreement Steering Committee (SPLASC) and the Library Board of Western Australia of their support for the following amendments to the Public Library Funding Allocation model:

1. Australian Bureau of Statistics population estimates for June 2010, escalated for two years to June 2012 using average population growth rates for each Local Government Area (LGA) for the five years to June 2010 be used to provide a resident population estimate for each LGA.
2. For Local Governments with a resident population of less than 10,000 people a minimum grant is provided on the basis of \$12,500 plus \$2.10 per person for the estimated resident population in excess of 1,500 people. Where a Local Government receives additional Remote Population Centre funding (as per recommendation 5 below) the population of the remote centre be subtracted from the resident population of the Local Government when determining the resident population in excess of 1,500 for minimum grant Local Governments or the per capita grant for other Local Governments.
3. The classification of Regional Centres be modified to be consistent with the most recent version of Directions 2031 (WA Planning Commission, 2010). Classification of non-metropolitan regional centres be modified to reflect a consideration of population in classifying centres.
4. Additional library materials funding for regional centres be set on the basis of a dollar amount and adjusted in line with total State Government funding allocated between Local Governments for public library resources.

5. That the distance criteria for Remote Population Centres be reduced from 50km to 25km and funding provided on the basis of 100% of the base Minimum Grant.
6. Funding for Secondary Libraries be continued and increase from 50% to 70% of the base minimum grant, to approximately maintain the dollar value of this additional resource allocation.

#### 5.13 Local Governments and Early Years

##### Recommendation

That WALGA requests:

1. The WA State Government establish:
  - a) An Office of Early Childhood to address the lack of coordination and collaboration in early childhood services in Western Australia.
  - b) A State Early Years Strategy;
  - c) A State/Local Government Working Group to support the development and implementation of an Early Years Strategy; and
  - d) A funding mechanism to support Early Year outcomes, similar to the \$26 million Victorian Children Capital Facilities Grants; and
2. The Department of Communities to include Local Government representation on the State Early Years Network Committee.

#### 5.14 Local Government Child Health Facilities

##### Recommendation

That WALGA:

1. Request the Minister for Health, Hon Dr Kim Hames MLA, to:
  - Develop a State Government integrated child health facility and service planning strategy in partnership with Local Government; and
  - Re-instate capital funding for child health facilities and provide an overall increase in funding for child health facilities to sustain the quality of service being collaboratively provided by Local Government and Area Health Services; and
2. Reaffirms its commitment to work with the Department of Health's Child and Adolescent Health Division (CACH) and the WA Country Health Service (WACHS) in seeking sustainable high quality child health facilities.

## 6. MATTERS FOR NOTING / INFORMATION

### 6.1 Municipal Waste Advisory Council

##### Recommendation

That the resolutions of the Municipal Waste Advisory Council at its 23 November and 14 December 2011 meetings be noted.

6.2 Interagency Meeting on the Priority Plan for Investment in the Swan Canning Catchment

Recommendation

That the developments in relation to the work of the Swan Canning Policy Forum be noted.

6.3 Local Government Capacity Building: Planning for Freight

Recommendation

That the Local Government Capacity Building: Planning for Freight report be noted.

6.4 Public Library Exchange System

Recommendation

That the review of the Exchange System for Public Library materials in Western Australia be noted.

6.5 WALGA Review of Emergency Management Act

Recommendation

That the process for WALGA's review of Local Government roles and responsibilities under the Emergency Management Act 2005 be noted.

6.6 Planning and Designing for Pedestrians: Guidelines

Recommendation

That the Planning and Designing for Pedestrians: Guidelines be noted.

7. ORGANISATIONAL REPORTS

7.1 Key Activity Reports

7.1.1 Report on Key Activities, Environment and Waste Unit

Recommendation

That the Key Activity Report from the Environment and Waste Unit to the March 2012 State Council meeting be noted.

7.1.2 Report on Key Activities, Governance and Strategy Unit

Recommendation

That the Key Activity Report from the Governance and Strategy Unit to the March 2012 State Council meeting be noted.



**7.1.3 Report on Key Activities, Infrastructure****Recommendation**

That the Key Activity Report from the Infrastructure Unit to the March 2012 State Council meeting be noted.

**7.1.4 Report on Key Activities, Planning and Community Development****Recommendation**

That the Key Activity Report from the Planning and Community Development Unit to the March 2012 State Council meeting be noted.

**7.2 Policy Forum Reports****7.2 Policy Forum Reports**

The following provides an outline of the key activities of the Association's Policy Forums since the last State Council meeting.

**Recommendation**

That the report on the key activities of the Association's Policy Forums to the March 2012 State Council Meeting be noted.

**Policy Implications - Nil****Legislative Implications - Nil****Financial Implications - Nil****Conclusion**

A copy of the State Council agenda is available on the WALGA website [www.walga.asn.au](http://www.walga.asn.au). The Pilbara Zone Councillors and CEO have reviewed the State Council agenda and have noted the issues. The Pilbara Zone Delegate to the State Council is requested to pass on the Pilbara Zones concerns at the next meeting of the State Council.

**Voting Requirements - Simple Majority**

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**OFFICER RECOMMENDATION**

**It is recommended that the Council endorse the Pilbara Country Zone Delegate to pass on the Zone's endorsements and comments on the matters for the State Council consideration at its meeting on Wednesday, 7th March 2012.**

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**12. FINANCE****12.1 FINANCIAL STATEMENT OF FINANCIAL ACTIVITY**

<b>Attachments:</b>	<b>12.1 (1) Financial Statements as at 30<sup>th</sup> November 2011</b>
	<b>12.1 (2) Financial Statements as at 31<sup>st</sup> December 2011</b>
	<b>12.1 (3) Financial Statements as at 31<sup>st</sup> January 2012</b>
<b>Responsible Officer:</b>	<b>Ms Shelley Pike, Chief Executive Officer</b>
<b>Action Officer:</b>	<b>Ms Sue Shepherdson, Executive Assistant</b>
<b>Officer Disclosure of Interest:</b>	<b>Nil</b>

**Purpose**

The purpose of this report is to seek Council's consideration and adoption of the November, December 2011 and January 2012 Statements of Financial Activity and explanations of material variances between budget estimates and actual for expenditure, revenue and income.

**Background**

The PRC Council is required to review and approve the PRC expenditure and financial position on a regular basis.

The PRC's financial system is QuickBooks which generates Monthly Financial Reconciliations that show the PRC's expenditure and financial position on a monthly basis. Excel spreadsheets are used to provide statutory compliant reporting based on the QuickBooks output.

To enable the reporting of material variances to be consistent and compliant with the Local Government Financial Management Regulations (FMR 34) the Council adopted the material variance threshold of plus/minus 10% at sub-program and /or individual project level as per FM 34(1)(d), for 2011/12 financial year in accordance with Australian Accounting Standards (AAS 5).

The Local Government Act Financial Regulations require that a statement of financial activity, including reporting on revenue and expenditure, an explanation of the composition of net current assets and an explanation of any material variances between actual and (now) revised budget allocations be presented to Council to consider for inclusion in the minutes of the meeting.

The following financial statements for the periods ending 30<sup>th</sup> November 2011 and 31<sup>st</sup> December 2011 are attached:

- (1) Comprehensive Income Statement by Program;
- (2) Comprehensive Income Statement by Nature/Type;
- (3) Statement of Financial Position;
- (4) Statement of Changes in Equity;
- (5) Statement of Cash Flows;
- (6) Statement of Financial Activity;
- (7) Statement of Current Assets and Current Liabilities;

(8) Supporting Schedules detailing income and expenditure

**Policy Implications** - Nil.

**Legislative Implications** - Local Government (Financial Management) Regulations 1996, reg. 34

**Financial Implications** - Nil

**Conclusion**

That Council receive the Monthly Financial Statements, the Statement of Financial Activity and commentaries on variances to the adopted budget for the periods ended 30<sup>th</sup> November, 31<sup>st</sup> December 2011 and January 2012.

**Voting Requirements** - Simple Majority

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**OFFICER RECOMMENDATION**

- (1) That Council receive the Monthly Financial Statements, the Statement of Financial Activity and commentaries on variances to the adopted budget for the period ended 30<sup>th</sup> November 2011.
  - (2) That Council receive the Monthly Financial Statements, the Statement of Financial Activity and commentaries on variances to the adopted budget for the period ended 31<sup>st</sup> December 2011.
  - (3) That Council receive the Monthly Financial Statements, the Statement of Financial Activity and commentaries on variances to the adopted budget for the period ended 31st January 2012.
-

## 12.2 REVIEW OF 2011/12 ANNUAL BUDGET

**Attachments:** 12.2 2011/12 Budget Review Report  
**Responsible Officer:** Ms Shelley Pike, Chief Executive Officer  
**Action Officer:** Ms Sue Shepherdson, Executive Assistant  
**Officer Disclosure of Interest:** Nil

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### Purpose

The purpose of this report is for the Pilbara Regional Council (PRC) to consider and adopt the Budget Review Report, as presented, for the period 1 July 2011 to 31 January 2012.

### Background

The Local Government Act provides for local governments, including regional local governments, to prepare an annual budget.

#### **6.2. Local government to prepare annual budget**

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

*\*Absolute majority required.*

The *Local Government (Financial Management) Regulations 1996* require local governments to undertake a review of the Annual Budget.

#### **33A. Review of Budget**

- (1) *Between 1 January and 31 March in each financial year a local government is to carry out a review of its annual budget for that year.*
- (2A) *The review of an annual budget for a financial year must —*
- (a) *consider the local government's financial performance in the period beginning on 1 July and ending no earlier than 31 December in that financial year; and*
  - (b) *consider the local government's financial position as at the date of the review; and*
  - (c) *review the outcomes for the end of that financial year that are forecast in the budget.*
- (2) *Within 30 days after a review of the annual budget of a local government is carried out it is to be submitted to the council.*
- (3) *A council is to consider a review submitted to it and is to determine\* whether or not to adopt the review, any parts of the review or any recommendations made in the review.*
- \*Absolute majority required.*
- (4) *Within 30 days after a council has made a determination, a copy of the review and determination is to be provided to the Department.*

A detailed analysis at account level incorporating year to date actual results and budget projections to 30 June 2012, for the period ending 31 January 2012, is presented for consideration. A Statement of Financial Activity at program level has been prepared to provide a summarisation of the budget review results, as well as a Statement of Closing Funds detailing the projected surplus as at 30 June 2012.

**Comment**

The budget review has been prepared to include the information required by the *Local Government Act 1995*, the *Local Government (Financial Management) Regulations 1996*, and the Australian Accounting Standards. Council adopted a 10% minimum for the reporting of material variances to be used in the statements of financial activity and the annual budget review.

Key features of the budget review include:

Item Description	Amount \$
Estimated increase in Interest on Investments (much of the interest earned will be attributable to the CLGF grant of \$2.2M received by the Council, which will be required to be spent on the Coastal Locations & Rest Stops project. Approximately \$79,000 can attributed to interest earned on these grant funds)	\$80,987
Estimated savings on Sitting fees for members	\$500
Estimated savings due to refunds not being required	\$105,000
Estimated savings due to PRC hosting Pilbara-Kimberley Joint Forum	\$5,000
Increase in Miscellaneous Income from reimbursements from members	\$4,344
Estimated savings in Parking Fees	\$2,287
Estimated additional costs in contractor services	(\$7,000)
Estimated savings in Office Equipment expenses	\$1,500
Estimated savings in Printing & Stationery expenses	\$1,438
Estimated savings in Postage & Freight expenses	\$800
Estimated savings in Sundry Office expenses	\$1,090
Estimated savings in Subscriptions	\$255
Estimated savings in Utility Expenses	\$500
Estimated savings in Telephone expenses	\$694
Estimated savings in Advertising expenses	\$906
Estimated savings in Other Staff Expenses	\$2,500
Estimated savings in Meeting Expenses	\$2,895
Estimated savings in Website & Software Expenses	\$3,338
Increase in costs resulting from prior year adjustments	(\$424)
Estimated savings in Marketing and Promotion expenses	\$9,000
Estimated savings in Landfill Management Strategy expenses	\$60,000
Estimated savings in Strategic Planning Implementation Plan expenses	\$250
Estimated savings in Regional Business Planning project expenses	\$250
Estimated savings in Asset Management Strategies Project	\$250
Estimated savings in Business Planning Indigenous Communities expenses	\$150

Item Description	Amount \$
Anticipated additional costs for Indigenous Services – Service Delivery project	(\$55,000)
Additional costs for Developing Business Case for Country Local Govt Fund project	(\$613)
Anticipated additional costs for Strategic Planning requirements for PRC	(\$10,000)
Estimated savings in Regional Policy Development Project expenses	\$50,000
Savings in Policy Portal Project expenses. It is proposed to utilise these savings to fund the Indigenous Services Project	\$55,000
Additional costs for ICT Governance project expenses	(\$1,818)
Estimated savings in ICT Strategies Project expenses	\$60,000
Estimated savings in Coastal Locations and Rest Stops project expenses. Remaining funds to be carried over to next financial year.	\$3,366,735
Additional costs for Tourism and Short Stay Accommodation Project expenses, which will be offset against additional revenue received in contributions from member local governments.	(\$97,500)
Anticipated decrease in Contributions for Coastal Location & Rest Stops project	(\$1,210,000)
Increase in Tourism and Short Stay Accommodation Project Contributions – from member local governments	\$97,500
Decrease in Surplus Brought Forward – due to adjustments requested by Auditor to Accrued Expenses	(\$5,193)
<b>Net projected Surplus Funds for 2011-12</b>	<b>\$2,525,620</b>

Based on current revenue and expenditure trends, and projections to 30 June 2012, it is estimated that closing funds as at 30 June 2012 will increase by \$2,525,620 from \$221,876 to \$2,747,496.

However, much of the Closing Funds are restricted, as they either relate to grant funding received for a specific project, or are member contributions received for a specific project. The deduction of the restricted funds from Estimated Closing Funds reveals the net estimated discretionary funds available:

Estimated Closing Funds in 2011-12 Adopted Budget	\$221,876
Projected Savings as detailed in the Table above	<u>\$2,525,620</u>
<b>Sub-Total</b>	<b><u>\$2,747,496</u></b>
<b>Less-</b>	
Waste Authority Grant for Landfill Management Strategy	(\$60,000)
Grant for Coastal Locations & Rest Stop Project (\$3,366,735-\$1,210,000)	(\$2,156,735)
Additional Interest earned on Grant for Coastal Locations & Rest Stops	(\$79,000)
Potential Refund of Contributions	(\$105,000)
Regional Policy Development Project Contribution	(\$50,000)
ICT Strategies Contribution	<u>(\$60,000)</u>
<b>Net Estimated Closing Funds</b>	<b><u>\$236,761</u></b>

**Policy Implications - Nil.**

**Legislative Implications -**

Regulation 33A of the *Local Government (Financial Management) Regulations 1996*.

**Financial Implications**

Specific financial implications are detailed under the Comment section of this report.

**Conclusion**

The 2011/12 Annual Budget Review, for the period 1 July 2011 to 31 January 2012 provides a positive financial outlook for the Regional Council, with a small increase in the estimated surplus at year end, and is therefore recommended for adoption.

**Voting Requirements - Absolute Majority**

**OFFICER RECOMMENDATION**

**That Council**

1. **Adopt the 2011/12 Annual Budget Review, as presented in Attachment 12.2, and notes that the estimated Closing Funds are based on current revenue and expenditure trends;**
2. **Authorises the following budget amendments:**

Account No.	Account Description	Adopted Budget Amount \$	Increase/ (Decrease)	Amount of Change \$	Revised Budget Amount \$
I042020	Interest on Investments	(\$15,000)	Increase	(\$80,987)	(\$95,987)
E042020	Contract Support Services	\$25,000	Increase	\$7,000	\$32,000
E042096	Prior Year Adjustment	\$0	Increase	\$424	\$424
New Account	Indigenous Services – Service Delivery Project	\$0	Increase	\$55,000	\$55,000
E042121	Policy Portal Project	\$60,000	Decrease	(\$55,000)	\$5,000
E042122	ICT Governance Project	\$20,000	Increase	\$1,818	\$21,818
E042125	Strategic Planning	\$0	Increase	\$10,000	\$10,000
New Account	Regional Policy Development Project	\$60,000	Decrease	(\$50,000)	\$10,000
E130030	Coastal Locations & Rest Stops Project	\$3,627,567	Decrease	(\$3,366,735)	\$260,832
I130031	Coastal Locations & Rest Stops Revenue	(\$1,265,000)	Decrease	\$1,210,000	(\$55,000)
E130040	Tourism Short Stay Accommodation Project	\$15,000	Increase	\$97,500	\$112,500
I130040	Tourism Short Stay Accommodation Revenue	(\$15,000)	Increase	(\$97,500)	(\$112,500)

3. **Submit a copy of the adopted 2011/12 Annual Budget Review Report to the Department of Local Government.**

**ABSOLUTE MAJORITY REQUIRED.**

### 13. STRATEGIC ISSUES

#### 13.1 PRC 2012/2013 OPERATIONAL PLAN

**Attachments:** Nil.  
**Responsible Officer:** Ms Shelley Pike, Chief Executive Officer  
**Action Officer:** Ms Shelley Pike, Chief Executive Officer  
**Officer Disclosure of Interest:** Nil

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**Purpose:**

The purpose of this report is to obtain Council endorsement for the process to develop the PRC 2012/13 Operational Plan.

**Background:**

The Integrated Planning Framework used by the PRC is structured to ensure that PRC activities are being driven by the strategic priorities of the organisation. The Operational Plan is derived through a review of the Strategic Plan on an annual basis in consultation with the four member councils.

The Shire's Strategic Plan, and therefore the Operational Plan are framed so that they address the four key result areas identified during the Integrated Planning process. The four key result areas are:

Key Result Area 1 – Regional Service Delivery

Key Result Area 2 – A Voice for the Pilbara

Key Result Area 3 – Economic Value

Key Result Area 4 – Governance Support

For the 2011/12 financial year Strategic Objectives were developed for each of the key result areas which in turn were used to inform the development of the annual Operation Plan and budget.

**Comment:**

In order to coincide with Member Council's budget preparations for the 2012/13 financial year the Chief Executive Officer has commenced planning for the preparation of the PRC 2012/13 Operational Plan. The following schedule has been developed for Council consideration.

1. The PRC Chief Executive Officer present the PRC achievements for 2011/12 to each of the four member councils – (February/ March 2012).
2. The four Chief Executive Officers review the Regional Business Plan prepared by KPMG with their Executive team and identify projects from the Regional Business Plan plus any additional projects which could be undertaken by the PRC. The identified projects may also be workshopped with



councillors. In order to ensure there is no duplication and rework the projects derived from the Regional Business Plan and any additional projects should align with each Council's Operational Plan for 2012/13 as much as possible. An approximate cost for each project should also be supplied.

3. A facilitated workshop with PRC Councillors and member CEO's will be held from 2.00pm – 4.00pm on Friday 30<sup>th</sup> March to review the PRC Strategic Plan and the projects suggested by the member Councils.
4. A draft PRC Operational Plan and budget will be prepared following the workshop for consideration by each of the member Councils prior to 30<sup>th</sup> June 2012. Any changes to the draft plan will be made in April prior to going to each member council for approval prior to 30<sup>th</sup> June 2012.
5. Once the projects and budget have been approved by each member council the Operational Plan and budget will be submitted to the PRC for approval at the 27<sup>th</sup> August Council meeting in order to meet compliance requirements.

**Policy Implications - Nil.**

**Legislative Implications:**

**5.56. Planning for the future**

(1) A local government is to plan for the future of the district.

(2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

*[Section 5.56 inserted by No. 49 of 2004 s. 42(6).]*

*[5.57, 5.58. Deleted by No. 49 of 2004 s. 42(6).]*

**Financial Implications: Nil**

**Conclusion:**

The PRC has begun the process of transforming into a quality driven organisation striving for excellence as a Regional Council in the business of local government. We see our commitment to business excellence as fundamental in achieving our strategic and business operating outcomes. In particular, our desire to align PRC business objectives with those of our member councils where ever possible is of paramount importance. This schedule incorporates for the first time the opportunity for member councils to workshop the Regional Business Plan with their Executive and Council in order to ensure identified regional projects align closely with the business objectives of each member Council.

**Voting Requirements:** Simple Majority

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**OFFICER RECOMMENDATION**

**That Council approve the proposed schedule for the preparation of the PRC 2012/13 Operational Plan.**

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**14. GOVERNANCE****14.1 USE OF COMMON SEAL**

<b>Attachments:</b>	<b>Nil.</b>
<b>Responsible Officer:</b>	<b>Ms Shelley Pike, Chief Executive Officer</b>
<b>Action Officer:</b>	<b>Ms Sue Shepherdson, Executive Assistant</b>
<b>Officer Disclosure of Interest:</b>	<b>Nil</b>

**Purpose:**

This report is a standard report and for noting purposes only.

**Background:**

Section 2.5 of the Local Government Act 1995 states that a Local Government is a Body Corporate with perpetual succession and a common seal. A document is validly executed by a Body Corporate when the common seal of the Local Government is affixed to it by the Chief Executive Officer, and the President/Chairman and the Chief Executive Officer attest the affixing of the seal.

Since the last meeting of Council the common seal has been applied to the following documents:

- Engagement for Provision of Workforce Location Analysis Contract.
- Engagement for Provision of Project Management services to undertake the management of the Upgrade of Coastal Tourism Locations and Improvement of Selected Roadside Rest Stops. Contract.
- Non Disclosure Agreement between PRC and Interchange.
- Non Disclosure Agreement between PRC and Rocky Bay Inc.

**Comment:**

The Chief Executive Officer is primarily responsible for the governance role of the PRC which includes ensuring all legislative requirements are complied with including: adopting plans and reports, accepting tenders, directing operations, setting and amending budgets. This use of the Common Seal is a Standard Report for noting by Council.

All documents validly executed will have the common seal affixed and the President and the Chief Executive Officer's attestations affixing the seal. Use of the common seal is to be recorded in the common seal register and must have the Council resolution number included and the date that the seal was applied.

**Policy Implications - Nil.**

**Legislative Implications:**

Section 2.5(2) of the Local Government Act 1995.

The local government is a body corporate with perpetual succession and a common seal.

Section 9.49. Documents, how authenticated.

A document, is, unless this Act requires otherwise, sufficiently authenticated by a local government without its common seal if signed by the CEO or an employee of the local government who purports to be authorised by the CEO to so sign.

**Financial Implications:** Nil

**Conclusion:**

This is a standard report for Elected Members information.

**Voting Requirements:** Simple Majority

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**OFFICER RECOMMENDATION**

**That the action of the Chief Executive Officer in executing the documents listed under the Common Seal of the Pilbara Regional Council, be noted.**

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**14.2 2011 ANNUAL COMPLIANCE RETURN**

**Attachments:** 14.2 - 2011 Annual Compliance Return  
**Responsible Officer:** Shelley Pike, Chief Executive Officer  
**Action Officer:** Sue Shepherdson, Executive Assistant  
**Officer Disclosure of Interest:** Nil

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**Purpose**

The purpose of this agenda item is to seek Council endorsement of the Annual Compliance Return for 2011.

**Background**

The PRC is required to submit to the Department for Local Government by 31st March of each year an Annual Compliance Return for the previous year that identifies any instance where the Council or its staff have not complied with the Local Government Act, Regulations and other relevant instructions.

**Issues - Nil.**

**Policy Implications – Nil**

**Legislative Implications – Nil**

**Financial Implications – Nil**

**Consultation - Nil**

**Voting Requirements:** Simple Majority

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**OFFICER RECOMMENDATION****That Council:**

- 1. Adopt the Annual Compliance Return for 2011.**
  - 2. Approve the submission of the Annual Compliance Return for 2011 to the Department of Local Government.**
-

**14.3 DISPOSAL OF ASSETS POLICY**

**Attachments:** 14.3 Disposal of Assets Policy  
**Responsible Officer:** Ms Shelley Pike, Chief Executive Officer  
**Action Officer:** Ms Sue Shepherdson, Executive Assistant  
**Officer Disclosure of Interest:** Nil

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**Purpose:**

To introduce a Disposal of Assets Policy for the Pilbara Regional Council to ensure:

1. Compliance with the Local Government Act 1995 and the Local Government Acts (Functions and General) Regulations 1996.
2. Provide unambiguous and transparent direction for the disposal of assets and in doing so:
  - promote fair and effective competition to the greatest possible extent;
  - consider any potential benefit to the community; and
  - ensure best value for money is achieved.

At present the PRC has an endorsed Delegation Manual authorising the Chief Executive Officer to sell surplus equipment, materials, and tools in accordance with s5.44 *Local Government Act 1995*. The Delegation gives the CEO Authority to sell, by calling for expressions of interest, holding of a surplus goods sale at Council's depot, or any other fair means, items of surplus equipment, materials, tools etc. which are no longer required, or are outmoded, or are no longer serviceable. Conditions attached to Delegation - Authority only applies to items with an estimated value of less than \$2,000.

To ensure a more robust asset disposal arrangement is in place the attached Disposal of Assets policy has been developed to meet the requirements of the Local Government Act. This policy, in addition to the previously endorsed Delegation Schedule, will ensure the disposal of PRC Assets is compliant with the endorsed policy and delegation manual.

**Comment:**

A Disposal of Assets Policy will deliver a more robust and accountable process for the Pilbara Regional Council through improved administrative practices and processes.

**Issues:** - Nil

**Policy Implications:**

If endorsed this policy will form part of the Pilbara Regional Council Policy Manual to ensure a more transparent and compliant process.

**Legislative Implications:**

Local Government Act 1995 (the Act) and associated regulations.

**Financial Implications:** – Nil for Policy. Disposal of assets would be on a case by case basis in accordance with the attached policy.

**Conclusion:**

A Disposal of Asset policy would ensure that the PRC has a more transparent and robust process in place to ensure compliance with the Local Government Act 1995 and the Local Government Acts (Functions and General) Regulations 1996.

**Voting Requirements:** - Absolute Majority

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**OFFICER RECOMMENDATION**

**That council endorse the Pilbara Regional Council Disposal of Asset Policy.**

**ABSOLUTE MAJORITY REQUIRED**

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**15. CHIEF EXECUTIVE OFFICER'S REPORT****15.1 UPGRADE OF COASTAL TOURISM LOCATIONS AND IMPROVEMENT OF SELECTED ROADSIDE REST STOPS - PROPOSED REVISED PROJECT PRIORITIES**

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<b>Attachments:</b>	<b>Nil</b>
<b>Responsible Officer:</b>	<b>Ms Shelley Pike, Chief Executive Officer</b>
<b>Author Name:</b>	<b>Ms Shelley Pike, Chief Executive Officer</b>
<b>Officer Disclosure of Interest:</b>	<b>Nil</b>

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**Report Purpose**

The Project Steering requests PRC approval to proceed with the implementation of the revised priorities and works schedule.

**Background**

Cliff Winfield and Associates (CWA) were appointed in late November 2011 as Project Managers by the Pilbara Regional Council to deliver the Country Local Government Fund, Royalties for Regions seed-funded enhancement of nature-based day visit, camping and overnight stops at a range of coastal and inland locations across the four Pilbara municipalities.

In December CWA met with representatives from the four member councils to discuss their priorities. Notes from the meetings were circulated to the attendees for comment or correction; the revised priorities below are based on these discussions. CWA also requested key stakeholders nominate a representative to the Project Steering Committee. Some stakeholders asked to nominate a deputy as well.

The Steering Committee comprises:

- ToPH: Jenella Voitkevich (Manager Infrastructure Development) and/or Russell Dyer (Director Engineering Services)
- SoR: Craig Watts (Executive Manager Regulatory), and John Verbeek (Special Project Officer?)
- SoEP: Allen Cooper (CEO)
- SoA Amanda O'Halloran (Executive Manager Strategic & Economic Development)/ Jeff Breen (CEO)
- Kelly Howlett, Mayor Town of Port Hedland
- MRWA: Gary Player (Regional Manager MRWA Pilbara) and Betty Goedhart (Customer Service Manager MRWA Pilbara)
- PDC: Felicity Gilbert (PDC, Assistant Director Regional Development)

Key stakeholders were also asked to consider potential nominees for a reference group which consists of individuals with specific expertise or interest, whose opinions and input are sought on specific matters. These may include for example, some councillors, site caretaker/managers, airport manager, not-for profit groups, government authority and industry representatives.

After project management fees are deducted from the CLGF grant, a sum of \$1,821,000 is left for capital works, a further \$82,740 from recipient funding can be used for planning, engineering and design (CLGF cannot be used for these items). The project manager recommends that approximately \$400,000 be allocated to capital works in each LGA, with around \$200,000 held in contingency, which if not used, may be spent equitably on capital works/items related to the project.

The draft revised priorities below were developed by CWA and circulated to the steering group for change or comment.

**Recommendations in summary:**

Proposed revised stage one implementation priorities:

**Town of Port Hedland highest priority – De Grey.**

**Recommendation:** Re-allocate approximately \$400,000 from CLGF funding for a staged redevelopment of the DeGrey site, and \$22,000 from recipient member contributions for site design and engineering (assuming the topographic survey data is available to the project managers).

**Shire of East Pilbara highest priority - continued staged redevelopment of Cape Keraudren.**

**Recommendation:** Re-allocate approximately \$400,000 from CLGF funding for continued staged redevelopment of the Cape Keraudren site and \$22,000 from recipient contributions for site design and engineering, further funds may be required for a topographic survey of the site.

**Shire of Roebourne highest priority - staged redevelopment of Cleaverville.**

**Recommendation:** Re-allocate approximately \$400,000 from CLGF funding to commence staged redevelopment of the Cleaverville site and \$22,000 from member contributions for site design and engineering, further funds may be required for a topographic survey of the site.

**Shire of Ashburton highest priority – renovation of information bays at Great Northern Highway turnoff, Tom Price, and Onslow turnoff.**

**Recommendation:** Re-allocate approximately \$400,000 from CLGF funding to commence redevelopment of the three entry point information/interpretation bays and \$16,000 from member contributions for site design and engineering.

The Shire of Ashburton has requested an additional two entry and information bays which will be funded by the Shire.

**Comment**

CWA see the need for more detailed management and master planning at the four coastal sites so that a strategic and agreed schedule for ongoing works can be developed, and for the redevelopments to conform to WAPC Coastal Planning Policy 2.6, and Caravan Parks and Camping Grounds Act. There are obvious advantages and synergies with four similarly scoped coastal planning projects in the same region being done concurrently by the one planning group. This work although related to the CLGF project is not



funded and CWA has requested the PRC endorse the Project Manager approaching the individual member councils to negotiate preparation of management and/or master plans for Cape Keraudren, De Grey, Cleaverville and 40 Mile.

**Issues**

Should member Councils wish to engage CWA to undertake master planning at the four coastal sites this would be an agreed arrangement between the member councils and the CWA with no involvement by the PRC. As no CLGF is available for master planning member councils would be required to fund the development of the master plan for the four coastal sites.

**Policy Implications**

Nil.

**Legislative Implications**

Nil.

**Financial Implications**

A separate funding arrangement between each of the member councils and the CWA would be required to undertake the master planning at the four coastal sites so that a strategic and agreed schedule for ongoing works can be developed, and for the redevelopments to conform to WAPC Coastal Planning Policy 2.6, and Caravan Parks and Camping Grounds Act. The Shire of Ashburton has agreed to fund the additional entry points requested.

**Conclusion**

The revised project priorities have been developed following discussions with each of the member councils and reflect the changes that have occurred in the twelve months since the business plan for the CLGF project was developed.

**Voting Requirements**

Simple Majority

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**OFFICER RECOMMENDATION**

- 1. That Council approve the amended project implementation priorities as determined by the member councils and the project steering committee.**
  - 2. That Council endorse CWA to enter into discussions with member councils on the requirement for further coastal management planning.**
-

**16. ITEMS FOR INFORMATION ONLY****16.1 PILBARA / KIMBERLEY 2012 FORUM**

The theme of the Joint Forum is leadership and we have been fortunate to engage some excellent speakers. A verbal update will be provided at the Council meeting.

**16.2 WORKFORCE ANALYSIS AND LOCATION STRATEGY**

The Futures Group has been appointed to undertake the Workforce Analysis and Location Strategy. They come highly recommended and are very experienced in this field. The timetable of the scheduled work is outlined below:

- Week commencing 15th January, start undertaking background desktop research in preparation for stakeholder feedback.
- Undertake consultation with member council CEO's, in late-January/early February to determine individual and collective outcomes from the project and agree on a common direction and approach.
- Undertake best practice research, looking at the most efficient and practical ways to undertake the project late January/early February.
- Identify positions that could be based offsite (in Perth) or co-located and assess feasibility/key issues. (March).
- Conduct risk assessment/cost benefit analysis. (March).
- Develop options for the delivery model (March/April).
- Prepare report (April)
- At this stage, working to a 30th April 2012 delivery, but this will be subject to availability of stakeholders and addressing any issues arising along the way.

**16.4 AFFORDABLE HOUSING**

The Business Plans for each of the member councils identifying the opportunities and risks are progressing slowly due to the number of people away during the Christmas and School holiday period. It is anticipated that the business plans will be completed by early March

**16.5 DEPARTMENT OF LOCAL GOVERNMENT - UPDATE**

An update on the Department of Local Government will be tabled at the Meeting.

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**OFFICER RECOMMENDATION:**

That the items submitted for information only items be received.

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**17. REGIONAL COLLABORATIVE GROUP**

**17.1 IMPLEMENTATION OF THE PRC REGIONAL BUSINESS PLAN**

**17.1.1 CORPORATE GOVERNANCE FRAMEWORK AND IMPLEMENTATION**

A verbal update will be provided at the Council meeting.

**17.1.2 RISK MANAGEMENT FRAME WORK AND IMPLEMENTATION**

LGIS has been engaged to undertake the Risk Management project for the four member Councils. Progress to date is detailed below. The Risk Management Project has been completed for the Shire of Ashburton and the final report is with the Chief Executive Officer for comment.

Review of existing Risk Management Policies and Processes to establish level of Risk Maturity and Gap Analyses	% Complete	Specific and Detailed Recommendations	% Complete	Overarching Risk Governance Framework	% Complete
<p><b>Shire of Ashburton</b></p> <p>LGIS risk consultant reviewed this Shire’s risk documents and proceeded to formally report findings and recommendations to the Shire’s CEO and Risk Project Champion</p> <p>There were no substantive risk management frameworks, policies, procedures or other supporting documentation presented to the LGIS consultant for review.</p> <p>The Project Champion expressed that there are a number of significant work pressures and competing priorities currently upon Shire staff</p>	<p>100%</p>	<p>It is recommended that:</p> <p>The Council agree on a risk policy, common risk terminology, tables and other risk assessment criteria.</p> <ol style="list-style-type: none"> <li>1. The above to be communicated to all staff through workshops</li> <li>2. The role of a dedicated risk management officer/advisor be considered to ensure the continuous improvement and education of risk throughout the Shire</li> <li>3. Staff are made aware of their responsibility in managing risks</li> <li>4. Risks be considered under the categories of strategic, operational and project</li> </ol>	<p>Unknown</p>	<p>The responsibility to control and manage these recommendations remains with the Shire’s CEO and Executive Manager Strategic &amp; Economic Development (as the Project Champion).</p> <p>Upon appointment of a Risk Management Coordinator/Officer at this Shire, these tasks will passed onto this person</p>	<p>Unknown</p>

<p>which inhibited communication and handover of information to the project consultants. The Shire is further experiencing consistent staff shortages due to the labour market conditions in the Pilbara region;</p> <p><b>Shire of Roebourne</b></p> <p>As per Ashburton the LGIS risk consultant reviewed the risk documents provided and is in the process of preparing a report of findings and recommendations to be discussed with this Shire’s CEO and Risk Project Champion before end of Jan 2012</p> <p><b>Town of Port Hedland and Shire of East Pilbara</b></p> <p>LGIS risk consultant has requested risk documents from these Councils but to date has not received any. LGIS will follow up with the Project Champions from these Councils to request this information</p>	<p>25%</p> <p>0%</p>	<p>5. Document the new risk management framework and ensure regular reviews are scheduled</p> <p>It was noted that these documents:</p> <ol style="list-style-type: none"> <li>1. Are out of date</li> <li>2. Refer to superseded AS/NZS risk management wordings</li> <li>3. Will not complement the new workshop structure and approach for this project</li> </ol>			
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1. Risk Management Training

Consultation/Workshop Date(s)	Knowledge Gained by the Councils
<p><b>Shire of Ashburton</b></p> <p>Two (2) risk assessment workshops and associated risk activities were conducted with a selection of management staff from</p> <ul style="list-style-type: none"> <li>• Engineering &amp; Technical Operations,</li> <li>• Strategic and Economic Development,</li> <li>• Development Services</li> <li>• Corporate Services</li> </ul> <p>on <b>8 November, 2011</b></p>	<p>Developed a better understanding of risk, which included the use of the provided risk tables and criteria to assist informed decision making based on AS/NZS ISO 31000:2009 Risk management principles and guidelines.</p> <p>SWOT Analysis was conducted in order to identify the Strengths, Weaknesses/Limitations, Opportunities, and Threats impacting the Shire’s objectives as well as the internal and external factors that may be favourable or unfavourable to achieve those objectives</p> <p>Secondly, an operational risk identification and assessment activity was conducted to identify the key activities of each business directorate and assess the associated risks against the Shire’s risk criteria. The measurable output of this process was the identification and assessment of those risks and the population of a Shire of Ashburton Risk Register.</p>

LGIS will hold a Risk Management workshop for the Pilbara Regional Council on the 30<sup>th</sup> March 2012 prior to the Pilbara / Kimberley Joint Forum. All councillors are requested to attend.

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**OFFICER RECOMMENDATION:**

That the progress report to the Regional Collaborative Group on the implementation of the Regional Business Plan be received.

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**18. GENERAL BUSINESS**

**19. CONFIDENTIAL ITEMS**

Meeting is closed to members of the public from Items:

- 19.1 Pilbara Demand Needs Analysis for Short Stay Accommodation Study Tender
- 19.2 CEO Performance and Contract Review
- 19.3 Pilbara Regional Council Governance Options

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**OFFICER RECOMMENDATION**

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

- (a) A matter affecting an employee or employees.
  
  - (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;
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**19.1 PILBARA DEMAND NEEDS ANALYSIS FOR SHORT STAY ACCOMMODATION STUDY**

A confidential report will be tabled at the meeting.

**19.2 CEO PERFORMANCE AND CONTRACT REVIEW**

A confidential report will be tabled at the meeting.

**19.3 PILBARA REGIONAL COUNCIL GOVERNANCE OPTIONS**

Following a confidential discussion a recommendation will be made at the meeting.

Meeting is open to Members of the Public.

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**OFFICER RECOMMENDATION**

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

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**20. CLOSURE**