



# AGENDA

I wish to advise that the Ordinary Meeting of Council  
is to be held on Monday 27<sup>th</sup> August 2012  
in the Kimberley Room of the State Library Building, Perth  
commencing at 9.00 am

A handwritten signature in blue ink that reads "Anthony Friday".

**TONY FRIDAY**  
**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 you 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 3<sup>RD</sup> JULY 2012
- 11.1 STATE COUNCIL REPORT – SEPTEMBER 2012
- 12.1 FINANCIAL STATEMENT OF ACTIVITY - JUNE AND JULY 2012
- 13.1 DRAFT PRC FY13 OPERATIONAL PLAN
- 16.1 DEPARTMENT LOCAL GOVERNMENT DIRECTOR GENERALS REPORT – AUGUST 2012

**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, Mr Tony Friday to the commencement of the Council meeting.

**2. OFFICIAL OPENING**

The Ordinary Meeting of Council is to be held on Monday 27<sup>th</sup> August 2012 in the Kimberley Room of the Perth 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**

<b>Councillors</b>	Cr Lynne Craigie, Chairperson	Shire of East Pilbara
	Cr Kelly Howlett, Deputy Chairperson	Town of Port Hedland
	Cr George Daccache	Town of Port Hedland
	Cr Kerry White	Shire of Ashburton
	Cr Fiona White-Hartig	Shire of Roebourne
<b>Deputy Councillors</b>	Cr Anita Grace	Shire of East Pilbara
<b>Staff</b>	Mr Tony Friday	Chief Executive Officer
	Ms Sue Shepherdson	Executive Assistant
<b>Guests:</b>	Mr Allen Cooper, CEO	Shire of East Pilbara
	Mr Ian Hill, Acting CEO	Town of Port Hedland
	Mr Chris Adams, CEO	Shire of Roebourne
	Mayor Troy Pickard, WALGA President	WALGA
	Mr Mark Batty, Exec/Manager Environment & Waste	WALGA
	Mr Tim Fowler, Special Advisor Legislation and Reform	Department Local Government
	Ms Caroline Tuthill, Manager Local Government Reform	Department Local Government
<b>Apologies:</b>	Cr Lorraine Thomas	Shire of Ashburton
	Cr Sharon Vertigan	Shire of Roebourne
	Mr Jeff Breen, CEO	Shire of Ashburton

**Leave of Absence: Nil**

**4.1 APPLICATIONS FOR LEAVE OF ABSENCE**

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

Nil

**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 PILBARA DEVELOPMENT COMMISSION – FELICITY GILBERT**

Ms Felicity Gilbert, Assistant Director, Pilbara Development Commission will present to Council an update on the Short Stay Accommodation Project.

**7.2 MR DAVID HIPWORTH – PILBARA NOTICE BOARD WEBPAGE**

*Please note that this presentation will occur at the end of this Council meeting.*

Mr David Hipworth, will present to Council on the Pilbara Notice Board Webpage.

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

**Attachments:** 8. Minutes of the PRC Meeting – 3<sup>rd</sup> July 2012  
**Responsible Officer:** Mr Tony Friday, Chief Executive Officer  
**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 3<sup>rd</sup> July 2012 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 September 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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Attached for Councils information is Mayor Mr Troy Pickard, President, WALGA State Council Report for September 2012 including updates on:

- Local Government Convention;
- Regional Subsidiaries;
- Adjusted Financial Assistance Grants
- Sustainable Infrastructure Funding
- State Election Campaign
- Dog Amendment Bill 2012
- Container Deposit Legislation
- President's Contacts

**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 at WALGA 15 Altona Street, West Perth on Wednesday 5 September 2012 commencing at 5.00pm.

**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 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 2012 Annual General Meeting Minutes**

Recommendation

That

1. AGM Motion 5.1, 5.3 and 6.2 be endorsed
2. AGM Motion 6.1 be noted;
3. AGM Motion 5.2 be amended and adopted as follows;

That:

- A. WALGA reaffirms the requested State/Local Government Communication and Consultation Protocol to the State Government that suggests the following protocols;
  - I. New legislation and amendments, proposals and legal mandate that will have an impact on Local Government expenditure - Minimum of twelve (12) weeks consultation.
  - II. Consultation for a minimum of eight weeks on proposed changes to Regulations or other compliance requirements that will have an impact on Local Government's responsibilities.

III. Communication between both spheres of government relating to changes in operating procedure or practice which will have minimal impact requires advice prior to any action.

- B. WALGA again request the State Government to endorse the proposed protocol as part of the State Local Government Agreement.

5.2 Metropolitan Local Government Review  
Recommendation

That the following policy positions be reaffirmed:

1. The Association's commitment to structural reform of Local Government being voluntary, and
2. The Association's recommended transition process in relation to the Metropolitan Local Government Review process.

5.5(3) Grain Freight - Central Wheatbelt  
Recommendation

That:

1. WALGA supports the recommendation of the Standing Committee on Environment and Public Affairs Inquiry into Closure of Tier 3 Rail Lines in the Central Wheatbelt;
  - a. "that the Government keep the central wheatbelt Tier 3 rail lines open until the end of 2014 to enable CBH Group to demonstrate the business case for retention of these lines, provided this does not impact on the funded upgrades to and maintenance of local roads"; and
  - b. "that the Wheatbelt Development Commission undertake an economic review of the appropriate grain transport infrastructure for areas serviced by the central wheatbelt Tier 3 lines in conjunction with the demonstration of rail operations on these lines".
2. The Association provides this support on condition that it does not impact on the funded upgrades to and maintenance of local roads; and
3. Retaining operation of central wheatbelt Tier 3 rail lines until at least the end of 2014 be referred to the Forum of Co-Chairs for consideration as part of the campaign to be run by the Association in the lead up to the 2013 State Election.

5.4 Local Government Planning Improvement Program, Action Plan  
Recommendation

That the Local Government Planning Improvement Program, Action Plan be endorsed.

5.5 WALGA Submission – Seven Proposals to Regulate and Amend the Aboriginal Heritage Act 1972  
Recommendation

That the Association's Submission on the Department of Indigenous Affairs' 'Seven Proposals to Regulate and Amend the Aboriginal Heritage Act 1972' be endorsed.

5.6 WALGA Submission – Western Australian Health Promotion Strategic Framework 2012-2016  
Recommendation

That the Association's submission on the Department of Health's Western Australian Health Promotion Strategic Framework 2012-2016 be endorsed

5.7 Bushfire Risk Identification and Mitigation Project – Building Protection Zones

By Allison Hailes, Executive Manager Planning and Community Development

Recommendation

That:

1. The phased introduction of Building Protection Zones (defendable spaces) in high bushfire risk areas, is supported in principle;
2. The State Government be advised that further development of the proposed Building Protection Zone policy and implementation process must occur in partnership with Local Government;
3. Local Governments in high risk areas be encouraged to review and if necessary, modify fuel loads around key Local Government infrastructure (eg evacuation centres) in preparation for the 2012/13 bushfire season; and
4. Where practicable, Local Governments encourage residents in high risk areas to modify fuel loads around buildings on private property, in line with the standards recommended by FESA, in preparation for the 2012/13 bushfire season.

5.8 Bushfire Risk Identification and Mitigation Project Team – Local Government Representative

By Allison Hailes (Executive Manager, Planning and Community Development)

Recommendation

That WALGA, on behalf of the sector, contribute appropriate staff resources to fulfill the role of Local Government representative(s) on the Bushfire Risk Identification and Mitigation Project Team, hosted under the auspices of the Department of Premier and Cabinet, for Phase II of the Bushfire Risk Identification and Mitigation Project.

5.9 Productivity Commission Barriers to Effective Climate Change Adaptation – Draft Report

By Caroline Perks, Climate Change Coordinator

Recommendation

That the interim submission on the Productivity Commission's Draft Report on Barriers to effective Climate Change Adaptation be endorsed.

6. MATTERS FOR NOTING / INFORMATION

6.1 Update on Implementation of the Building Act 2011

Vanessa Jackson, Policy Manager Planning Reform and Improvement

Recommendation

That the recent actions regarding the implementation of the Building Act 2011 be noted.

6.2 South West Native Title Settlement

Recommendation

That the developments in relation to the South West Native Title Settlement be noted.

### 6.3 Municipal Waste Advisory Council

#### Recommendation

That the resolutions of the Municipal Waste Advisory Council meeting held 27 June 2012 be noted.

## 7. ORGANISATIONAL REPORTS

### 7.1 Key Activity Reports

#### 7.1.1 Report on Key Activities, Environment and Waste

##### Recommendation

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

#### 7.1.2 Report on Key Activities, Governance and Strategy

##### Recommendation

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

### 7.2 Policy Forum Reports

#### Recommendation

That the report on the key activities of the Association's Policy Forums to the September 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 5<sup>th</sup> September 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> June 2012</b> <b>12.1 (2) Financial Statements as at 31<sup>st</sup> July 2012</b>
<b>Responsible Officer:</b>	<b>Mr Tony Friday, Chief Executive Officer</b>
<b>Action Officer:</b>	<b>Ms Sue Shepherdson, Executive Assistant</b>
<b>Officer Disclosure of Interest:</b>	<b>Nil</b>

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**Purpose**

The purpose of this report is to seek Council's consideration and adoption of the June and July 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> June 2012 and 31<sup>st</sup> July 2012 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> June 2012.

**Voting Requirements** - Simple Majority

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**OFFICER RECOMMENDATION**

That Council receive the Monthly Financial Statements, the Statement of Financial Activity and commentaries on variances to the adopted budget for the periods ending 30<sup>th</sup> June 2012 and 31<sup>st</sup> July 2012.

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### 13. STRATEGIC ISSUES

#### 13.1 PRC FY13 OPERATING PLAN (DRAFT)

<b>Attachments:</b>	<b>13.1 Draft PRC FY13 Operating Plan</b>
<b>Responsible Officer:</b>	<b>Mr Tony Friday, Chief Executive Officer</b>
<b>Author Name:</b>	<b>Mr Tony Friday, Chief Executive Officer</b>
<b>Disclosure of Interest:</b>	<b>Nil</b>

#### **Purpose**

The purpose of this report is to obtain endorsement for the Draft PRC FY13 Operating 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 Operating Plan is derived through a review of the Strategic Plan and analysis of the requirements of the four member Councils.

The Council's Strategic Plan, and therefore the Operating 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 FY13, Strategic Objectives were developed for each of the key result areas which in turn were used to inform the development of the annual Operating Plan and budget.

#### **Comment**

In order to coincide with member Council's budget preparations for FY13, the Chief Executive Officer has consulted with member CEOs and prepared the Draft PRC FY13 Operating Plan.

#### **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 wherever possible is of paramount importance.

**Voting Requirements**

Simple Majority

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**OFFICER RECOMMENDATIONS****That Council:**

- 1. Approve the draft PRC FY13 Operating Plan;**
  - 2. Approve development of the PRC FY13 Budget based on the FY13 Operating Plan.**
-

## 14. GOVERNANCE

### 14.1 2013 PRC COUNCIL MEETINGS

<b>Attachments:</b>	Nil
<b>Responsible Officer:</b>	Mr Tony Friday, Chief Executive Officer
<b>Author Name:</b>	Ms Sue Shepherdson, Executive Assistant
<b>Disclosure of Interest:</b>	Nil

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#### Report Purpose

The purpose of this agenda item is to seek Council consideration of meeting locations for the 2013 year prior to a report being drafted for consideration by Council at the December meeting for approval of the 2013 meeting dates.

#### Background

Council meeting dates need to be set and key stakeholders advised of meetings so that they in-turn can schedule their activities, provide support for the PRC, and attend meetings. The PRC previously endorsed meeting dates for 2012 at its November 2011 meeting via Resolution Number: 1118. Meetings for the remainder of 2012 are scheduled for Perth (22 October) and Karratha –Shire of Roebourne (3 December). 2013 Meeting dates and locations are yet to be considered by Council.

In determining the dates, times and locations for the Ordinary Meeting of Council for the upcoming year, consideration needs to be given to a number of factors including travel and facilitation of workshops / briefing sessions with Councillors and CEO's, along with Councillor commitments at their own Council level. Traditionally meetings are held on a Monday commencing at 9.00am with no meeting being held in January.

#### Comment

In accordance with the Local Government Act, meetings of Council are to be held regularly and no less than every three months. The PRC meets in-person six times per year.

The PRC Executive meets in between meetings via teleconference or in-person as required. Working Groups meet as required.

The holding of Ordinary Meetings of Council is governed by, in priority order, by the need to:

- meet frequently enough to consider and provide approvals on key Pilbara issues and for works in progress;
- meet prior to the WALGA State Council meeting to review and comment on that Council's agenda;
- attract Members of Parliament to attend Council meetings;
- meet early enough in the day to allow for a Regional Road Users Group meeting to be held following the PRC Meeting;

- be conscious of Councillor and CEO obligations to their Town/Shires and employment as appropriate; and
- Ordinary Meetings of Council can be supplemented by Special Meetings of Council as required and are supported by the PRC Executive and Working Groups as appropriate.

Working Groups will be convened as required and will meet as required by teleconference, videoconference, or if necessary in-person.

**Issues**

Special Council meetings cannot be held via teleconference unless permission has been granted at a previous Council meeting indicating the Date and time of the meeting being held via teleconference and the location of each Councillor and time of the meeting.

The vast distance within the Pilbara can make getting to meetings a costly and timely process for some PRC Councillors. Each individual member council currently incurs the costs associated for Councillors to attend PRC Meeting.

Following Council's endorsement consultation will need to be made with each member Council CEO for approval of any additional expenditure that may be incurred as a result of altering the current pattern of PRC meetings.

**Policy Implications**

Nil.

**Legislative Implications**

Local Government Act 1995, Section 5.3 requires Council to hold an Ordinary Meeting not more than three months apart.

**Financial Implications**

Previous agreement indicates that administration and cost of Councillor and employee attendance at meetings is the responsibility of each Town/Shire. The PRC funds all teleconference and videoconferences along with the Chief Executive Officer and Executive Assistants costs for meetings held in the Pilbara Region.

**Conclusion**

Any alteration to the existing meeting structure should be given careful consideration. The PRC office is based in Perth and attending meetings in the region provides the CEO and Executive Assistant with the opportunity to visit the region and see first-hand some of the projects that member Councils are currently undertaking. It is important that the Pilbara Regional Council Officers maintain a strong connection to the region.

Holding meetings in the region also offers PRC Councillors the opportunity to view other LGA's and discuss topical matters with Councillors from across the region. Perth based meetings may provide a benefit of time and cost savings Councillors not having to drive great distances between their residence and meetings held in the region. It also provides the opportunity for Councillors to conduct other business whilst in Perth.

**Options**

## Option 1

As per officers recommendation.

## Option 2

That Council:

1. Alter its existing meeting location structure for 2013 with all meetings to be held in the Perth CBD.
2. Request the CEO to consult with member LGA CEO's for agreement in associated costs with (1)
3. Request the CEO draft a report for Councils consideration for dates of 2013 based on (1).

## Option 3

That Council:

1. Alter its existing meeting location structure for 2013 with two of the six meetings to be held in the Pilbara Region, one meeting to be held in Port Hedland and one in Newman. All remaining meetings will be held in the Perth CBD.
2. Request the CEO draft a report for Councils consideration for dates of 2013 based on (1).

## Option 4

That Council:

1. Alter its existing meeting location structure for 2013 with two of the six meetings to be held in the Pilbara Region, one in Karratha and one in Tom Price and the remaining meetings to be held in the Perth CBD.
2. Request the CEO draft a report for Councils consideration for dates of 2013 based on (1).

**Voting Requirements**

Simple Majority

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**OFFICERS RECOMMENDATION**

That Council:

1. **Maintain its existing meeting location structure for 2013 with alternate meetings being held in the Perth CBD and the Pilbara Region with Regional meetings being held on a rotational basis between each LGA.**
  2. **Request the CEO draft a report for Councils consideration for dates of 2013 based on (1).**
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**15. CHIEF EXECUTIVE OFFICER'S REPORT****15.1 DISPOSAL OF MOTOR VEHICLE**

**Attachments:** Nil.  
**Responsible Officer:** Mr Tony Friday, Chief Executive Officer  
**Action Officer:** Mr Tony Friday, Chief Executive Officer  
**Officer Disclosure of Interest:** Nil

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**Report Purpose**

The purpose of this agenda item is to inform the Council of the disposal of an asset.

**Background**

The previous CEO had elected to package a motor vehicle into her salary arrangements. This was not required for the current CEO, and the organisation was holding a depreciating asset for which there was no immediate use. A decision was taken in conjunction with Cr Craigie to dispose of the asset.

**Comment**

A tender process for the sale of the vehicle was conducted by WALGA meeting all statutory requirements. One response was received to this tender, and the vehicle was disposed.

**Policy Implications**

Nil.

**Legislative Implications**

Nil.

**Financial Implications**

Sale realised \$9,000.

**Conclusion**

Nil

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**OFFICER RECOMMENDATION:**

For information purposes only

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**15.2 RECENT MEDIA COVERAGE**

**Attachments:** Nil.  
**Responsible Officer:** Mr Tony Friday, Chief Executive Officer  
**Action Officer:** Mr Tony Friday, Chief Executive Officer  
**Officer Disclosure of Interest:** Nil

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**Report Purpose**

The purpose of this agenda item is to inform the Council of recent media coverage.

**Background**

The CEO has conducted two media interviews as a result of the release of the FIFO study. These were conducted with the The Australian newspaper, and the BBC Asia media desk. A story was run on p7 of The Australian featuring commentary from the CEO and from Cr White-Hartig. The PRC has not been able to ascertain whether any story arose from the interview with the BBC.

The CEO has conducted a media interview with the Editor of Rock Candy magazine, targeted specifically towards FIFO workers. As a result of this interview, the Editor has agreed to run a series of pieces showcasing selected regions in the Pilbara with a view to encouraging FIFO workers to consider bringing their families to experience the region in which they work. The first of these pieces is tentatively scheduled for December 2012.

**Comment**

As a result of the story in The Australian, the PRC was contacted by the CEO of Maranoa Regional Council (Qld) to congratulate the PRC on the ground-breaking nature of this study, and to seek access to some of the work product arising from the study.

**Policy Implications**

Nil.

**Legislative Implications**

Nil.

**Financial Implications**

Nil

**Conclusion**

Nil

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**OFFICER RECOMMENDATION:**

For information purposes only

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**15.3 FEDERAL ASSISTANCE GRANTS & ROADING STUDY**

**Attachments:** Nil.  
**Responsible Officer:** Mr Tony Friday, Chief Executive Officer  
**Action Officer:** Mr Tony Friday, Chief Executive Officer  
**Officer Disclosure of Interest:** Nil

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**Report Purpose**

The purpose of this agenda item is to inform the Council of a recent meeting with Minister Grylls, and its impact on the proposed extension to the FIFO research.

**Background**

The CEO and Cr Craigie attended a meeting with Minister Grylls on 19 July 2012 to discuss affordable housing issues in the Pilbara, and to introduce the results of the recent FIFO study.

**Comment**

The Minister expressed a high level of interest in the FIFO study, as it provides some quantitative data towards this emotive (and traditionally qualitative) issue.

The Minister was encouraging in his response towards the PRCs intention to examine the links between Federal Assistance Grants and the impact of FIFO work practices on Local Government service delivery.

The Minister was encouraging in his response towards the PRCs intention to examine the links between road degradation and the impact of FIFO work practices on Local Government service delivery. He specifically requested a copy of the research outcomes that will be delivered using the Nullagine road as an exemplar.

**Policy Implications**

Nil.

**Legislative Implications**

Nil.

**Financial Implications**

Unquantified potential future financial implications for Federal Assistance Grants and road funding.

**Conclusion**

Nil

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**OFFICER RECOMMENDATION:**

For information purposes only

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**16. ITEMS FOR INFORMATION ONLY****16.1 COUNTRY LOCAL GOVERNMENT FUNDING 2011/12**

**Attachments:** Nil.  
**Responsible Officer:** Mr Tony Friday, Chief Executive Officer  
**Action Officer:** Mr Tony Friday, Chief Executive Officer  
**Officer Disclosure of Interest:** Nil

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**Report Purpose**

The purpose of this agendum is to update Council on the recent application to the Department of Regional Development and Lands for Country Local Government Funding.

**Background**

At the July Ordinary Council Meeting, the Council endorsed the CEOs activity in lodging a revised application to the Department of Regional Development and Lands for Country Local Government Funding to support the next phase of the 'Upgrade of Coastal Tourism Locations and Improvement of Selected Roadside Rest Stops' project.

**Comment**

An application has been lodged with the Department of Regional Development and Lands for Country Local Government Funding, and this has been reviewed by the Department's agents (Thinkscape) to ensure that the application is consistent with the requirements of the funding programme. The PRC has been advised that the application meets all of the Department's compliance requirements and is now being considered by the DG's group for merit.

**Policy Implications**

Nil.

**Legislative Implications**

Nil.

**Financial Implications**

The allocation for the Pilbara for the current grant allocation is \$3,714,103

**Conclusion**

If the 2011/12 Country Local Government Fund grant application is approved, then the PRC executive team will act immediately to implement the supporting business case.

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**OFFICER RECOMMENDATION:**

For information purposes only

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**16.2 UPGRADE OF COASTAL TOURISM LOCATIONS & IMPROVEMENT OF SELECTED ROADSIDE RESTSTOPS**

**Attachments:** Nil  
**Responsible Officer:** Mr Tony Friday, Chief Executive Officer  
**Action Officer:** Mr Tony Friday, Chief Executive Officer  
**Officer Disclosure of Interest:** Nil

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**Report Purpose**

The purpose of this agenda item is to update Council on the progress of this project, supported by the Department of Regional Development and Lands for Country Local Government Funding.

**Background**

This project has recently been subject to a comprehensive internal review in preparation for Financial Year and Project Controls Audits, currently scheduled for September. The project has not yet delivered infrastructure 'on the ground', however a considerable amount of consultation and preparatory work has been conducted to support these activities.

**Comment**

The PRC executive has commissioned detailed engineering design, and this has now been completed. These documents will form the basis of a procurement exercise for manufacturing, with pricing valid for 24 months. These documents will form the basis of a procurement exercise for installation, with pricing valid for 24 months. Once both elements are costed, the project team will be able to accurately determine how much infrastructure can be installed at each location, and submit development applications as required.

**Issues**

The approach to market for installation services will be reissued as an invited tender, with a detailed scope of works provided. Regional preference will be included within the market approach, and exercised as part of the evaluation criteria.

**Policy Implications**

Nil.

**Legislative Implications**

Nil.

**Financial Implications**

An inability on the part of the PRC to meet the requirements of the funding body could result in loss of these funds to the PRC and member Local Governments.

**Conclusion**

Member Local Governments will see an escalation in the level of activity attached to this project, with a view to the first structures being erected within the next 9 months.

**Voting Requirements**

Nil

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**OFFICER RECOMMENDATION:**

For information purposes only

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**16.3 PROJECTS UPDATE**

**Attachments:** Nil  
**Responsible Officer:** Mr Tony Friday, Chief Executive Officer  
**Action Officer:** Mr Tony Friday, Chief Executive Officer  
**Officer Disclosure of Interest:** Nil

**Report Purpose**

This report is to inform the Council of the degree of adoption of the various proposed projects by member Local Governments.

**Background**

As a component of the FY13 Operating Plan, the CEO offered a suite of projects to member Local Governments under a bureau service provision model.

**Comment**

After various discussions both in person and via email, the suite of projects has been refined and member Local Government participation finalised. CEOs have offered informed comment where appropriate, and this has been incorporated into project documentation.

The colour codes for each project represent whether the member CEO has indicated support (green), tentative/limited support (orange), or does not wish to be involved (red). The diamond indicates whether the project is currently considered 'live'.

	<u>Project</u>	<u>SoA</u>	<u>SoEP</u>	<u>SoR</u>	<u>ToPH</u>
1	Visitor Centre Web Assets	◆	◆	◆	
2	Project Portfolio Management				
3	Staff Sourcing	◆			
4	Coastal Rest Stops	◆	◆	◆	◆
5	FAG/Roading FIFO Study				
6	Grants Master Planning	◆	◆	◆	
7	Short Stay Accommodation	◆	◆	◆	◆
8	ICT Strategies	◆	◆	◆	◆
9	Affordable Housing	◆	◆	◆	◆
10	Payroll Processing				

**Issues**

Nil.

**Policy Implications**

Nil.

**Legislative Implications**

Nil.

**Financial Implications**

Projects are linked to the draft FY13 Operating Plan and the draft FY13 Budget.

**Conclusion**

The Pilbara Regional Council is now able to commence activities against each of these projects.

**Voting Requirements**

Nil

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**OFFICER RECOMMENDATION:**

For information purposes only

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**16.4 USE OF COMMON SEAL**

**Attachments:** Nil.  
**Responsible Officer:** Mr Tony Friday, Chief Executive Officer  
**Action Officer:** Ms Sue Shepherdson, Executive Assistant  
**Officer Disclosure of Interest:** Nil

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**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 Services Administrative support.

**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 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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**16.5 DEPARTMENT OF LOCAL GOVERNMENT UPDATE**

Attached to this agenda is a report from the Director General of the Department of Local Government providing updates on the following:

- WA's Cultural Diversity is on the Rise – 2011 Census;
- New Tools Available to Help with Workforce Planning;
- Grants Commission to Visit Local Governments;
- Termination Payments Set, Fees and Allowance with Tribunal;
- Introduction of Local Government Amendment Bill;
- CLGF Reminder;
- Integrated Planning and Reporting Advisory Standard;
- Activities in Local Government Reform;
- Over \$3m in Funds Available for Cat Act Implementation;
- Tribunal Determines CEO Remuneration for Local Governments;
- 2012-13 Heritage Grants Program;
- InHerit – A New One Stop Online Portal for Heritage Listings;
- WALGA Convention 2012.



**17. REGIONAL COLLABORATIVE GROUP****17.1 IMPLEMENTATION OF THE PRC REGIONAL BUSINESS PLAN****Report Purpose**

The purpose of this report is to inform the Council of the activities undertaken to acquit FY12 DLG grant funding in support of the implementation of the regional business plan, and to propose the allocation of FY13 DLG grant funding to support the implementation of the regional business plan.

**Background**

The Department of Local Government provides grant funding to support Regional Local Governments in adopting elements of the integrated strategic planning framework. In the past, these funds have been used to draft a Pilbara Regional Business Plan, and to conduct enterprise risk management and corporate governance reviews within each Local Government.

**Comment**

All activities are now substantially complete.

**Issues**

Pilbara Regional Council has not yet been able to secure confirmation from the member Local Governments regarding the success (or otherwise) of these activities, but will conduct a survey towards the end of this calendar year to assess FY12 funding outcomes.

**Policy Implications**

Nil.

**Legislative Implications**

Nil

**Financial Implications**

Finalising these two activities will serve to fully utilise the \$190,300 allocated by DLG towards implementation of the PRC regional business plan. DLG have advised that \$152,000 is available for regional business plan initiatives within the FY13 period, and the PRC proposes to allocate these funds across two current PRC projects (Staff Sourcing and Payroll Outsourcing) under the Workforce Planning element of the Integrated Planning Framework. Any additional funds remaining from this allocation will contribute towards the development of the Pilbara Regional Council Strategic Community Plan and Asset Management Plan.

**Conclusion**

The PRC is in the process of acquitting FY12 DLG grant funding for implementation of the Regional Business Plan, and will allocate FY13 grant funding to extend these initiatives via two nominated projects.

**Voting Requirements**

Simple Majority

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**OFFICER RECOMMENDATION:**

**That Council endorse the Chief Executive Officer to allocate FY13 DLG grant funds in support of implementing the Regional Business Plan towards two nominated projects (Staff Sourcing and Payroll Outsourcing), with any surplus funds allocated towards the development of the Pilbara Regional Council Strategic Community Plan and Asset Management Plan.**

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**18. GENERAL BUSINESS**

**19. CONFIDENTIAL ITEMS**

Nil.

**7. PETITIONS/ DEPUTATIONS/ PRESENTATIONS (Continued)**

**7.2 MR DAVID HIPWORTH – PILBARA NOTICE BOARD WEBPAGE**

*Please note that this presentation was delayed from the start of this Council meeting.*

Mr David Hipworth, will present to Council on the Pilbara Notice Board Webpage.

**20. CLOSURE AND NEXT MEETING**

Meeting Closed at \_\_\_\_\_.

The next meeting of the Pilbara Regional Council will be held in Perth at the State Library Building on Monday 22<sup>nd</sup> October at 9.00am.