



MINUTES

The Ordinary Meeting of Council was held on Friday 2nd March 2012 at the Geographe Room, State Library of WA, Perth Cultural Centre, Perth.

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I, Chairperson, Councillor Lynne Craigie, of the Pilbara Regional Council, hereby declare on behalf of the Councillors of the Pilbara Regional Council that the enclosed minutes are true and accurate record of the Pilbara Regional Council Meeting held on Friday, 2nd March 2012 at the Geographe Room, State Library of WA, Perth.

Cr Lynne Craigie

Chairperson

30/04/12

Date

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1. OATH OF OFFICE

Cr Sharon Vertigan undertook an Oath of Office before the Chief Executive Officer, Ms Shelley Pike, prior to the commencement of the Council meeting.

2. OFFICIAL OPENING

The Ordinary Meeting of Council was held on Friday 2nd March 2012 at the Geographe Room, of the State Library Building, Perth and was declared open by the Chairperson at 9.07am.

3. PUBLIC QUESTION TIME

Nil.

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

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
Cr Sharon Vertigan	Shire of Roebourne

Deputy Councillor

Cr Anita Grace	Shire of East Pilbara
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Staff

Ms Shelley Pike	Chief Executive Officer
Ms Sue Shepherdson	Executive Assistant

Guests:

Ms Joanne Burges, Regional Cooperation Manager, WALGA
 Mr John Lane, Emergency Management Coordinator, WALGA
 Mr Linton Reynolds (Chairman), Grants Commission, Department of Local Government.
 Mr Brad Jolly - Executive Director Governance and Legislation, Department of Local Government & Deputy Chairman, Grants Commission.
 Mr Pat Hooper (Country Rural Member), Grants Commission, Department of Local Government
 Mr Ross Earnshaw (Manager Reform Implementation - Department of Local Government)
 Mr James Harmer (Senior Policy and Research Officer - Department of Local Government)
 Mr Shannon Wood (Policy and Research Officer - 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. Mr Paul Martin, CEO, Town of Port Hedland, Mr Jeff Breen, CEO, Shire of Ashburton, Ms Collene Longmore, CEO Shire of Roebourne

Leave of Absence: Nil

4.1 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

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

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).

Chief Executive Officer, Shelley Pike declared an interest in items 19.2 and 19.3 as an employee of the Pilbara Regional Council and financially affected.

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).

Nil.

7. PETITIONS/ DEPUTATIONS/ PRESENTATIONS

7.1 Mr Linton Reynolds, Chairperson, Grants Commission, Department of Local Government.

The Grants Commission will be introducing a new methodology for determining the allocation of Financial Assistance Grants.

- The Commission initiated the review to address a number of unfavourable trends.
 - The Commission has made every effort to deliver a more equitable and transparent grant distribution across all local governments.
 - Increases in Grants will be capped at 15% in 2012/13 and reductions capped at approximately 11%.
 - Road Grants will still be calculated using the Asset Preservation Model.
 - Preliminary projections based on the new methodology indicate the following “across the board” impact on the General Purpose Grants to local government –
 - 61% of local governments (85) will receive an increase of between 1% and 15%.
 - 17% of local governments (23) will receive a reduction of between 0% and 11%.
 - 22% of local governments (30) will be minimum grant local governments.
- ***Note: these projections are contingent on the 2012/13 General Purpose Funding pool and data sources.

The commission does not recognise the impact of FIFO workers as a disability at this point but will revisit this issue following the outcome of the current Commonwealth enquiry into FIFO / DIDO.

Points raised following the presentation:

Q. Is the grants commission aware of the 22 local governments affected by the service delivery to indigenous communities that is currently being discussed and how might that effect the grants commission funding? A. Yes and funding should already be allowed for service delivery within the grant system.

If Pilbara Councils increase rates through rating mining the potential effect on grants may reduce Councils to a minimum grant council.

FIFO effect on Councils and their operating costs not capital costs.

Chairperson Ms Lynne Craigie thanked Mr Linton Reynolds and his team for the very informative presentation.

Mr Linton Reynolds, Mr Pat Hooper, Mr Ross Earnshaw, Mr James Harmer, and Mr Shannon Wood from the Grants Commission, Department of Local Government left the Council meeting at 10.08am.

Cr Anita Grace and Ms Shelley Pike Left the meeting at 10.08am.

Cr Anita Grace and Ms Shelley Pike returned to the meeting at 10.10am.

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

Pilbara Connections ... Linking the people of the Pilbara towns with their natural landscape.

Cliff Winfield and Associates have been appointed by Pilbara Regional Council to deliver the Royalties for Regions seed-funded enhancement of nature-based day visit, camping and overnight stops at a range of coastal and inland locations across four Pilbara municipalities now called the Pilbara.

Points raised in the presentation:

- Linking the people of the Pilbara towns with their natural landscape by providing quality nature based experiences and amenities.
- The concept behind the Pilbara Project website is to grow and raise the profile of the region rather than individual projects.
- It has the opportunity to be a catalyst for future projects.
- It is a first and has a regional content with amazing opportunities.
- It is a social connection using facilities in a harsh landscape to interact with each other.
- Brands the Pilbara.
- Unique position to complete something that has not been done before.
- Meetings have been held with key stakeholders to review project priorities.
- Representatives of key stakeholders form a steering group for the project
- Revised priorities are Port Hedland – De Grey Station sites, Shellbought/Condon/Tichila; East Pilbara – Cape Kerauden; Ashburton – Information bays Karijini Drive and at Onslow turn off on NW Coastal Highway; Roebourne – Cleaverville (and possibly 40 Mile / Gnoorea Point if additional funding is secured).

Q. Can this project tie in with the Warlu-way? A. Yes and there is a whole section on the website that deals with Tourism in the explore pages. The Pilbara Project links in to a number of tourism websites. This project is about more than Tourism it also involves community and potential community.

Mr Cliff Winfield, and Mr Ian Charles, left the meeting at 10.40am.

Council suspended standing orders at 10.40am for short break.

COUNCIL RESOLUTION:

RESOLUTION NUMBER: 1127
Moved: Cr Howlett
Seconded: Cr White
That Council suspend standing orders.

Carried 8-0

Council resumed meeting at 10.50am

COUNCIL RESOLUTION:

RESOLUTION NUMBER: 1128

Moved: Cr Howlett

Seconded: Cr Thomas

That Council resume the meeting.

Carried 8-0

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

Attachments: 8. Minutes of the PRC meeting on 28th November 2011

Responsible Officer: Ms Sue Shepherdson, Executive Assistant

Action Officer: Ms Sue Shepherdson, Executive Assistant

Officer Disclosure of Interest: Nil

COUNCIL RESOLUTION

RESOLUTION NUMBER: 1129

Moved: Cr Howlett

Seconded: Cr White-Hartig

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

Carried 8-0

9. ANY BUSINESS LEFT OVER FROM PREVIOUS MEETING

Item 13.2 – Pilbara Regional Council Options Report.

“Council Resolution 1117

That Council:

- 1. Receive the Options Paper presented by the Chief Executive Officer;*
- 2. Nominates Cr Kelly Howlett to attend a meeting on the 9th December to be held at the Department of Regional Development and lands if approved by the Department as the Pilbara Regional Council Representative.*
- 2. Hold a Council workshop in January to include a presentation on the options.*
- 4. Bring this issue to the March 2012 meeting of the PRC for a decision.”*

Due to cyclone Iggy and the cancelled January meeting this matter was not workshopped in January and will be discussed today as item 19.3.

14.6 – Tender 01-11/12 Upgrade of Coastal Tourism Locations and Improvement of Selected Roadside Rest Stops.

“Council Resolution 1123

That Council:

- 1. The Chairperson to approach the Department to support he request from the CEO that the Department consider increasing the 15% of the total Grant Funding for expenditure on Project Management to 19%.*
- 2. Accept the tender of Winfield CF & VJ for the services as a suitably qualified and experienced Project Manager to undertake the management of the upgrade of coastal tourism locations and improvement of selected roadside rest stops;*
- 3. Recommend that member Council contributions to the project be used to meet any shortfall should the 19% not be forthcoming; and*
- 4. Endorse the Chief Executive Officer to conduct negotiations where required with Tenderer Winfield CF & VJ.”*

The CEO received a letter confirming the project management expenditure for this project was approved at 19% instead of the 15% requirement therefore there was no need for the Chairperson to meet with the Department.

10. CHAIRPERSONS REPORT

A verbal update was provided from the Chairperson Cr Lynne Craigie:

- Resignation of Cr Lockwood from the Pilbara Regional Council was received on the 19th February 2012 due to work commitments.
- Pilbara / Kimberley Forum 2012
 - Mr Ian Fletcher, of Regional Development and Lands and Ms Jennifer Mathews, Chief Executive Officer of Department of Local Government will be providing a 15 minute presentation / update at the Forum on the 31st March 2012.
 - All Councillors are encouraged to attend the Forum. Registrations close on the 9th March 2012.
- A Workshop will be held to develop the PRC Operational Plan and Risk Management Plan on the 30th March at the Melbourne Hotel prior to the Forum commencement in the evening. All PRC councillors and CEO's from member Councils are encouraged to attend.
- CEO's from member councils have met regarding the Regional Workforce strategy and location project.
- PRC Councillors are encouraged to discuss PRC Agenda items with their member CEO prior to PRC Council meetings.
- FIFO / DIDO – Standing Committee will be meeting in Port Hedland on 29th March 2012. Cr Craigie will be attending.

COUNCIL RESOLUTION

RESOLUTION NUMBER: 1130
Moved: Cr Howlett
Seconded: Cr White-Hartig

That the Chief Executive Officer:

- 1. Write to Cr Lockwood on behalf of Council acknowledging Cr Lockwood's resignation and thank her for her past commitment to the Pilbara Regional Council;**
- 2. Investigate and compile a literature review on the FIFO studies that have been completed.**

Carried 8-0

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

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

COUNCIL RESOLUTION

RESOLUTION NUMBER: 1131
Moved: Cr Howlett
Seconded: Cr Grace

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

Carried 8-0

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

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 7th 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 agenda 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.

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. 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

COUNCIL RESOLUTION

RESOLUTION NUMBER: 1132
Moved: Cr Howlett
Seconded: Cr Vertigan

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.

Carried 8-0

12. FINANCE

12.1 FINANCIAL STATEMENT OF FINANCIAL ACTIVITY

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

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 30th November 2011 and 31st 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 30th November, 31st December 2011 and January 2012.

Voting Requirements - Simple Majority

COUNCIL RESOLUTION

RESOLUTION NUMBER: 1133
Moved: Cr Howlett
Seconded: Cr White

- (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 30th 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 31st 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.

Carried 8-0

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

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)
Net projected Surplus Funds for 2011-12	\$2,525,620

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>
Sub-Total	<u>\$2,747,496</u>
Less-	
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>
Net Estimated Closing Funds	<u>\$236,761</u>

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**COUNCIL RESOLUTION**

RESOLUTION NUMBER: 1134

Moved: Cr White-Hartig

Seconded: Cr Howlett

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.

Carried 8-0

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

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 shall 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 11.30am to 2.00pm on Friday 30th 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 30th June 2012. Any changes to the draft plan will be made in April prior to going to each member council for approval prior to 30th 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 27th 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

Alteration from Agenda Item:

Comment: 2. The identified projects may – changed to “The identified projects shall”

Comment: 3. time changes from 2.00pm to 4.00pm changed to 11.30am to 2.00pm.

COUNCIL RESOLUTION

RESOLUTION NUMBER: 1135

Moved: Cr Howlett

Seconded: Cr Vertigan

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

Carried 8-0

14. GOVERNANCE

14.1 USE OF COMMON SEAL

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

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

COUNCIL RESOLUTION

RESOLUTION NUMBER: 1136
Moved: Cr Howlett
Seconded: Cr White

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

Carried 8-0

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

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

COUNCIL RESOLUTION

RESOLUTION NUMBER: 1137
Moved: Cr Grace
Seconded: Cr Howlett

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.**

Carried 8-0

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

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

COUNCIL RESOLUTION

RESOLUTION NUMBER: 1138

Moved: Cr Daccache

Seconded: Cr White-Hartig

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

Carried 8-0

ABSOLUTE MAJORITY REQUIRED

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

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

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

Cr Thomas – enquire as to if council can look at the coastal areas that are being taken back from private ownership to be utilised for tourism. Can land tenure be looked at along the Pilbara coast and rivers?

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.

ALTERNATE COUNCIL RESOLUTION

RESOLUTION NUMBER: 1139

Moved: Cr Thomas

Seconded: Cr White-Hartig

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.
3. The CEO to invite the Department of Planning to attend the next Council meeting to discuss Coastal Management Strategy for the Pilbara Region and discuss a review of Land Tenure and Buffer zones.

Carried 8-0

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 was provided at the Council meeting including encouraging all member councils to attend. The Mayor and Presidents from each council will be presenting a small gift to each speaker following their presentation at the forum.

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 was tabled at the Meeting including updates on:

- IPR Advisory Standard released
- Application of Fair Value to Local Government Financial Reporting
- Compliance Audit Return (CAR) reduced by more than 77%
- Funding for Local Government Reform and Capacity Building
- New online training for local governments engaging with people in our Diverse WA
- Harmony Week 2012

- Review of Heritage Act – Phase 2 Complete
- Nominations Open for 2012 Heritage Awards
- Heritage Planning and Management Seminar

COUNCIL RESOLUTION:

RESOLUTION NUMBER: 1140

Moved: Cr White

Seconded: Cr Howlett

That the items submitted for information only items be received.

Carried 8-0

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>Shire of Ashburton</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>	100%	<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"> 1. The above to be communicated to all staff through workshops 2. The role of a dedicated risk management officer/advisor be considered to ensure the continuous improvement and education of risk throughout the Shire 3. Staff are made aware of their responsibility in managing risks 4. Risks be considered under the categories of strategic, operational and project 	Unknown	<p>The responsibility to control and manage these recommendations remains with the Shire's CEO and Executive Manager Strategic & 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>	Unknown

<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>Shire of Roebourne</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>Town of Port Hedland and Shire of East Pilbara</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"> 1. Are out of date 2. Refer to superseded AS/NZS risk management wordings 3. Will not complement the new workshop structure and approach for this project 			
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1. Risk Management Training

Consultation/Workshop Date(s)	Knowledge Gained by the Councils
<p>Shire of Ashburton</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"> • Engineering & Technical Operations, • Strategic and Economic Development, • Development Services • Corporate Services <p>on 8 November, 2011</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 30th March 2012 prior to the Pilbara / Kimberley Joint Forum. All councillors are requested to attend.

Verbal update provided at Council meeting indicated that the Shire of Roebourne and Shire of East Pilbara have held workshops and are both now at 65% complete.

COUNCIL RESOLUTION:**RESOLUTION NUMBER: 1141****Moved: Cr White-Hartig****Seconded: Cr White**

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

Carried 8-0

18. GENERAL BUSINESS

Cr Grace - companies are clearing land in the Pilbara region for development and suggested that if a aerial map could be provided prior to clearing of vegetation and fauna to assess the damage of vegetation clearing that is occurring.

There is not a central body that shows the clearing of land in the Pilbara Region. Cr Grace would like to discuss this as a possible project for the PRC to consider at the workshop on the 30th March.

Cr Howlett – The Town of Port Hedland is happy and excited regarding its upcoming Gearing Up event on the 8th March and extended an invitation to all to attend the sun downer that will be attended by a number of state government agencies and focus on the council's current projects.

The Water Park in Port Hedland will be officially opened on the 17th March 2012, Cr Howlett also extended an invitation to all to attend the opening event.

Ms Joanne Burges, Regional Cooperation Manager WALGA – the outcome of the amalgamation Metropolitan Local Government Panels next paper is due out in early April.

Next meeting of the Services to Indigenous Communities will be held at the City of Melville on Thursday 8th March 2012, encourage all Pilbara Councils to attend.

Mr John Lane, Emergency Management Coordinator WALGA – 1st June 2012 the CEO's and Presidents / Mayors are invited to the Local Government Emergency Management Forum 2012, which constitutes the largest Local Government Forum in WA for several years. Emergency management is at a crucial stage in its development across Australia. The forum will offer the sector an important opportunity to hear from a range of key speakers and case studies.

A number of workshops have been held in the regions regarding Emergency Management.

The restructure of FESA is underway. \$4M will be made available over the next 4 years to fund Emergency Management units in aboriginal communities.

Mr Brad Jolly, Executive Director Governance and Legislation, Department of Local Government – further to the DLG update; in his role he is currently working on: an enquiry into the City of Canning that will proceed over the next 6 months.

Advisory Standards – Integrated Planning Framework that has been distributed to all LGA's.

The Compliance Audit for all LGA's has been significantly reduced.

Cr White-Hartig – During February the Shire of Roebourne officially opened both its Youth Shed and the Pam Buchannan Family Centre which includes the temporary Library.

The Apache Creek opening was also held.

A request has been made to the Premier for his attendance in the Pilbara region for 1 week in May 2012 to provide the opportunity to raise issues with him.

Cr White and Cr Thomas – nil.

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 all left the meeting and did not return at 12.25pm.

Council suspended standing orders at 12.25pm for a lunch break.

COUNCIL RESOLUTION:

RESOLUTION NUMBER: 1142

Moved: Cr White-Hartig

Seconded: Cr White

That Council suspend standing orders.

Carried 8-0

Council resumed meeting at 1.09pm

COUNCIL RESOLUTION:

RESOLUTION NUMBER: 1143

Moved: Cr Howlett

Seconded: Cr White

That Council resume the meeting.

Carried 8-0

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

COUNCIL RESOLUTION

RESOLUTION NUMBER: 1144
Moved: Cr Howlett
Seconded: Cr Grace

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;

Carried 8-0

Item 19.2 was brought forward and the CEO Ms Shelley Pike exited the room at 1.10pm.

19.2 CEO PERFORMANCE AND CONTRACT REVIEW

A confidential report was tabled at the meeting.

COUNCIL RESOLUTION:

RESOLUTION NUMBER: 1145
Moved: Cr Howlett
Seconded: Cr White

That Council:

1. Approach WALGA's Mr John Phillips to facilitate the CEO's Performance Review.
2. Request Mr John Phillips to prepare a report for Councils review.

Carried 8-0

Council requested that the Chief Executive Officer remain in the room for items 19.1 and 19.3 of the confidential items therefore the CEO re-entered the room at 1.16pm.

19.1 PILBARA DEMAND NEEDS ANALYSIS FOR SHORT STAY ACCOMMODATION STUDY

A confidential report was tabled at the meeting.

COUNCIL RESOLUTION:

RESOLUTION NUMBER: 1146
Moved: Cr Howlett
Seconded: Cr White

That Council award the contract for the Pilbara Demand Needs Analysis for Short Stay Accommodation Study to the AEC Group for \$108,699 (inc GST).

Carried 8-0

19.3 PILBARA REGIONAL COUNCIL GOVERNANCE OPTIONS

A confidential discussion was held during the meeting.

Cr Howlett and Cr Grace left the meeting at 1.50pm and did not return to the meeting.

COUNCIL RESOLUTION:

RESOLUTION NUMBER: 1147
Moved: Cr Thomas
Seconded: Cr White-Hartig

That the Pilbara Regional Council is committed to remaining an independent body making decisions about the Pilbara by Pilbara Local Government for the betterment of the entire Pilbara Region.

Carried 6-0

Meeting is open to Members of the Public.

COUNCIL RESOLUTION:

RESOLUTION NUMBER: 1148

Moved: Cr Thomas

Seconded: Cr White

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

Carried 6-0

20. CLOSURE

Meeting was closed at 2.00pm.