



PILBARA
REGIONAL
COUNCIL

SPECIAL COUNCIL MEETING

AGENDA

Notice is hereby given that a Special Meeting of Council will be held at Citiplace Community Centre, City Railway Station Complex, Wellington Street, Perth WA on 26 March 2018 at 11:00am.

DISCLAIMER

No responsibility whatsoever is implied or accepted by the Pilbara Regional Council for any act, omission or statement or intimation occurring during Council or Committee Meetings. The Pilbara Regional Council disclaims any liability for any loss whatsoever and howsoever caused arising out of reliance by any person or legal entity on any such act, omission or statement or intimation occurring during Council or Committee Meetings.

Any person or legal entity that acts or fails to act in reliance upon any statement, act or omission made in a Council or Committee Meeting does so at that persons or legal entity's own risk. In particular and without derogating in any way from the broad disclaimer above, in any discussion regarding any project or intended project, any statement or intimation of approval made by any member or Officer of the Pilbara Regional Council during the course of any meeting is not intended to be and is not taken as notice of approval from the Pilbara Regional Council.

OUR VISION

Efficient, cooperative and sustainable local government across the Pilbara, contributing to a region of social and economic prosperity.

OUR MISSION

To be a passionate and influential advocate for the Pilbara region. To improve efficiency and governance through regional service delivery. To partner with industry to ensure that our members receive equitable economic return.

OUR KEY FOCUS AREAS

We aim to achieve our Vision through consistent delivery in our four Key Focus Areas, the core components of our business.

REGIONAL SERVICE DELIVERY

We work with our members to improve efficiencies across the region, through a best-practice approach to bureau service delivery.

A VOICE FOR THE PILBARA

We provide regional advocacy for the Pilbara to facilitate positive change in the region and champion the interests of our member councils.

EFFICIENCY & EFFECTIVENESS

We strive to be an effective and efficient organisation in project management, local government compliance and engagement with members.

ECONOMIC VALUE

We deliver economic value by identifying opportunities for economies of scale and targeted funding to enhance member councils' compliance, capacity and capability.

OUR VALUES

ACCOUNTABILITY

We hold ourselves fully accountable to our stakeholders, and for all that we do.

HONESTY

We are honest at all times, including about our capacity and unique capabilities.

INNOVATION

We see things differently and aren't afraid to challenge the status quo.

EXCELLENCE

We deliver outcomes for the region that are considered excellent by our stakeholders.

ENTHUSIASM

We are passionate and enthusiastic about our work and our colleagues.

COLLABORATION

We work willingly with others to share knowledge and deliver value.

RESPECT

We value the opinions of others, and approach all with dignity and respect.

INTEGRITY

We hold ourselves to a strong ethical standard, and expect the same from others.

TABLE OF CONTENTS

| | |
|---|---|
| DISCLAIMER | 2 |
| TABLE OF CONTENTS | 4 |
| 1. ADMINISTRATIVE MATTERS | 5 |
| 1.1. Official Opening | 5 |
| 1.2. Acknowledgement of Traditional Owners | 5 |
| 1.3. Attendance..... | 5 |
| 1.4. Application(s) for Leave of Absence | 5 |
| 2. PUBLIC QUESTION TIME | 6 |
| 3. DECLARATIONS BY MEMBERS | 6 |
| 3.1. Oath(s) of Office | 6 |
| 3.2. Due Consideration by Councillors of the Agenda | 6 |
| 3.3. Declaration(s) of Conflict of Interest | 6 |
| 4. CONFIRMATION OF PREVIOUS MINUTES | 7 |
| 4.1. Ordinary Council Meeting held on 22 FEBRUARY 2018..... | 7 |
| 5. CONFIDENTIAL MATTERS | 8 |
| 6. CLOSURE | 9 |
| 6.1. Date of the Next Meeting | 9 |
| 6.2. Closure | 9 |

1. ADMINISTRATIVE MATTERS

1.1. OFFICIAL OPENING

The Chairperson will declare the Ordinary Meeting of Council open.

1.2. ACKNOWLEDGEMENT OF TRADITIONAL OWNERS

The PRC acknowledges the traditional owners of the land on which we meet, and their continuing connection to land, sea and community. We pay our respects to them and their cultures, and to their elders both past and present.

1.3. ATTENDANCE

(Attendance list corrected since it was last issued due to error in the Town of Port Hedland attendees.)

| | | |
|-------------------------------|---|---|
| Councillors: | Cr Peter Long Cr Daniel Scott Cr Kerry White Cr Linton Rumble Cr Lynne Craigie Cr Anita Grace Cr Camilo Blanco Cr Louise Newbery | Mayor, City of Karratha Councillor, City of Karratha President, Shire of Ashburton, WALGA Zone rep. Councillor, Shire of Ashburton, President, Shire of East Pilbara and Chairperson, PRC Councillor, Shire of East Pilbara Mayor, Town of Port Hedland Deputy Mayor, Town of Port Hedland |
| PRC Staff: | Mr Tony Friday | Chief Executive Officer |
| Guests: | Mr Chris Adams Mr Jeremy Edwards | CEO, City of Karratha CEO, Shire of East Pilbara |
| Members of the Public: | | |
| Apologies: | Mr Rob Paull Mr David Pentz | CEO, Shire of Ashburton CEO, Town of Port Hedland |
| Absent: | | |
| Leave of Absence: | | |

| Meeting Type | Date | Location | Cr Long | Cr White | Cr Foster | Cr Craigie | Cr Grace | Cr Blanco | Cr Newberry | Cr Scott |
|--------------|----------|----------|---------|----------|-----------|------------|----------|-----------|-------------|----------|
| OCM | 31/10/17 | WALGA | X | X | X | X | X | X | | |
| OCM | 05/12/17 | WALGA | X | X | X | X | X | X | X | X |
| OCM | 22/02/18 | WASL | X | X | X | X | X | X | X | X |
| SCM | 26/03/18 | CCC | | | | | | | | |

1.4. APPLICATION(S) FOR LEAVE OF ABSENCE

The Chairperson will call for any Councillors wishing to apply for a leave of absence.

2. PUBLIC QUESTION TIME

The Chairperson will call for questions from members of the public attending the meeting.

3. DECLARATIONS BY MEMBERS

3.1. OATH(S) OF OFFICE

Form in ATTACHMENT 3.1.1.

Any individuals who have not previously undertaken an Oath of Office must do so before the Chief Executive Officer prior to the commencement of the Council meeting.

3.2. DUE CONSIDERATION BY COUNCILLORS OF THE AGENDA

Councillors should give due consideration to all matters contained in the Agenda presently before the meeting.

The Chairperson will poll each member of Council regarding due consideration to all matters contained in the Agenda.

3.3. DECLARATION(S) OF CONFLICT OF INTEREST

Form in ATTACHMENT 3.3.1.

Councillors to Note:

A member who has an Impartiality, Proximity or 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:

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

These notes are included in each agenda for the time being so that Councillors may refresh their memory.

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 measure 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.

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.

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.

If in doubt declare.

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.

Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The only exceptions are:

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

Where the Minister allows the Councillor to participate under s.5.69 (3) of the Local Government Act, with or without conditions.

4. CONFIRMATION OF PREVIOUS MINUTES

4.1. ORDINARY COUNCIL MEETING HELD ON 22 FEBRUARY 2018

| | |
|--------------------------------|--|
| Responsible Officer: | PRC Chairperson |
| Action Officer: | PRC Chairperson |
| Disclosure of Interest: | Nil |
| Attachment(s): | PRC OCM – 22 February 2018 - Minutes – vFinal <i>(attached as a stand-alone document)</i> |

Comments/Discussion

No questions relating to the minutes have been received on notice by the Chairperson or the executive prior to the meeting.

Officer's Recommendation

That the minutes of the Pilbara Regional Council Ordinary Meeting of Council held on 22 February 2018 be confirmed as a true and correct record of proceedings.

| | |
|-------------------------------|-----------------|
| Council Resolution No: | FY18-85 |
| Voting Requirement: | Simple Majority |
| Moved: | |
| Seconded: | |
| Result: | |

5. CONFIDENTIAL MATTERS

| | |
|--------------------------------|-----------------|
| Responsible Officer: | PRC Chairperson |
| Action Officer: | PRC Chairperson |
| Disclosure of Interest: | Nil |
| Attachment(s): | Nil |

Legislative Implications

Under the Local Government Act 1995, Part 5, and Section 5.23, states in part:

(2) If a meeting is being held by a Council or by a committee referred to in subsection (1)(b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:

- (a) a matter affecting an employee or employees;
- (b) the personal affairs of any person;
- (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;
- (d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;
- (e) a matter that if disclosed, would reveal:
 - (I) a trade secret;
 - (II) information that has a commercial value to a person; or
 - (III) information about the business, professional, commercial or financial affairs of a person,

Where the trade secret or information is held by, or is about, a person other than the local government.

- (f) a matter that if disclosed, could be reasonably expected to:
 - (I) Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;
 - (II) Endanger the security of the local government's property; or
 - (III) Prejudice the maintenance or enforcement of any lawful measure for protecting public safety;
- (g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1981; and
- (h) such other matters as may be prescribed.

Chairperson's Recommendation

In accordance with Section 5.23(2) of the Local Government Act 1995, that Council move in-camera to discuss:

| | |
|-------------------------------|-----------------|
| Council Resolution No: | FY18-86 |
| Voting Requirement: | Simple Majority |
| Moved: | |
| Seconded: | |
| Result: | |

Chairperson's Recommendation

Confidential item recommendation.

Council Resolution No: FY18-87
Voting Requirement: Simple Majority
Moved:
Seconded:
Result:

Chairperson's Recommendation

That Council resolve to move ex-camera.

Council Resolution No: FY18-88
Voting Requirement: Simple Majority
Moved:
Seconded:

6. CLOSURE

6.1. DATE OF THE NEXT MEETING

The next meeting is to be held on 27 April 2018 in Perth, starting at 10:30am.

6.2. CLOSURE

The Chairperson will declare the meeting closed.