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**Shire of Esperance**

**ORDINARY COUNCIL**

**TUESDAY 26 MAY 2020**

**MINUTES**

### **DISCLAIMER**

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### **ETHICAL DECISION MAKING AND CONFLICTS OF INTEREST**

Council is committed to a code of conduct and all decisions are based on an honest assessment of the issue, ethical decision-making and personal integrity. Councillors and staff adhere to the statutory requirements to declare financial, proximity and impartiality interests and once declared follow the legislation as required.

### **ATTACHMENTS**

Please be advised that in order to save printing and paper costs, all attachments referenced in this paper are available in the original Agenda document for this meeting.

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**SHIRE OF ESPERANCE**

**MINUTES**

**ORDINARY COUNCIL MEETING HELD IN COUNCIL CHAMBERS ON  
26 May 2020.  
COMMENCING AT 4PM**

**1. OFFICIAL OPENING**

The Shire President declared the meeting open at 4.00pm and did an acknowledgement to country.

The President welcomed Councillors, staff, guests and members of the public to the meeting.

**2. ATTENDANCE**

**Members**

Cr I Mickel	President	Rural Ward
Cr B Parker	Deputy President	Rural Ward
Cr J O'Donnell		Town Ward
Cr S McMullen		Town Ward
Cr S Payne		Town Ward
Cr J Obourne		Town Ward
Cr R Chambers		Town Ward
Cr D Piercey, JP		Town Ward
Cr W Graham		Rural Ward

**Shire Officers**

Mr W M (Matthew) Scott	Chief Executive Officer
Mr S Burge	Director Corporate Resources
Mr M Walker	Director Asset Management
Mr R Hindley	Acting Director External Services
Miss A McArthur	Administration Officer - Executive Services
Mr J Sudmeyer	Media & Communications Officer

**Members of the Public & Press**

Mr J Phillips	Item 17.9
Mr K O'Dwyer	Item 7
Dr K Nieukerke	Item 7
Ms L Birch	ABC Goldfields/Esperance

**3. APOLOGIES & NOTIFICATION OF GRANTED LEAVE OF ABSENCE**

Mr T Sargent	Director External Services	Annual Leave
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**4. APPLICATIONS FOR LEAVE OF ABSENCE**

**MOTION**

Moved: Cr Chambers  
Seconded: Cr Payne

O0520-134

That Council accept the following leave absence:  
Cr McMullen 2 June 2020

**CARRIED  
F9 - A0**

**5. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

Nil

**6. DECLARATION OF MEMBERS INTERESTS**

**6.1 Declarations of Financial Interests – Local Government Act Section 5.60a**

Cr McMullen declared a financial interest in item 12.3.7 as he is the operator of a cafe in town.

Cr McMullen declared a financial interest in item 12.3.8 as he is the operator of a competing gym.

Mr Scott declared a financial interest in item 17.9 as the item relates to his contract of employment.

Cr Mickel declared a financial interest in item 17.8 as he a small shareholder of Telstra.

**6.2 Declarations of Proximity Interests – Local Government Act Section 5.60b**

Cr McMullen declared a proximity interest in item 12.2.1 his business is situated on Dempster Street.

**6.3 Declarations of Impartiality Interests – Admin Regulations Section 34c**

Cr Parker declared an impartiality interest in item 12.3.8 as he is a Director of the Esperance District Football Association.

Cr Parker declared an impartiality interest in item 17.1 as he is a committee member of the Esperance Biosecurity Association.

Cr Mickel declared an impartiality interest in item 17.1 as he is a committee member of the Esperance Biosecurity Association.

Cr Graham declared an impartiality interest in item 12.3.7 as the applicant rents a premises off him on Dempster Street.

**7. PUBLIC QUESTION TIME**

**1. Mr K O'Dwyer - Tanker Jetty Timbers**

Mr O'Dwyer referred to an article in the Kalgoorlie Miner on 6 May 2020, which discussed transportation of Tanker Jetty Timbers that seemed to be of a high grade. Mr O'Dwyer questioned where are the photos taken of the timbers, why has the information on the transportation not been made public, why is there an investigation, who is responsible if the timber was not incorrectly distributed/transported and is there a transaction of register of all the timber distributed, if not why not.

*Cr Mickel responded that an investigation has taken place, which was conducted by three Councillors. Cr Mickel explained that the report from that investigation is close to being finalised and will be brought to Council to receive.*

Mr O'Dwyer questioned if the community will be informed of the dollar amount of timber left and the quantity of timber.

*Cr Mickel stated that he could not answer that questioned as all the timber has been taken to stock pile at the Shire Depot.*

Mr O'Dwyer questioned if the Shire has a merchant making the evaluations on the timbers, and questioned if the rest was for sale.

*Cr Mickel explained that all grade four (4) timber went to Men in Sheds.*

Mr O'Dwyer questioned if Men in Sheds are allowed to make a profit from selling the timber.

*Cr Mickel stated that he could not comment on Men in Sheds operations.*

## **2. Dr K Nieuwerkerke**

Dr Nieuwerkerke referred to elevated crossing of harbour road. He stated he can appreciate that this is still just a draft concept, however it is important to understand the longer term financial implications better. Assuming that the cost of this crossing are \$1.5M to construct, a contract for the work would have to be tendered;

1. Are there companies, based in Esperance that would be able to perform this work
2. If not, what portion of the cost could be expected to be sourced from Esperance (e.g. materials, labour)
3. What cost benefit would this project provide to the community
4. What would the anticipated on-going annual cost of such an infrastructure carry in annual maintenance and depreciation/ replacement cost
5. What is the anticipated productivity gained from this structure
6. How does the increased safety for cyclist and pedestrians compare to that gained by improving the cycle/walkway portion on Pink Lake Rd between Valley Rd and Eleven Mile Beach Rd.

*Cr Mickel stated that he believes companies in Esperance would have the capacity to perform the works, which would have significant cost benefits to the local economy. Cr Mickel explained there are a range of considerations that would need to be taken into account before any works would occur.*

*Cr Mickel stated that safety needs to be calculated in all developments. He explained that cycle/walk ways along harbour road and pink lake road do need to be upgraded. Staff are working off the 50 year cycling strategy to assist them these upgrades.*

Dr Nieuwerkerke referred to the grants Council received from the federal government to upgrade the town centre CCTV. He questioned if this upgrade would include facial recognition features, if new locations would be identified and when the upgrade is expected to be completed.

*Cr Mickel explained that the Shire has not received any funding from the federal government. He stated that there is a definite need to upgrade the town centre CCTV but there is no plans for facial recognition technology.*

*Mr Scott added that the Shire will only be replacing the current cameras, should they receive any funding. The funding would also cover a masterplan for future development.*

*Cr Obourne added that the funding announcement will be in the coming days.*

*Mr Walker did explain that the State Government did have a funding opportunity but since COVID-19 this has been put on hold, and the Shire hasn't heard anything since.*

Dr Nieukerke questioned when the deconstruction will be completed.

*Cr Mickel confirmed that all decking has been removed, all that is left is piles.*

*Mr Scott added that the top of the remaining piles will be cut off at the end of June. After they have been removed, they will be checked for contamination.*

Dr Nieukerke questioned why he has received a different answer to last month.

*Mr Scott explained that it has been a month since his last question, and the status of the project has changed since then.*

*Cr Piercey questioned if Council can have qualifications and experience of the person assessing the timber.*

*Cr Mickel advised Cr Piercey Public Question Time was not the appropriate place to raise her question.*

**Questions from Mr Eltringham and Mr Landers were submitted prior to the meeting by electronic means. They will both be informed of the answers to their questions following the Council Meeting.**

### **3. Mr D Eltringham**

Would it have been too much to catalogue, either leaving the site or upon retrieval at the storage area? There appears to have been a 'grey area' regarding the Scope of Works at this point of the process and who was responsible for the movement of timbers to the storage area?

*Mr Walker responded that there was no point in cataloguing the timber, we were not required to do this by the Heritage Council and at the end of the day the timber will be repurposed. The contract scope of works was very clear that the contractor was responsible for transport of salvaged timber to the Shire's Storage Area.*

When will the contractor finish the deconstruction, perform an under-water inspection, cut off the piles, clear up debris (concrete) from the demolition of 17 December 2019 (bent 93-95), clear the site and revegetate it or has there been further variations to the tender/contract? In other words, fulfil the Scope of Works included in the tendered sum.

*Mr Walker responded that there is only the pile cut off to finish the works under the deconstruction contract, this should be completed within the next month. As per the Heritage Council approved deconstruction methodology the debris on the sea floor is to be left, including bents 93-95, as debris is to be left on the seabed there is no underwater inspection required to prove the seabed is clear of debris. There has been no further variation to the tender.*

How much will this reduce the length of the jetty (over water) and when was the Final Detailed Design passed and endorsed by Esperance Shire Council?

*Mr Walker explained the length on the new jetty is approximately 408 metres, approximately 12 metres of this is bridging the rock revetment, which could be considered over land. This is on top of the 120 metres that has already been incorporated into the Jetty Headland. The Final Detailed Design was only reviewed by Council and was not passed or endorsed, as by this stage the Heritage Council had accepted the design and any further modification to the design would have had to go back to the Heritage Council.*



**4. Mr T Landers - Jetty Update**

Just a question to be asked at the next council meeting. Was wondering if a report could be sent/mailed to rate payers regarding the progress of the Jetty similar to the indoor sports stadium project? I really appreciate receiving updates of the stadium.

I am really pleased the jetty works have started, but would like to know how progress is going. I also like the idea the jetty will revert back to the original name of "The New Jetty".

*Mr Scott explained that an update is currently being developed by the Media and Communications team for the community which has to be approved by Maritime Construction before release. Mr Scott explained that we will now be putting out regular information.*

**8. PUBLIC ADDRESSES / DEPUTATIONS**

Nil

**9. PETITIONS**

Cr Mickel accepted a Petition from the Salmon Gums Development Association to prevent the demolition of the Salmon Gums Town Hall.

**10. CONFIRMATION OF MINUTES**

**Moved: Cr Payne**  
**Seconded: Cr Graham**

**O0520-135**

Officer's Recommendation

That the Minutes of the Ordinary Council Meeting of the 28 April 2020, and the Special Council Meeting of the 12 May 2020 be confirmed as true and correct records.

**That the Minutes of the Ordinary Council Meeting of the 28 April 2020 as amended be confirmed as true and correct records.**

**CARRIED  
F9 - A0**

Reason: Council wanted to amend Cr Payne's question in item 7 to read *Cr Payne questioned why the methodology changed so that the demolition contractor was no longer required to collect debris from the seabed.*

**Moved: Cr McMullen**  
**Seconded: Cr O'Donnell**

**O0520-136**

**That the Minutes of Special Council Meeting of the 12 May 2020 be confirmed as true and correct records**

**CARRIED  
F9 - A0**

**11. DELEGATES' REPORTS WITHOUT DISCUSSION**

**Cr Chambers**

7 May Attended Incident Support Group Meeting  
14 May Attended Incident Support Group Meeting  
21 May Attended Incident Support Group Meeting

**Cr Obourne**

11 May Constituent Meeting regarding Salmon Gums Community Hall demolition  
20 May Attended Hidden Heroes Initiative – Unveiling of Meredith Waters  
22 May Completed Councillor Training - Meeting Procedures  
25 May Attended Senior Citizens Meeting - Reopening plan

**Cr O'Donnell**

25 April Attended Anzac Day Driveway at Dawn Service  
6 May Attended Webinar Marketplace, Council Support for Local Business

**Cr Payne**

29 Apr Attended Tourism WA Launch – Narrative Project  
1 May Attended GVROC meeting to consider WALGA Agenda  
15 May Attended GVROC May Meeting  
15 May Attended Regional Small Business Webinar  
22 May Meeting with GEDC

**Cr Piercey**

29 Apr Attended Tourism WA Launch – Narrative Project  
30 Apr Attended WALGA Showcase via Zoom  
1 May Attended SEGRA Showcase  
21 May Attended Australian Golden Outback Meeting to the regions  
25 May Attended Zoom Meeting by Minister for Planning

**Cr Mickel**

1 May Attended GVROC meeting to consider WALGA Agenda  
15 May Attended GVROC May Meeting  
18 May Met with Hon. Colin de Grussa MLC  
21 May Attended RCAWA Zoom briefing on funding for Regional Cities member Councils  
21 May Attended ECCI Virtual Business After Hours as Guest Speaker

**12. MATTERS REQUIRING A DETERMINATION OF COUNCIL**

**12.1 EXTERNAL SERVICES**

**12.1.1 Development Application - Ancillary Accommodation and Outbuilding (Shed)**

Moved: Cr Graham  
Seconded: Cr Chambers

**O0520-137**

**Council Resolution**

That Council refuse Development Application 10.2020.4311.1 for Ancillary Accommodation and an Outbuilding (Shed) at Lot 106 (34) Milner Street, Sinclair on the following grounds:

- 1) Access to the development cannot be permitted through Lot 166 Parsons Street.

**CARRIED  
F9 - A0**

**12.1.2 Local Planning Scheme No. 24 - Amendment No. 6**

Moved: Cr O'Donnell  
Seconded: Cr Obourne

**O0520-138**

**Council Resolution**

**That Council:**

1. That Council In pursuance of Section 75 of the Planning and Development Act 2005 amend Local Planning Scheme No. 24 by:

- a. Amending Schedule 5 – Special Use Zone 3 (SU3) by replacing the description of land with ‘Lot(s) 203, 204, 205 and 206 Orleans Bay Road, Condingup;
- b. Amending Schedule 5 – Special Use Zone 3 (SU3) by inserting under Special Use ‘Caravan Park’ as a ‘D’ use;
- c. Amending Schedule 5 – Special Use Zone 3 (SU3) by amending subclause b)i) under conditions by replacing ‘dated April 2008’ with ‘Plan No. 22070-01’; and
- d. Amending Schedule 5 – Special Use Zone 3 (SU3) by inserting under Conditions a new subclause under H) as follows:
  - i. ‘The strata titling of a caravan park is not permitted’.

2. Determine that the amendment is standard under the provisions of regulation 35.(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015* for the following reason(s):

(b) an amendment that is consistent with a local planning strategy for the scheme that has been endorsed by the Commission;

(g) any other amendment that is not a complex or basic amendment.

3. Refer Amendment 6 to the EPA under Section 81 of the *Planning and Development Act 2005* and resolve to proceed to advertising of the amendment for public inspection after referral to the EPA.

**CARRIED**  
**F8 – A1**  
(Against Cr Payne)

#### 12.1.3 Reserve 13486 (Mt Ridley) - Surrender of Management Order

##### Officer's Recommendation

That Council request the Hon. Minister for Lands to revoke the Shire of Esperance's Management Orders for Reserve 13486 and confirm that the Shire of Esperance will not be seeking any compensation in this matter.

##### MOTION

Moved: Cr Piercey

Seconded: Cr O'Donnell

That Council not request the Hon. Minister for Lands to revoke the Shire of Esperance's Management Orders for Reserve 13486.

Moved: Cr Obourne

Seconded: Cr McMullen

O0520-139

##### Council Resolution

That Council lay this matter of the table to allow for further information to be gathered.

**CARRIED**  
**F9 – A0**

Reason: Council wanted to lay this matter of the table to allow staff to gather more information and provide Council with a briefing session.

Cr McMullen declared his financial interest and left the Chamber at 5.08pm.

## **12.2 ASSET MANAGEMENT**

### **12.2.1 Streetscape Advisory Committee**

**Moved: Cr Payne**

**Seconded: Cr Piercey**

**O0520-140**

Officer's Recommendation

That Council:

1. Adopt the Terms of Reference for the Streetscape Advisory Committee; and
2. Request the CEO to advertise for membership to the Streetscape Advisory Committee.

### **Council Resolution**

**That Council:**

1. Adopt the amended Terms of Reference for the Streetscape Advisory Committee; and
2. Request the CEO to advertise for membership to the Streetscape Advisory Committee.

**CARRIED  
F8 - A0**

Reason: Council wanted to include the CBD Concept Plan as a role in the Terms of Reference.

Mr Sudmeyer left the Chamber at 5.08pm and did not return.

Cr McMullen returned to the Chamber at 5.11pm.

## **12.3 CORPORATE RESOURCES**

### **12.3.1 Financial Services Report - April 2020**

**Moved: Cr Payne**

**Seconded: Cr Chambers**

**O0520-141**

### **Council Resolution**

**That the report entitled Monthly Financial Management Report (incorporating the Statement of Financial Activity) for the month of April 2020 as attached be received.**

**CARRIED  
F8 – A1  
(Against Cr Piercey)**

### **12.3.2 Committee Appointments - Community Representatives**

**Moved: Cr Parker**

**Seconded: Cr Piercey**

**O0520-142**

**Council Resolution**

**That Council agrees to appoint Mrs Christeen Lewis as Community Representative to the Scaddan Restoration Reference Group.**

**CARRIED  
F9 - A0**

### **12.3.3 Committee Appointments - External Representation**

**Moved: Cr Piercey**

**Seconded: Cr O'Donnell**

**O0520-143**

**Council Resolution**

**That Council agrees to;**

- 1. Remove Janett Archer as a Community Representative on the New Landfill Community Reference Group;**
- 2. Appoint Organisational Representatives as members of Council Committees as per the following table;**

<b>Committee</b>	<b>Organisation</b>	<b>Representative</b>
<b>Greater Sports Ground Redevelopment Committee</b>	<b>Esperance Districts Agricultural Society</b>	<b>Graham Cooper</b>
<b>Scaddan Restoration Reference Group</b>	<b>Scaddan Golf Club</b>	<b>Brad Lewis</b>
<b>New Landfill Community Reference Group</b>	<b>South Coast NRM Local Environmental Action Forum</b>	<b>David Broadhurst Janett Archer</b>
<b>Reconciliation Action Plan Working Group</b>	<b>Ngadju Native Title Aboriginal Corporation</b>	<b>Yvonne Green</b>

- 3. Appoint Deputy Organisational Representatives as members of Council Committees as per the following table;**

<b>Committee</b>	<b>Organisation</b>	<b>Deputy Representative</b>
<b>Greater Sports Ground Redevelopment Committee</b>	<b>Esperance Districts Agricultural Society</b>	<b>David Pengilly</b>
<b>New Landfill Community Reference Group</b>	<b>South Coast NRM Local Environmental Action Forum</b>	<b>Justin Bellanger Joeleen Wilson</b>

- 4. Appoint ex-officio (non voting) members of Council Committees as per the following table;**

Committee	Organisation	Ex-officio member
New Landfill Community Reference Group	Department of Biodiversity, Conservation & Attractions	Stephen Butler
Bush Fire Advisory Committee	Department of Biodiversity, Conservation & Attractions	Dave Turnbull

**CARRIED**  
**F9 - A0**

#### **SUSPENSION OF STANDING ORDERS**

Moved: Cr Payne  
Seconded: Cr Obourne

**O0520-144**

That Section 3.3 of the Standing Orders be suspended to allow for discussion of item 12.3.4.

**CARRIED**  
**F7 – A2**  
*(Against Cr Chambers & Cr McMullen)*

#### **RESUMPTION OF STANDING ORDERS**

Moved: Cr McMullen  
Seconded: Cr Parker

**O0520-145**

That Standing Orders be resumed.

**CARRIED**  
**F9 - A0**

#### **12.3.4 Minor Review of the Strategic Community Plan 2017-2027**

Moved: Cr McMullen  
Seconded: Cr Parker

Officers Recommendation

That Council endorse the reviewed Strategic Community Plan 2017-2027.

#### **AMENDMENT**

Moved: Cr Piercey  
Seconded:

That Council endorse the reviewed Strategic Community Plan 2017-2027 with the amendment on page 6 to remove the words *we are*.

**MOTION LAPSED**

#### **AMENDMENT**

Moved: Cr Payne  
Seconded:

That Council endorse the reviewed Strategic Community Plan 2017-2027 with the amendment of the centre spread aerial image to include the Jetty and to ensure official Council photographs are included.

The amendment was approved by the mover and seconder of the original motion. The amendment became the substantive motion...

**Moved: Cr McMullen**  
**Seconded: Cr Parker**

**O0520-146**

**Council Resolution**

**That Council endorse the reviewed Strategic Community Plan 2017-2027 with the amendment of the centre spread aerial image to include the Jetty and to ensure official Council photographs are included.**

**CARRIED**  
**F8 – A1**  
*(Against Cr Piercey)*

Reason: Council wanted to amend the centre spread image of the bay to include the Jetty and include new official photos of Councillors.

**12.3.5 Lease Renewal - Esperance Cycling Club**

**Moved: Cr Obourne**  
**Seconded: Cr McMullen**

**O0520-147**

**Officer's Recommendation**

That Council, subject to Department of Lands approval, agrees to;

1. Lease portion of Reserve 27626, Lot 64 Thompson Street West Beach to the Esperance Cycling Club;
2. The term of the lease being 12 months;
3. The annual lease fee being \$110.00 Inc GST;
4. A lease preparation fee of \$130.00 Inc GST; and
5. The club ensuring appropriate ablution facilities are made available for events held at the site.

**Council Resolution**

**That Council, subject to Department of Lands approval, agrees to;**

- 1. Lease portion of Reserve 27626, Lot 64 Thompson Street West Beach to the Esperance Cycling Club;**
- 2. The term of the lease being 12 months;**
- 3. The annual lease fee being \$110.00 Inc GST;**
- 4. The club ensuring appropriate ablution facilities are made available for events held at the site.**

**CARRIED**  
**F9 - A0**

Reason: Council wanted to remove the lease preparation fee.

**12.3.6 Annual Review of the Delegated Authority Register 2020/2021**

**Moved:** Cr McMullen  
**Seconded:** Cr Parker

**O0520-148**

**Council Resolution**

**That Council endorse the proposed *Delegated Authority Register 2020/2021 - Council to Chief Executive Officer & Authorised Persons.***

**CARRIED**  
**F8 – A1**  
*(Against Cr Piercey)*

Cr McMullen declared his financial interest and left the Chamber at 5.43pm.

**12.3.7 Jetty Headland Kiosk Proposal**

**Moved:** Cr Chambers  
**Seconded:** Cr Parker

**O0520-149**

**Council Resolution**

**That Council agrees to support the concept of tenants installing temporary kiosks on the existing lease areas located at the Jetty Headland Precinct, subject to a further detailed proposal being presented to Council for approval.**

**CARRIED**  
**F8 - A0**

Cr McMullen returned to the Chamber at 5.44pm.

Cr McMullen declared his financial interest and left the Chamber at 5.46pm.

Cr Piercey, Dr Nieukerke & Mr O'Dwyer left the Chamber at 5.46pm and did not return.

**12.3.8 Schedule Fees and Charges 2020/2021**

**Moved:** Cr Obourne  
**Seconded:** Cr O'Donnell

**O0520-150**

**Officer's Recommendation**

That Council endorse the attached Draft Schedule of Fees and Charges to be included within the 2020/2021 budget adoption.

**Council Resolution**

**That Council endorse the Fees and Charges associated to the Bay of Isle Leisure Centre to be included within the 2020/2021 Budget as amended.**

**CARRIED**  
**F7 - A0**

Reason: Council wanted to include a parental/supervisor fee of \$1 in the dry area of the Bay of Isle Leisure Centre.

Cr McMullen returned to the Chamber at 5.54pm.



#### **Schedule Fees and Charges 2020/2021**

**Moved:** Cr McMullen  
**Seconded:** Cr Obourne

#### **O0520-151**

Officer's Recommendation

That Council endorse the attached Draft Schedule of Fees and Charges to be included within the 2020/2021 budget adoption.

#### **Council Resolution**

**That Council endorse the attached Draft Schedule of Fees and Charges to be included within the 2020/2021 budget adoption with the following changes:**

- a. Clean green waste reduced to \$0,
- b. Conversion of theatre to cabaret / cabaret to theatre fee reduced to \$0; And
- c. Reissuing of a waste voucher to a pensioner reduced to \$0.

**CARRIED  
F5 – A3**

*(Against Cr Chambers, Cr Mickel & Cr Parker)*

Reason: Council wanted to reduce certain fees to \$0.

### **12.4 EXECUTIVE SERVICES**

#### **12.4.1 National Redress Scheme - Participation of WA Local Governments**

**Moved:** Cr Payne  
**Seconded:** Cr McMullen

#### **O0520-152**

#### **Council Resolution**

**That Council:**

1. Notes the consultation undertaken and information provided by the Department of Local Government, Sport and Cultural Industries in regarding the National Redress Scheme and the participation of WA local governments.
2. Notes that the Shire of Esperance will not be included in the WA Government's amended participation declaration (and afforded the associated financial and administrative coverage), unless the Shire of Esperance makes a specific and formal decision to be included;
3. Endorses the participation of the Shire of Esperance in the National Redress Scheme as a State Government institution and included as part of the State Government's declaration;
4. Authorises the CEO to execute a service agreement with the State, if a Redress application is received;
5. Instructs the CEO to provide Council a confidential report if a Redress application is received by the Shire of Esperance;

**CARRIED  
F7 – A1**  
*(Against Cr Parker)*

**12.4.2 Information Bulletin - April 2020**

**Moved:** Cr Payne  
**Seconded:** Cr Chambers

**O0520-153**

**Council Resolution**

**That Council accepts the Information Bulletin for April 2020 (inclusive of):**

- 1. Corporate Performance Report – April 2020**
- 2. Letter of Appreciation - ACTIV - Closure of Operations - April 2020**
- 3. Appreciation Letter - Travellers Located at the Greater Sports Ground**

**CARRIED  
F8 - A0**

**13. REPORTS OF COMMITTEES**

Nil

**14. MOTIONS OF WHICH NOTICE HAS BEEN GIVEN**

**MOTION**

**Moved:** Cr Obourne  
**Seconded:** Cr Payne

**O0520-154**

**Council Resolution**

**That the Council request the Chief Executive Officer to prepare a report for the June 2020 Ordinary Council Meeting, regarding the use of live streaming and/or recording technology in our Ordinary Council Meetings and make recommendations for Council to consider.**

**CARRIED  
F8 - A0**

**15. MEMBERS QUESTIONS WITH OR WITHOUT NOTICE**

**1. Cr Obourne – FOGO**

Cr Obourne referred to recent correspondence she had received regarding the FOGO program. She stated that members of the community are disappointed FOGO has been considered a low priority by Council, as stated in the April Corporate Performance Report. Cr Obourne questioned when FOGO would be bought back to Council for consideration.

*Cr Payne added that from her recollection Council thought that it was worth waiting until a new waste site had been identified to see if FOGO could be appropriate for the same site. Cr Payne also explained that it was her understanding Council wanted to implement more waste education before introducing a new program.*

Cr Obourne questioned what the next steps are then.

*Cr Mickel stated that the project requires significant skills, resources and costs.*

Cr Obourne stated that staff aren't progressing with the project because Council have informed them it was a low priority.

*Cr Payne explained that staff have stated they need more resources for the project, and Council should address this at budget time in June.*

*Cr Mickel added that staff have the project on hold but there is nothing from stopping them in cranking the project up again in the future when directed from Council.*

## **16. URGENT BUSINESS APPROVED BY DECISION**

### **MOTION**

**Moved:** Cr Graham

**Seconded:** Cr Parker

**O0520-155**

**That Council accept the following late item:**

#### **16.1 Membership of Recovery Sub Committee**

**CARRIED  
F8 - A0**

### **16.1 Membership of Recovery Sub Committees**

Officers Recommendation

That Council;

1. Endorse the Terms of Reference for the Local Recovery Committee, Economic Sub Committee and Community Support Sub Committee
2. Endorse the Membership for the Economic Sub Committee as;

Agency/Role	Representative
Chair	Cr Steve McMullen
Councillor	Cr Basil Parker
Councillor	Cr Shelley Payne
Recovery Coordinator / Deputy Recovery Coordinator	Melissa Ammon / Paul Clifton
Shire of Esperance – Economic Development	Trevor Ayers
Esperance Chamber of Commerce	Bronwyn McLeod
Goldfields Esperance Development Commission	Rose Riley
Dept of Primary Industries and Regional Development	Brendan Nicholas
Tourism Esperance	Wayne Halliday
Local State Government Representative	Shayne Flanagan
Local Federal Government Representative	Jennifer Obourne
Local Business Representative	Jane Coole
Local Business Representative	Mel Maguire

3. Endorse the Membership for the Community Support Sub Committee as;

Agency/Role	Representative
Chair	Cr Dale Piercey
Councillor	Cr Jennifer Obourne
Councillor	Cr Jo-Anne O'Donnell
Recovery Coordinator / Deputy Recovery Coordinator	Melissa Ammon / Paul Clifton
Shire of Esperance – Community Development	Shane Tobin
Shire of Esperance - Communications	Serena Shaddick
Esperance Volunteer Resource Centre	Erica Austen
Esperance Home Care	Monica Greatrex

Dept of Communities	Ashleigh Thurn
Education	Paul Mather
Centrelink	Alison Reddyhough (TBC)
Escare	Jo Aberle
Esperance Care Services	Chris Meyer
GIFSA	Claire Mitchell
Centrecare	Paul Denaro (TBC)
Esperance Tjaltjraak Native Title Aboriginal Corporation	Peter Bednall (TBC)
Esperance Police	Justin Tarasinski
Youth Advisory Council	(TBC)
Senior Citizens	Sally Ashbill
Esperance Crisis Accommodation	Simone Wylde
Community Representative	Tori Castledine
Community Representative	Meredith Waters
Community Representative	Julie Hawke

**Moved:** Cr Parker  
**Seconded:** Cr McMullen

**O0520-156**

#### **Council Resolution**

**That Council:**

- 1. Endorse the Terms of Reference for the Local Recovery Committee, Economic Sub Committee and Community Support Sub Committee**
- 2. Endorse the Membership for the Economic Sub Committee as;**

<b>Agency/Role</b>	<b>Representative</b>
<b>Chair</b>	<b>Cr Steve McMullen</b>
<b>Councillor</b>	<b>Cr Basil Parker</b>
<b>Councillor</b>	<b>Cr Shelley Payne</b>
<b>Recovery Coordinator / Deputy Recovery Coordinator</b>	<b>Melissa Ammon / Paul Clifton</b>
<b>Shire of Esperance – Economic Development</b>	<b>Trevor Ayers</b>
<b>Esperance Chamber of Commerce</b>	<b>Bronwyn McLeod</b>
<b>Goldfields Esperance Development Commission</b>	<b>Rose Riley</b>
<b>Dept of Primary Industries and Regional Development</b>	<b>Brendan Nicholas</b>
<b>Tourism Esperance</b>	<b>Wayne Halliday</b>
<b>Local State Government Representative</b>	<b>Shayne Flanagan</b>
<b>Local Federal Government Representative</b>	<b>Jennifer Obourne</b>
<b>Local Business Representative</b>	<b>Jane Coole</b>
<b>Local Business Representative</b>	<b>Mel Maguire</b>

**CARRIED  
F8 - A0**

**MOTION**

**Moved:** Cr O'Donnell  
**Seconded:** Cr Graham

**O0520-157**

**Council Resolution**

**That Council endorse the Membership for the Community Support Sub Committee as;**

<b>Agency/Role</b>	<b>Representative</b>
<b>Chair</b>	<b>Cr Dale Piercey</b>
<b>Councillor</b>	<b>Cr Jennifer Obourne</b>
<b>Councillor</b>	<b>Cr Jo-Anne O'Donnell</b>
<b>Recovery Coordinator / Deputy Recovery Coordinator</b>	<b>Melissa Ammon / Paul Clifton</b>
<b>Shire of Esperance – Community Development</b>	<b>Shane Tobin</b>
<b>Shire of Esperance - Communications</b>	<b>Serena Shaddick</b>
<b>Esperance Volunteer Resource Centre</b>	<b>Erica Austen</b>
<b>Esperance Home Care</b>	<b>Monica Greatrex</b>
<b>Dept of Communities</b>	<b>Ashleigh Thurn</b>
<b>Education</b>	<b>Paul Mather</b>
<b>Centrelink</b>	<b>Alison Reddyhough (TBC)</b>
<b>Escare</b>	<b>Jo Aberle</b>
<b>Esperance Care Services</b>	<b>Chris Meyer</b>
<b>GIFSA</b>	<b>Claire Mitchell</b>
<b>Esperance Tjaltjraak Native Title Aboriginal Corporation and Centrecare</b>	<b>Jacinta Johnson</b>
<b>Esperance Police</b>	<b>Justin Tarasinski</b>
<b>Youth Advisory Council</b>	<b>(TBC)</b>
<b>Senior Citizens</b>	<b>Sally Ashbill</b>
<b>Esperance Crisis Accommodation</b>	<b>Simone Wylde</b>
<b>Community Representative</b>	<b>Tori Castledine</b>
<b>Community Representative</b>	<b>Meredith Waters</b>
<b>Community Representative</b>	<b>Julie Hawke</b>

**CARRIED  
F8 - A0**

Reason: Council wanted to endorse the committees membership separately and correct the error in the Officers Recommendation.

**17. MATTERS BEHIND CLOSED DOORS**

**Moving behind closed doors**

**Moved:** Cr Parker  
**Seconded:** Cr McMullen

**O0520-158**

**That the meeting proceed behind closed doors in accordance with section 5.23(2) of the Local Government Act 1995, to consider the following items, which are considered confidential for the reasons indicated.**

**17.1 0269-20 Prequalified Supplier Panel - Wild Dog Control**

*This report is considered confidential in accordance with the Local Government Act 1995, as it relates to 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 (Section 5.23(2)(c)).*

**17.2 0268-20 - Prequalified Supplier Panel - Professional Services**

*This report is considered confidential in accordance with the Local Government Act 1995, as it relates to 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 (Section 5.23(2)(c)).*

**17.3 0267-20 - Prequalified Supplier Panel - Traffic Management**

*This report is considered confidential in accordance with the Local Government Act 1995, as it relates to 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 (Section 5.23(2)(c)).*

**17.4 0266-20 - Prequalified Supplier Panel - Parks & Reserves Management**

*This report is considered confidential in accordance with the Local Government Act 1995, as it relates to 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 (Section 5.23(2)(c)).*

**17.5 0265-20 - Prequalified Supplier Panel - Workshop Services**

*This report is considered confidential in accordance with the Local Government Act 1995, as it relates to 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 (Section 5.23(2)(c)).*

**17.6 0264-20 - Prequalified Supplier Panel - Building Services**

*This report is considered confidential in accordance with the Local Government Act 1995, as it relates to 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 (Section 5.23(2)(c)).*

**17.7 0263-20 - Prequalified Supplier Panel - Plant Hire**

*This report is considered confidential in accordance with the Local Government Act 1995, as it relates to 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 (Section 5.23(2)(c)).*

**17.8 Lease Renewal - Telstra Communication Tower Helms Drive**

*This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government (Section 5.23(2)(e)(iii)).*

**17.9 CEO Review**

*This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a matter affecting an employee or employees (Section 5.23(2)(a)); and the personal affairs of any person (Section 5.23(2)(b)).*

**17.10 Request to Waiver Outstanding Charges - Regional Express Airline**

*This report is considered confidential in accordance with the Local Government Act 1995, as it relates to a matter that if disclosed, would reveal information about the business, professional, commercial or financial affairs of a person, where the information is held by, or is about, a person other than the local government (Section 5.23(2)(e)(iii)).*

**CARRIED  
F8 - A0**

**MOTION**

**Moved: Cr Chambers**

**Seconded: Cr Obourne**

**O0520-159**

**That Council move item 17.9 forward for consideration.**

**CARRIED  
F8 - A0**

Mr Scott declared his financial interest and left the Chamber at 6.28pm

Mr Hindley, Mr Burge, Mr Walker & Miss McArthur left the Chamber at 6.28pm

Miss McArthur returned to the Chamber at 6.42pm.

### **17.9 CEO Review**

**Moved: Cr Obourne**  
**Seconded: Cr McMullen**

**O0520-160**

Officer's Recommendation

That Council

1. Notes that Mr Matthew Scott's Performance Review in his role as Chief Executive Officer for the Shire of Esperance 2020 annual appraisal has been undertaken.
2. Reviews the Key Performance Indicators for the 2020/21 appraisal by 29 May 2020.

### **Council Resolution**

That Council

1. **Notes Mr Matthew Scott's Performance Review in his role as Chief Executive Officer for the Shire of Esperance 2020 annual appraisal has been undertaken;**
2. **Accept Mr Scott's resignation as provided by letter dated 13 May 2020 and wishes him well for his future career in local government;**
3. **Notes Mr Scott's statement to forgo his salary increase for the 2020 year to assist Esperance recovery from COVID-19 Pandemic; And**
4. **Reviews the Key Performance Indicators for the 2020/21 appraisal by 29 May 2020.**

**CARRIED**  
**F8 - A0**

Mr Hindley, Mr Burge, Mr Walker & Mr Scott returned to the Chamber at 6.45pm.

### **EN BLOC**

**Moved: Cr McMullen**  
**Seconded: Cr Parker**

**O0520-161**

That Council accept the following as per the Officers Recommendation:

- 17.1 **0269-20 Prequalified Supplier Panel - Wild Dog Control**
- 17.3 **0267-20 - Prequalified Supplier Panel - Traffic Management**
- 17.4 **0266-20 - Prequalified Supplier Panel - Parks & Reserves Management**
- 17.5 **0265-20 - Prequalified Supplier Panel - Workshop Services**
- 17.7 **0263-20 - Prequalified Supplier Panel - Plant Hire**

**CARRIED**  
**F8 - A0**

### **17.1 0269-20 Prequalified Supplier Panel - Wild Dog Control**

**Moved: Cr McMullen**  
**Seconded: Cr Parker**

**O0520-162**

### **Council Resolution**

That Council

1. **Accept the following applicants for appointment to 0269-20 Prequalified Supplier Panel – Wild Dog Control as per the rates detailed in the attachment "Schedule of**

**Rates, conditional upon the applicant's compliance with the Shire of Esperance Contractor Management System**

- i. CMS Contracting**
  - ii. GP Hobson & H Hobson**
  - iii. Key Pest & Weed Control**
  - iv. Mobile Windmill Service and Maintenance**
- 2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel, thus, the Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2020/21 financial year.**

**CARRIED  
F8 - A0**

**17.3 0267-20 - Prequalified Supplier Panel - Traffic Management**

**Moved: Cr McMullen  
Seconded: Cr Parker**

**O0520-163  
Council Resolution**

**That Council**

- 1. Accept the following applicants for appointment to 0267-20 Prequalified Supplier Panel – Traffic Management as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant's compliance with the Shire of Esperance Contractor Management System**
  - i. Jacka Trenching & Fencing**
- 2. Advise the Applicant in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel, thus, the Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2020/21 financial year.**

**CARRIED  
F8 - A0**



**17.4 0266-20 - Prequalified Supplier Panel - Parks & Reserves Management**

**Moved: Cr McMullen**

**Seconded: Cr Parker**

**O0520-164**

**Council Resolution**

**That Council**

- 1. Accept the following applicants for appointment to 0266-20 Prequalified Supplier Panel – Parks & Reserves as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System**
  - i. Ballantyne Earthmoving**
  - ii. CPC Ravensthorpe Pty Ltd**
  - iii. Esperance Farmlet Services**
  - iv. Esperance Tjaltjraak Services Pty Ltd**
  - v. Esperance Tree Lopping**
  - vi. Esperance Turf & Landscape**
  - vii. ETS Vegetation Management**
  - viii. GHEMS Holdings**
  - ix. Key Pest & Weed Control**
  - x. MJ & JL Scheer**
  - xi. MT Constructions**
  - xii. Norcape**
  - xiii. TD Contractors**
  - xiv. The Weed Terminator**
  - xv. Titan Contracting Australia Pty Ltd**
  - xvi. Twilight Lawn**
- 2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel, thus, the Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2020/21 financial year.**

**CARRIED  
F8 - A0**

**17.5 0265-20 - Prequalified Supplier Panel - Workshop Services**

**Moved: Cr McMullen**

**Seconded: Cr Parker**

**O0520-165**

**Council Resolution**

**That Council**

- 1. Accept the following applicants for appointment to 0265-20 Prequalified Supplier Panel – Workshop Services as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System**
  - i. CPC Engineering**
  - ii. Esperance Combined Tyres & Mechanical**
  - iii. GMN Mechanical**
  - iv. Mike Henley**
  - v. Parkers Engineering**
  - vi. Southern Suspension & 4x4 Centre**
- 2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel, thus, the Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2020/21 financial year.**

**CARRIED  
F8 - A0**

**17.7 0263-20 - Prequalified Supplier Panel - Plant Hire**

**Moved: Cr McMullen**

**Seconded: Cr Parker**

**O0520-166**

**Council Resolution**

- 1. Accept the following applicants for appointment to 0263-20 Prequalified Supplier Panel – Plant Hire as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System**
  - i. Ballantyne Earthmoving**
  - ii. Beachwind Enterprises TA Larmour Earthmoving**
  - iii. Coats Hire Operations Pty Ltd**
  - iv. Esperance Earthworks Pty Ltd**
  - v. McD Contracting**

- vi. **RB & DP Schmitt Bobcat and Truck**
- vii. **Stabilised Pavements of Australia Pty Ltd**
- viii. **TD Contractors**
- ix. **WJ & V Easton**

2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel, thus, the Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2020/21 financial year.

**CARRIED  
F8 - A0**

#### **17.2 0268-20 - Prequalified Supplier Panel - Professional Services**

**Moved: Cr Payne**  
**Seconded: Cr Obourne**

##### **O0520-167**

Officer's Recommendation

That Council

1. Accept the following applicants for appointment to 0268-20 Prequalified Supplier Panel – Professional Services as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System
  - i. Bio Divers Solutions
  - ii. Bluemar Pty Ltd
  - iii. BMT WA Pty Ltd
  - iv. Brook & Marsh
  - v. Cartledge Building
  - vi. Drafting Solutions Australia
  - vii. Esperance Surveys Pty Ltd
  - viii. GHEMS Holdings Pty Ltd
  - ix. Terrestrial Ecosystems
  - x. H & H Architects
  - xi. Land Insights
  - xii. Talis Consultants Pty Ltd
  - xiii. Tilo Massenbauer
  - xiv. Wells Building Designers and Consultants
2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel, thus, the Shire

reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2020/21 financial year.

### **Council Resolution**

#### **That Council**

- 1. Accept the following applicants for appointment to 0268-20 Prequalified Supplier Panel – Professional Services as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System**

- i. **Bio Divers Solutions**
- ii. **Bluemar Pty Ltd**
- iv. **Brook & Marsh**
- v. **Cartledge Building**
- vi. **Drafting Solutions Australia**
- vii. **Esperance Surveys Pty Ltd**
- viii. **GHEMS Holdings Pty Ltd**
- ix. **Terrestrial Ecosystems**
- xi. **Land Insights**
- xiii. **Tilo Massenbauer**
- xiv. **Wells Building Designers and Consultants**

- 2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel, thus, the Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2020/21 financial year.**

**CARRIED  
F5 – A3**

*(Against Cr Chambers, Cr Parker & McMullen)*

Reason: Council wanted to remove particular contractors that are not located in Esperance endeavouring to support local.

### **17.6 0264-20 - Prequalified Supplier Panel - Building Services**

#### **Officer’s Recommendation**

#### **That Council**

1. Accept the following applicants for appointment to 0264-20 Prequalified Supplier Panel – Building Services as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System
  - i. ARA Fire Protection Services

- ii. Bay of Isles Mini Excavators
- iii. Bills Doors & Servicing
- iv. Drake Brockman Building & Construction
- v. Dunn's Cleaning Service Pty Ltd
- vi. Esperance Cabinets
- vii. Esperance Cleaning Service Pty Ltd
- viii. Esperance Electrical Service
- ix. Esperance Fire Services
- x. Esperance Glass Service Pty Ltd
- xi. Eric Hood Pty Ltd
- xii. G & J Wilson Plumbing and Gas Service
- xiii. Greg Horan Construction Pty Ltd
- xiv. Key Pest & Weed Control
- xv. Mackenzies Electrical Service
- xvi. MT Constructions
- xvii. NAP Global Pty Ltd (Nova Products)
- xviii. South East Fire & Safety
- xix. South Coast Test and Tag
- xx. SJ & HPJ O'Brien
- xxi. ThermoAir
- xxii. Trinity Painting & Decorating
- xxiii. Wayne Herbert
- xxiv. Wormald Australia Pty Ltd TA Wormald

2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel, thus, the Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2020/21 financial year.

MOTION

Moved: Cr Payne

Seconded: Cr O'Donnell

That Council

1. Accept the following applicants for appointment to 0264-20 Prequalified Supplier Panel – Building Services as per the rates detailed in the attachment "Schedule of Rates, conditional upon the applicant's compliance with the Shire of Esperance Contractor Management System
- i. ARA Fire Protection Services

- ii. Bay of Isles Mini Excavators
- iii. Bills Doors & Servicing
- iv. Drake Brockman Building & Construction
- v. Dunn's Cleaning Service Pty Ltd
- vi. Esperance Cabinets
- vii. Esperance Cleaning Service Pty Ltd
- viii. Esperance Electrical Service
- ix. Esperance Fire Services
- x. Esperance Glass Service Pty Ltd
- xi. Eric Hood Pty Ltd
- xii. G & J Wilson Plumbing and Gas Service
- xiii. Greg Horan Construction Pty Ltd
- xiv. Key Pest & Weed Control
- xv. Mackenzies Electrical Service
- xvi. MT Constructions
- xvii. NAP Global Pty Ltd (Nova Products)
- xviii. South East Fire & Safety
- xix. South Coast Test and Tag
- xx. SJ & HPJ O'Brien
- xxi. ThermoAir
- xxii. Trinity Painting & Decorating
- xxiii. Wayne Herbert
- xxiv. Wormald Australia Pty Ltd TA Wormald

2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel, thus, the Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2020/21 financial year.

LOST

F3 – A5

*(Against Cr Chambers, Cr Mickel,  
Cr Parker, Cr Graham & Cr McMullen)*

**Moved: Cr McMullen**

**Seconded: Cr Parker**

**00520-168**

**Council Resolution**

**That Council**

- 1. Accept the following applicants for appointment to 0264-20 Prequalified Supplier**

**Panel – Building Services as per the rates detailed in the attachment “Schedule of Rates, conditional upon the applicant’s compliance with the Shire of Esperance Contractor Management System**

- i. ARA Fire Protection Services
- ii. Bay of Isles Mini Excavators
- iii. Bills Doors & Servicing
- iv. Drake Brockman Building & Construction
- v. Dunn’s Cleaning Service Pty Ltd
- vi. Esperance Cabinets
- vii. Esperance Cleaning Service Pty Ltd
- viii. Esperance Electrical Service
- ix. Esperance Fire Services
- x. Esperance Glass Service Pty Ltd
- xi. Eric Hood Pty Ltd
- xii. G & J Wilson Plumbing and Gas Service
- xiii. Greg Horan Construction Pty Ltd
- xiv. Key Pest & Weed Control
- xv. Mackenzies Electrical Service
- xvi. MT Constructions
- xvii. NAP Global Pty Ltd (Nova Products)
- xviii. South East Fire & Safety
- xix. South Coast Test and Tag
- xx. SJ & HPJ O’Brien
- xxi. ThermoAir
- xxii. Trinity Painting & Decorating
- xxiii. Wayne Herbert
- xxiv. Wormald Australia Pty Ltd TA Wormald

2. Advise all Applicants in their notice of acceptance that the mere existence of a Panel does not compel the Shire to purchase exclusively from such Panel, thus, the Shire reserves the right to purchase equivalent goods and/or services available under the Panel from the open market during the period of which the Panel is established and they make no guarantee that any goods and/or services will be purchased from pre-qualified suppliers on the Panel during the 2020/21 financial year.

**CARRIED  
F8 – A0**

Reason: Council wanted to correct the Officers Recommendation by including Drake Brockman Building & Construction and amending the name of NAP Global Pty Ltd (Nova Products).

Cr Mickel declared a financial interest and left the Chamber at 7.17pm.

Cr Parker took the Chair.

### **17.8 Lease Renewal - Telstra Communication Tower Helms Drive**

**Moved:** Cr Obourne  
**Seconded:** Cr McMullen

**O0520-169**

Officer's Recommendation

That Council, subject to Department of Lands' approval, agrees to;

1. Enter into a new lease with Telstra Corporation Limited for Lot 2112 Helms Drive, Pink Lake;
2. Annual lease fee to be \$1,000 ex GST;
3. The Lease term being 20 years;
4. A lease preparation fee of \$570 Inc GST being payable; and
5. The disposition being advertised in accordance with s3.58 of the *Local Government Act 1995* for Disposing of Property.

#### **Council Resolution**

**That Council lay this matter on the table to allow staff to renegotiate with Telstra.**

**CARRIED  
F7 - A0**

Reason: Council wanted allow staff to renegotiate with Telstra to get a better value for ratepayers.

Cr Mickel returned to the Chamber at 7.22pm.

Cr Mickel took the Chair.

### **17.10 Request to Waiver Outstanding Charges - Regional Express Airline**

**Moved:** Cr Payne  
**Seconded:** Cr Chambers

**O0520-170**

#### **Council Resolution**

**That Council waive \$51,265.58 (inc GST), being 50% of the March 2020 Head Tax and 50% of the 12 month lease of the Terminal space for Regional Express (Rex) Airline.**

**CARRIED  
F8 - A0**

#### **Coming from behind closed doors**

**Moved:** Cr McMullen  
**Seconded:** Cr Parker

**O0520-171**

**That the meeting come from behind closed doors.**

**CARRIED  
F8 - A0**

### **18. PUBLIC QUESTION TIME**

Nil



**19. CLOSURE**

The President declared the meeting closed at 7.25pm.

**These Minutes were confirmed at a meeting held on \_\_\_\_\_**

**Signed \_\_\_\_\_**

**Presiding Member at the meeting at which the Minutes were confirmed.**

**Dated \_\_\_\_\_**