SHIRE OF ASHBURTON

ORDINARY COUNCIL MEETING

AGENDA

ASHBURTON HALL,
PARABURDOO

15 JULY 2008
Dear Councillor,

Notice is hereby given that an Ordinary Meeting of the Council of the Shire of Ashburton will be held on Tuesday 15 July 2008 at Ashburton Hall, Paraburdoo commencing at 9.00am.

The business to be transacted is shown in the Agenda.

Keith Pearson
CHIEF EXECUTIVE OFFICER

9 July 2008

DISCLAIMER

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Ashburton warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Ashburton for any act, omission or statement or intimation occurring during a Council meeting.
AGENDA – ORDINARY MEETING OF COUNCIL
15 JULY 2008

1.07.0 DECLARATION OF OPENING

2.07.0 ANNOUNCEMENT OF VISITORS

3.07.0 ATTENDANCE

  3.07.01 PRESENT
  3.07.02 APOLOGIES
  3.07.03 APPROVED LEAVE OF ABSENCE

4.07.0 PUBLIC QUESTION TIME

  4.07.01 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE
  4.07.02 PUBLIC QUESTION TIME

5.07.0 APPLICATIONS FOR LEAVE OF ABSENCE

6.07.0 PETITIONS / DEPUTATIONS / PRESENTATIONS

  6.07.01 PETITIONS
  6.07.02 DEPUTATIONS
  6.07.03 PRESENTATIONS

7.07.0 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

  7.07.01 ORDINARY MEETING OF COUNCIL HELD ON 19 June 2008

8.07.0 ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

9.07.0 DECLARATION BY MEMBERS

10.07.0 ENGINEERING SERVICES REPORTS

  10.07.19 DISCIPLINARY PROCEDURE POLICY
  10.07.20 ENGINEERING SERVICES DECISION STATUS REPORT

11.07.0 COMMUNITY & ECONOMIC SERVICES REPORTS

  11.07.16 LICENCE AGREEMENT FORTESCUE JUNIOR FOOTBALL CLUB
  11.07.17 LICENCE AGREEMENT FOR TOM PRICE ARTS & CRAFT SOCIETY
  11.07.18 COMMUNITY & ECONOMIC SERVICES DECISION STATUS REPORT

12.07.0 CORPORATE SERVICES REPORTS

  12.07.34 USE OF COMMON SEAL UNDER DELEGATED AUTHORITY
  12.07.35 RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS
  12.07.36 DIFFERENTIAL RATING 2008-2009
  12.07.37 ANNUAL REPORT AND GENERAL MEETING OF ELECTORS
  12.07.38 CORPORATE SERVICES STATUS REPORT

13.07.0 DEVELOPMENT SERVICES REPORTS

  13.07.27 DEVELOPMENT APPROVALS ISSUED UNDER DELEGATION – SHIRE OF ASHBURTON TOWN PLANNING SCHEME NO.7
  13.07.28 DEVELOPMENT SERVICES DECISION STATUS REPORT

14.07.0 WESTERN OPERATIONS REPORTS

  14.07.14 WESTERN OPERATIONS DECISION STATUS REPORT

15.07.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
AGENDA – ORDINARY MEETING OF COUNCIL
15 JULY 2008

16.07.0 CONFIDENTIAL REPORTS .......................................................................................................................... 52
16.07.13 CONFIDENTIAL REPORT – WITTENOOM ASBESTOS LITIGATION .......................................................... 53
17.07.0 NEXT MEETING ........................................................................................................................................ 54
18.07.0 CLOSURE OF MEETING .......................................................................................................................... 54
1.07.0 DECLARATION OF OPENING

2.07.0 ANNOUNCEMENT OF VISITORS

3.07.0 ATTENDANCE

3.07.01 PRESENT
Cr L Rumble  Deputy Shire President, Paraburdoo Ward
Cr T Bloem  Tom Price Ward
Cr C Fernandez  Tom Price Ward
Cr H Martin  Tom Price Ward
Cr I Dias  Paraburdoo Ward
Cr L Thomas  Tableland Ward
Cr K White  Onslow Ward

Mr K Pearson  Chief Executive Officer
Mr J Breen  Executive Manager Engineering Services
Mr L Softley  Executive Manager Community & Economic Services

3.07.02 APOLOGIES
Cr L Corker  Shire President, Ashburton Ward
Ms A O’Halloran  Executive Manager Western Operations
Mr B Smith  Executive Manager Development Services

3.07.03 APPROVED LEAVE OF ABSENCE
Cr S Dann  Pannawonica Ward
4.07.0  PUBLIC QUESTION TIME

4.07.01  RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

4.07.02  PUBLIC QUESTION TIME

5.07.0  APPLICATIONS FOR LEAVE OF ABSENCE

6.07.0  PETITIONS / DEPUTATIONS / PRESENTATIONS

6.07.01  PETITIONS

6.07.02  DEPUTATIONS

6.07.03  PRESENTATIONS
  Chevron Australia Pty Ltd – 9:30am (Wheatstone Project)

7.07.0  CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.07.01  ORDINARY MEETING OF COUNCIL HELD ON 19 June 2008

Officers Recommendation
  - That the Minutes of the Ordinary Meeting of Council held on 19 June 2008, as previously circulated on 23 June 2008, be confirmed as a true and accurate record.

8.07.0  ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

9.07.0  DECLARATION BY MEMBERS

  That Councillors have given due consideration to all matters contained in the Agenda presently before the meeting.
10.07.0 ENGINEERING SERVICES REPORTS

10.07.19 DISCIPLINARY PROCEDURE POLICY

FILE REFERENCE: OR.CM.1

AUTHOR’S NAME AND POSITION: Felicia McDonald
Human Resources Co-ordinator

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 19 June 2008

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial interest in this matter.

PREVIOUS MEETING REFERENCE: Not Applicable

Summary
Upon review of Council’s Code of Conduct the need for a disciplinary procedure for staff became apparent.

This policy outlines the process to be following in such circumstances.

Background
This policy outlines the disciplinary procedure that is applicable to all employees of the Shire of Ashburton.

Comment
The purpose of the Disciplinary Procedure Policy is to achieve a positive resolution to an unsatisfactory situation.

It promotes communication and is based on the notions of natural justice and fairness. The aim of the policy is to encourage employees to alter their work methods and attitudes in a positive way. Dismissal is a last resort outcome.

A copy of the draft policy is attached

Consultation
Chief Executive Officer
Executive Manager Engineering Services

ATTACHMENT 10.07.19
City of Charles Stuart

**Statutory Environment**
Equity principals applying within current Industrial Relatives Legislation

**Policy Implications**
There are no policy implications

**Financial Implications**
Funding of staff retraining and counselling is contained within the “Staff training” component of the Shire’s draft “2008/09 Budget”

**Strategic Implications**
Strategic Plan 6 - A well managed and Contemporary Corporation

**Voting Requirement**
Simple Majority Required

**Recommendation**
That council adopts the Disciplinary Procedure Policy, as attached.

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<thead>
<tr>
<th>Author:</th>
<th>Felicia McDonald</th>
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<td>Manager:</td>
<td>Jeff Breen</td>
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## 10.07.20 ENGINEERING SERVICES DECISION STATUS REPORT

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| 1. | 06/08                   | 15.06.09    | RFT05/08 Disposal of Vehicle by Public Tender                              | That Council;  
1. Accepts the tender from Bernard Smith at the price of; $10,175 (including GST) for RFT05/08 Disposal of Vehicle by Public Tender.                                                                                          | Finalised. Tender from Bernard Smith accepted.                                                                                                                                 |
| 2. | 04/08                   | 10.04.07    | Tom Price Primary School – Conversion of Creek Road Into a One-Way Thoroughfare | That Council  
1.) Support in principle, the changes to school precinct and conversion of Creek Road into a One-Way thoroughfare.  
2.) Direct the CEO to seek public comment on the proposal to make Creek Road one way  
3.) Report back to Council for final approval to proceed with making Creek Rd One Way  | Ongoing Work on footpaths and kiss and drop commenced. Community Consultation on one way street will be undertaken formally following operation of kiss and drop to ascertain impact. |
| 3. | 04/08                   | 15.04.05    | RFT 01/08 Design, Construction and Refurbishment of the Vic Hayton Memorial Swimming Pool Tom Price | That Council;  
1. Resolves to appoint Aquatic Construction Services Pty Ltd as the preferred Tenderer  
2. Instructs the Executive Manager Engineering Services to negotiate contract details with the preferred Tenderer  
3. Approves the Chief Executive Officer to award the contract upon completion of satisfactory negotiations and the securing of adequate funding. | Ongoing Tenderers notified, negotiations held with preferred Tenderer, Contract awarded for design component. |
| 4. | 06/08                   | 10.02.02    | Closure of Urandy Creek Road                                               | That Council  
1) Resolves to Instruct the Chief Executive Officer to formally request the Minister of Lands to close the                                                                                                           | Ongoing                                                                                                                   |
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<td>section of Road Reserve No. 2100, Urandy Creek Road in accordance with s.58 of the Land Administration Act 1997.</td>
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| 5. | 12/07                  | 10.12.29    | Temporary Road Closure Yampire Gorge Road | That Council  
1. Approves the temporary closure of Yampire Gorge Road (all sections) for a period of twelve months, in accordance with Section 3.50 of the Local Government Act 1995.  
2. Directs the Executive Manager Engineering Services to implement signage and barrier work to prevent traffic traversing the road.                                                                                  | Ongoing  
Signs have been delivered. Awaiting installation.                                                                                                                                                                |
| 6. | 09/07                  | 10.09.22    | Paraburdoo Refuse Disposal Operational Changes | That Council approves the staffing of the Paraburdoo Tip and restricting the opening times to the following  
• 7:30am – 3:30pm Tuesday to Saturday  
• 7:30am – 12:30pm Sunday  
• Closed Monday and Public Holidays  
for a trial period of up to three months.                                                                                                             | Ongoing, gatehouse onsite, boom gate ordered, site works and clean up carried out.  
Advertised in June community newsletter.                                                                                                                                                                          |
| 7. | 07/07                  | 10.07.19    | Residential Land Development – Tom Price | That Council approves the staged development and sale of residential land in Tom Price as generally outlined in the report, subject to the costing of the project being incorporated into the Shire’s budget for the 2007/08 financial year. | Ongoing  
Met with DPI and surveyors. Awaiting information from PI re utility extensions. Draft report received, application for services being prepared.                                                                 |
| 8. | 06/07                  | 10.06.15    | Memorandum of Understanding – National Park Roads | That Council;  
1. Approves the Memorandum of Understanding between the Shire of Ashburton and Department of Environment and Conservation for the continued development of ‘project based’ activities that conserve biodiversity, facilitate access, enhance visitor services and provide infrastructure development and maintenance within the Millstream Chichester National Park.  
Approves the Memorandum of Understanding between the Shire of Ashburton and Department of Environment and Conservation for the continued development of ‘project based’ activities that conserve biodiversity, facilitate access, enhance visitor services and provide infrastructure development and maintenance within the Millstream Chichester National Park. | Ongoing  
Approved at June 07 Council meeting. Awaiting formal sign off.  
Recent meeting with DEC indicated that some adjustments may be required to MoU. SoA sign off pending report on Council ongoing involvement with National Park roads |
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<td>development of 'project based' activities that conserve biodiversity, facilitate access, enhance visitor services and provide infrastructure development and maintenance within the Karijini National Park.</td>
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| 9. | 06/07                   | 10.06.16    | Yampire Gorge Road – Temporary Road Closure               | That Council  
1. After considering the submissions received, proceed with the closure of vehicle traffic to part of Yampire Gorge Road defined as being three (3) kilometers north of the Banjima Drive intersection and extending to ten (10) kilometres south of the Nanutarra Munjina Road in accordance with Section 3.50 of the Local Government Act 1995, for a period of eighteen (18) months.  
2. That Council instructs EMES to place signage to this effect, with advice from Main Roads Pilbara Region.  
3. That EMES notify DEC Local emergency authorities, and LGIS as to the continued closure of the road.  
4. Commence the process for closing the two remaining sections for a period to coincide with the current 18 months. | Ongoing  
Closure process complete.  
Signage delivered. |
| 10.| 05/07                   | 10.05.13    | Proposed Sale of Land – Lot 308 Boonderoo Road, Tom Price | That Council;  
1. Directs the EMES to carry out a preliminary subdivision design for the vacant Lot 308 Boonderoo Rd land owned by the Shire.  
2. Directs the EMES to seek a valuation of the proposed subdivision and prepare a detailed cost estimate for all works including survey, design and construction.  
Subject to financial viability, directs the CEO to call tenders for the subject land subject to the proviso that subdivision of the land, availability of title and provision of services be completed within 6 months of the sale, and the tender be on the basis that there is no requirement to accept any tender | Ongoing  
Preliminary Design work being undertaken  
Met with DPI and surveyors.  
Meeting held with PI re Boonderoo Rd.  
PI agree in principle, details of timing, construction and cost sharing to be negotiated.  
Awaiting advice from RTIO regarding provision of utilities.  
Draft water services and electricity report received.  
Preparing Business Plan in accordance with Local Government Act. |
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| 11. | 04/07 | 10.04.07 | Relocation of Onslow Landfill | 1. That the new Onslow Landfill Site be located adjacent to Onslow Road, 17km from Onslow as identified as Site 3 by the consultant, Sinclair Knight Mertz in its report titled ‘Onslow Landfill Options’ subject to environmental approvals being forthcoming.  
2. That following relevant approvals being obtained for Site 3, the site be used as the new Onslow Landfill Site. Further, a transfer station be established on the existing landfill site in Eagle Nest Rd following closure and rehabilitation of that site.  
3. That funds amounting to $100,000 be transferred from the Urban Road Maintenance Account No E121045 (Spent to Date $135,000 from budget $410,000) and that a new account be established to carry out further investigative works on Site 3 prior to seeking approvals and final design. | Ongoing  
Met with DPI re land tenure, Heritage and flora surveys complete, no issues raised.  
| 12. | 12/06 | 10.12.26 | Closure of Dedicated Road No. 1009 – Red Hill to Mt Stuart | That Council  
(a) Agreed the closure of the Road No.1009 – Red Hill to Mt Stuart Road  
(b) Directs the EMES to advertise the proposed closure in accordance with the Land Administration Act 1997, Section 58, and report back to Council. | Ongoing  
Process completed. Responses sent to DPI. Awaiting final confirmation before proceeding with signage and closure measures.  
Awaiting DPI finalisation. |
| 13. | 07/05 | 10.07.757 | Closure of dedicated road no. 1718 – Hamersley Station to Rocklea Station | That Council in accordance with Section 58 of the Land Administration Act 1997, request the Minister for Lands to close the section of road reserve No. 1718 as described in the Government Gazette dated 18 December 1903, west of the Tom Price-Paraburdoo Road. | Ongoing  
Process completed. Responses sent to DPI. Awaiting final confirmation before proceeding with signage and closure measures.  
Awaiting DPI finalisation. |
| 14. | 06/08/ | 15.06.09 | RFT 05/08 Disposal of Vehicle by Public Tender | That Council:  
Accepts the tender from Bernard Smith at the price of; $10,175 (including GST) for RFT 05/08 Disposal of Vehicle by Public Tender. | Completed |
11.07.16 LICENCE AGREEMENT FORTESCUE JUNIOR FOOTBALL CLUB

FILE REFERENCE: EA.R.40835

AUTHOR’S NAME AND POSITION: Penny Body
Administration Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 24 June 2008

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial interest in this matter

PREVIOUS MEETING REFERENCE: Not Applicable

Summary
To seek Council Approval to grant Fortescue Junior Football Club with a new Licence Agreement for use of Council Building on Reserve R40835, Clem Thompson Oval, Tom Price.

Background
Fortescue Junior Football Club currently holds a Licence Agreement until 30th June 2008, with an option to extend for a further two years. They occupy the clubrooms adjacent to the existing Tom Price Squash Courts at Clem Thompson Oval, Tom Price. The club has requested a new Licence Agreement for five years with a further five year option to extend.

Comment
The Football Club provides a valuable source of recreational sport for the youth in Tom Price and the Club has improved the premises through clean ups and painting of the walls in the clubs official colours.

It is proposed that the club be offered a licence to occupy the premises based on the Shire’s standard licence agreement.

ATTACHMENT 11.07.16

Consultation
Keith Pearson – Chief Executive Officer
Larry Softley – Executive Manager of Community & Economic Services

Statutory Environment
Local Government Act Part 3

Policy Implications
REC.05 – Establishment of Sporting & Community Group Leases

Financial Implications
The council would receive an income of $300.00 per year.

Strategic Implications
There are no strategic implications relative to this issue.

Voting Requirement
Simple Majority Required

Officers Recommendation
That council:

Enter into a new Licence Agreement (Appendix 11.07.16) with Fortescue Junior Football Club for five years with an option to renew for a further five years, at an initial licence fee of $300.00 per year. Rental reviews shall be at the beginning of each financial year, at the Council’s discretion.

<table>
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<tr>
<th>Author : Penny Body</th>
<th>Signature :</th>
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<tr>
<td>Manager : Larry Softley</td>
<td>Signature :</td>
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11.07.17 LICENCE AGREEMENT FOR TOM PRICE ARTS & CRAFT SOCIETY

FILE REFERENCE: TBA

AUTHOR’S NAME AND POSITION: Penny Body
Administration Officer/Housing & Leasing

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 30 May 2008

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial interest in this matter

PREVIOUS MEETING REFERENCE: Not Applicable

Summary
To seek Council Approval to grant the Tom Price Arts and Crafts Society a new Licence Agreement to use the Tom Price Civic Centre.

Background
Tom Price Arts and Crafts Society has been operating since 2004 at the Civic Centre, Tom Price. Unfortunately the Society’s Licence Agreement was not renewed and rental charges have not been paid since 06/07 financial year.

Comment
The Arts and Crafts Society has requested a new Licence Agreement and is prepared to pay the outstanding charges for 06/07 & 07/08 of $550.00.

It is proposed to offer the Society a licence for five years based on the Shire’s standard licence agreement.

Consultation
Keith Pearson – Chief Executive Officer
Larry Softley – Executive Manager of Community & Economic Services

Statutory Environment
Local Government Act Part 3

Policy Implications
REC.05 – Establishment of Sporting & Community Group Leases
Financial Implications
The Shire will receive income of $300.00 per year.

Strategic Implications
There are no strategic implications relative to this issue.

Voting Requirement
Simple Majority Required

Officers Recommendation
That council:
Enters into a new Licence Agreement (Appendix 11.07.17), for five years with Tom Price Arts and Crafts Society for a licence fee of $300.00 per year. Rental reviews shall be at the beginning of each financial year, at the Council’s discretion.

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<tr>
<th>Author</th>
<th>Penny Body</th>
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<tr>
<td>Manager</td>
<td>Larry Softley</td>
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### COMMUNITY & ECONOMIC SERVICES DECISION STATUS REPORT

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<td>1</td>
<td>05/08</td>
<td>11.05.08</td>
<td>Review of Council Policies – Recreation &amp; Culture</td>
<td>Requests the Chief Executive Officer to conduct a further review in relation to Council Policies REC04, REC05 and REC07 and report back to Council.</td>
<td>Ongoing</td>
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| 2 | 05/08                  | 11.05.09    | Proposed Tom Price Structure Plan & Town Centre Revitalisation Plans          | That Council;  
1. Form a Tom Price Structure Plan and Town Centre Revitalisation Working Group, consisting of Cr Bloem, Cr Martin & Cr Fernandez, Chief Executive Officer, Executive Manager Community and Economic Services, Executive Manager Engineering Services, representative of Department for Planning & Infrastructure, representative of Department of Industry and Resources, representative of Department of Environment & Conservation, representative of Landcorp, representative of Rio Tinto Iron Ore P/L, and representative of Pilbara Development Commission  
2. Instruct the Chief Executive Officer to make provision for $50,000 towards the cost of preparing the Tom Price Structure Plan and Town Centre Revitalisation Strategy in the draft 2008/09 Budget. | Ongoing       |
|   |                        |             |                                                                              | Initial discussions held with DPI. Written invitations sent to proposed working group members inviting them to participate. Further discussions on the formation of the working group at a meeting in Perth on the 25/6/08 between DPI, RioTinto, SOA CEO, EMES & EMCES. |               |
| 3 | 02/08                  | 11.02.01    | Reconstruction of Vic Hayton Memorial Swimming Pool                         | That Council;  
1. Directs the CEO to secure the necessary funding to refurbish the Vic Hayton Memorial Pool;  
2. Providing that the necessary funds are available, resolves to refurbish the Vic Hayton Memorial Pool generally in the following manner;  
   o Refurbishment of the existing pool, retaining it as a 50metre, six lane facility including removal of the Pilbara Iron invoiced for their portion $750,000 of funding. Advised by PDC that RIFP funding & cabinet submission | Ongoing       |
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<td>surrounding upstand, increase in return water gutter capacity, installation of a semi-wet deck, installation of new waterstop joints, tiling and provision of new hardware</td>
<td>to go before Cabinet 18 June.</td>
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<td>o Upgrade of balance tank and plant room including new pumps and filtration system and extension of plant room</td>
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<td>o Demolition of existing toddler’s pool and construction of new toddler’s of semi – circular shape with radius 3.81m and depth 230mm to 300mm connected to a children’s pool, being a rectangular pool with curved sides 6.1m x 12.8m and depth 760mm to 910mm.</td>
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<td>o Demolition and construction of concrete concourse including new drainage</td>
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<td>o Upgrade lighting to required standard</td>
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<td>o Refurbishment of existing office, kiosk, change rooms and toilets; 3. Providing that the necessary funds are available, resolves to direct the Executive Manager Community &amp; Economic Services to call a Design and Construct Tender for the works</td>
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<td>4</td>
<td>02/08</td>
<td>11.02.02</td>
<td>Proposed Community Bus – Tom Price</td>
<td>That Council instruct the Chief Executive Officer to investigate the options (including the tabled documentation by Cr Fernandez) for a community bus service for Tom Price and report back to the May 2008 council meeting</td>
<td>Ongoing Subject to a report to Council.</td>
</tr>
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<td>5</td>
<td>02/08</td>
<td>11.02.03</td>
<td>Proposed Licence – Paraburdo Netball Association / Paraburdo Swimming Club - Part Community Sports Complex Paraburdo</td>
<td>That Council grant a Licence, for the purpose of dual use of the west end of the Paraburdo Sports Pavilion facing south opposite the swimming pool, by the Paraburdo Netball Association and Paraburdo Swimming Club, for a term of 5 years, using the Shire’s standard Licence Agreement for community non profit groups, including a rental arrangement of $200.00 per year.</td>
<td>Finalised. Licence signed by all parties.</td>
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<td>6</td>
<td>10/07</td>
<td>12.10.69</td>
<td>Draft Tourism Policy – Pilbara Regional Council</td>
<td>That Council review and comment on the draft Regional Tourism Plan (Attachment 12.10.69) by 30th November 2007 to the Pilbara Regional Council.</td>
<td>Ongoing. EMCES has attended meeting with representatives from</td>
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| 7  | 08/07                  | 11.08.09    | Expressions of interest reserve 39204 Tom Price (Archery Site)               | That Council  
  a) Invite expressions of interest from persons or community groups interested in entering into a License Agreement to occupy Reserve 39204  
  b) That any proponent be required to seek necessary approvals and site clearance as part of their expressions of interest.                                 | Ongoing. Awaiting comment from DPI in regards to Management of Reserve and restrictions.                    |
| 8  | 12/05                  | 11.12.364   | Sports Pavilion Tom Price – Expression To Lease                               | That Council invites Expressions of Interest from Community and Sporting Clubs interested in entering into a License Agreement to occupy the Tom Price Sports Pavilion situated on Reserve 42659.                                      | Ongoing  
  Letter sent to activity groups advising that unless reasonable progress can be shown this matter will be subject of report recommending that new Expressions of Interest be called, will be submitted to August 2008 meeting. |
| 9  | 12/05                  | 11.12.368   | Tom Price Entry Statement                                                     | That Council grant approval to the Tom Price Tourism Committee for the establishment of a Tom Price Entry Statement on Mine Road Tom Price, and wishes to consider further options for the Entry Statement as these may relate to location and the nature of the structure. | Ongoing  
  Discussions between EMCES and the Tom Price Business Association.                                      |
| 10 | 12/05                  | 11.12.369   | Tom Price Area W Civic Centre                                                | That Council:  
  1. Include $40,000 for consideration in the 2006/07 draft budget for repairs to the Area W Civic Centre subject to successful grant funding being obtained by the Children’s Activity Centre Group.  
  2. Include $5,000 in the 2006/07 draft budget for consideration as a donation towards operational costs by the Children’s Activity Centre Group provided they undertake cleaning of the toilets when utilized by netball and basketball.  
  3. Meet the cost of water at the Area W Civic Centre and include this clause in the draft licence agreement. | Ongoing  
  Letter sent to activity groups advising that unless reasonable progress can be shown this matter will be subject of report recommending that new Expressions of Interest be called, will be submitted to August 2008 meeting. |
<table>
<thead>
<tr>
<th>#</th>
<th>Council Meeting (mm/yy)</th>
<th>Agenda Ref.</th>
<th>Report Title</th>
<th>Council Decision</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>11.</td>
<td>06/08</td>
<td>11.06.11</td>
<td>Licence Agreement for Tom Price Squash Racquets Association</td>
<td>That Council: Enters into a new Licence Agreement as amended (attachment 11.06.11a) for five years with Tom Price Squash Racquets Association.</td>
<td>Finalised licence agreements signed by all parties.</td>
</tr>
<tr>
<td>12.</td>
<td>06/08</td>
<td>11.06.12</td>
<td>Tom Price Office - Renovation</td>
<td>That Council: Approve the renovation of the Tom Price Shire Office, and associated works at the Shire Depot in Tom Price, to the value of $165,100 and that these costs be included into the Draft 2008/09 Budget.</td>
<td>Ongoing Council approved project at Pannawonica Council meeting in June 2008. Works to be scheduled after budget approved for 2008/9.</td>
</tr>
<tr>
<td>13.</td>
<td>06/08</td>
<td>11.06.13</td>
<td>Review of Council Policies</td>
<td>That Council: 1. Revoke the previous Council Policy ADM02 “Video Conferencing” and adopt a new policy ADM05 “Video Conferencing Facility” as per the attachment 11.06.13d. 2. Notes the review of Council Policies ADM01 “Policy Manual Review”, ADM03 “Flying of Flags – Council Buildings” and ADM04 “Records Management” and endorses these with no amendments.</td>
<td>Ongoing</td>
</tr>
<tr>
<td>14.</td>
<td>06/08</td>
<td>11.06.14</td>
<td>Proposal to Combine the Paraburdoo Shire Office and Paraburdoo Library</td>
<td>That Council: 1. Approve renovation costs estimated at $45,000 to move the existing Paraburdoo Office, jointly occupied by United Credit Union (UCU) in the main shopping walkway, to a location next to the Paraburdoo Library with provision being made in the 2008/09 Budget; 2. Instruct the Chief Executive Officer to arrange a new five year lease agreement between the Shire of Ashburton and UCU for occupying the whole premises incorporating the following: • Rental value of $400.00 per week • UCU are to be responsible for their own utilities (ie. Power and Water) and cleaning costs; 3. If negotiations are unsuccessful with UCU, instruct the Chief Executive Officer to call for Expressions of Interest for the lease of the building and report back to Council.</td>
<td>Ongoing Council approved project at its Pannawonica Council meeting in June 2008. Works to be scheduled after budget approved for 2008/9.</td>
</tr>
</tbody>
</table>
12.07.0 CORPORATE SERVICES REPORTS

12.07.34 USE OF COMMON SEAL UNDER DELEGATED AUTHORITY

FILE REFERENCE: AS.AS

AUTHOR’S NAME AND POSITION: Lisa Shields Executive Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 04 July 2008

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial interest in this matter.

PREVIOUS MEETING REFERENCE: Not Applicable

Summary
This report details the use of the Common Seal of the Shire of Ashburton under Delegated Authority.

Background
At the 11 April 2006 Council Meeting, Council noted the contents of a report which outlined a proposal to regularly inform Council of details relating to the use of the Common Seal.

Comment
The Common Seal has been affixed to the following documents since 20 June 2008.

Seal 261 Town Planning Scheme No. 7 Amendment No. 1 x 3
Seal 262 Transfer of Land Documentation; Lot 2 Stadium Road, Tom Price x 2
Seal 263 Agreement between Shire of Ashburton and FESA regarding the Emergency Services Levy x 2

Consultation
Chief Executive Officer

Statutory Environment

Policy Implications
There are no specific policy implications related to this issue.
Financial Implications
There are no specific financial implications related to this issue.

Strategic Implications
Strategic Plan 2007-2011 (Incorporating Plan for the Future)
6 – Well Managed and Contemporary Corporation
Statutory Compliance, compliance with Shire of Ashburton procedures and policies

Voting Requirement
Simple Majority Required

Officers Recommendation
That Council note the contents of this report.

<table>
<thead>
<tr>
<th>Author</th>
<th>Lisa Shields</th>
<th>Signature :</th>
</tr>
</thead>
<tbody>
<tr>
<td>Manager</td>
<td>Keith Pearson</td>
<td>Signature :</td>
</tr>
</tbody>
</table>
12.07.35 RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS

FILE REFERENCE: FI.RE

AUTHOR’S NAME AND POSITION: Keith Pearson
Chief Executive Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 8 July 2008

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial interest in this item

PREVIOUS MEETING REFERENCE: Not Applicable

Summary

Background
Not Applicable

Comment
The objective of this item is to present a summary of the financial activity to the 30 June 2008.

1. Presented (see attachments) in this report for the financial period ended 30 June 2008, are the:
   - Statements of Financial Activity
   - Reconciliation of statement of financial activity to current assets for the period 30 June 2008.

2. The schedule of accounts paid (see attachment) under delegated authority as summarised below, and which is submitted to Council on 15 July 2008 for receipt, has been checked and is fully supported by vouchers and invoices which have been duly certified as to the receipt of goods and rendition of services, and verification of prices, computations and costings.

 ATTACHMENT 12.07.35 Overview Financial Reports
 ATTACHMENT 12.07.35a Variance Report
 ATTACHMENT 12.07.35b Cheque Listing
Consultation
Senior Finance Officer
Consultant Accountant

Statutory Environment

Policy Implications
There are no Council Policies relevant to this issue

Financial Implications
Financial implications and performance to budget are reported to Council on a monthly basis.

Strategic Implications
There are no strategic implications relevant to this issue

Voting Requirement
Simple Majority Required

Officers Recommendation


<table>
<thead>
<tr>
<th>Author</th>
<th>Keith Pearson</th>
<th>Signature</th>
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<tbody>
<tr>
<td>Manager</td>
<td>Keith Pearson</td>
<td>Signature</td>
</tr>
</tbody>
</table>
12.07.36 DIFFERENTIAL RATING 2008-2009

FILE REFERENCE: FI_RA.2

AUTHOR’S NAME AND POSITION: Keith Pearson
Chief Executive Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 8 July 2008

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial interest in this matter.

PREVIOUS MEETING REFERENCE: Item 12.06.32 Ordinary Meeting of Council 17 June 2008

Summary

It is proposed that Council resolve to seek Ministerial approval for the Shire’s proposed differential rates for 2008-2009.

Background

At its meeting on 17 June 2008, Council resolved as follows:

1) “That Council advertise its intention in accordance with section 6.36 of the Local Government Act 1995 to adopt the following rates in the dollar and minimum rates for the differential rating categories specified for the 2008/2009 financial year:

<table>
<thead>
<tr>
<th>Category</th>
<th>Rate</th>
</tr>
</thead>
<tbody>
<tr>
<td>GRV Rate</td>
<td>0.07725</td>
</tr>
<tr>
<td>UV Rate</td>
<td>0.22262</td>
</tr>
<tr>
<td>UV Pastoral</td>
<td>0.07707</td>
</tr>
<tr>
<td>UV Rural/Commercial</td>
<td>0.22265</td>
</tr>
<tr>
<td>UV Rural/Industrial</td>
<td>0.22265</td>
</tr>
<tr>
<td>UV Mining Lease</td>
<td>0.22265</td>
</tr>
<tr>
<td>UV Exploration</td>
<td>0.22265</td>
</tr>
<tr>
<td>UV Petroleum Production</td>
<td>0.22265</td>
</tr>
<tr>
<td>UV Prospecting Licence</td>
<td>0.22265</td>
</tr>
<tr>
<td>UV Permits</td>
<td>0.22265</td>
</tr>
<tr>
<td>UV General Purpose Lease</td>
<td>0.22265</td>
</tr>
<tr>
<td>Minimum Rate</td>
<td>$500.00</td>
</tr>
</tbody>
</table>
2) **Apply to the Minister of Local Government and Regional Development to approve Council in imposing the schedule of rates outlined in point 1 above.**

3) **Approve the need for a Special Meeting of Council, for the purposes of considering the setting of rates for the 2008/2009 financial year, on Friday 11 July 2008.”**

**Comment**

Council’s rating intentions, as adopted at the June 2008 meeting of Council, were advertised in accordance with the provisions of Section 6.36 of the Local Government Act.

No public submissions were received by the end of the advertising period.

Section 6.33(3) of the Local Government Act 1995 states:

*In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.*

The former Crown Solicitors Officer (now State Solicitors Office) indicated to the Department of Local Government and Regional Development in 2001 that Ministerial approval must be obtained prior to a decision to adopt the budget and impose the rates. Accordingly, Council now must seek and obtain this approval prior to its consideration of the budget.

**Consultation**

Public Consultation period as required by *Local Government Act 1995*.

**Statutory Environment**


**Policy Implications**

There are no specific policy implications relative to this issue.

**Financial Implications**

The rate level set by Council will underpin its ability to provide services and facilities for the 2008/2009 financial year and into the future.

**Strategic Implications**

There are no specific strategic implications relative to this issue.

**Voting Requirement**
Simple Majority Required

Officers Recommendation

That in accordance with section 6.33(3) of the *Local Government Act 1995*, Council seek Ministerial Approval to impose the following:

- **GRV Rate**: 0.07725
- **UV Rate**: 0.22262
- **UV Pastoral**: 0.07707
- **UV Rural/Commercial**: 0.222625
- **UV Rural/Industrial**: 0.222625
- **UV Mining Lease**: 0.222625
- **UV Exploration**: 0.222625
- **UV Petroleum Production**: 0.222625
- **UV Prospecting Licence**: 0.222625
- **UV Permits**: 0.222625
- **UV General Purpose Lease**: 0.222625
- **Minimum Rate**: $500.00

<table>
<thead>
<tr>
<th>Author</th>
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</table>

12.07.37 ANNUAL REPORT AND GENERAL MEETING OF ELECTORS

FILE REFERENCE: FI.AU.06.07

AUTHOR’S NAME AND POSITION: Lisa Shields Executive Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 1 July 2008

DISCLOSURE OF FINANCIAL INTEREST: The author has no financial interest in this matter.

PREVIOUS MEETING REFERENCE: Not Applicable

Summary
The draft Annual Report for 2006/07 including the Financial and Auditors Reports has been prepared and requires acceptance by Council.

The Council is also required to select a date, time and venue for the Annual General Meeting of Electors and consider an Elector Information meeting.

Background
The Local Government Act 1995 requires that Council accept the Annual Report prior to its public availability and acceptance at an Annual Meeting of Electors.

An Annual Report complying with the provisions of the Local Government Act 1995 is attached.

Comment
Section 5.54 (2) of the Local Government Act 1995 requires Council to accept the Annual Report no later than two months after the Auditor’s Report becomes available. The date of the receipt of the Letter of Audit from the Shire’s Auditors was 1 July 2008.
The Annual Report is to be considered by the electors of the Shire at an Annual Meeting. It is proposed that the meeting be held in Tom Price on 6 August 2008, as the previous Annual Meeting was held in Onslow.

In previous years, an elector information meeting has been held in each town, however, with the exception of Onslow, these meetings have not been well attended.

It is proposed that one Elector Information meeting be held and that be in Onslow on 13 August 2008.

Consultation
Chief Executive Officer

Statutory Environment
Local Government Act 1995 Section 5.27 (1), 5.29 and 5.54, Convening Electors’ Meetings and Acceptance of Annual Reports.

Policy Implications
There are no Council Policies relative to this issue

Financial Implications
There are no financial implications relative to this issue

Strategic Implications
Strategic Plan 2007-2011 (Incorporating Plan for the Future)
6 – Well Managed and Contemporary Corporation
Statutory Compliance, compliance with Shire of Ashburton procedures and policies

Voting Requirement
Absolute Majority is Required for the adoption of the Report.

Officer’s Recommendation:

1. Accept the Annual Report for the period 2006/07, as attached. (Absolute Majority Required)

2. Hold an Annual General Meeting of Electors at 7:00pm, 6 August 2008 at the Tom Price Council Chambers.

3. Hold an Elector Information Meeting in Onslow at 7:00pm, 13 August 2008 at the Onslow RM Forrest Memorial Hall.

<table>
<thead>
<tr>
<th>Author</th>
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<tr>
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<td>Keith Pearson</td>
<td>Signature :</td>
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<tr>
<td>#</td>
<td>Council Meeting</td>
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</table>
| 1. | 06/08 | 16.06.12 | Confidential Report – Wittenoom Asbestos Litigation | That Council;  
1. Endorse the actions of the Chief Executive Officer, in relation to his use of his delegated authority to instruct Shire Solicitors, in relation to those Wittenoom based Asbestos claims against the Shire of Ashburton which have been progressed between February 2008 and the date of this report.  
2. Instruct the Chief Executive Officer to prepare a detailed written submission concerning “Wittenoom Asbestos Litigation” issues for submission to the State Government’s Wittenoom Steering Committee and that the Committee be requested to permit the Shire to speak to it in relation to the contents of the report.  
3. Instruct the Chief Executive Officer to initiate dialogue with the Premier in relation to Wittenoom Asbestos Litigation issues as a matter of urgency. | Ongoing. See Confidential Agenda Item 16.07.13 on July 2008 Agenda. |
| 2. | 06/08 | 16.06.13 | Confidential Report – Wittenoom Management | That Council advise the Department of Local Government and Regional Development;  
1. Of the range of legislative responsibilities it has in relation to the former town of Wittenoom;  
2. Of the nature of “the Wittenoom related” issues which have resulted in the Shire being unable to satisfy the obligations, indentified in 1 above;  
3. That the Shire does not have any authority under existing legislation which relates to the future management of Wittenoom  
4. That the Shire does not consider itself to be the appropriate agency to manage Wittenoom during closure and remedial stages, nor does it believe it appropriate that it be | Finalised. DLGRD notified of Council decision. |
<table>
<thead>
<tr>
<th>#</th>
<th>Council Meeting</th>
<th>Agenda Ref.</th>
<th>Report Title</th>
<th>Council Decision</th>
<th>Current Status</th>
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<td></td>
<td></td>
<td>represented on any such agency which may be formed, and 5. That the Shire is not qualified to identify the specific powers which should be provided to any agency which is set up to manage Wittenoom in the future.</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>06/08</td>
<td>12.06.27</td>
<td>Compliance Audit Return – Department of Local Government and Regional Development</td>
<td>That Council: 1. Adopts the Compliance Return, as amended, in attachment 12.06.27a, as the official Return of the Council for the period 1 January 2007 to 31 December 2007 and forward it to the Executive Director of the Department of Local Government.</td>
<td>Finalised. Document submitted to DLGRD.</td>
</tr>
<tr>
<td>4.</td>
<td>06/08</td>
<td>12.06.28</td>
<td>Use of Common Seal under Delegated Authority</td>
<td>That Council note the contents of this report.</td>
<td>Finalised.</td>
</tr>
<tr>
<td>5.</td>
<td>06/08</td>
<td>12.06.29</td>
<td>Request for Councillor Training</td>
<td>That Council endorse Cr Fernandez’s and Cr Rumble’s request to participate in the WALGA Elected Member Development program as set out in attachment 12.06.29a and budgeted for in the 2008/2009 draft budget.</td>
<td>Finalised. Councillor training programmes booked.</td>
</tr>
<tr>
<td>6.</td>
<td>06/08</td>
<td>12.06.30</td>
<td>Request for write off of miscellaneous debtors</td>
<td>That Council write off the amount of $3,003.00 relating to Infringement Debtors.</td>
<td>Finalised. Appropriate accounting procedures undertaken.</td>
</tr>
<tr>
<td>7.</td>
<td>06/08</td>
<td>12.06.31</td>
<td>Receipt of Financials and Schedule of Accounts</td>
<td>That Council receive the Financial Report and Schedule of Accounts for May 2008</td>
<td>Finalised.</td>
</tr>
<tr>
<td>8.</td>
<td>06/08</td>
<td>12.06.32</td>
<td>Proposed differential rates 2008/09</td>
<td>1) That Council advertise its intention in accordance with section 6.36 of the <em>Local Government Act 1995</em> to adopt the following rates in the dollar and minimum rates for the differential rating categories specified for the 2008/2009 financial year:</td>
<td>Finalised.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>GRV Rate 0.07725  UV Rate 0.22262  UV Pastoral 0.07707  UV Rural/ Commercial 0.222625  UV Rural/ Industrial 0.222625  UV Mining Lease 0.222625  UV Exploration 0.222625</td>
<td>1. Proposed rating advertised state wide for public comment. 2. It was not possible to hold a special meeting of Council on</td>
</tr>
</tbody>
</table>
## Council Meeting

### Report Title

<table>
<thead>
<tr>
<th>#</th>
<th>Council Meeting</th>
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<th>Council Decision</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>07/07</td>
<td>12.07.45</td>
<td>Offer from Department of Local Government – Outstanding Rates – Wittenoom</td>
<td>That Council advise the Department of Local Government and Regional Development that it accepts the Department’s proposal, as set out in its advice received 20 June 2007 (Attachment 12.07.45), in return for the Shire exercising the provisions of Section 6.74 of the Local Government Act, in relation to vacant land within the former townsite of Wittenoom, where the rates outstanding are for three or more years.</td>
<td>Ongoing Council decision being implemented. DLGRD has paid $29,000 for outstanding rates on 12 properties</td>
</tr>
<tr>
<td>10</td>
<td>08/07</td>
<td>12.08.54</td>
<td>Local Laws</td>
<td>That Council</td>
<td>Ongoing Executive meeting planned to progress possible Property Local Law.</td>
</tr>
<tr>
<td>2</td>
<td>11/07</td>
<td>12.08.45</td>
<td>Offer from Department of Local Government – Outstanding Rates – Wittenoom</td>
<td>That Council approve the need for a Special Meeting of Council, for the purposes of considering the setting of rates for the 2008/2009 financial year, on Friday 11 July 2008.</td>
<td>Ongoing Council decision being implemented. DLGRD has paid $29,000 for outstanding rates on 12 properties</td>
</tr>
<tr>
<td>3</td>
<td>11/07</td>
<td>12.08.54</td>
<td>Local Laws</td>
<td>That Council</td>
<td>Ongoing Executive meeting planned to progress possible Property Local Law.</td>
</tr>
<tr>
<td>4</td>
<td>11/07</td>
<td>12.08.54</td>
<td>Local Laws</td>
<td>That Council</td>
<td>Ongoing Executive meeting planned to progress possible Property Local Law.</td>
</tr>
<tr>
<td>5</td>
<td>11/07</td>
<td>12.08.54</td>
<td>Local Laws</td>
<td>That Council</td>
<td>Ongoing Executive meeting planned to progress possible Property Local Law.</td>
</tr>
<tr>
<td>6</td>
<td>11/07</td>
<td>12.08.54</td>
<td>Local Laws</td>
<td>That Council</td>
<td>Ongoing Executive meeting planned to progress possible Property Local Law.</td>
</tr>
<tr>
<td>7</td>
<td>11/07</td>
<td>12.08.54</td>
<td>Local Laws</td>
<td>That Council</td>
<td>Ongoing Executive meeting planned to progress possible Property Local Law.</td>
</tr>
<tr>
<td>8</td>
<td>11/07</td>
<td>12.08.54</td>
<td>Local Laws</td>
<td>That Council</td>
<td>Ongoing Executive meeting planned to progress possible Property Local Law.</td>
</tr>
</tbody>
</table>

### UV Petroleum Production
- UV Petroleum Production: 0.222625
- UV Prospecting Licence: 0.222625
- UV Permits: 0.222625
- UV General Purpose Lease: 0.222625
- Minimum Rate: $500.00

2) Apply to the Minister of Local Government and Regional Development to approve Council in imposing the schedule of rates outlined in point 1 above.

3) Approve the need for a Special Meeting of Council, for the purposes of considering the setting of rates for the 2008/2009 financial year, on Friday 11 July 2008.

11 July 2008 due to lack of a quorum, therefore a report in relation to Public Advertising is contained in the July 2008 Council agenda.

9. 06/08 12.06.33 Fees & Charges 2008/09 That the Fees and Charges schedule as per the attachment 12.06.33, be adopted for the year ended June 2009 subject to the schedule being amended in accordance with the Local Government (Miscellaneous Provisions) Act at the time of its Gazettal.

Finalised.
<table>
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<tr>
<th>#</th>
<th>Council Meeting</th>
<th>Agenda Ref.</th>
<th>Report Title</th>
<th>Council Decision</th>
<th>Current Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>12</td>
<td>12/06</td>
<td>12.12.088</td>
<td>Asset Register Review</td>
<td>That Council instructs Chief Executive Officer to submit a draft Council policy, in relation to the management of the Shires Asset Register to the February, 2007 meeting of Council.</td>
<td>Completed. Valuation Report has been prepared by registered valuer. The Asset Register is being updated to reflect “real property” valuations.</td>
</tr>
<tr>
<td>13</td>
<td>06/05</td>
<td>12.06.1227</td>
<td>Tom Price Office relocation</td>
<td>That a comprehensive review of the Staff Housing Plan and Tom Price office relocation be undertaken for Council’s further consideration, to incorporate recommendations for dwelling refurbishment, replacement and acquisition and appropriate funding strategies.</td>
<td>Completed Interim Measures have been discussed and will be presented to Council at June 2008. Long term strategy and plan incorporated into Tom Price Structure Plan.</td>
</tr>
</tbody>
</table>
13.07.0 DEVELOPMENT SERVICES REPORTS

13.07.27 DEVELOPMENT APPROVALS ISSUED UNDER DELEGATION – SHIRE OF ASHBURTON TOWN PLANNING SCHEME NO.7

Summary
Council has delegated to the Executive Manager Development Services the authority to issue development approvals pursuant to the Shire’s Town Planning Scheme No.7, in certain circumstances.

Details of approvals issued by the Executive Manager Development Services since the last Council Meeting are set out in this report.

Background
Council has delegated to the Executive Manager Development Services the authority to issue development approvals, pursuant to the Shire’s Town Planning Scheme No.7, in certain circumstances.

Details of approvals issued by the Executive Manager Development Services since the last Council Meeting are set out below.

Comment
Three (3) approvals have been issued under delegation up until the date of this report. These were for:

- Home Occupation Renewal – Pilbara Gorge Tours
  Jeff & Bev Brenton
  1763 Larnook Street, TOM PRICE

- Home Occupation Renewal – Revive Hair Studio
  Sonya Finlay
1202 Wilgerup Street, TOM PRICE

- Planning Approval – Office
  Spotless Services
  Deepdale Drive, PANNAWONICA

Details of the approval may be obtained from the Executive Manager Development Services.

**Statutory Environment**
Clause 9.3 of the Shire of Ashburton Town Planning Scheme No.7.
Sections 5.45, 5.46, 5.70 and 5.71 of the Local Government Act 1995.
Shire Code of Conduct.

**Policy Implications**
There are no policy implications relative to this matter.

**Financial Implications**
There are no financial implications relative to this matter.

**Strategic Implications**
Values:
- Professionalism
- Quality service delivery & services

Our Focus:
- Economic growth and diversity
- Quality lifestyle and social well being
- Ecological sustainability and best practice environmental management
- Improved services and infrastructure
- Best practice local government

Critical Success Factors:
- Sound management practices
- Determination and implementation of the agreed levels of services and service delivery

Action Plan, Improved Services & Infrastructure:
- Review & implement managerial policies and practices

**Voting Requirement**
Simple Majority Required

**Recommendation**
That the contents of this report be noted.

<table>
<thead>
<tr>
<th>Author:</th>
<th>Kelly Tate</th>
<th>Signature:</th>
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<tr>
<td>Manager:</td>
<td>Bernie Smith</td>
<td>Signature:</td>
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### 13.07.28 DEVELOPMENT SERVICES DECISION STATUS REPORT

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<tbody>
<tr>
<td>1.</td>
<td>06/08</td>
<td>13.06.25</td>
<td>Application for planning consent for a short stay holiday cabin, Direction Island</td>
<td>That Council, subject to no adverse submissions being received as a consequence of the referral of the Application to the Department of Environment and Conservation, authorize the Chief Executive Officer to issue Planning Consent for “holiday accommodation” (Short Stay Holiday Cabin) on Direction Island, subject, but not necessarily limited to, the following conditions:</td>
<td>Finalised. No objection to issuing of approval received from DEC therefore development approval issued in accordance with Council resolution.</td>
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<td>1. A Building Licence for the development should be obtained prior to 19 June 2010. This Planning Consent lapses if a building licence for the development has not been obtained by 19 June 2010. Further to this, if the development is not substantially commenced in accordance with the Building Licence by 19 June 2010, then this Planning Consent lapses at that date.</td>
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<td>2. The land use and development shall be undertaken generally in accordance with the approved plans, in a manner that is deemed to comply to the satisfaction of the Chief Executive Officer.</td>
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<td>3. A Fire Management Plan and Emergency Evacuation Plan shall be prepared by the applicant and adopted by Council and thereafter implemented to Council’s satisfaction prior to the issuing of a Building Licence.</td>
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<td>4. A Landscape and Rehabilitation Plan shall be prepared by the Applicant and submitted for Council endorsement and such submission approved prior to issue of a Building Licence. The Plan shall relate to the rehabilitation of the existing ‘fisherman hut’ site to the requirements of the Department of</td>
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<td>Environment and to be established in accordance with the approved plan(s) prior to occupation and thereafter maintained to the satisfaction of the Chief Executive Officer.</td>
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<td>5.</td>
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<td>A geotechnical report covering the development area being prepared by the applicant at the applicant’s cost and to the satisfaction of the Chief Executive Officer. The report to be lodged with the building licence application, together with certification from a structural engineer that the design is suitable for the site conditions as outlined in the geotechnical report.</td>
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<td>A comprehensive effluent plan and drainage plan shall be submitted to Council and such plan(s) approved prior to the issue of a Building Licence. All works to be constructed as per the approved plan.</td>
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<td>7.</td>
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<td>The operator is solely responsible for the removal of all litter and rubbish and shall ensure that the Island is retained in pristine condition at all times.</td>
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<td>The use when established shall at all times comply with the definition of “holiday accommodation” as contained within Town Planning Scheme No. 7, as follows:</td>
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<td>“…any land and/or buildings used predominantly by travelers and holiday-makers and designed to take advantage of a tourist attraction or other locational consideration for tourism reasons including camping areas, areas for two or more movable dwellings, chalet parks and serviced apartments or any combination thereof but excluding Bed/Breakfast facilities (which are included within the definition of home business), hotel and motel.”.</td>
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<td><strong>Advice Notes</strong></td>
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<td>1. In relation to Condition 3, it is recommended that prior to the submission of the Fire Management Plan and Emergency Evacuation Plan, the Applicant discuss the proposal with FESA and SES.</td>
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<td>2. A building licence application under the provisions of the Local Government Miscellaneous Provisions Act must be submitted to and approved by the Shire prior to the demolition of existing buildings and the commencement of any on-site works whatsoever.</td>
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<td>3. Further to this approval, the Applicant is required to submit working drawings and specifications to comply with the requirements of Part 4 of the Building Regulations, 1989 (as amended) and the Health Act, 1911 (as amended) which are to be approved by the Shire’s Principal Building Surveyor and Principal Environmental Health Officer prior to the issue of the Building Licence.</td>
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<td>4. The Environmental Protection Act contains penalties where the noise limits prescribed by the Act are exceeded and it is suggested that the Applicant has due regard for this in the operation of the development.</td>
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<td>5. Any signage proposed as part of this development may require a Sign Licence. The Applicant is advised to liaise with Council’s Principal Building Surveyor in this regard.</td>
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<td>6. This approval is for a “holiday accommodation” (Short Stay Holiday Cabin) only. In the “Conservation, Recreation and Natural Landscapes” Reserve, further approval is required for most land uses and building construction. Council’s Planning Department should be contacted</td>
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<td>2</td>
<td>05/08</td>
<td>13.05.23</td>
<td>Council Policy Review – Health</td>
<td>Directs the Chief Executive Officer to draft a new Council Policy relating to Aboriginal Environmental Health Strategy and report back to Council</td>
<td>Ongoing. New Environmental Health Officer will draft AEH new Health Strategy. New EHO to start middle August.</td>
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| 3  | 04/08                   | 13.04.17    | Town Planning Policies Review             | That Council  
1. Retains Local Planning Policies PLA01; PLA08; PLA09; PLA15; PLA16; PLA17; PLA18; PLA19 and PLA20 without amendment.  
2. Direct the Chief Executive Officer to prepare draft Local Planning Policies generally similar to Council Policies PLA02; PLA10; PLA11; PLA12 PLA13 and PLA14 for submission to Council.  
3. Retain Council Policies PLA03, PLA04 and PLA06 without amendment.  
4. Retain Council Policy PLA05, subject to all references in the policy to “cat pound” be changed to “cattery”.  
5. Delete Council Policy PLA07 and refer the matter to the Old Onslow Townsite Working Group with the objective of developing a new policy. | Ongoing. CEO to prepare draft Local Planning Policies. Shire’s Town Planning Consultant has been instructed to prepare draft Policies.                                                                                                                                   |
| 4  | 03/08                   | 13.03.10    | Town Planning Scheme Amendment No. 1 – Lot 300 Boonderoo Road, Tom Price | That Council, in pursuance of Part V of the *Planning and Development Act 2005* (*Act*) adopt for final approval Amendment No.1 as advertised, subject to the following modifications:  
1. That new parts be included in the Amendment as follows:  
   (a) an asterisk be placed next to ‘I’ of the zoning table coordinated between ‘Transient | Ongoing Amendment has been submitted to Western Australian Planning Commission for consideration.                                                                                                                                                                      |
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<td>Workforce Accommodation and ‘Mixed Business’.&lt;br&gt;(b) include the following note immediately after the Zoning Table:&lt;br&gt;“* Note: Clause 6.9.5 prohibits ‘Transient Workers Accommodation use at Lot 300 Booderoo Road, Tom Price”&lt;br&gt;(c) include new Clause 6.9.5 of the Scheme to read as follows:&lt;br&gt;“6.9.5 Notwithstanding any other provision of this Scheme, the use and development of ‘Transient Workers Accommodation at Lot 300 Booderoo Road, Tom Price is prohibited”&lt;br&gt;2. That Council, upon receipt of the necessary amending documentation, refers the Amendment so adopted for final approval to the Western Australian Planning Commission with a request for approval of the Minister for Planning and Infrastructure.&lt;br&gt;3. Where notification is received from the Department for Planning and Infrastructure that a modification of the Amendment is required prior to approval of the Amendment by the Minister, this modification be undertaken in accordance with the requirements of the <em>Town Planning Regulations 1967</em> unless it is considered by the Chief Executive Officer that the modification affects the intent of the for consideration.&lt;br&gt;4. Should the Proponent not provide the necessary amending documentation referred to in 2. above to the satisfaction of the Executive Manager Development Services, the Chief Executive Officer be</td>
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<td>requested to make appropriate arrangements to ensure that the modifications to Amendment No. 1 are carried out.</td>
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<td>5.</td>
<td>03/08</td>
<td>13.03.11</td>
<td>Town Planning Scheme Amendment No. 2 – Modification to the Scheme to reflect local planning policy – Transient Workforce Accommodation</td>
<td>That Council, in pursuance of Part V of the Planning and Development Act 2005 (&quot;Act&quot;), adopt for community consultation purposes draft Amendment No. 2 (&quot;Amendment&quot;) to Shire of Ashburton Town Planning Scheme No. 1 (&quot;Scheme&quot;) that proposes:</td>
<td>Ongoing Under consideration by Administration. Will be subject to report to council. To be subject of consideration as a part of the Tom Price Structure Plan study.</td>
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<td>1. That the zoning table be modified as follows:</td>
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<td>(a) Identifying ‘Transient Workforce Accommodation’ as a ‘X’ use class in the ‘Mixed Business’ zone;</td>
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<td>(b) Identifying ‘Transient Workforce Accommodation’ as a ‘X’ use class in the ‘Industrial &amp; Mixed Business Development’ zone; and</td>
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<td>(c) Identifying ‘Transient Workforce Accommodation’ as a ‘X’ use class in the ‘Rural Living’ zone;</td>
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<td>2. That, as the draft Amendment is in the opinion of Council consistent with Part V and Schedule 1 of the Act, regulations made pursuant to the Act and relevant state planning policy prepared under Part III of the Act, that upon preparation of the necessary documentation, the draft Amendment be referred to the Environmental Protection Authority (EPA) as required by Part V of the Act, and on receipt of a response from the EPA indicating that the draft Amendment is not subject to formal environmental assessment, be advertised for a period of 42 days, in accordance with the Town Planning Regulations 1967.</td>
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<td>3. That following advertising of the draft Amendment,</td>
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| 6  | 02/08                   | 13.02.06    | Exercising of Option to Take Possession of Lot 2 Stadium Road, Tom Price | That Council
1. Advise Pilbara Iron P/L, that it wishes to exercise its option to take possession of the freehold of Lot 2 Stadium Road, Tom Price as agreed to by the company in its correspondence dated 20 May 2005.
2. Instruct the Chief Executive Officer to undertake the administrative steps necessary to ensure the transfer of Lot 2 Stadium Road, property to the Shire. | Ongoing. Rio Tinto Ltd advised in writing of Council decision to exercise option. Transfer documents have been prepared by Shire Solicitors and await signing. |
| 7  | 11/07 10/07            | 13.11.41 13.10.36 | Land Relinquishment Tom Price – Rio Tinto | That Council
That Council advise Rio Tinto Iron Ore P/L and the Minister for State Development that
1. on the basis of discussions to date, the Shire is unable to provide a letter confirming satisfactory progress has been made by the company in the release of company controlled land, but
2. the Shire is of the opinion that a time extension until 31 December 2008 is warranted subject to the company
a. initiating and financing an independent review of existing power, water and sewer infrastructure in Tom Price. The purpose of the review being to assess the capacity and functionality of the current infrastructure to;
   - Ensure the existing facilities are capable of serving the infrastructure requirements of Tom Price as it is currently developed and zoned for development under the Town Planning Scheme No 7
   - Ensure the infrastructure complies with current Australian Standards
   - Estimate the useful remaining life of the existing infrastructure and the renewal gap cost
   The review will prioritise any works required and | Ongoing. RTIO and Shire have reached agreement on outstanding matters requesting research and investigation. Draft water and waste water report has been received from company as has Electricity Study report. |
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<td>provide timelines for implementation of the recommendations. The review to be completed and accepted by the Shire of Ashburton by 30th April 2008.</td>
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<td>b. implementing the recommendations contained in the Consultant’s report at the cost to the company.</td>
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<td>c. funding an independent Order of Magnitude study with regard to future capacity requirements based on long term Town Planning options. The company will seek to develop the Terms of Reference for the study in conjunction with the Shire of Ashburton. The study shall enable key stakeholders to understand what the future capacity requirements may be, however there is no commitment on behalf of the company in terms of developing the future capacity.</td>
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|    |                        |             |              | d. agreeing to relinquish one of two Lots of residentially zoned land in Tom Price currently held under a special lease. These lots are known as:  
• Lot 2B “Golf Course subdivision” and;  
• Lot C “Karijini Special Use Zone” |                |
<p>|    |                        |             |              | e. committing to review its potential requirement for further residential housing development in line with Operational needs by end of 2008. The company shall advise the Shire accordingly of any requirements with a view to entering into discussions around potential for the company to relinquish the second lot as per above. |                |
|    |                        |             |              | f. shall, in consultation with the Shire of Ashburton, establish a process to facilitate the development of land within Tom Price similar to a normal service provider. |                |
|    |                        |             |              | g. participating and assisting with the development of a Structure Plan for Tom Price along with other stakeholders including Land Corp, DPI, DOIR and the |                |</p>
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|    |                        |             |                                     | 1. Request that Pilbara Iron P/L enter into a lease with the Shire as lessee, Lot 1 Camp Road, Paraburdoo, on the following terms  
|    |                        |             |                                     | (a) The lease be for a term of 15 years, or more  
|    |                        |             |                                     | (b) The rental be a peppercorn rental  
|    |                        |             |                                     | (c) the Shire accept responsibility for outgoings  
|    |                        |             |                                     | (d) the Shire has the right to sublease the property  
|    |                        |             |                                     | 2. Subject to (1) above being satisfied, call for tenders from interested parties, to develop and operate a short term accommodation facility on site, subject to the following conditions.  
|    |                        |             |                                     | • Provision shall be made for 12 caravan bays  
|    |                        |             |                                     | • Provision shall be made for 12 camp sites  
|    |                        |             |                                     | • Ablution facilities shall be provided in accordance with the provisions of the Caravan Park and Camping Ground Act.  
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| 6  | 08/07                  | 13.08.26    | Proposed Accommodation Structures, Tom Price Tourists, Reserve 38762, Nameless Valley Road, Tom Price | That Council:  
   1. Agree, in its capacity as lessor of Reserve 38762, to the subject development application lodged by Kaussie Holdings P/L (Mr. A Drage), being considered by Council pursuant to the Shire of Ashburton Town Planning Scheme No. 7.  
   2. Approve the development application made by Kaussie Holdings P/L (Mr. A Drage), to erect and use twenty (20) accommodation units on Reserve 38762 for the purposes of short term accommodation, in accordance with the attached plans, subject to the following conditions:  
   a. The development shall comply with the Shire of Ashburton Town Planning Scheme No. 7, the Health Act, the Building Code of Australia, and the Western Australian Fire Board Regulations and any other relevant Acts, Regulations and Local Laws;  
   b. The operator of the site shall maintain the site in a neat and tidy condition, to the satisfaction of the Shire at all times.  
   3. Advise the applicant of its right of appeal, pursuant to Part 14 of the Planning and Development Act 2005.  
   4. In its capacity as lessor of the site, advise the applicant that development in accordance with this development approval may not commence until the existing lease for the property has been modified to incorporate the proposed uses and layout as shown on the subject development approval. This shall include the obtaining of the Minister of Lands approval for the modified layout. | Ongoing. To be the subject of report to August Council Meeting. Originally proposed transfer of lease did not eventuate. Proprietor expects new offer to purchase lease. Shire solicitor is clarifying status of building 'ownership'. |
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| 9. | 11/07 08/07            | 13.11.40 16.08.17 | Legal Advice in Relation to Buildings and Environmental Health Regulatory Matters. | That Council give Rio Tinto Iron Ore P/L an undertaking that the Shire will not require the removal or demolition of the following facilities and structures.  
(a) Camp David, Pannawonica  
All buildings and facilities within the 83 bed camp, until the date set out in the development approval, issued pursuant to the Shire’s Town Planning Scheme No 7, on 20 November 2007, and identified in the Section 401 notices issued pursuant to the Local Government (Miscellaneous Provisions) Act on 31 August 2007.  
(b) Brockman 2, Mine Site  
All buildings identified in the Section 401 Notice issued pursuant to the Local Government (Miscellaneous Provisions) Act on 30 August 2007.  
subject to the company  
(a) indemnifying the Shire against all possible losses and liabilities, in a form generally in accordance with the attached Deed of Indemnity (Attachment 13.11.40), and  
(b) reimbursing the Shire for all costs incurred by it as a result of addressing the regulatory breaches identified. | Ongoing.  
Indemnities and schedule of Shire costs submitted to Rio Tinto.  
Awaiting return of signed documents and payment of costs prior to the issuing of Shire undertaking not to require demolition of buildings. |
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<td>10.</td>
<td>04/06</td>
<td>13.03.015</td>
<td>Amendment to Health Local Law – Prescribed Refuse Collection Areas</td>
<td>That:- 1. Council resolved to amend the Health Local Laws by adding the following to Schedule 15:- • Any other defined areas of the district that have been approved and developed in accordance with the provisions of a State Agreement or an approval offered by the Shire of Ashburton under the Town Planning &amp; Development Act 1928 (as amended). 2. The necessary statutory procedures be instigated and the matter be referred back to Council for further consideration at the appropriate time. 3. It be noted that the wording of the proposed amendment as adopted by Council under item 7.09.539, Ordinary Meeting of Council 19 September 2000, has been altered.</td>
<td>Ongoing Being incorporated into Local Law review process.</td>
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<td>11.</td>
<td>06/05</td>
<td>12.06.1227</td>
<td>Staff Housing Upgrade</td>
<td>That a comprehensive review of the Staff Housing Plan be undertaken for Council’s further consideration, to incorporate recommendations for dwelling refurbishments, replacement and acquisition and appropriate funding strategies</td>
<td>Ongoing. Commenced. Some aspects of Housing Plan will be incorporated into AWA &amp; Policy Review.</td>
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## 14.07.0 WESTERN OPERATIONS REPORTS

### 14.07.14 WESTERN OPERATIONS DECISION STATUS REPORT

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<td>1.</td>
<td>11/07</td>
<td>14.11.19</td>
<td>Onslow Airport Runway Decommissioning Decision</td>
<td>That Council; 1. Agrees to the extension and reopening of Runway 12/30 as a light aircraft landing strip subject to CASA approval and; 2. Provides an allocation of $25,000 be made outside the 2007/2008 budget to extend Runway 12/30</td>
<td>Ongoing Works have been programmed for June 2008. Awaiting for contractor to commence work. Survey has been completed awaiting results and will book works</td>
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<td>2.</td>
<td>02/03</td>
<td>10.01.673</td>
<td>Onslow Sea Wall Ownership and Progress Report MES</td>
<td>Advise the contractor, WA Limestone/Roadstone JV, that the surface of the boat ramp at First Avenue, Onslow, is not acceptable due to the unevenness of the patched section and the small voids that exist in other parts of the surface; Approve the additional works associated with the Onslow sea wall project to be: (a) Ocean View Caravan Park Reserve retaining soil $20,000; (b) Seniors Units &amp; Sun Chalet reserves area fill to level behind sea wall $35,000; (c) Beach replenishment $15,000; (d) Design disabled access $5,000; and (e) Survey and peg reserve boundaries $7,000. Have the property boundaries surveyed and marked on site before further considering formal control of the sea wall being accepted.</td>
<td>Ongoing MDS investigating the matter further in order to finalise ownership. (a) Complete (b) Complete (c) Complete EMDS and CEO meet with Consultant Planner and have discussed process – still waiting on Survey.. Boundaries of proposed reserve are to be identified ASAP. (Survey has been booked for completion subject to surveyors availability)</td>
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### COMMUNITY

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**AGENDA – ORDINARY MEETING OF COUNCIL**

**15 JULY 2008**

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**Council Meeting**

**Agenda Ref.**

**Report Title**

**Council Decision**

**Current Status**
<table>
<thead>
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<tr>
<td>5</td>
<td>04/08 11/07</td>
<td>14.04.07 14.11.17</td>
<td>Onslow Aged Pensioner Units</td>
<td>That Council 1. Endorse the upgrade of four of the Onslow Pensioner Units to an acceptable standard (to a maximum of $200,000) and that provision be made in the budgetary preparations for the 2008/09 financial year. 2. Support the formation of a working party led by the Executive Manager Western Operations and the General Manager of Buurabaliyi Thalanyji to progress the future development of appropriate Aged Housing in Onslow. 3. Resolve that the fifth unit is to remain vacant until the outcome of the working parties deliberations are known.</td>
<td>Ongoing. Discussions with Thalanyji. Meeting being arranged to progress working party.</td>
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<td>6</td>
<td>11/07</td>
<td>14.11.16</td>
<td>Proposal to Operate a Gym in Onslow</td>
<td>That Council a) approve the proposal for Council to operate the proposed Onslow Gym for 12 months from February 2008 – February 2009, subject to a satisfactory risk assessment first being undertaken b) allocate $5,500 outside of the 2007/2008 budget towards the cost of operating the facility.</td>
<td>Ongoing Delayed due to difficulty securing electrician for power upgrade to Onslow Sports club site – Power upgrade complete. Waiting on contracted works to fit sub metre, emergency phone, swipe cards and airconditioning. This work has been booked.</td>
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<tr>
<td>8</td>
<td>07/05</td>
<td>11.07.348</td>
<td>United Christian Broadcasters Australia (Ucba) Request to Install Radio Rebroadcast Equipment Lot 694 Payne Way Onslow</td>
<td>That subject to a favourable technical report being provided and the issue of a letter of indemnity to Council, United Christian Broadcasters Australia through their Vision Radio Network is granted permission to install radio rebroadcast equipment in Council facilities situated on Lot 694 Payne Way Onslow, with any associated costs being borne by the applicant.</td>
<td>Ongoing Changeover and upgrade is complete – will contact United Christian broadcasters regarding next steps.</td>
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<td>10</td>
<td>03/05</td>
<td>12.03.120</td>
<td>Robe River Memorandum of Understanding</td>
<td>‘That a working group of Council be formed of the following Cr L Corker, Cr A Eyre, Keith Pearson CEO, Amanda O’Halloran EMWO and Jeff Breen EMES to prepare and approve tender documents in regard to reinstatement of Onslow Television Services’ (b) Instruct the Chief Executive Officer to pursue the reinstatement of Onslow Television and radio Services in accordance with relevant administrative policies.</td>
<td>Ongoing (Pannawonica) May 08 - Lease for Library finalised and signed off. Further discussions regarding Caravan Park and ablutions ongoing.</td>
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**DEVELOPMENT**

| 11 | 06/08 | 14.05.12 | Lot 944 First Avenue, Onslow, Reserve 42626, Removal from Shire of Ashburton Municipal Inventory | That Council instruct the Chief Executive Officer to call for public comment in relation to the possible demolition of Lot 944 First Street, Onslow and report back to Council. | Ongoing. Public notification of proposed given in local newspaper. |

<p>| 12 | 12/06 | 14.12.018 | Residential Plan for the Shire of Ashburton – Onslow | That Council instruct CEO to prepare tender documents for the building residences at 318 Second Avenue, 360 Third Avenue, and 578 Hedditch Street. | Ongoing Lot 502 First Avenue and Lot 318 Second Avenue. Survey of these sites has been arranged. Exploring |</p>
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<td>13</td>
<td>12/05</td>
<td>13.12.408</td>
<td>Proposed Transfer of Emergency Services Building</td>
<td>That :- 1. Council agree to transfer the tenure of the Onslow Emergency Service Building to FESA subject to:- i) FESA to become responsible for the outstanding loan on the facility and any financial outlay required for the transfer thereof; and ii) A condition being placed on the Management Order over the premises that they are to be used only to house the local Volunteer Emergency Services including the Marine Rescue Service. 2. The necessary procedures required to effect the transfer be implemented. 3. The present designation of Lot 971 in the Shire’s Town Planning Scheme No.7 be amended to reflect the existing land use during the Planning Scheme review for Onslow. 4. The future need of the Onslow Emergency Services Building Management Committee and Instrument of Delegation DA503 be noted and in due course be discontinued.</td>
<td>Ongoing. Subdivision of property has occurred. DPI has advised FESA of purchase price for Emergency Services Building land.</td>
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<tr>
<td>14</td>
<td>08/5</td>
<td>13.08.376</td>
<td>Proposed BHP Billiton Pilbara LNG Processing Facility, Onslow – Preparation Of State Agreement</td>
<td>That Council request the Minister for State Development to obtain meaningful input from the Shire of Ashburton, when preparing the proposed State Agreement between the State Government and BHP Billiton, in relation to BHP Billiton Ltd’s proposed LNG Processing Plant, to be constructed adjacent to the town of Onslow, and that Council seek a meeting with the Minister to discuss this issue.</td>
<td>Ongoing. Part of ongoing discussion with State Government and Resource company re proposed LNG Plant at Onslow.</td>
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15.07.0 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

16.07.0 CONFIDENTIAL REPORTS

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 then 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;

(III) 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.
16.07.13  CONFIDENTIAL REPORT – WITTENOOM ASBESTOS LITIGATION

FILE REFERENCE:  AS.WI.2

AUTHOR’S NAME AND POSITION:  Keith Pearson  Chief Executive Officer

NAME OF APPLICANT/RESPONDENT:  Not applicable

DATE REPORT WRITTEN:  9 July 2008

DISCLOSURE OF FINANCIAL INTEREST:  The author notes that on 11 October 2006 he was the Shire observer at the State Government initiated Wittenoom Steering Committee meeting during which a draft copy of the report "Management of Asbestos Contamination in Wittenoom" was discussed. The author is aware of the report contents but is unable to comment on them due to an interim Ministerial embargo on the release of the report contents.

Confidential Item 16.05.07 – 17 July 2007 Ordinary Meeting of Council.
Confidential Item 16.10.18 – 16 October 2007 Ordinary Meeting of Council.
Confidential Item 16.02.03 – 19 February 2008 Ordinary Meeting of Council.
Confidential Item 16.16.12 – 17 June 2008 Ordinary Meeting of Council.

Please refer to confidential attachment 16.07.13 under separate cover.
17.07.0 NEXT MEETING
The next Ordinary Meeting of Council will be held on 21 August, 2008 in the Shire Council Chambers, Second Avenue, Onslow commencing at 9:00am.

18.07.0 CLOSURE OF MEETING