



**SHIRE OF ASHBURTON
CONFIRMED PUBLIC MINUTES**

**Clem Thompson Sports Pavilion,
Stadium Road, Tom Price**

**13 October 2020
1.00 pm**

**CONFIDENTIAL MINUTES - ORDINARY MEETING OF COUNCIL
13 OCTOBER 2020**

SHIRE OF ASHBURTON

ORDINARY MEETING OF COUNCIL

The Chief Executive Officer recommends the endorsement of these minutes at the next Ordinary Meeting of Council.




**Mr Kenn Donohoe
Chief Executive Officer**

Date: 19.10.2020

These minutes were confirmed by Council as a true and correct record of proceedings of the Ordinary Meeting of Council on the 13 October 2020.

Presiding Member:



Date: 19/11/2020

DISCLAIMER

The resolutions contained in the Minutes 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.

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1. DECLARATION OF OPENING

The Presiding Member declared the meeting open at 1.00pm.

1.1 ACKNOWLEDGEMENT OF COUNTRY

As representatives of the Shire of Ashburton Council, we respectfully acknowledge the local Indigenous people, the traditional custodians of this land where we are meeting upon today and pay our respects to them and all their elders both past, present and emerging.

2. ANNOUNCEMENT OF VISITORS

The Presiding Member welcomed Mr Vince Catania, MP, Mr John Hanlon, Mrs Colleen Hanlon (Tom Price Tyrepro and Autopro), and Tina Mladenovic from the Pilbara Inland Chamber of Commerce and Industry (PICCI) to the gallery.

3.1 PRESENT

Elected Members:	Cr K White Cr D Diver Cr L Rumble Cr P Foster Cr M Lynch Cr M Gallanagh Cr D Dias Cr J Richardson	Shire President (Presiding Member) Onslow Ward Deputy Shire President, Tom Price Ward Paraburdoo Ward Tom Price Ward Tom Price Ward Pannawonica Ward Paraburdoo Ward Tablelands Ward
Staff:	Mr K Donohoe Mr J Bingham Mrs K Bartley Mr A Majid Mr A Sheridan Mrs C McGurk Mrs M Lewis Ms T O'Neil Mrs A Lennon	Chief Executive Officer Director Corporate Services Director Community Services Director Development Services Acting Director Infrastructure Acting Director Projects and Procurement Council Liaison Officer Administration Officer Media and Communications Manager
Guests:	Mr Vince Catania MP	Member for North West Central
Members of Public:	There were four members of the public in attendance at the commencement of the meeting.	
Members of Media:	There were no members of the media in attendance at the commencement of the meeting.	

3.2 APOLOGIES

There were no apologies for this meeting.

3.3 APPROVED LEAVE OF ABSENCE

Cr R de Pledge Ashburton Ward

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3. QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil questions taken on notice to be responded to at this meeting.

4.2 PUBLIC QUESTION TIME

There were no public questions for this meeting.

5. APPLICATIONS FOR LEAVE OF ABSENCE

Council Decision

MOVED: Cr P Foster

SECONDED: Cr L Rumble

That Council approve the application for Approved Leave of Absence from Cr Lynch for the Ordinary Meeting of Council to be held 10 November 2020.

CARRIED 8/0

6. DECLARATION BY MEMBERS

6.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA

All Councillors noted that they had given due consideration to all matters contained in the Agenda presently before the meeting.

6.2 DECLARATIONS OF INTEREST

Councillors to Note

A Councillor who has an Impartiality, Proximity or Financial Interest in any matter to be discussed at a Council or Committee Meeting, which will be attended by the member, must disclose the nature of the interest:

- (a) In a written notice given to the Chief Executive Officer before the Meeting or;
- (b) At the Meeting, immediately before the matter is discussed.

A Councillor, who makes a disclosure in respect to an interest, must not:

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

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NOTES ON DECLARING INTERESTS (FOR YOUR GUIDANCE)

The following notes are a basic guide for Councillors when they are considering whether they have an interest in a matter.

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

1. A Financial Interest requiring disclosure occurs when a Council decision might advantageously or detrimentally affect the Councillor or a person closely associated with the Councillor and is capable of being measured in money terms. There are exceptions in the *Local Government Act 1995* but they should not be relied on without advice, unless the situation is very clear.
2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc.), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in 6.2(b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be given when the matter arises in the Agenda, and immediately before the matter is discussed.
6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the *Local Government Act 1995*; or
 - 6.2 Where the Minister allows the Councillor to participate under s.5.69 (3) of the *Local Government Act 1995*, with or without conditions.

Declarations of Interest provided:

Item Number/ Name	Type of Interest	Nature/Extent of Interest
12.7 MINING ACT 1968 TENEMENT REFERRALS - 25 AUGUST TO 30 SEPTEMBER 2020		
Cr Rumble	Financial	The nature of my interest is I am a Shareholder with Rio Tinto. The extent of my interest is I have Shares in value greater than \$10,000.
Cr Foster	Indirect Financial	The nature of my interest is Indirect Financial. The extent of my interest is my partner is employed by Rio Tinto, owns over \$10k in shares and as a family we live in a Rio Tinto owned property paying subsidised rent and utilities.

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Item Number/ Name	Type of Interest	Nature/Extent of Interest
12.7 MINING ACT 1968 TENEMENT REFERRALS - 25 AUGUST TO 30 SEPTEMBER 2020		
Cr Lynch	Indirect Financial	The nature of my interest is I am an employee and a tenant of Rio Tinto. The extent of my interest is I am paid a salary by Pilbara Iron.
Cr Gallanagh	Financial	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto. The extent of my interest is we have shares of greater value than \$10,000 in Rio Tinto.
Cr Dias	Financial	The nature of my interest is my wife is an employee and we both own shares in Rio Tinto Ltd individually and collectively. Our primary residence is a house provided by Rio Tinto. We are potential recipients of all the lucrative company benefits / gifts offered to employees and / or shareholders. The extent of my interest is Direct Financial.
12.10 COVID-19 FINANCIAL SUPPORT AND RELIEF PACKAGE UPDATE		
Cr Rumble	Financial	The nature of my interest is I am a Shareholder with Rio Tinto. The extent of my interest is I have Shares in value greater than \$10,000.
Cr Foster	Indirect Financial and Impartiality	The nature of my interest is Indirect Financial and Impartiality. The extent of my interest is my partner is employed by Rio Tinto, owns over \$10k in shares and as a family we live in a Rio Tinto owned property paying subsidised rent and utilities. I am the Treasurer (voluntary position) with the Mountain View Sporting Club Inc, Secretary (voluntary position) with Nintirri Centre who have been COVID-19 Financial Support recipients.
Cr Lynch	Indirect Financial	The nature of my interest is I am an employee and a tenant of Rio Tinto. The extent of my interest is I am paid a salary by Pilbara Iron.

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Item Number/ Name	Type of Interest	Nature/Extent of Interest
12.10 COVID-19 FINANCIAL SUPPORT AND RELIEF PACKAGE UPDATE		
Cr Diver	Impartiality	The nature of my interest is I am employed by Rio Tinto. The extent of my interest is Impartiality, I am a financial member of the Tom Price Shooters and Ashburton Anglers. I have no input into the running of either club or hold any office bearers position.
Cr Gallanagh	Financial	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto. The extent of my interest is we have shares of greater value that \$10,000 in Rio Tinto.
Cr Dias	Financial	The nature of my interest is my wife is an employee and we both own shares in Rio Tinto Ltd individually and collectively. Our primary residence is a house provided by Rio Tinto. We are potential recipients of all the lucrative company benefits / gifts offered to employees and/ or shareholders. The extent of my interest is Direct Financial
14.1 APPLICATION ACCEPTANCE OF COMMUNITY SUPPORT GRANT ALLOCATIONS, ROUND 1 2020/2021 ANNUAL FINANCIAL YEAR		
Cr Rumble	Financial	The nature of my interest is I am the Deputy President of the Paraburdoo Men's Shed. The extent of my interest is I am a member of the Paraburdoo Men's Shed.
Cr Dias	Impartiality	The nature of my interest is I am a Committee Member of the Paraburdoo Men's Shed. The extent of my interest is Indirect Financial.

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18.3 CONFIDENTIAL ITEM- REFERRAL FROM DEPARTMENT OF JOBS, TOURISM, SCIENCE AND INNOVATION		
Cr Rumble	Financial	The nature of my interest is I am a Shareholder with Rio Tinto. The extent of my interest is I have Shares in value greater than \$10,000.
Cr Foster	Indirect Financial	The nature of my interest is Indirect Financial. The extent of my interest is my partner is employed by Rio Tinto, owns over \$10k in shares and as a family we live in a Rio Tinto owned property paying subsidised rent and utilities.
Cr Lynch	Indirect Financial	The nature of my interest is I am an employee and a tenant of Rio Tinto. The extent of my interest is I am paid a salary by Pilbara Iron.
Cr Diver	Indirect Financial	The nature of my interest is I am employed by Rio Tinto. The extent of my interest is I receive a salary, I also receive subsidised utilities (water /Power) and rent as part of my salary package.
Cr Gallanagh	Financial	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto. The extent of my interest is financial, we have shares of greater value that \$10,000 in Rio Tinto.
Cr Dias	Financial	The nature of my interest is my wife is an employee and we both own shares in Rio Tinto Ltd individually and collectively. Our primary residence is a house provided by Rio Tinto. We are potential recipients of all the lucrative company benefits / gifts offered to employees and/ or shareholders. The extent of my interest is Direct Financial.

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18.4 CONFIDENTIAL ITEM - PARABURDOO COMMUNITY HUB ACTIVATION, YOUTH AND RECREATION ENGAGEMENT		
Cr Rumble	Financial	The nature of my interest is I am a Shareholder with Rio Tinto. The extent of my interest is I have Shares in value greater than \$10,000.
Cr Foster	Indirect Financial	The nature of my interest is Financial. The extent of my interest is my partner is employed by Rio Tinto, owns over \$10k in shares and as a family we live in a Rio Tinto owned property paying subsidised rent and utilities.
Cr Lynch	Indirect Financial	The nature of my interest is I am an employee and a tenant of Rio Tinto. The extent of my interest is I am paid a salary by Pilbara Iron.
Cr Diver	Indirect Financial	The nature of my interest is I am employed by Rio Tinto. The extent of my interest is I receive a salary, I also receive subsidised utilities (water / power) and rent as part of my salary package.
Cr Gallanagh	Financial	The nature of my interest is myself and my husband are employed by Rio Tinto, have company housing and shares in Rio Tinto. The extent of my interest is financial, we have shares of greater value that \$10,000 in Rio Tinto.
Cr Dias	Financial	The nature of my interest is my wife is an employee and we both own shares in Rio Tinto Ltd individually and collectively. Our primary residence is a house provided by Rio Tinto. We are potential recipients of all the lucrative company benefits / gifts offered to employees and/ or shareholders. The extent of my interest is Direct Financial.

**CONFIRMED PUBLIC MINUTES - ORDINARY MEETING OF COUNCIL
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“Dear Mr Bingham

I refer to your correspondence dated 7 October 2020 and advise that, in accordance with authority delegated by the Minister for Local Government, I have approved your application, under section 5.69(3) of the Local Government Act 1995 (the Act).

The Department’s decision notes that at least (2) of the disclosing Councillors are required to achieve a quorum. Accordingly, approval to participate is granted to the councillors with the lowest level of declared interest, those being Cr Lynch and Cr Gallanagh. In the interests of fairness, Cr Foster has also been approved as his level of interest appears roughly the same as Cr Gallanagh.

This approval allows the above members to fully participate in the discussion and decision making relating to the following item at the Shire’s Ordinary Meeting of 13 October 2020:

**12.7 MINING ACT 1968 TENEMENT REFERRALS – 25 AUGUST TO 30
SEPTEMBER 2020**

Subject to the following conditions:

- 1. The approval is only valid for the 13 October 2020 Ordinary Council Meeting when agenda items 12.7 is considered;*
- 2. The abovementioned Councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
- 3. The CEO is to provide a copy of the Department’s letter of approval to the abovementioned Councillors;*
- 4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
- 5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and*
- 6. The approval granted is based solely on the interests disclosed by the abovementioned Councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

**CONFIRMED PUBLIC MINUTES - ORDINARY MEETING OF COUNCIL
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“Dear Mr Donohoe

I refer to your correspondence dated 7 October 2020 and advise that, in accordance with authority delegated by the Minister for Local Government, I have approved your application, under section 5.69(3) of the Local Government Act 1995 (the Act).

The Department’s decision notes that at least (3) of the disclosing Councillors are required to achieve a quorum. Approval to participate has been provided to the three Councillors with the lowest level of financial interest, those being Cr Matthew Lynch, Cr Melanie Gallanagh, and Cr Douglas Diver. In the interests of fairness, Cr Foster has also been approved as his level of interest appears roughly the same as Cr Gallanagh.

This approval allows the above members to fully participate in the discussion and decision making relating to the following item at the Shire’s Ordinary Meeting of 13 October 2020:

12.10 COVID-19 FINANCIAL SUPPORT AND RELIEF PACKAGE UPDATE

Subject to the following conditions :

- 1. The approval is only valid for the 13 October 2020 Ordinary Council Meeting when agenda items 12.10 is considered;*
- 2. The abovementioned Councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
- 3. The CEO is to provide a copy of the Department’s letter of approval to the abovementioned Councillors;*
- 4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
- 5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and*
- 6. The approval granted is based solely on the interests disclosed by the abovementioned Councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

**CONFIRMED PUBLIC MINUTES - ORDINARY MEETING OF COUNCIL
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“Dear Mr Bingham

I refer to your correspondence dated 7 October 2020 and advise that, in accordance with authority delegated by the Minister for Local Government, I have approved your application, under section 5.69(3) of the Local Government Act 1995 (the Act).

The Department notes that at least three (3) of the disclosing Councillors are required to achieve a quorum. Accordingly, approval to participate is provided to the councillors with the lowest level of declared interest, those being Cr Diver, Cr Lynch and Cr Gallanagh. In the interests of fairness, Cr Foster has also been approved as his interest appears roughly the same as Cr Gallanagh.

This approval allows the above members to fully participate in the discussion and decision making relating to the following item at the Shire’s Ordinary Meeting of 13 October 2020:

18.3 CONFIDENTIAL REFERRAL FROM DEPARTMENT OF JOBS, TOURISM, SCIENCE AND INNOVATION

Subject to the following conditions:

- 1. The approval is only valid for the 13 October 2020 Ordinary Council Meeting when agenda items 18.3 is considered;*
- 2. The abovementioned Councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
- 3. The CEO is to provide a copy of the Department’s letter of approval to the abovementioned Councillors;*
- 4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
- 5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and*
- 6. The approval granted is based solely on the interests disclosed by the abovementioned Councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

**CONFIRMED PUBLIC MINUTES - ORDINARY MEETING OF COUNCIL
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“Dear Mr Bingham

I refer to your correspondence dated 7 October 2020 and advise that, in accordance with authority delegated by the Minister for Local Government, I have approved your application, under section 5.69(3) of the Local Government Act 1995 (the Act).

The Department notes that at least three (3) of the disclosing Councillors are required to achieve a quorum. Accordingly, approval to participate is provided to the councillors with the lowest level of declared interest, those being Cr Diver, Cr Lynch and Cr Gallanagh. In the interests of fairness, Cr Foster has also been approved as his interest appears roughly the same as Cr Gallanagh.

This approval allows the above members to fully participate in the discussion and decision making relating to the following item at the Shire’s Ordinary Meeting of 13 October 2020:

18.4 CONFIDENTIAL ITEM – PARABURDOO COMMUNITY HUB ACTIVATION, YOUTH AND RECREATION ENGAGEMENT

Subject to the following conditions:

- 1. The approval is only valid for the 13 October 2020 Ordinary Council Meeting when agenda items 18.4 is considered;*
- 2. The abovementioned Councillors must declare the nature and extent of their interests at the abovementioned meeting when the matter is considered, together with the approval provided;*
- 3. The CEO is to provide a copy of the Department’s letter of approval to the abovementioned Councillors;*
- 4. The CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the abovementioned meeting, when the item is considered;*
- 5. The CEO is to provide a copy of the confirmed minutes of the abovementioned meeting to the Department, to allow the Department to verify compliance with the conditions of this approval; and*
- 6. The approval granted is based solely on the interests disclosed by the abovementioned Councillors, made in accordance with the application. Should other interests be identified, these interests will not be included in this approval and the financial interest provisions of the Act will apply.*

Should you require further information in relation to this matter, please contact Ms Carmen Chia, A/ Senior Legislation Officer via the details provided above.

Yours sincerely

*Gordon MacMile
A/Executive Director Local Government*

13 October 2020

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7. ANNOUNCEMENTS BY THE PRESIDING MEMBER AND COUNCILLORS WITHOUT DISCUSSION

The Presiding Member welcomed Mr Adam Majid – Director of Development Services and Mr Alan Sheridan - Acting Director of Infrastructure to the Shire.

Cr Peter Foster JP

- West Pilbara Communities for Children (RDA Pilbara), Special Meeting (teleconference), as Council representative, Wednesday 9th September 2020.
- Australian Citizenship Ceremony, as Presiding Officer, at Tom Price Hotel/Motel, for Don Kumarage, Sunday 15th September 2020.
- Tom Price Youth Support Association & Nintirri Centre Open Day, as Chairperson of the TPYSA, gave opening speech, Saturday 19th September 2020.
- Western Australia Local Government Association Breakfast, Political Forum, and Annual General Meeting, Crown Casino, as delegate and Deputy Delegate Pilbara Zone, Friday 25th September 2020.
- Meeting with Tom Price Amateur Basketball Association & Tom Price Netball Association, regarding covering & upgrading the facilities, as Councillor, Monday 12th October 2020.
- Meeting with Mountain View Sporting Club Inc, regarding COVID-19 financial grants and other assistance, in capacity as Treasurer of the Club, Monday 12th October 2020.

8. PETITIONS / DEPUTATIONS / PRESENTATIONS

8.1 PETITIONS

There were no petitions for this meeting.

8.2 DEPUTATIONS

There were no deputations for this meeting.

8.3 PRESENTATIONS

There were no presentations for this meeting.

9. CONFIRMATION OF MINUTES

9.0.1 UNCONFIRMED MINUTES ORDINARY MEETING OF COUNCIL HELD ON 8 SEPTEMBER 2020 (ATTACHMENT 9.0.1)

Council Decisions

MOVED: Cr D Diver

SECONDED: Cr P Foster

That the Unconfirmed Minutes of the Ordinary Meeting of Council held 8 September 2020, as previously circulated on 15 September 2020 (ATTACHMENT 9.0.1) be confirmed as a true and accurate record subject to the following amendments:

**CONFIRMED PUBLIC MINUTES - ORDINARY MEETING OF COUNCIL
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Amendment to 11.3 and 12.3

**11.3 ANNUAL REVIEW OF THE DELEGATED AUTHORITY REGISTER
2020/2021**

MINUTE: 139/2020

FILE REFERENCE: GOV20 - Change to GV20; and

12.3 RECORDS MANAGEMENT SYSTEM

MINUTE: 142/2020

Approve budget amendments for the 2020/21 Budget as follows:

**b. Increase Capital Income account GL no. 042477 change to GL 042536
Transfer from Financial Risk Reserve by \$247,500 from \$0 to 247,500.**

CARRIED 8/0

9.1 RECEIPT OF COMMITTEE AND OTHER MINUTES

Council Decision

MOVED: Cr P Foster

SECONDED: Cr D Diver

That the following Receipt of Committee and other Minutes be carried 'En Bloc';

**9.1.1 MINUTES ONSLOW LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING
HELD ON 1 SEPTEMBER 2020 (ATTACHMENT 9.1.1)**

**That the Minutes of the Onslow Local Emergency Management Committee held 1
September 2020 (ATTACHMENT 9.1.1) be received.**

**9.1.2 MINUTES SHIRE OF ASHBURTON INLAND LOCAL EMERGENCY MANAGEMENT
COMMITTEE HELD ON 10 SEPTEMBER 2020 (ATTACHMENT 9.1.2)**

**That the Minutes of the Shire of Ashburton Inland Local Emergency Management
Committee held 10 September 2020 (ATTACHMENT 9.1.2) be received.**

**9.1.3 MINUTES OF THE STATE COUNCIL MEETING HELD 2 SEPTEMBER 2020
(ATTACHMENT 9.1.3)**

**That the Minutes of the State Council Meeting held 2 September 2020 (ATTACHMENT
9.1.3) be received.**

**9.1.4 MINUTES OF THE STATE COUNCIL ANNUAL GENERAL MEETING HELD 25
SEPTEMBER 2020 (ATTACHMENT 9.1.4)**

**That the Minutes of the State Council Annual General Meeting held 25 September
2020 (ATTACHMENT 9.1.4) be received.**

CARRIED 8/0

**CONFIRMED PUBLIC MINUTES - ORDINARY MEETING OF COUNCIL
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9.2 RECEIPT OF COMMITTEE MINUTES – ‘EN BLOC’

There were no receipt of Committee Minutes En Bloc.

9.3 RECOMMENDATIONS OF COMMITTEE

9.3.1 PILBARA REGIONAL WASTE MANAGEMENT FACILITY – STATUS REPORT

Committee Decision

MOVED: Cr D Diver

SECONDED: Cr M Lynch

That with respect to the Pilbara Regional Waste Management Facility- Status Report, the Pilbara Waste Management Committee;

- 1. Receive the report regarding the construction phase of the Pilbara Regional Waste Management Facility project, noting that it has been compiled in accordance with the Pilbara Regional Waste Management Facility Committee Terms of Reference;**
- 2. Receive the Hybrid Alliance Model Contract and Total Waste Management Services report for the Pilbara Regional Waste Management Facility; and**
- 3. Request the Chief Executive Officer investigate an appropriate Public Art Statement and report to the next Pilbara Regional Waste Management Committee.**

CARRIED 8/0

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10. AGENDA ITEMS ADOPTED "EN BLOC"

10.1 AGENDA ITEMS ADOPTED 'EN BLOC'

The following information is provided to Councillors for guidance on the use of En Bloc voting as is permissible under the *Shire of Ashburton Standing Orders Local Law 2012*:

"Part 5 – Business of a meeting

Clause 5.6 Adoption by exception resolution:

- (1) In this clause 'adoption by exception resolution' means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.*
- (2) Subject to sub clause (3), the Local Government may pass an adoption by exception resolution.*
- (3) An adoption by exception resolution may not be used for a matter;*
 - (a) that requires a 75% majority or a special majority;*
 - (b) in which an interest has been disclosed;*
 - (c) that has been the subject of a petition or deputation;*
 - (d) that is a matter on which a Member wishes to make a statement; or*
 - (e) that is a matter on which a Member wishes to move a motion that is different to the recommendation."*

There were no agenda items carried 'En Bloc' for this meeting.

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11. OFFICE OF THE CEO REPORTS

**11.1 PROGRESS OF IMPLEMENTATION OF COUNCIL DECISIONS STATUS
REPORT FOR SEPTEMBER 2020**

FILE REFERENCE:	GV04
AUTHOR'S NAME AND POSITION:	Michelle Lewis Council Liaison Officer
AUTHORISING OFFICER AND POSITION:	Kenn Donohoe Chief Executive Officer
NAME OF APPLICANT/ RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	22 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Agenda Item 11.1 (Minute No137/2020) Ordinary Meeting of Council 8 September 2020

Summary

The purpose of this agenda item is to report back to Council on the progress of the implementation of Council decisions.

Background

The best practice in governance supports the regular review of Council decisions to ensure that they are actioned and implemented in a timely manner.

Comment

Wherever possible, Council decisions are implemented as soon as practicable after a Council meeting. However, there are projects or circumstances that mean some decisions take longer to action than others.

This report presents a summary of the "Decision Status Reports" for Office of the CEO, Corporate Services, Infrastructure Services, Community Services and Property and Development Services.

ATTACHMENT 11.1

Consultation

Executive Leadership Team

Statutory Environment

Section 2.7 of the Local Government Act 1995 states:

"Role of council

- (1) *The council —*
 - (a) *governs the local government's affairs; and*
 - (b) *is responsible for the performance of the local government's functions.*

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- (2) Without limiting subsection (1), the council is to —
 (a) oversee the allocation of the local government’s finances and resources; and
 (b) determine the local government’s policies.”

The above section of the Act notwithstanding, there is no specific legal requirement to present such a report to Council or for Council to receive or consider such a report. Given it is always ‘received’, it could simply be provided to elected members via weekly or monthly updates, such as in the weekly Information Bulletin.

The decision to retain the report in the Council’s monthly agenda is entirely Council’s prerogative. Staff acknowledge the critical and ongoing nature of the document, in that Council ‘speaks by resolution’.

Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017- 2027 (Desktop Review 2019)

- Goal 05 Inspiring Governance
 Objective 4 Exemplary team and work environment

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Compliance	Unlikely (2)	Insignificant (1)	Low (2)	No noticeable regulatory or statutory impact	Accept Officer Recommendation.

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton’s Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be “Low” due to the

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financial value of the project and the risk to the Shire's reputation. Monthly reporting to Council assists with monitoring actions being undertaken.

Policy Implications

There are no known policy implications for this matter.

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MINUTE: 157/2020

MOVED: Cr P Foster

SECONDED: Cr D Diver

That with respect to the Council Decisions Status Reports" for the month of September 2020, Council receive the report as per ATTACHMENT 11.1.

CARRIED 8/0

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**11.2 USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER
DELEGATED AUTHORITY FOR THE MONTH OF SEPTEMBER 2020**

FILE REFERENCE:	GV21 CM02
AUTHOR'S NAME AND POSITION:	Michelle Lewis Council Liaison Officer Brooke Beswick Executive Assistant
AUTHORISING OFFICER AND POSITION:	Kenn Donohoe Chief Executive Officer
NAME OF APPLICANT/ RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	22 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The purpose of this agenda item is to report to Council for information, use of the Common Seal, actions performed under delegated authority requiring referral to Council and a copy of the Tender Register, for the month of September 2020.

Background

Council has historically sought a monthly update of the more significant activities for the organisation relative to (1) use of the Common Seal, and (2) actions performed under delegated authority requiring referral to Council as per the Shire of Ashburton Delegated Authority Register 2020.

Comment

A report on use of the Common Seal, relevant actions performed under delegated authority and the Tender Register has been prepared for Council.

**ATTACHMENT 11.2A
ATTACHMENT 11.2B**

Consultation

Relevant officers as listed in the Attachment.

Statutory Environment

Local Government Act 1995

Clause 9.3 of the Shire of Ashburton Town Planning Scheme No. 7
Delegated Authority Register

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Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017- 2027 (Desktop Review 2019)

Goal 05 Inspiring Governance

Objective 4 Exemplary team and work environment

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Compliance	Unlikely (2)	Insignificant (1)	Low (2)	No noticeable regulatory or statutory impact	Accept Officer Recommendation.

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be "Low" due to the financial value of the project and the risk to the Shire's reputation. Monthly reporting to Council assists with monitoring actions being undertaken.

Policy Implications

ELM 13 Affixing the Shire of Ashburton Common Seal

FIN12 Purchasing Policy

Voting Requirement

Simple Majority Required

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Officers Recommendation and Council Decision

MINUTE: 158/2020

MOVED: Cr D Diver

SECONDED: Cr P Foster

That with respect to the Use of Common Seal and Actions Performed under Delegated Authority for the month of September 2020, Council receive the reports relating to:

- 1. The use of the Common Seal as per ATTACHMENT 11.2A;**
- 2. Actions performed under delegated authority for the month as per ATTACHMENT 11.2A; and**
- 3. The Tender Register as per ATTACHMENT 11.2B.**

CARRIED 8/0

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11.3 SCHEDULE OF ORDINARY MEETINGS OF COUNCIL AND AUDIT AND RISK MANAGEMENT COMMITTEE MEETING FOR 2021

FILE REFERENCE: GV04

AUTHOR'S NAME AND POSITION: Michelle Lewis
Council Liaison Officer

AUTHORISING OFFICER AND POSITION: Kenn Donohoe
Chief Executive Officer

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 30 September 2020

DISCLOSURE OF FINANCIAL INTEREST: The author and authorising officer have no financial, proximity or impartiality interests in the proposal

PREVIOUS MEETING REFERENCE: Agenda Item 11.3 (Minute No 694/2019) Ordinary Meeting of Council 19 November 2020

Summary

It is a requirement for Council to adopt the schedule of meeting dates, times and locations for all Ordinary Meetings of Council and Audit and Risk Management Committee meetings each year.

The following are submitted to Council for approval:

1. Schedule of Meeting, times and location;
2. Commencement times for Elected Member Information Forums (EMIF); and
3. Elected Member Information Forums "Carried Over" Compliance Items.

Background

In November 2019, Council adopted the meeting schedule for the entire 12 month period from January to December 2020.

This report sets out the proposed locations and commencement times of Ordinary Meetings of Council and Audit and Risk Management Committee meetings for the calendar year 2021.

Comment

In determining the dates, times and locations for the Ordinary Meeting of Council and Audit and Risk Committee Management meetings for the upcoming year, consideration has been given to a number of factors including travel and facilitation of (EMIF) with Councillors and Directors.

Suggested dates have been considered by Councillors in previous EMIF's and are outlined in the table below.

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In this regard, the recommended schedule of Ordinary meeting dates is set out below:

ORDINARY COUNCIL MEETING DATES, LOCATIONS AND COMMENCEMENT TIMES FOR 2021		
DATE	LOCATION	COMMENCING AT:
Wednesday 17 February 2021	Ashburton Hall, Ashburton Avenue, Paraburdo	1:00pm
Wednesday 17 March 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00pm
Wednesday 21 April 2021	Clem Thompson Sports Pavilion, Stadium Road, Tom Price	1:00pm
Wednesday 19 May 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00pm
Wednesday 16 June 2021	Ashburton Hall, Ashburton Avenue, Paraburdo	1:00pm
Wednesday 21 July 2021	Clem Thompson Sports Pavilion, Stadium Road, Tom Price	1:00pm
Wednesday 18 August 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00pm
Wednesday 15 September 2021	Mayu Maya Centre / Barry Lang Centre, Pannawonica	1:00pm
Wednesday 20 October 2021	Clem Thompson Sports Pavilion, Stadium Road, Tom Price	1:00pm
Wednesday 17 November 2021	Ashburton Hall, Ashburton Avenue, Paraburdo	1:00pm
Wednesday 15 December 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	1:00pm

Recommended Audit and Risk Management Committee meeting dates is set out below:

AUDIT AND RISK MANAGEMENT COMMITTEE MEETING DATES, LOCATIONS AND COMMENCEMENT TIMES FOR 2021		
DATE	LOCATION	COMMENCING AT:
Wednesday 17 March 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	To be determined
Wednesday 16 June 2021	Ashburton Hall, Ashburton Avenue, Paraburdo	To be determined
Wednesday 15 September 2021	Mayu Maya Centre / Barry Lang Centre, Pannawonica	To be determined
Wednesday 15 December 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	To be determined

Should the proposed Ordinary meeting dates be adopted there will be four meetings in Onslow, three meetings in Tom Price, three meetings in Paraburdo and one meeting in Pannawonica during 2021.

The Council Meeting Day also includes Elected Member Information Forums (EMIF's). The EMIF's are intended to provide a forum at which Elected Members can:

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- become fully informed on matters that will be considered by Council; and
- raise and discuss a broad range of matters of strategic and operational significance.

This arrangement ensures that Councillors' time and expertise to deal with strategic issues is maximised on the Council Meeting days when all Councillors are together. The EMIF's items of business are divided into four distinct sections:

En Bloc Discussion

- EMIF Compliance Items
- EMIF Workshop/Presentation
- Councillor Reports on Contemporary Issues and Relevant Meetings Attended
- EMIF "Carried Over" Compliance Items

The proposed commencement times for EMIF's will be determined on the basis of the committees required to meet on the same day as the Ordinary meeting of Council.

Consultation

Councillors
Executive Leadership Team

Statutory Environment

Local Government Act 1995

*Section 5.3 requires Council to hold an Ordinary Meeting not more than three months apart.
Section 5.25(g) Local Government Act 1995 indicates regulations may be made concerning the giving of public notice of the date and agenda for council or committee meetings.*

Local Government (Administration) Regulations 1996

Reg. 12. Meetings, public notice of (Act s. 5.25(1)(g)) (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which:

- (a) *the ordinary council meetings; and*
- (b) *the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.*

Financial Implications

Council sets aside sufficient funds in its budget to meet the cost of the advertisement and the associated Council meetings.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027 (Desktop Review 2019)

Goal 05 Inspiring Governance
Objective 3 Council leadership

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Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Compliance	Unlikely (2)	Insignificant (1)	Low (2)	No noticeable regulatory or statutory impact	Accept Officer Recommendation.

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low risk and can be managed by routine procedures, and is unlikely to need specific application of resources.

Policy Implications

Council Policy ELM01 – Council and other meetings

Council Policy ELM09 – Elected Member Information Forums

Voting Requirement

Simple Majority Required

Officers Recommendation

That with respect to the schedule of Ordinary Meetings of Council and Audit and Risk Management Committee Meetings for 2021, Council:

1. Adopt the Schedule of Ordinary Council meeting dates, times and locations for the period February 2021 to December 2021 as outlined below:

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DATE	LOCATION
Wednesday 17 February 2021	Ashburton Hall, Ashburton Avenue, Paraburdoo
Wednesday 17 March 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow
Wednesday 21 April 2021	Clem Thompson Sports Pavilion, Stadium Road, Tom Price
Wednesday 19 May 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow
Wednesday 16 June 2021	Ashburton Hall, Ashburton Avenue, Paraburdoo
Wednesday 21 July 2021	Clem Thompson Sports Pavilion, Stadium Road, Tom Price
Wednesday 18 August 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow
Wednesday 15 September 2021	Mayu Maya Centre / Barry Lang Centre, Pannawonica
Wednesday 20 October 2021	Clem Thompson Sports Pavilion, Stadium Road, Tom Price
Wednesday 17 November 2021	Ashburton Hall, Ashburton Avenue, Paraburdoo
Wednesday 15 December 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow

2. Adopt the Schedule of Audit and Risk Committee Meeting dates, times and locations for the period February 2021 to December 2021 as outlined below.

DATE	LOCATION	TIME
Wednesday 17 March 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	To be determined
Wednesday 16 June 2021	Ashburton Hall, Ashburton Avenue, Paraburdoo	To be determined
Wednesday 15 September 2021	Mayu Maya Centre / Barry Lang Centre, Pannawonica	To be determined
Wednesday 15 December 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	To be determined

3. Pursuant to section 5.25(g) of the *Local Government Act 1995*, give local public notice of the Schedule of Meeting dates, times and locations for the period from February 2021 to December 2021 provided for in 1 and 2 above.
4. Approve the commencement times for the Council Meeting Day Elected Member Information Forums as follows:
- Tom Price and Paraburdoo - a time to be determined.
 - Onslow and Pannawonica - a time to be determined.

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MINUTE: 159/2020

MOVED: Cr P Foster

SECONDED: Cr D Diver

That with respect to the schedule of Ordinary Meetings of Council and Audit and Risk Management Committee Meetings for 2021, Council:

1. Adopt the Schedule of Ordinary Council meeting dates, times and locations for the period February 2021 to December 2021 as outlined below:

DATE	LOCATION
Tuesday 16 February 2021	Ashburton Hall, Ashburton Avenue, Paraborndoo
Tuesday 16 March 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow
Tuesday 20 April 2021	Clem Thompson Sports Pavilion, Stadium Road, Tom Price
Tuesday 18 May 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow
Tuesday 15 June 2021	Ashburton Hall, Ashburton Avenue, Paraborndoo
Tuesday 20 July 2021	Clem Thompson Sports Pavilion, Stadium Road, Tom Price
Tuesday 17 August 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow
Tuesday 21 September 2021	Mayu Maya Centre / Barry Lang Centre, Pannawonica
Tuesday 19 October 2021	Clem Thompson Sports Pavilion, Stadium Road, Tom Price
Tuesday 16 November 2021	Ashburton Hall, Ashburton Avenue, Paraborndoo
Tuesday 21 December 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow

2. Adopt the Schedule of Audit and Risk Committee Meeting dates, times and locations for the period February 2021 to December 2021 as outlined below.

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DATE	LOCATION	TIME
Tuesday 16 March 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	To be determined
Tuesday 15 June 2021	Ashburton Hall, Ashburton Avenue, Paraburdoo	To be determined
Tuesday 21 September 2021	Mayu Maya Centre / Barry Lang Centre, Pannawonica	To be determined
Tuesday 21 December 2021	Council Chambers, Onslow Shire Complex, Second Avenue, Onslow	To be determined

3. Pursuant to section 5.25(g) of the *Local Government Act 1995*, give local public notice of the Schedule of Meeting dates, times and locations for the period from February 2021 to December 2021 provided for in 1 and 2 above.

4. Approve the commencement times for the Council Meeting Day Elected Member Information Forums as follows:

- Tom Price and Paraburdoo - a time to be determined.
- Onslow and Pannawonica - a time to be determined.

CARRIED 8/0

Reason for change – Council decided that every 3rd Tuesday of the month was the most suitable based on work rosters of the Councillors.

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11.4 MARKETING AND COMMUNICATIONS STRATEGY 2020 - 2023

FILE REFERENCE:	CR18
AUTHOR'S NAME AND POSITION:	Alison Lennon Manager Media and Communications
AUTHORISING OFFICER AND POSITION:	Kenn Donohoe Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	29 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

This report seeks Council's endorsement of the Shire of Ashburton's Marketing and Communications Strategy 2020-2023.

Background

The Marketing and Communications Strategy 2020 creates a framework to project a positive, professional and action-orientated corporate image; and promote the Shire as a forward thinking, progressive and welcoming, community focused organisation through the application of consistent messages in a wide range of communication channels.

In May 2020 Market Creations were engaged to assist the Shire to assess its marketing footprint and make recommendations on how marketing activities moving forward can better support the Shire's strategic goals and business objectives. The results from this Marketing Audit led to the development of a Marketing and Communications Strategy

**ATTACHMENT 11.4B
ATTACHMENT 11.4A**

This document provides an important reference point for the Shire of Ashburton to ensure all marketing, PR and communications activities are strategic, consistent and timely and details key messages, channels, and suggests opportunities for meaningful community engagement.

Focusing on three key pillars, to drive communications and engagement around investment, liveability and tourism for the Shire of Ashburton, the strategy has been developed in line with the Shire's strategic direction ensuring a common voice, common messaging and alignment of goals.

The strategy is aligned with the key themes detailed in the Shire of Ashburton Strategic Community Plan 2012-2022, being the focus for the Shire of Ashburton Corporate Business Plan 2019-2023:

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1. Vibrant and Active Communities
2. Economic Prosperity
3. Unique Heritage and Environment
4. Quality Services and Infrastructure
5. Inspiring Governance

It also considers the Shire's Economic and Tourism Development Strategy 2019.

Comment

The Shire of Ashburton presents a unique **investment, lifestyle** and **tourism** opportunity. In communicating this the Shire needs to present a brand position that details the unique elements that form the community and its surrounds. With engagement of community and stakeholders, further dissemination of information and active promotion of opportunities the Shire will become more recognised. It is recommended that key messaging and development occur to present the Shire as a progressive, welcoming place to **invest, live, tour**.

The Shire of Ashburton Key External Communication Strategies detail activities recommended to be conducted in order to reach the desired outcomes as detailed in the Shire of Ashburton Economic and Tourism Development Strategy and the Strategic Community Plan – Living Life 2017-2027. The strategies aim are to:

- Increase visitation by 15 percent annually over the next 7 years
- Increase awareness of The Shire of Ashburton's brand and Council services
- Promote investment opportunities in the Shire of Ashburton
- Promote liveability and facilities of the Shire
- Promote the unique indigenous community

The 3 Pillars of invest, live, tour provide guidance around activities to achieve the aims:

Invest

- Improve engagement with business community
- Attend business events, ensure The Shire is represented and has a voice
- Create investment prospectus
- Create video investment prospectus
- Promotion of investment opportunities to business community

Tour

- Visitors extending their stay
- Visitors engaged in the brand uploading organic content
- Collaborate with tour operators, hire car, accommodation providers
- Collaborate with Tourism promotion bodies ensuring the shire is represented in regional or destination marketing
- Present Shire at travel expos and caravan shows utilise experience experts to champion the attractions of the regions
- Improve merchandise offer in Visitor Centre
- Improvement to images - tourism - photography/video people doing activities /celebrity/social media influencer/ grey nomad/ families

Live

- Promotion of Regional Land Booster offers and associated concessions
- Engage with State Government on further promotion opportunities
- Community
- Assist local community with growth of events and activities
- Opportunity of job availability, high paying jobs, equal opportunity for both genders

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This major pillars are supported by the following communication actions and will that deliver the aims of this strategy.

- *Development of a new website*

A new website produced to industry best practice standards will represent a professional corporate image for the Shire of Ashburton, provide heightened visibility, improved accessibility and meet legislative requirements.

As a starting point the Shire's website needs to be accessible and adaptable when viewed from all devices such as a desktop computer and laptop, mobile phone and tablet.

Our website should provide that one source of information for community members, stakeholders, residents and visitors. It should deliver news updates, what's on in the community, Council updates, project progression and delivery statuses and also boasts a tourism marketing opportunity.

As well as informing the community it should also engage with and interact with the community providing options for feedback and discussions as well as enabling the community to interact with the Shire. A new website will inclusively allow online bookings of facilities and online payment of rates, registrations and fees.

It is proposed to increase accessibility and usability through improved navigation incorporating a well thought-out menu with drop down items appearing when the user hovers over menu titles rather than continuous scrolling, improved quick links on the homepage that feature the most visited pages, a prominent search bar and concise and clear content throughout the site.

Refer to **ATTACHMENT 11.4C** for initial style and concept for Shire's new website. Note not confirmed, developed just as a concept for the purpose of this report. (<http://preview.mcdevelopment.com.au/clients/ashburton/Concept1.html>)

Changes to the *Local Government Legislation Amendment Act 2019* affected what information needs to be publicly available on the Shire's website to improve transparency and access to information held by a local government and ensuring accountability to the community. There are now also specific requirements for public notices as well as the publication of certain information including registers and documents.

It is recommended that a more interactive design be implemented to promote the Shire's events and community events and to encourage more engagement from users. Events are a key marketing tool for both engaging the Shire's local community as well as attracting visitors to the region. They play an important role in community life creating a sense of belonging, engagement are a way to entertain and create social interaction. Events help instil a sense of place and pride in a locality.

An online events calendar will enable the Shire to showcase all council and community events, allowing users to view more information and secondary details on a subsequent page. By incorporating a community engagement add-on, community members, sporting clubs and organisations can submit their own events to the calendar and ensure Shire-wide visibility and promotion to residents and visitors to the region. This further enables the Shire's website to be the one source of truth and enhances the ease of use and user experience with up to date information available at once and in one location and support future Events Strategies. Refer (<https://www.eastfremantle.wa.gov.au/events/>)

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- *Improved brand implementation*

A strong brand for the Shire of Ashburton is more than the logo. The brand is defined by how the Shire is recognised and the experiences internal and external stakeholders have with the Shire. It is reflected in everything that represents the Shire, from uniforms and vehicles, to methods of customer service, to on hold messages and collateral produced. Purposeful and effective branding will improve the perception of the Shire by the local community, key stakeholders and the broader WA community and therefore elevate the Shire's reputation.

Consistency of branding and messaging across the Shire of Ashburton creates an impression as one of a proactive, action-orientated leader in the community, while improving and establishing awareness of the Shire with business, community groups and the wider community as a proactive, responsive and action-orientated council.

With this in mind, a review of the Shire's style guide (**ATTACHMENT 11.4D**) is proposed to provide a clear breakdown as to how the Shire's branding and logos should be used. Please note that this does not imply a new logo and new brand, but a simplified approach to how the Shire applies the current brand and promotes the brand attributes that reflect the uniqueness and diversity of the Shire.

It will also assess the current brand hierarchy and consideration of the use of sub brands targeting individual towns, events and tourism and detail a forward plan of use.

Key actions may include a review of signage and rollout consistent brand identity, ensure brand identity is consistent across all electronic and printed materials and merchandise and creation of digital photo and video library.

- *Develop a Social Media strategy and implementation*

The Shire proactively uses social media platforms to communicate information regarding its services, activities/events, achievements and projects to external stakeholders.

A strong and all-encompassing social media presence can establish the Shire of Ashburton as an entity with a corporate profile, which is active in the community and is more accessible and responsive to the community.

There is also the ability to build and create relationships and leverage partnerships with community members and stakeholders in the social media environment.

A newly created Social Media Strategy will further outline best practise and recommended activity to drive a stronger presence and reputation in the digital space. This will ensure the Shire's online platforms contain that one source of truth, comprising of all community and operational information and clearly identify any subsidiary pages, such as tourism, feature the Shire of Ashburton brand, so community members know this is a service delivered by the Shire.

A focused social media strategy will give relevant and meaning to review analytics periodically and report / suggest improvements.

- *Key projects, investment, community consultation and advocacy*

The Shire's community perceptions survey highlighted that locals want to hear more about sports & recreation, growth & development, and economic & tourism development.

In creating a promotional plan that encompasses project sheets, updates and forum for community engagement and feedback, for all the key projects occurring in the Shire there are opportunities to leverage current partnerships for marketing and PR.

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These project documentation and engagement plans link back to the strategies that will underpin Community Services Road Map while also informing and influencing community, stakeholders, industry and government.

Included in this activity is the intent to improve the content, quality and distribution of Shire publications particularly to create an investment prospectus that promotes the opportunities present in the Shire and into the future as current projects come to fruition both in print and digital formats.

Refer to **ATTACHMENTS** for sample and link to fly through for hire of Northam (https://www.youtube.com/watch?v=FBfQ4_iBP54)

**ATTACHMENT 11.4E
ATTACHMENT 11.4F
ATTACHMENT 11.4G**

Consultation

Executive Leadership Team

Consideration has also been given to the results from the Shire's Community Scorecard 2019 and Employee Perception Scorecard 2020

Statutory Environment

Local Government Act 1995

2.7. Role of council

(1) The council —

- (a) governs the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies.*

Local Government Legislation Amendment Act 2019

1.7. Local public notice

Where under this Act local public notice of a matter is required to be given, notice of the matter must be —

- (a) published on the official website of the local government concerned in accordance with the regulations; and*
- (b) given in at least 3 of the ways prescribed for the purposes of this section.*

1.8. Statewide public notice

Where under this Act Statewide public notice of a matter is required to be given, notice of the matter must be given in accordance with section 1.7(a) and (b) and the requirements prescribed for the purposes of this section.

With regards to changes to the *Local Government Act 1995*, creating the *Local Government Legislation Amendment Act 2019*, there are known statutory impacts to be considered.

Of major note to this document is the new public notice requirements that impact on the Shire's communication methods and requirements.

The specific changes as detailed in the Director General's Circular 03-2019 are as follows:

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The specific requirements for the publication of local and State-wide notices is being removed from the LG Act and will be included in regulations. This will enable the flexibility to adapt to changes in technology in the future.

- A local public notice will require a notice to be published on the local government's official website and via at least three of the following mediums:
 - in a newspaper that circulates generally throughout the district (if available)
 - on a State Government website;
 - on a social media platform;
 - published in a newsletter or newsletters available to the majority of residents throughout the district;
 - exhibited on a notice board at every local government office and library within the district;
 - or
 - electronic mail distribution list.

- A state-wide notice will require local governments to publish the notice in a newspaper that circulates throughout the State, in addition to the requirements of a local public notice.

Financial Implications

Budget allowance for the provision of a new website was included in the 2020/21 Annual Budget. There is also budget within Media to engage a consultant who will work closely with the communications team to improve the implementation of the Shire's style guide and sub brands.

Estimated costs for the implication of the website including the transfer of existing content will be approx. \$45,000 with an ongoing annual subscription of \$14,000.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019) and the Strategic Corporate Plan 2019-2023. In particular, the strategic direction provided for this activity:

Goal 01	Vibrant and Active Communities
Objective 1	Connected, caring and engaged communities
Objective 4	A rich cultural life
Goal 02	Economic Prosperity
Objective 1	Strong local economies
Objective 2	Partnerships with industry and government
Objective 3	Well-managed tourism
Goal 03	Unique Heritage and Environment
Objective 1	Flourishing natural environments
Objective 2	Leading regional sustainability
Objective 3	Celebration of history and heritage
Goal 05	Inspiring Governance
Objective 1	Effective planning for the future
Objective 2	Community ownership
Objective 4	Exemplary team and work environment

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Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Reputation	Moderate (3)	Moderate (9)	Possible (3)	Substantiated, localised impact on community trust or low media item	Reputation is managed by following the officer's recommendation and the support to the Shire's Strategic Corporate Plan.
Compliance (consider website, advertising, LG Act)	Moderate (3)	High (12)	Likely (4)	Non-compliance results in termination of services or imposed penalties to Shire/Officers	Compliance issues are mitigated by following the officer's recommendation for an improved digital presence with the development of a new website
Financial Impact	Minor (2)	Moderate (6)	Possible (3)	\$10,000 - \$100,000	Managed by following the officers recommendation

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be moderate due to the financial value of the project, compliance requirements and the risk to the Shire's reputation. Regular monitoring will be undertaken with specific procedures and controls engaged throughout the delivery of the project and will be consistently reviewed and managed.

Policy Implications

Refer to ADM07 – Communications and Media Policy

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Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MINUTE: 160/2020

MOVED: Cr P Foster

SECONDED: Cr D Diver

That with respect to the Marketing and Communications Strategy 2020 – 2023, Council:

- 1. Endorse the Marketing and Communications Strategy 2020 – 2023; and**
- 2. Request the Chief Executive Officer to implement the Marketing and Communications Strategy 2020 – 2023.**

**CARRIED 7/1
Cr Dias voted against the motion**

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12. CORPORATE SERVICES REPORTS

12.1 MONTHLY FINANCE REPORT

FILE REFERENCE:	FM03
AUTHOR'S NAME AND POSITION:	Geoff Garside Finance and Administration Manager
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	29 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Agenda Item 12.1 (Minute No. 140/2020) Ordinary Meeting of Council 8 September 2020

Summary

In accordance with Regulation 34 of the *Local Government (Financial Management) Regulations*, the Shire is to prepare a monthly Statement of Activity for consideration by Council.

Background

Regulation 34 of the *Local Government (Financial Management) Regulations* requires the Shire to prepare a monthly statement of financial activity for consideration by Council within two months after the end of the month of the report. In addition administration also presents to Council the following:

- budget amendment register;
- schedule of accounts; and
- credit card payments to Council.

**ATTACHMENT 12.1A
ATTACHMENT 12.1B
ATTACHMENT 12.1C
CONFIDENTIAL ATTACHMENT 12.1D**

End of Financial Year Closing

The figures in the 2020/21 financial reports are provisional in order to provide an estimate of the July 2020 position, pending finalisation of the audit of the 2019-20 accounts. This will mainly impact balance sheet opening and closing amounts (including the brought-forward net current asset figure).

Depreciation is not currently being charged in 2020-21 until after year-end is completed. It is estimated that depreciation charges would increase year to date expenditure by approx. \$1m. Depreciation is a non-cash expense and would not impact closing balances.

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Comment

The following capital expenditure budget variations are recommended to Council for October 2020:

GL/Job No.	General Ledger Description	Current Budget	Amendment	Revised Budget	Reason
134257	Onslow Ocean View Caravan Upgrade	3,000,000	600,000	3,600,000	Updated scope and concept based on preliminary designs from Civil and service engineers.
19086	Mine Road Renewal and Widening	540,000	120,000	660,000	Remediation strategy for works completed in July 2020.
125025	Transfer from Infrastructure Reserve	(1,134,000)	(720,000)	(1,854,000)	To provide funds for provision of new and existing infrastructure assets.

Consultation

Executive Leadership Team
Finance Team

Statutory Environment

Section 6.4 *Local Government Act 1995*, Part 6 *Financial Management*, and Regulation 34 *Local Government (Finance Management) Regulation 1996*.

The *Local Government Act 1995* Part 6 Division 4 s 6.8 (1) requires the local government not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure

(b) Is authorised in advance by resolution*

“Additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

*requires an absolute majority of Council.

Financial Implications

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

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 05 Inspiring Governance
Objective 4 Exemplary team and work environment

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Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not accept the Officers recommendation	Unlikely (2)	Insignificant (1)	Low (1-4)	Compliance – 3 Moderate – Non-Compliance with significant regulatory requirements imposed.	Accept Officer Recommendation.

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton’s Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low due to the financial value of the project and the risk to the Shire’s reputation. Regular monitoring will be undertaken with specific procedures and controls engaged throughout the delivery of the project and will be consistently reviewed and managed.

Policy Implications

FIN06 – Significant Accounting Policy

Voting Requirement

Absolute Majority Required

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Officers Recommendation and Council Decision

MINUTE: 161/2020

MOVED: Cr D Diver

SECONDED: Cr M Lynch

That with respect to the Monthly Financials and Schedule of Accounts Paid, Council:

1. Receive the Financial Report for August 2020 ATTACHMENT 12.1A;
2. Receive the Capital Expenditures Progress Tracker as at 30 September 2020 ATTACHMENT 12.1B;
3. Approve budget amendments for the 2020/21 Budget as follows:
 - a) Increase Capital Expenditure for Onslow Ocean View Caravan Upgrade, GL no. 134257, by \$600,000, from \$3,000,000 to \$3,600,000;
 - b) Increase Capital Expenditure for Mine Road Renewal and Widening, Job no. 19086 by \$120,000 from \$540,000 to \$660,000; and
 - c) Increase Capital Income from Infrastructure Reserve Transfers, GL no. 125025 by \$720,000, from \$1,134,000 to \$1,854,000.
4. Receive the Budget Amendment Register as at 30 September 2020 ATTACHMENT 12.1C; and
5. Receive the Schedule of Accounts (August 2020) and Credit Card payments made in the period August 2020 (approved by the Chief Executive Officer in accordance with Delegation DA03-01 Payments from Municipal Fund and Trust Funds) CONFIDENTIAL ATTACHMENT 12.1D.

CARRIED BY ABSOLUTE MAJORITY 8/0

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**12.2 APPLICATION FOR ASSIGNMENT OF LICENCE AGREEMENT – THE
BEDFORD PARABURDOO, RESERVE 40065, PARABURDOO**

FILE REFERENCE:	PR40065
AUTHOR'S NAME AND POSITION:	Leona Stevenson Lease Officer
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/RESPONDENT:	Sarah Gorman trading as The Bedford Paraburdo
DATE REPORT WRITTEN:	11 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 13.5 (Minute No. 62/2020) Ordinary Meeting of Council 14 April 2020

Summary

At the Ordinary Meeting of Council held on 14 April 2020, Councillors endorsed a Licence between the Shire of Ashburton (Shire) and Sarah Gorman trading as The Bedford Paraburdo, for Portion of Lot 67 Rocklea Road, Paraburdo, being Reserve 40065. The Licence Agreement is for two years, expiring 31 March 2022.

Sarah Gorman proposes to enter into a contract of sale for The Bedford Paraburdo with Shiela Altiche. Council's endorsement of assignment of the licence is required for the sale of the business to be completed.

Background

At the Ordinary Meeting of Council in February 2017 (Minute No 110), Council endorsed the proposal to enter into a licence agreement for Portion of Reserve 40065 being Lot 67 Rocklea Road, Paraburdo with Sarah Gorman t/a The Bedford Paraburdo.

The Department of Planning, Lands and Heritage (DPLH) gave section 18 consent for Licence of 98m² of Reserve 40065 with the following mandatory conditions due to the Reserve being created pursuant to section 20A of the (repealed) *Town Planning and Development Act 1928* (replaced by section 152 of the *Planning and Development Act 2005*):

1. The term of the licence is a period of two years;
2. All revenue from the licence be expended only on Reserve maintenance and upkeep;
3. The proposed licence area (indicated below) be depicted as a separate lot for the Shire to licence only that portion of the Reserve; and
4. The Shire would be responsible for the cost of survey actions.

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Council endorsed a further Licence at the Ordinary Meeting of Council held on 14 April 2020 (Minute No. 62/2020), for a further two year term. The Licence, consented to by the Minister for Lands, was on the same terms and conditions as the previous Licence:

Term: 2 years

Commencement: 1 April 2020

Annual Licence Fee: \$2,450 plus GST, payable in 12 monthly instalments, rounded to the nearest five dollars being \$205.00 plus GST

Outgoings: The annual licence fee is inclusive of valuation fees, water consumption and rates, electricity, telecommunications, waste collection charges and grounds maintenance

Essential Terms: Compliance with relevant food legislation

Comment

Sarah Gorman proposes to sell The Bedford Paraburdoo to Shiela Altiche, who will retain the business name of 'The Bedford Paraburdoo.'

The Licence Agreement in effect (executed in March 2020) to be assigned by way of Deed of Assignment (effective 1 November 2020) states:

3.7 Assignment

- a) The Licensee will not assign or transfer the rights of the Licensee (or any such rights) pursuant to this Licence without the prior written consent from the Minister for Lands and the Licensor.
- b) The Licensor may withhold its consent or grant its consent either unconditionally or subject to any conditions it consider appropriate.
- c) Upon any assignment of this Licence, the Licensee will remain responsible for the Premises, and compliance with the terms and conditions of this Licence, as if those rights had not been assigned or transferred.

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The Minister for Lands has granted consent in accordance with section 18 of the *Land Administration Act 1997* to the proposed assignment on the condition the final document executed by the parties is on the same terms as provided to the DPLH.

**ATTACHMENT 12.2A
ATTACHMENT 12.2B**

Both parties have agreed that a security deposit of one year's licence fee (\$2,540) be paid by the Assignee to the Licensor in order to relieve the Licensee of the responsibility for the Premises as detailed under 3.7 c).

Operating hours will be in accordance with the *Environmental Protection (Noise) Regulations 1997*. Shiela Altiche proposes to open The Bedford Paraburdoo daily at the following times:

4.00am – 8.00am
10.00am – 2.00pm
5.00pm – 10.00pm

Three referees were contacted to ascertain Shiela Altiche's suitability as a Licensee of Shire property.

Question	Response
Amount of involvement in the Community?	Lives and works in Paraburdoo, has helped out with a local sporting club.
Experience in the hospitality industry?	Understood to have worked in a bakery, takeaway and running a food stall/restaurant in the Philippines.
Experience of operating a business?	Experience within the family business running a food stall restaurant in the Philippines
Would you be confident having Shiela look after your own business for you?	Definitely – she is very reliable and considerate.

Assignment of the Licence is considered to be low risk due to the low annual licence fee. Should Shiela Altiche cease to trade costs associated with remediation of the site (removal of the food van from the Reserve) would be covered by the security deposit.

Consultation

Executive Leadership Team
Manager Land and Asset Compliance
Sarah Gorman
Shiela Altiche

Statutory Environment

Land Administration Act 1997

46. Care, control and management of reserves

“(1) The Minister may by order place with any one person or jointly with any 2 or more persons the care, control and management of a reserve for the same purpose as that for which the relevant Crown land is reserved under section 41 and for purposes ancillary or beneficial to that purpose and May in that order subject that care, control and management to such conditions as the Minister specifies.

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(3) *The Minister may —*

(a) by order confer on a management body power, subject to section 18, to grant a lease or sublease or licence over the whole or any part of the Crown land within the reserve in question for the purposes referred to in subsection (1);...

Financial Implications

Department of Planning, Lands & Heritage require all revenue be expended on the maintenance and upkeep of the Reserve.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

- Goal 01 Vibrant and Active Communities
- Objective 1 Connected, caring and engaged communities

- Goal 02 Strong local economies
- Objective 1 A diverse and strong economy
- Objective 2 Enduring partnerships with industry and government

- Goal 04 Quality Services and Infrastructure
- Objective 3 Well-planned towns

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Natural Environment If the Assignee ceased trading without removing the stationary food van, the Shire would be responsible for remediation of the Reserve	Possible (3)	Insignificant (1)	Low (3)	Costs associated with remediation	Positive references have been received The Assignee is required to pay a security deposit

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The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low.

Policy Implications

There are no policy implications for this matter.

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MINUTE: 162/2020

MOVED: Cr L Rumble

SECONDED: Cr D Dias

That with respect to the Application for Deed of Assignment – The Bedford Paraburdoo, Council endorse the Chief Executive Officer to finalise and execute the Deed of Assignment (ATTACHMENT 12.2A) to assign the Licence for Portion of Reserve 40065 being Lot 67 Rocklea Road, Paraburdoo from Sarah Gorman trading as The Bedford Paraburdoo to Shiela Altiche trading as The Bedford Paraburdoo, effective 1 November 2020 and expiring 31 March 2022.

CARRIED 8/0

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12.3 CHANGE OF VENUE FOR NOVEMBER 2020 ORDINARY MEETING OF COUNCIL

FILE REFERENCE:	GV04
AUTHOR'S NAME AND POSITION:	Michelle Lewis Council Liaison Officer
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	23 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Agenda Item 11.3 (Minute No 694/2019) Ordinary Meeting of Council 19 November 2019

Summary

The November Ordinary Council Meeting (OCM) was scheduled to be held at the Ashburton Hall, Ashburton Avenue, Paraburdoo on 10 November 2020 as per the Resolution of Council 19 November 2019.

Due to works being carried out on the Karingal Facility in Paraburdoo, Karingal will be required to temporarily relocate to the Ashburton Hall and Lesser Hall, therefore, the November Ordinary Meeting of Council scheduled to be held in the Ashburton Hall will need to be moved to be held at the Paraburdoo Sports, Fitness and Community Complex, Fortescue Place, Paraburdoo.

Background

In November 2019, Council adopted the meeting schedule for the entire 12 month period from January to December 2020.

This report sets out the proposed location for the Ordinary Meetings of Council to be held on Tuesday 10 November 2020.

Comment

Approval is sought for the change of venue of the Shire of Ashburton's Ordinary Council Meeting to be held on Tuesday 10 November 2020 and that the Chief Executive Officer provide public Notice on Notice Boards, the Shire Website and Social Media advertising the venue and address for this meeting.

Consultation

Councillors
Executive Leadership Team

Statutory Environment

Local Government Act 1995

Section 5.3 requires Council to hold an Ordinary Meeting not more than three months apart.

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Section 5.25(g) Local Government Act 1995 indicates regulations may be made concerning the giving of public notice of the date and agenda for council or committee meetings.

Local Government (Administration) Regulations 1996

Reg. 12. Meetings, public notice of (Act s. 5.25(1)(g)) (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which:

- (a) the ordinary council meetings; and
- (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017- 2027 (Desktop Review 2019)

Goal 05 Inspiring Governance
Objective 3 Council leadership

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Compliance	Unlikely (2)	Insignificant (1)	Low (2)	No noticeable regulatory or statutory impact	Accept Officer Recommendation.

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low due to the financial value of the project and the risk to the Shire's reputation. Monthly reporting to Council assists with monitoring actions being undertaken.

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Policy Implications

Council Policy ELM01 – Council and Other Meetings

Council Policy ELM09 – Elected Member Information Forums

Voting Requirement

Simple Majority Required

Officers Recommendation

That with respect to the Change of Venue for the Ordinary Meeting of Council to be held 10 November 2020, Council:

1. Approve the November 2020 meeting venue be changed, to be held at the Paraburdoo Sports, Fitness and Community Complex (CHUB), , Fortescue Place, Paraburdoo, and
2. Pursuant to section 5.25(g) of the Local Government Act 1995, approve the Chief Executive Officer to give local public notice of the schedule of the meeting date, time and location with Notice Boards, the Shire Website and Social Media.

Council Decision

MINUTE: 163/2020

MOVED: Cr P Foster

SECONDED: Cr D Diver

That with respect to the Change of Venue for the Ordinary Meeting of Council to be held 10 November 2020, Council:

- 1. Approve the November 2020 meeting venue be changed, to be held at the Paraburdoo Sports, Fitness and Community Complex (CHUB), Saints Football Club Function Room, Fortescue Place, Paraburdoo, and**
- 2. Pursuant to section 5.25(g) of the *Local Government Act 1995*, approve the Chief Executive Officer to give local public notice of the schedule of the meeting date, time and location with Notice Boards, the Shire Website and Social Media.**

CARRIED 8/0

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**12.4 RENAMING OF ROADS (KARRATHA TO TOM PRICE) TO MANUWARRA
RED DOG HIGHWAY**

FILE REFERENCE:	RD.0299
AUTHOR'S NAME AND POSITION:	Janelle Fell Manager Land and Asset Compliance
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/RESPONDENT:	Landgate
DATE REPORT WRITTEN:	21 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Agenda Item 11.5 (Minute No. 696/2019) Ordinary Meeting of Council 19 November 2019

Summary

The Minister for Lands approved road name 'Manuwarra Red Dog Highway' from the Warlu Way - North West Coastal Highway intersection to Tom Price via Rio Tinto's Rail Access Road, including Bingarn Road. As a result, Mine Road is separated into two portions. To prevent this and retain the name as proposed by the Youngaleena Aboriginal Community in 2004, it is proposed the eastern portion of Mine Road retain the name Bingarn Road.

Background

With the sealing of the Tom Price to Karratha Road, Kevin Michel MLA sought Council's support to rename the road in honour of Red Dog whose prominence could be used to boost tourism and local jobs in the Pilbara.

As endorsed by Council at the 18 September 2019 (Minute No. 635/2019) Ordinary Meeting of Council, community consultation was undertaken. Of the small number of respondents (95), 78% supported the renaming proposal.

Landgate's Geographic Names Committee is the primary source and official register for all approved named geographic features, administrative boundaries and road names.

As instructed by the Minister for Lands the Hon Ben Wyatt MLA and under Section 26(2)(c) of the *Land Administration Act 1997*, the new road name was effective from 2 September 2020. The new road name 'Manuwarra Red Dog Highway' has two elements: Manuwarra, proposed by the Yindjibarndi Aboriginal Corporation and translates to 'heaps'/'masses'; and, Red Dog, the kelpie/cattle dog (c. 1971 – 1979) known for his travels in the Pilbara region.

Three stages of the sealing campaign are now completed, with one stage final stage remaining.

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The new road encompasses the following:

- Warlu Way
- Roebourne – Wittenoorn Road
- Rio Tinto's Rail Access Road
- Bingarn Road

A 108 kilometre section from the Rio Tinto rail crossing to Nanutarra-Munjina Road forms the fourth and final stage. A new alignment following the Rio Tinto rail line through is proposed.

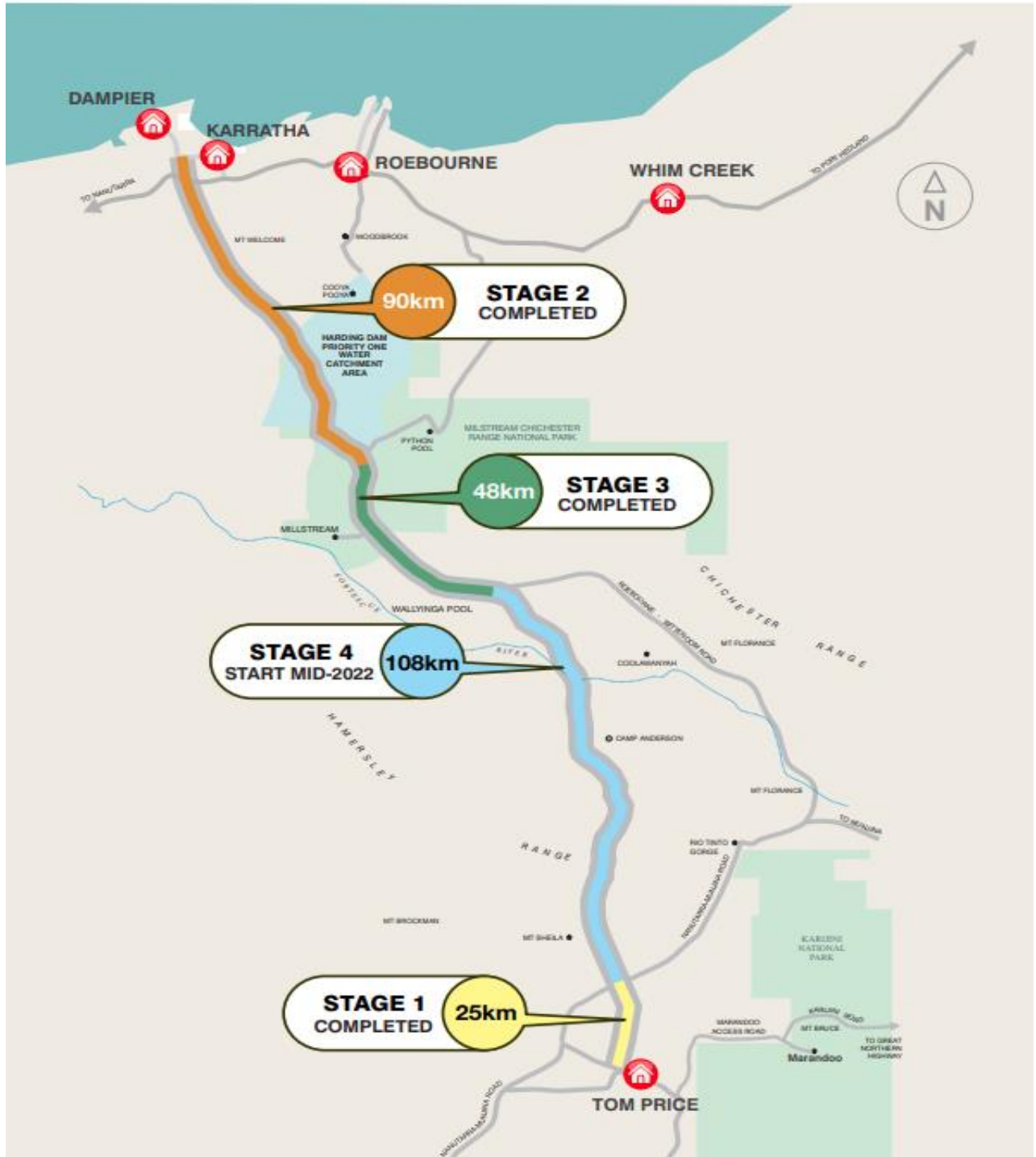
MRWA Project Timeline indicates Stage 4 development works will be completed in late 2021 with construction planned to start in late 2022.

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MANUWARRA RED DOG HIGHWAY



BUILDING
FOR
TOMORROW.



Project Map Credit: Main Roads WA

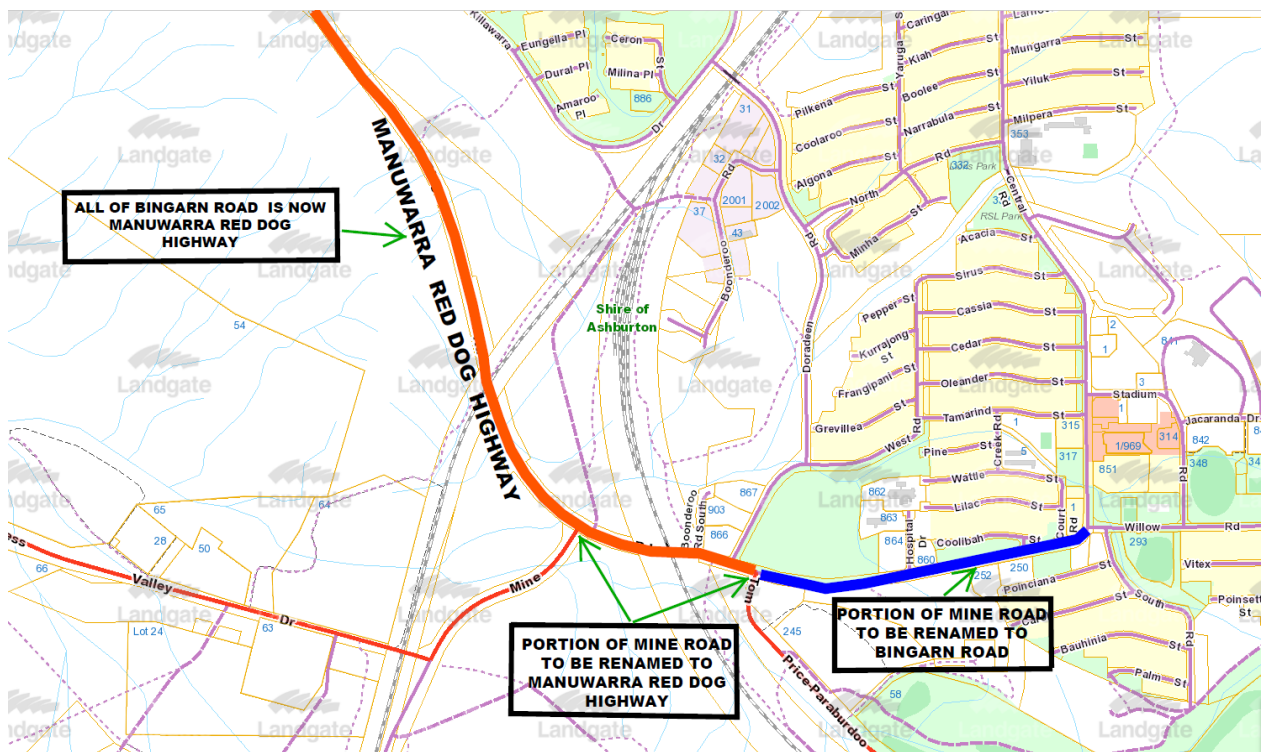
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Comment

Following the Ministers approval of Manuwarra Red Dog Highway, Landgate and Main Roads met to discuss the extent of the new road name into the Tom Price townsite and the subsequent renaming of any affected roads. Resultant, all of Bingarn Road has now been renamed to Manuwarra Red Dog Highway along with portion of Mine Road, to the Tom Price – Paraburdoo Road T junction.

A review found two addresses on Mine Road will be affected by the renaming - 860 & 866 Mine Road. As shown on the map, Landgate proposes the following amendments:

- Rename portion of Mine Road to Manuwarra Red Dog Highway and extend the name to the Tom Price-Paraburdoo Road T junction.
- Rename portion of Mine Road between Tom Price-Paraburdoo Road and Central Road to Bingarn Road.



The renaming of the eastern portion of Mine Road (as shown in blue on the map) will assist in retaining the name Bingarn Road, which was originally proposed by the Youngaleena Aboriginal Community in 2004, and prevent the creation of two separate portions of Mine Road.

Consultation

Executive Management Team

Statutory Environment

Landgate's Geographic Names Committee is the primary source and official register for all approved named geographic features, administrative boundaries and road names in Western Australia.

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Financial Implications

Costs associated with new signage are yet to be ascertained. It is expected local traffic signage will be the responsibility of the Shire. Signage associated with Manuwarra Red Dog Highway will be the responsibility of Main Roads WA. Mapping systems will be updated by Landgate.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 03 Unique Heritage and Environment
Objective 3 Celebration of history and heritage

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Interruption to Service	Insignificant (1)	Possible (3)	Low (3)	No material service interruption Less than 1 hour	Proceed as per Officers recommendation

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low due to the possible confusion to local road users while mapping systems are updated.

Policy Implications

ENG09 Asset Management Policy

Voting Requirement

Simple Majority Required

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Officers Recommendation

That with respect to the Renaming of Roads (Karratha to Tom Price) to Manuwarra Red Dog Highway, Council:

1. Acknowledge the naming of Manuwarra Red Dog Highway from the Warlu Way - North West Coastal Highway intersection to Tom Price; and
2. Have no objection to the renaming of the eastern portion of Mine Road to Bingarn Road, to retain the name as proposed by the Youngaleena Aboriginal Community in 2004.

Alternative Motion (Cr Diver)

MINUTE: 164/2020

MOVED: Cr D Diver

SECONDED: Cr M Lynch

That with respect to the renaming of Roads (Karratha to Tom Price) to Manuwarra Red Dog Highway, Council opposes the changing of the name of Mine Road and Bingarn Road due to local historical heritage and that the Manuwarra Red Dog Highway cease at the intersection of Nanutarra to Munjina Roads.

CARRIED 6/2

Cr Dias and Richardson voted against the motion

Reason for change – Decision based on maintaining the local heritage value of the district.

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12.5 OFFICES, FACILITIES AND WASTE SERVICES CLOSURE - 2020/21

FILE REFERENCE:	CR05
AUTHOR'S NAME AND POSITION:	Danielle Hurstfield Manager Governance
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	22 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE	Not Applicable

Summary

This report proposes closure dates for Shire Administration Offices, Libraries, Depots and Waste Services for the upcoming 2020/21 Christmas and New Year period.

Background

ADM12 – 'Closure of Certain Facilities – Christmas/New Year Period' authorises the Chief Executive Officer is to close Shire Administration Offices, Libraries, and Works Depots. Traditionally this is two working days prior to Christmas day and reopening the next working day following the New Year's Day public holiday.

Comment

Approval is sought for the closure of the offices in the various towns of the Shire for the period of Wednesday 23 December 2020 to Friday 1 January 2021 inclusive. Amended hours for Shire Operations that are essential are listed for endorsement.

Experience over the past years has indicated there is little requirement from the general public for administrative staff assistance over the Christmas / New Year period.

Operationally a number of officers will be available to manage emergency situations. Contact can be made through the reception number that is forwarded to the after hours call-centre. A summary of proposed operating hours are set out below:

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Administration Offices, Depots and Libraries

Monday	21 December 2020	Open
Tuesday	22 December 2020	Open
Wednesday	23 December 2020	Closed
Thursday	24 December 2020	Closed
Friday	25 December 2020	Closed - Public Holiday
Saturday	26 December 2020	Closed
Sunday	27 December 2020	Closed
Monday	28 December 2020	Closed – Public Holiday
Tuesday	29 December 2020	Closed
Wednesday	30 December 2020	Closed
Thursday	31 December 2020	Closed
Friday	1 January 2021	Closed - Public Holiday
Saturday	2 January 2021	Closed
Sunday	3 January 2021	Closed
Monday	4 January 2021	Open

Pools

Closed Christmas Day
Monday to Friday 8am-8pm
Saturday and Sunday 8am-6pm
Public Holidays 10am-5pm

Waste Site

	Tom Price	Paraburdoo	Onslow
25 December 2020	closed	closed	closed
26 December 2020	closed	closed	closed
27 December 2020	open 7.30am-12.30pm	open 7.30am-12.30pm	closed
28 December 2020	not open	not open	closed
31 December 2020	open 7.30am – 1pm	open 7.30am – 1pm	open 7.30am – 1pm
1 January 2021	closed	closed	closed

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Waste Collection

	Tom Price domestic	Tom Price commercial	Paraburdo o domestic	Paraburdoo commercial	Onslow domestic	Onslow commercial
Friday 25 December 2020	no run	no run	no run	no run	no run	run on 24 December
Saturday 26 December 2020	no run	no run	no run	no run	no run	no run
Sunday 27 December 2020	no run	no run	no run	no run	no run	no run
Monday 28 December 2020	no run	normal run	no run	no run	no run	run on 29 December
Thursday 31 December 2020	normal run	normal run	no run	normal run	no run	no run
Friday 1 January 2021	no run	normal run	no run	no run	no run	run on 31 December

Visitor Centre

Friday	18 December 2020	8.30am	5.00pm
Saturday	19 December 2020	8.30am	12.30pm
Sunday	20 December 2020	closed	
Monday	21 December 2020	8.30am	5.00pm
Tuesday	22 December 2020	8.30am	5.00pm
Wednesday	23 December 2020	8.30am	5.00pm
Thursday	24 December 2020	8.30am	5.00pm
Friday	25 December 2020	Christmas Day	
Saturday	26 December 2020	Boxing Day	
Sunday	27 December 2020	closed	
Monday	28 December 2020	closed	

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Tuesday	29 December 2020	8.30am	5.00pm
Wednesday	30 December 2020	8.30am	5.00pm
Thursday	31 December 2020	8.30am	5.00pm
Friday	1 January 2021	New Year's Day	
Saturday	2 January 2021	8.30am	12.30pm
Sunday	3 January 2021	closed	
Monday	4 January 2021	8.30am	5.00pm

Consultation

Executive Leadership Team
Waste Coordinator
Facilities Manager

Statutory Environment

Local Government Act 1995

2.7. Role of council

(1) The council —

- (a) governs the local government's affairs; and*
- (b) is responsible for the performance of the local government's functions.*

(2) Without limiting subsection (1), the council is to —

- (a) oversee the allocation of the local government's finances and resources; and*
- (b) determine the local government's policies.*

3.1. General function

- (1) The general function of a local government is to provide for the good government of persons in its district.*
- (2) The scope of the general function of a local government is to be construed in the context of its other functions under this Act or any other written law and any constraints imposed by this Act or any other written law on the performance of its functions.*
- (3) A liberal approach is to be taken to the construction of the scope of the general function of a local government*

Financial Implications

Officers will be required to take a combination of either public holidays, time in lieu or annual leave during the period of closure for days that are not public holidays.

Officers who are identified to attend to emergency issues may be entitled to the payment of overtime, time in lieu or call out fees as set out in the Shire of Ashburton Enterprise Agreement.

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Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2017-2027 (Desktop Review 2019)

Goal 05 Inspiring Governance
Objective 4 Exemplary team and work environment

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Interruption to Service Ability to resolve urgent issues	Likely (4)	Minor (2)	Moderate (8)	Short term temporary interruption – backlog cleared < 1 day	The Shire has in place a call centre that manages all calls after hours. Calls can be escalated to Officers in the case of emergency, other relevant information can be provided to the caller. Advice to the community through media/notice boards as detailed in recommendation will provide community with relevant information regarding services available

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

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This item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be moderate, is managed through the use of the after hours call centre, nominated staff to address issues and communication of service availability through media channels.

Policy Implications

ADM12 Closure of Certain Facilities – Christmas/New Year Period

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MINUTE: 165/2020

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That with respect to the Offices, Facilities and Waste Services Closure – 2020/21, Council:

- 1. Approve the Christmas Closure in each of the four town sites as of Wednesday 23 December 2020 until 1 January 2021 inclusive; and**
- 2. Approve the Waste Services operations as detailed:**

Waste Site

	Tom Price	Paraburdoo	Onslow
25 December 2020	closed	closed	closed
26 December 2020	closed	closed	closed
27 December 2020	open 7.30am-12.30pm	open 7.30am-12.30pm	closed
28 December 2020	not open	not open	closed
31 December 2020	open 7.30am – 1pm	open 7.30am – 1pm	open 7.30am – 1pm
1 January 2021	closed	closed	closed

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Waste Collection

	Tom Price domestic	Tom Price commercial	Paraburdoo domestic	Paraburdoo commercial	Onslow domestic	Onslow commercial
Friday 25 December 2020	no run	no run	no run	no run	no run	run on 24 December
Saturday 26 December 2020	no run	no run	no run	no run	no run	no run
Sunday 27 December 2020	no run	no run	no run	no run	no run	no run
Monday 28 December 2020	no run	normal run	no run	no run	no run	run on 29 December
Thursday 31 December 2020	normal run	normal run	no run	normal run	no run	no run
Friday 1 January 2021	no run	normal run	no run	no run	no run	run on 31 December

3. Provide Public Notice on notice boards, website and social media advising the Christmas closure of the Shire's Administration, Depots and Libraries and advice of operating hours of Waste Services, Pools and the Tom Price Visitor Centre.

CARRIED 8/0

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**12.6 NORTH TOM PRICE PRIMARY SCHOOL BOARD - COMMUNITY MEMBER
VACANCY**

FILE REFERENCE:	GR02
AUTHOR'S NAME AND POSITION:	Janyce Smith Senior Administration Officer
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/ RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	29 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The authors and the authorising officer have no financial proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The North Tom Price Primary School is seeking nominations to fill one Community Member position on its School Board. This position is for a 3 year term, commencing on appointment.

Council is requested to nominate either an elected member or staff member for this position.

Background

The North Tom Price Primary School Board (the Board) was established in 2013 when the school became an independent school. Since that time the Board has previously had three Community Members who were affiliated with the Shire, one Elected Member and two Executive Directors.

The Board currently has eleven members which comprises of the School Principal, Department of Education staff members, parents, and community representatives. The current community members are from Rio Tinto, Nintirri and Tom Price Senior High School.

The School Principal has now invited the Shire to nominate a person to fill the vacant position of Community Member on the Board.

Comment

The Board meets up to two times per term and is an important decision making group of the school. The Board takes part in:

- establishing and reviewing from time to time, the school's objectives, priorities and general policy directions;
- planning financial arrangement necessary to fund those objectives, priorities and directions;
- evaluating the school's performance in achieving those objectives, priorities and directions;
- formulating codes of conduct for students at the school; and
- take part in the selection of, but not the appointment of, the school principal if prior approval is given by the Regional Executive Director;

A general overview of the Board and its meetings are attached.

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ATTACHMENT 12.6A

The Department of Education have published an Information Pack on Public School Councils and Boards which outlines the roles and responsibilities of school councils/boards. Some of the points to note in regard to Community Membership are:

- Identifying quality members is a critical part of the process of establishing and maintaining a successful council/board. It is imperative that schools have broad networks to ensure a wide variety of people are considered.
- Community members may bring expertise such as business skills that the board/council is looking for.
- Any member of the community considered to have suitable qualifications or experience is eligible to be placed on the list of nominees for the community category of membership. Community members have contemporary expertise required by the council/board. Examples of contemporary expertise include current employment with an employer working in partnership with the school, or business skills that are required at the time.
- There will not be an election to appoint community members. The council/board may appoint suitably qualified persons from the list of nominees by vote in a meeting.
- Prior to being appointed to the council/board, nominees undergo a National Police History Check.

ATTACHMENT 12.6B

Consultation

Executive Leadership Team

Statutory Environment

School Education Act 1999

School Education Regulations 2000

Financial Implications

There are no known financial implications for this matter. The nominee is appointed by the Board and any costs associated with attending the meetings will not be met by the Shire as the Board is not a Committee of Council, Working Group of Council, nor has an appointed delegate to an External Group.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 01 Vibrant and Active Communities

Objective 3 Quality education, healthcare, childcare, aged care and youth services.

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Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Reputation	Rare (1)	Insignificant (1)	Low (1)	Unsubstantiated, localised low impact on community trust, low profile or no media item.	Adopt Officer recommendation to nominate an Elected Member or Executive Officer

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton’s Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low due to the financial implications and the risk to the Shire’s reputation.

Policy Implications

There are no known policy implications for this matter.

Voting Requirement

Simple Majority Required

<p>Officers Recommendation</p> <p>That with respect to the North Tom Price Primary School Board – Community Member Vacancy, Council submit the nomination of _____to the School Principal of North Tom Price Primary School.</p>

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Council Decision

MINUTE: 166/2020

MOVED: Cr P Foster

SECONDED: Cr D Diver

That with respect to the North Tom Price Primary School Board – Community Member Vacancy, Council submit the nomination of Cr M Lynch to the School Principal of North Tom Price Primary School.

CARRIED 8/0

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**12.7 MINING ACT 1968 TENEMENT REFERRALS – 25 AUGUST – 30
SEPTEMBER 2020**

Declaration of Interest

Prior to consideration of this Agenda Item:

Cr Rumble declared a financial interest

Cr Lynch declared an indirect financial interest

Cr Foster declared an indirect financial interest

Cr Gallanagh declared a financial interest

Cr Dias declared a financial interest

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER GV07

Councillor Lynch, Gallanagh, Diver and Foster remained in the Chamber in line with the approval given by the Acting Deputy Director General of the Department of Local Government, Sport and Cultural Industries as noted at item 6.2.
--

Cr Rumble and Cr Dias left the meeting at 1.31 pm due to their Financial Declarations of Interest.
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FILE REFERENCE:	ED01
AUTHOR'S NAME AND POSITION:	Janelle Fell Manager Land and Asset Compliance
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	1 October 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Agenda Item 12.8 (Minute No. 124/2020) – Ordinary Meeting of Council 11 August 2020

Summary

The purpose of this report is to inform Council, for information, of Notices of Application for tenure under the <i>Mining Act 1978</i> .

Background

It is a requirement of the *Mining Regulations 1981* (Mining Regs) that application for mining tenements be in the prescribed form, being a Form 21, and lodged within 10 days of marking out (by fixing a post projecting at least 1 m above the ground along with other prescribed actions as per Division 1 – Marking out mining tenements of the Mining Regs).

A notice in the form of Form 21 is to be served on the Chief Executive Officer of the local government within 14 days of the lodging of the application to which the notice relates.

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The period for lodgement of an objection concerning an application over private land is within 21 days of service of the Form 21 or the date notified on the Form 21, whichever is the longer period.

Comment

Mining tenements prescribed under the *Mining Act 1968* include prospecting licences, exploration licences, retention licences, mining leases, general purpose leases and miscellaneous licences.

The Shire receives varying numbers of Form 21 Applications for Mining Tenement each month. Therefore, Shire Officers undertake an assessment of each Notification with any concerning Applications referred to Council. The due diligence assessment includes, but is not limited to:

- Affected Shire assets:
 - Will the licence generate traffic volumes that significantly affect Shire roads
 - Borrow pits
- Bushfire back burning areas
- Aboriginal heritage sites
- Special Control Areas as per the Local Planning Scheme No. 7
 - Wittenoom a particular concern
- Areas used for public recreation
- Land identified for future use or development (landfill, tourism, etc.)
- Traffic management if operating near roads used by travelling public
- Identify landowner/pastoral company
- Identify Aboriginal groups
- European heritage sites – municipal inventory
- Proximity to:
 - Telecommunications
 - Electricity
 - Water
 - Gas pipelines
- General notification of possible permanent and temporary camps

Three (3) Form 21 - Application for Mining Tenement notifications were received between 25 August and 30 September 2020.

Exploration Licences

The Mining Regs imposes a limit on the amount of earth, soil, rock, stone, fluid or mineral bearing substance which may be excavated, extracted or removed to 1,000 tonnes in total. Excavation, extraction or removal in excess of this requires the Ministers written approval.

Exploration Licence notifications received include:

Company	Application No.	Block/s (~80km²)	Locality
Bellary Dome Pty Ltd McMahon Mining Title Services Pty Ltd	E 47/4434	4 BL	Windell
Australian Premium Iron Joint Venture	E 47/4444	62 BL	Mount Enid

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Miscellaneous Licences

A miscellaneous licence may be granted for use of land for one or more of the following purposes:

- A road;
- A tramway;
- An aerial rope way;
- A pipeline;
- A powerline;
- A conveyor system;
- A tunnel;
- A bridge;
- Taking water;
- A search for groundwater;
- Hydraulic reclamation and transport of tailings;
- An aerodrome;
- A meteorological station;
- A Sulphur dioxide monitoring station;
- A communications facility;
- A drainage channel;
- A pump station;
- A minesite accommodation facility;
- A bore;
- A bore field;
- A water management facility;
- A power generation and transmission facility;
- A storage or transportation facility for minerals or mineral concentrate;
- A minesite administration facility;
- A workshop and storage facility;
- A jetty.

Miscellaneous Licence notifications received are:

Company	Application No.	Hectares	Locality	Purposes
Alinta Energy Clean Energy Development Pty Ltd	L 45/568	3,488.32000 HA	Hillside	<ul style="list-style-type: none"> • A communications facility • A meteorological station • A power generation and transmission facility • A power line • A road • A workshop and storage facility

ATTACHMENT 12.7

Section 64B of the Mining Regulations requires the Notice of application for mining tenement be given to the holder of a pastoral lease, or other lease granted by or on behalf of the Crown for grazing purposes only.

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Consultation

Executive Leadership Team

Statutory Environment

PART IV -- Mining tenements of the Mining Act 1968 sets out the grant and conditions of mining tenements in Western Australia.

Mining Regulations 1981

Regulation 64, Application for mining tenement of the Mining Regulations 1981 (Mining Regs) states that application for mining tenements must be in the prescribed form, being a Form 21 and copies served in accordance with 33 (Application for mining by permit holder), 41 (Application for prospecting licence), 56A (Special prospecting licences), 58 (Application for exploration licence), 70 (Special prospecting licence on an exploration licence), 74 (Application for mining lease), 85B (Special prospecting licence on a mining lease), 91 (Grant of miscellaneous licence) and 118 (Notice of application to be given to lessee of pastoral lease) of the *Mining Act 1968*.

Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 02 Economic Prosperity
Objective 1 Strong local economies

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Damage to natural environment – social performance responsibilities to the community at large	Rare (1)	Moderate (3)	Low (3)	Natural Environment (3) – contained, reversible impact managed by external agencies	Correspondence to all Applicants advising Shire's required considerations
Financial impact to assets	Rare (1)	Minor (2)	Low (2)	Property (2) – localised damage rectified by routine internal procedures	Where asset implications are identified, user agreements will be initiated

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The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low due to the State and regulatory controls required for these referrals. Regular monitoring will be undertaken with specific procedures and corrective actions applied.

Policy Implications

Town Planning Scheme No. 7
LPP – Transient Workforce Accommodation

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MINUTE: 167/2020

MOVED: Cr D Diver

SECONDED: Cr P Foster

That with respect to *Mining Act 1968* Tenement Referrals – 25 August to 30 September 2020, Council acknowledge the contents of this report.

**CARRIED 5/1
Cr Richardson voted against the motion**

Cr Rumble and Cr Dias returned to the meeting at 1.33 pm. The Presiding Member advised of the outcome of the vote for this item.

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**12.8 PROPOSED FREEHOLD OVER LOT 500 ON DEPOSITED PLAN 409463
AND FREEHOLD CONVERSION OF LEASE N456248**

FILE REFERENCE:	NAM.0501 NAM.0502
AUTHOR'S NAME AND POSITION:	Janelle Fell Manager Land and Asset Compliance
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/RESPONDENT:	Department of Planning, Lands and Heritage
DATE REPORT WRITTEN:	1 October 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Agenda Item 13.6 (Minute No. 705/2019) Ordinary Meeting of Council 19 November 2019

Summary

The Department of Planning, Lands and Heritage seeks Council's comment on a proposal received from Ava Legal Pty Ltd, acting on behalf of RBH Real Estate Pty Ltd, requesting freehold (or leasehold tenure) over unallocated Crown land Lot 500 on Deposited Plan 409463 and the freehold conversion of Lease N456248.

Background

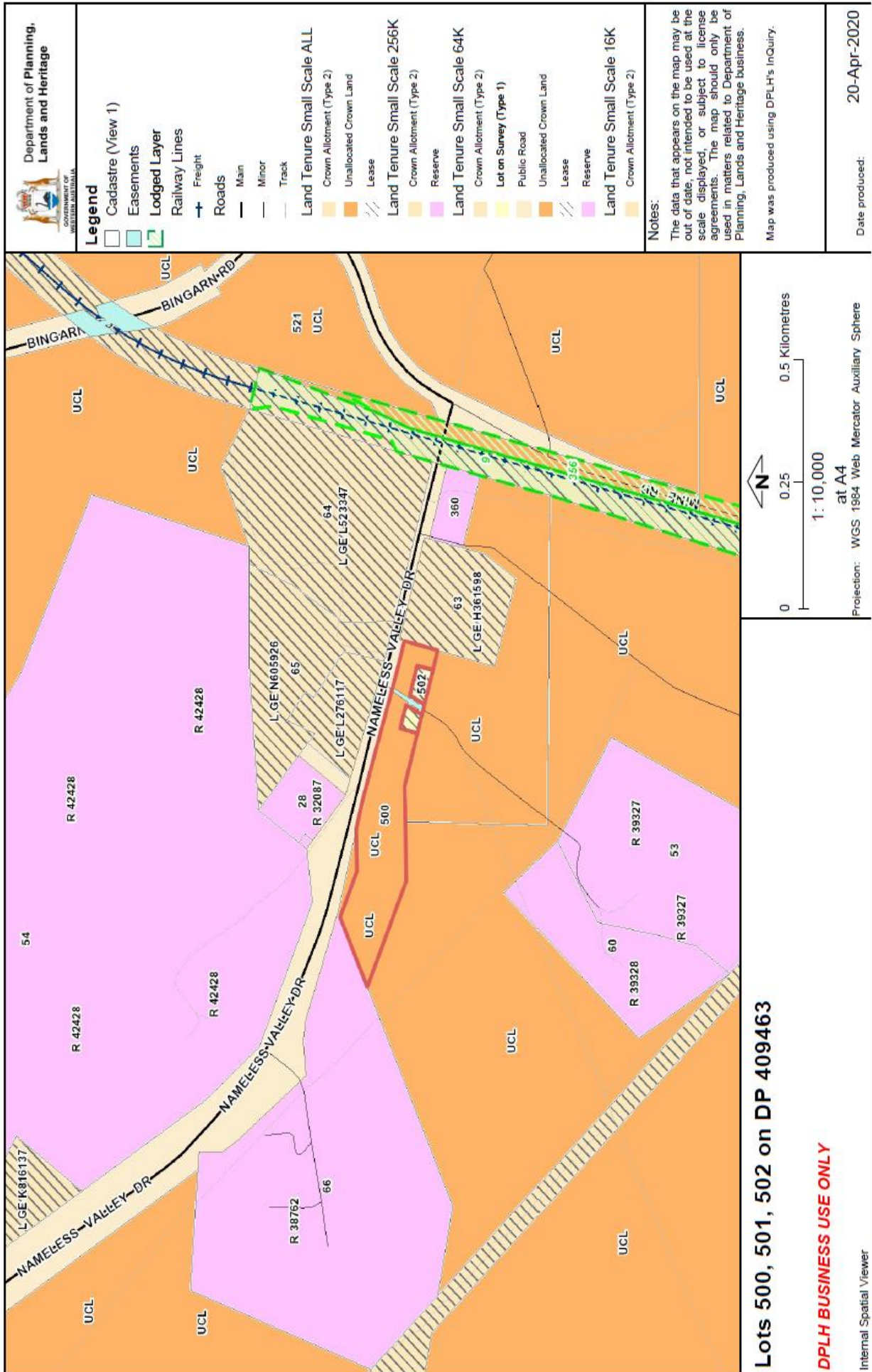
Council opposed the proposed sale of unallocated Crown land (UCL) within the Tom Price Townsite for Helicopter Operations at the June 2013 Ordinary Meeting of Council. The proposed site was UCL adjacent to Nameless Valley Drive in the vicinity of the road access to Mt Nameless walking track, BMX and Speedway. An (at the time) unknown proponent proposed helicopter operations from the site however, due to the 'Rural' zoning and proximity to the waste water treatment plant, it was determined the proposal would negatively impact on residential and tourist amenity at the proposed location.

In October 2016, Department of Planning, Lands and Heritage (DPLH) created Lots 501 (1,465m²) and 502 (2,069m²) Nameless Valley Drive, registered a (road access) Easement on the Title and executed a Lease (N456248) with CompassWest Helicopters Pty Ltd.

Lease N456248 was transferred from CompassWest Helicopters Pty Ltd to RBH Real Estate Pty Ltd (RBH) in March 2020.

RBH request freehold (or leasehold if freehold is not supported) tenure over UCL Lot 500 on Deposited Plan 409463 and the freehold conversion of Lease N456248, hachured red on the plan below. The purposed lease purpose over UCL Lot 500, should freehold not be supported, is "Storage Facility / Depot and Laydown area", for a term of 21 years with an option for a further term of 21 years.

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Comment

The Shire's Planning Team advise the following in relation to the proposed use and current zoning:

'The draft Local Planning Strategy identifies the area (Lot 500, Lot 501 and Lot 502) as a 'Rural' designation.

The Local Planning Scheme No. 7 (LPS7) currently has the site zoned as 'Rural', and the Scheme identifies that the objective of the zone is:

- i. Rural *This zone allows for a variety of Rural activities, providing for agriculture, horticulture, viticulture, grazing, dairying or farming generally and may include market gardens, stables, horse training, nurseries and the like. It also provides for extractive industry.*

The LPS7 defines that a 'Storage facility/depot/laydown area' is a 'D' use within the rural zone, meaning that the use is not permitted unless the Local Government has exercised its discretion by granting planning approval.

The objectives of the industrial zoning are as follows:

- ii. Industry *This zone is for Industrial and associated land uses, providing for manufacturing, extraction or processing industries, public utilities, storage or wholesaling or any business that can be considered within one of the 'Industrial' definitions in the Scheme.*

Given that the objectives of the industrial zone recognise 'storage' as a predominantly industrial land use, supporting the development of such a use within a 'Rural' zone is not in accordance with the objectives of the zone or the strategic direction of the draft Local Planning Strategy. As an existing LIA is already available and appropriately zoned.

In addition, the development is not required to provide a development plan, pursuant to Clause 6.4 of LPS7.'

The proposal to freehold (or leasehold) Lot 500 on Deposited Plan 409463 sees the proposed Storage Facility / Depot and Laydown area abut the Tom Price Tourist Park. Due to the conflicting land uses, it is recommended a smaller portion be considered to allow a suitable buffer between the proposed storage facility/depot and laydown area and the Tom Price Tourist Park.

DPLH will be requested to consult with Summerstar Pty Ltd as Lessees of the Tom Price Tourist Park for their comment on the proposal. As endorsed by Council in October 2019, Summerstar propose to redevelop the Tom Price Tourist Park over ten years, with considerable capital involved.

The lots subject to this proposal are in close proximity to the Tom Price Waste Water Treatment Plant (WWTP). The WWTP operates pursuant to Licence Number L5817/1991/13, which is valid until 2029. The initial assessment noted the nearest residential receptors are over 1km away. Should the proponent propose a caretakers dwelling or residence, this would likely have odour implications. Standard practice for WWTP operators is to undertake an assessment with odour buffers indicated as a Special Control Area (SCA) in the Local Planning Scheme (as per Water Corporation's SCA in Onslow). This has not been assessed or modelled in Tom Price, which may result in implications to the Shire should any approvals be given in relation to use within a SCA. The Department of Water and Environmental Regulation were consulted who advised the

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Environmental Protection Authority Guidelines have not been updated since 2005. Further, they do not have published guidelines on required separation distances or buffers for industrial premises, as each premises is assessed on a case by case basis for potential impact to nearby receptors.

Regular enquiries are made to the Shire regarding available land for mixed business/light industrial purposes in Tom Price. While details are not known, this proposal indicates this need may be somewhat met.

It is recommended Council offer no objection to leasehold only of Lot 500 on Deposited Plan 409463 to avoid potential conflicts in future planning for the immediate area, conditional on:

- A smaller portion of Lot 500 on Deposited Plan 409463 be subject to the proposal; and
- Support from Summerstar Pty Ltd on the proposed or leasehold and use; and
- A Local Planning Scheme No. 7 scheme amendment by the proponent, and
- Any use subject to a to-be-assessed Special Control Area for the Tom Price WWTP.

Further, it is recommended tenure over Lease N456248 be commensurate with the tenure granted over Lot 500 on Deposited Plan 409463, being leasehold.

Consultation

Executive Leadership Team
Acting Manager Town Planning

Statutory Environment

Land Administration Act 1997 - section 74 (freehold) and 79 (leasehold)
Town Planning Scheme No. 7

Financial Implications

There are no known significant financial implications in relation to this matter.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 02	Economic Prosperity
Objective 2	Strong local economies
Objective 3	Well-managed tourism
Goal 03	Unique Heritage and Environment
Objective 1	Flourishing natural environments
Goal 04	Quality Services and Infrastructure
Objective 3	Well-planned towns
Goal 05	Inspiring Governance
Objective 1	Effective planning for the future

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Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Compliance	Likely (4)	Minor (2)	Moderate (8)	Some temporary non compliances with LPS7	Endorse Officers recommendation

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be moderate due to Rural' zone is not in accordance with the objectives of the zone or the strategic direction of the draft Local Planning Strategy. An existing LIA is already available and appropriately zoned and should be expanded to meet local demand for storage/laydown/depot.

Policy Implications

There are no known Policy Implications in relation to this matter.

Voting Requirement

Simple Majority Required

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Officers Recommendation and Council Decision

MINUTE: 168/2020

MOVED: Cr D Diver

SECONDED: Cr M Lynch

That with respect to the Proposed Freehold Over Lot 500 on Deposited Plan 409463 and Freehold Conversion of Lease N456248, Council:

- 1. Authorise the Chief Executive Officer to advise the Department of Planning, Lands and Heritage that Council object to the proposed freehold of Lot 500 on Deposited Plan 409463 and support leasehold only subject to:**
 - a. A smaller portion of Lot 500 on Deposited Plan 409463 be subject to the proposal; and**
 - b. Support from Summerstar Pty Ltd on the proposed leasehold and use; and**
 - c. A Local Planning Scheme No. 7 scheme amendment by the proponent; and**
 - d. Any use be subject to a to-be-assessed Special Control Area for the Tom Price Waste Water Treatment Plant; and**
- 2. Authorise the Chief Executive Officer to advise the Department of Planning, Lands and Heritage that Council object to the proposed freehold conversion of Lease N456248 and support leasehold (only).**

CARRIED 8/0

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12.9 SMALL BUSINESS FRIENDLY APPROVALS

FILE REFERENCE:	ED06
AUTHOR'S NAME AND POSITION:	John Bingham Director Corporate Services
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/RESPONDENT:	Small Business Development Corporation
DATE REPORT WRITTEN:	2 October 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The Small Business Commissioner has invited Council to register an Expression of Interest in the *Small Business Friendly Approvals Program* (Approvals Program) and notify of an upcoming review of the *Small Business Friendly Local Governments* initiative.

Background

The Small Business Commissioner has invited Council to register an Expression of Interest in the *Small Business Friendly Approvals Program* (Approvals Program) and notify of an upcoming review of the *Small Business Friendly Local Governments* initiative.

ATTACHMENT 12.9

In late 2018, the Small Business Development Corporation (SBDC) identified an opportunity to expand the Small Business Friendly Local Governments (SBFLG) initiative and partner with two participating local governments to pilot the Approvals Program. The Cities of Canning and Stirling were selected due to the number of small businesses within each municipality, and their contribution to the State's economy.

Through the Approvals Program pilot, the SBDC sought to make it easier to start, operate and grow a small business in Western Australia by:

- Mapping the local government approvals pathway for small businesses;
- Identifying obstacles and opportunities to ease the approvals burden on small businesses;
- Designing reforms to achieve more streamlined approval processes; and
- Supporting local governments to implement those reforms.

The SBDC was recently provided additional funding to roll out the program to 20 local government partners over the next two years. The SBDC will be fully covering the cost of the expert facilitator, with local governments required to release officers to participate in the program working group, agree to implement the reforms developed by the working group, and report progress to the SBDC to enable the quantification of program benefits.

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The Approvals Program employs a human-centred approach to co-designing approval reforms with each local government over a six-week period, culminating in the production of a comprehensive and customised Action Plan for each local government to implement those reforms.

Integral to the delivery of the program is the establishment of a cross-functional working group comprised of representatives from key service areas within the partnering local government (such as planning, health, building, economic development and customer service) and representation by the SBDC.

Over a period of two days a week for six weeks, an expert facilitator guides the working group through a process of mapping the small business customer journey, establishing baseline data (including the number of business applications and approval timeframes), and through a process of customer-centred thinking, developing a series of reforms to improve small business approval processes and organisational change.

An important component of the project is interviews with small business operators that have experienced challenges with the local government's approval process. Hearing from these 'critical voices' is important in establishing the need for reform and to build empathy with the local government's business customers.

The Approvals Program seeks to address:

- The number of forms and approvals required by local governments when a small business is opening for the first time or expanding;
- The time taken for approvals due to process inefficiencies;
- Uncertainty and inconsistency surrounding the approvals process and the permits required;
- The requirement for small businesses to submit information numerous times, at each approval stage;
- A lack of risk-based approach to regulatory approvals; and
- The fees for some approvals and the variation across different local governments.

The Approvals Program pilot resulted in the development of 61 reform recommendations across the two local governments.

These reforms focused not only on process improvements to each local government's approvals regime, but also on improving organisational structures, culture, behaviours, beliefs, policies and strategic alignment where they intersect the business approvals process. This has produced more visible, meaningful and holistic reform initiatives to benefit small businesses than would otherwise have occurred by focusing on the process alone.

All reforms were designed to not require any additional financial resources by the local government.

Once implemented, the reform initiatives identified by the Cities of Canning and Stirling could each reduce approval timeframes for small business development applications by over 30 days.

Based on conservative estimates, the SBDC has calculated that this will generate an estimated saving of \$3.7 million annually for small businesses operating in these two local governments who applied for a development approval. This equates to an average saving of almost \$11,000 per small business.

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Importantly, the reform initiatives developed under the project will benefit all local government approval customers, not just small businesses. Those reform initiatives will also add considerable value to each local government through:

- More efficient and effective use of resources;
- More agile systems;
- Greater collaboration, certainty and consistency among staff;
- Improved service standards and greater customer satisfaction with the approvals process.

Comment

Given the potential savings to small businesses in the district as well as value added to Shire processes and its staff, it is recommended Council apply to participate in the program including drafting a letter of support from the Shire President and Chief Executive Officer (a requirement of the application process).

Consultation

Executive Leadership Team

Statutory Environment

Not Applicable.

Financial Implications

There are no known financial implications for this matter.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 02 Economic Prosperity
Objective 1 Strong local economies

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not adopt the officers recommendation	Insignificant (1)	Possible (3)	Low (3)	No material service interruption Less than 1 hour	Proceed as per Officers recommendation

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The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low due to the possible confusion to local road users while mapping systems are updated.

Policy Implications

There are no known policy implications for this matter.

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MINUTE: 169/2020

MOVED: Cr P Foster

SECONDED: Cr L Rumble

That with respect to the Small Business Friendly Approvals Program, Council authorise the Chief Executive Officer to submit an application to participate in the program including drafting a letter of support from the Shire President and Chief Executive Officer.

CARRIED 8/0

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12.10 COVID-19 FINANCIAL SUPPORT AND RELIEF PACKAGE UPDATE

Declaration of Interest

Prior to consideration of this Agenda Item:

***Cr Rumble declared a financial interest
Cr Lynch declared an indirect financial interest
Cr Foster declared an indirect financial interest
Cr Diver declared an impartiality interest
Cr Gallanagh declared a financial interest
Cr Dias declared a financial interest***

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER GV07

Councillor Lynch, Gallanagh, Diver and Foster remained in the Chamber in line with the approval given by the Acting Deputy Director General of the Department of Local Government, Sport and Cultural Industries as noted at item 6.2.
--

Cr Rumble and Cr Dias left the meeting at 1.37 pm due to their Financial Declarations of Interest.
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FILE REFERENCE:	FM32
AUTHOR'S NAME AND POSITION:	Geoff Garside Finance and Administration Manager
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	3 October 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Agenda Item 11.3 (Minute No. 54/2020) Ordinary Meeting of Council 14 April 2020

Summary

Update on support provided to assist small businesses, community groups and clubs affected by the COVID-19 pandemic.
--

Background

At the April Ordinary Meeting of Council, Council received a report from the Acting CEO on the potential impact of the COVID-19 pandemic on the Shire and resolved to implement a range of support and stimulus measures (see **ATTACHMENT 12.10A**). The goal was to keep businesses

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going, keep people in jobs and reach out to groups and clubs so they can continue in the future for the benefit of the community. Local Government measures were introduced alongside the Federal and State Government support and stimulus packages. The main areas of relief were based on those suggested by WALGA in late March.

In May, Rio Tinto confirmed they would provide further funds to support the Shire's relief efforts to support and provide economic stimulus to the Shire, small businesses and community organisations in Tom Price, Paraburdoo and Pannawonica experiencing hardship resulting from COVID-19.

Rio Tinto also provided the Shire with a waiver of lease payments on buildings leased by the Shire for 6 months.

Comment

Support provided to small businesses, community groups and clubs has included cash to offset fixed costs that were not able to be reduced (eg rent, insurance and utilities); and in-kind support such as the waiver of Shire licences, fees, and rent (where the Shire provides premises to the organisation).

Grants of support have been provided to 97 organisations – 61 community groups and 36 small businesses. Total support provided to date is:

	<i>Funds Made Available</i>	<i>Cash</i>	<i>In-Kind</i>	<i>Totals</i>	<i>Balance Available</i>
Shire	\$500,000.00	\$302,501	\$42,282	\$344,783	\$155,217
Rio	\$1,000,000.00	\$334,082	\$96,819	\$430,902	\$569,098
TOTAL	\$1,500,000.00	\$636,583	\$139,101	\$775,684	\$724,316

A breakdown of the above support supplied to each small business, club or community group is provided in **CONFIDENTIAL ATTACHMENT 12.10B**. At this stage we have provided these in a confidential attachment as it could be argued that the requests for support were submitted to Council in confidence and at a time of financial stress and hardship, particularly for some of the businesses.

Rio Tinto has also provided support to the Shire in terms of a waiver of 6-months' rent on properties the Shire leases from Rio Tinto – 29 properties, worth a total of \$172,521.

At this stage, with the number of infections and impacts of the pandemic in Western Australia well controlled, most businesses are back to normal. As of the end of September 2020, we have \$569,098 of the Rio Tinto COVID-19 Relief and Support Funds still available. It appears that further support for businesses and community groups is unlikely to be required. It is therefore proposed that these funds are directed towards the maintenance and improvement of essential community infrastructure in accordance with the 'key areas' of the Rio Tinto agreement.

Consultation

Executive Leadership Team
Finance Team

Statutory Environment

Section 6.12 of the Local Government Act and Reg. 12 and Reg. 13 of the *Local Government (Financial Management) Regulations* 1996 outline the provisions of granting funding and delegates the CEO authorisation to make the payment.

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Financial Implications

At the April Ordinary Council Meeting, Council supported the establishment of the COVID-19 Support Package of \$500,000. Rio Tinto then provided an additional \$1,000,000 of further support. To date \$756,894 has been awarded in grants. This leaves a balance of \$724,316 available (including \$569,098 of Rio funds).

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 05 Inspiring Governance
Objective 4 Exemplary team and work environment

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
That Council not accept the Officers recommendation	Unlikely (2)	Insignificant (1)	Low (1-4)	Compliance – 3 Moderate – Non-Compliance with significant regulatory requirements imposed.	Accept Officer Recommendation.

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton’s Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low due to the financial value of the project and the risk to the Shire’s reputation. Regular monitoring will be undertaken with specific procedures and controls engaged throughout the delivery of the project and will be consistently reviewed and managed.

Policy Implications

Applications for assistance were considered in accordance with FIN24 Financial Hardship Policy.

Voting Requirement

Simple Majority Required

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Officers Recommendation and Council Decision

MINUTE: 170/2020

MOVED: Cr D Diver

SECONDED: Cr P Foster

That with respect to the COVID -19 Financial Relief and Support Package update, Council:

- 1. Receive the report and attachments and endorse the actions taken to-date; and**
- 2. Approve the release of the information on the details of support provided to small businesses and individual community groups via media releases.**

CARRIED 6/0

Cr Rumble and Cr Dias returned to the meeting at 1.38 pm. The Presiding Member advised of the outcome of the vote for this item.

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13. PROPERTY AND DEVELOPMENT SERVICES REPORTS

13.1 CAMPING ARRANGEMENTS AT THREE MILE POOL (ASHBURTON RIVER) ON MINDEROO STATION

FILE REFERENCE:	RV32
AUTHOR'S NAME AND POSITION:	Benjamin Leavy Acting Manager Town Planning
AUTHORISING OFFICER AND POSITION:	Chantelle McGurk Acting Director Projects and Procurement
NAME OF APPLICANT/ RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	23 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Agenda Item 9.6.2 (Minute No. 339/2018) Ordinary Meeting of Council 23 April 2018

Summary

This item seeks consideration from Council to revoke the 23 April 2018 (Minute No. 339/2018) resolution of Council whereby Council endorsed camping arrangements at Three Mile Pool (Ashburton River) on Minderoo Station.

Background

At the 23 April 2018 Shire of Ashburton – Ashburton Tourism Development Committee Meeting, the Committee decided:

“That with respect to camping arrangements at Three Mile Pool, Minderoo Station the Ashburton Tourism Development Committee recommend to Council, that Council:

- 1. Adopt in principle a \$5 camping fee for Three Mile Pool (fee calculated per vehicle, per night) inclusive of GST;*
- 2. Request Council to include in the 2018/19 Fees & Charges Schedule a \$5 camping fee for Three Mile Pool (fee calculated per vehicle, per night) inclusive of GST;*
- 3. Liaise with the Onslow Visitor Centre to process camping payments and permits with the intent that fees raised would be donated to the Onslow Visitor Centre;*
- 4. Authorise the income received from the camping fees to be donated to the Onslow Visitor Centre for the purpose of maintaining the Good Shed Museum; and*
- 5. Request the Chief Executive Officer to advise the Pastoral lease holder of Minderoo Station in relation to camping at Three Mile Pool (Ashburton River) that:*
 - a) The Shire will not erect a fence to limit access of campers to Minderoo Station or introduce skip bins;*
 - b) The Shire will improve signage (including defining camping areas, advising campers that toilet facilities are not available and to remove their rubbish) and establish a permit system;*

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- c) *The Shire will is to carry out Ranger inspections three times per week during peak season;*
- d) *Council has adopted an 'in principle' \$5 camping fee for Three Mile Pool (fee calculated per vehicle, per night) inclusive of GST;*
- e) *Council is to include the \$5 camping fee for Three Mile Pool (fee calculated per vehicle, per night) inclusive of GST in the 2018/19 Fees & Charges Schedule;*
- f) *The Council is prepared to allow the Onslow Visitor Centre to process camping payments and permits with the intent that fees raised are a donation to the Onslow Visitor Centre;*
- g) *In consultation with the Onslow Visitor Centre Council request the Shire to pursue a camp host at the site as a voluntary arrangement;*
- h) *The Pastoral lease holder of Minderoo Station is requested to confirmation in writing the acceptance (or otherwise) of Council's decisions as per above.*
- i) *Should the Pastoral lease holder of Minderoo Station not accept the arrangements as outlined that:*
- j) *Council will consider this response as an objection to the camping arrangements at Three Mile Pool, Minderoo Station; and*
- k) *The lease holder is asked to advise how they intend to manage camping at Three Mile Pool (Ashburton River)."*

The Council at its Ordinary Council Meeting on 23 April 2018, adopted the Ashburton Tourism Development Committee's decision.

On 2 May 2018, a letter was sent to Minderoo Station advising the Station Manager the outcomes of the Council's decision at the April Ordinary Council Meeting. No confirmation letter was received in reply.

Further to the above, on 20 September 2019 Cr White tabled the following Notice of Motion in regards to the Camping Arrangements at Three Mile Pool (Ashburton River) on Minderoo Station.

Notice of Motion:

That the Chief Executive Officer prepare as a matter of urgency, a report to Council that addresses the resolution of Council in relation to Item 9.6 Minutes of the SoA Tourism Development Committee Meeting of 23 April 2018 insofar as the:

- *Ownership and interests of land associated with camping along the Ashburton River;*
- *Responsibilities if any, associated with the direction of the above resolution; and*
- *Any potential legal risk implications on the Shire for its involvement in arranging.*

Comment

Land ownership and interests

The current camping arrangements on the site along the banks of the Ashburton River is located within the Minderoo Pastoral Lease (PL 49514).

Under the Shire of Ashburton Local Planning Scheme No. 7 (LPS7); the use for 'Holiday Accommodation' is exempt from development approval within the 'Rural' zone provided it is an incidental use and no building works are proposed. The term 'Holiday Accommodation' is defined in LPS7 as;

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holiday accommodation *any land and/or buildings used predominantly by travellers 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 within the definition of home business), hotel and motel.*

However, in light of the above definition, the site does not meet the minimum requirements under the *Caravan Park and Camping Regulations 1997*; to be defined as a 'nature based park', as;

- No ablutions are provided; and,
- No stationary water supply is available; and
- No Management Plan has been provided; and
- No nature based park licence has been acquired.

In the event that the site were to be formalised as a 'Holiday Accommodation' under LPS7 and a 'nature based park' under *Caravan Park and Camping Regulations 1997*, a Development Application would need to be submitted to the Western Australian Planning Commission (WAPC) for assessment and approval. In addition, approval under the *Native Title Act 1993* would need to be acquired prior to the commencement of the use due to determination that native title exists in relation to the area with the common law holders of native title being the Thalanyji people.

The approval from the WAPC is required, as the location of the site is within the Ashburton North Strategic Industrial Area (ANSIA) Improvement Scheme No. 1 area, and is identified as 'Industrial Protection Zone'. The objective of the zone are to:

23. Industry Protection zone

Protect the industrial amenity of the Ashburton North Strategic Industrial Area from encroachment of uses that are not compatible with hydrocarbon processing and related activities, and to ensure sensitive uses are not adversely affected by those processing and related activities.

The use of the site for a 'Nature based park' would be deemed to be a sensitive land use, as per the definition within the Environmental Assessment Guidelines - DRAFT Environmental Assessment Guideline for Separation distances between industrial and sensitive land uses; as follows:

Sensitive land uses *are land uses applied to places where people live or regularly spend time and which are therefore sensitive to emissions from industry. They include residences, hospitals and nursing homes, short-stay accommodation, schools, child care facilities, shopping centres, playgrounds, and some public buildings. Some commercial and institutional land uses which require high levels of amenity or are sensitive to particular emissions may also be considered sensitive land uses.*

On that basis, the development of a sensitive land use within the identified 'industrial buffer zone' would generally not be supported, unless justification and supporting documentation are provided with a formal development application. The current prearrangement on the site does not meet any of the above requirements.

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The formalisation and utilisation of the site, an unlawful and improper use of the site as the use is degrading the surrounding area and potentially causing human effluent build up within the riparian zone of the Ashburton River.

Furthermore, 'development' whether exempt or not requires to have the permission of the land owner. In the case of Minderoo Station and the camping sites along the Ashburton River, that would be with Minderoo Station.

The conditions adopted by the Council at its Ordinary Council Meeting on 23 April 2018, included the following conditions:

- h) The Pastoral lease holder of Minderoo Station is requested to confirmation in writing the acceptance (or otherwise) of Council's decisions as per above.*
- i) Should the Pastoral lease holder of Minderoo Station not accept the arrangements as outlined that:*
- j) Council will consider this response as an objection to the camping arrangements at Three Mile Pool, Minderoo Station; and*
- k) The lease holder is asked to advise how they intend to manage camping at Three Mile Pool (Ashburton River)."*

The conditions required that a response be obtained from Minderoo Station. On 2 May 2018 a letter was sent to the Minderoo Station Pastoral Leaseholder informing them of Council's decision. No response was received in objection or support of the proposal. Therefore, the conditions endorsed by Council have not been fulfilled and the proposed use of the site cannot proceed.

Legal Implications

The unlicensed 'nature based park' is able to be prosecuted under Part 2 Division 1 s.8 of the *Caravan Parks and Camping Grounds Act 1995*, for operating without a licence; as defined below.

1. Caravan park or camping ground not to be operated without licence

- (1) On and after the appointed day a person must not operate a facility, or a facility of a prescribed type, unless the person holds the appropriate licence under this Act in relation to that facility.*

Penalty: \$5 000.

- (2) In subsection (1) —*

appointed day means such day as is fixed by the Minister by notice published in the *Government Gazette* to be the appointed day for the purpose of that subsection.

Furthermore, given the extent and duration that the current camping arrangements have been undertaken, prosecution under Part 4 s.23 and s.24 of the *Act* would be enforced;

24. Continuing offences

- (1) Where an offence is committed by a person by reason of the contravention of a provision of this Act under which the person is required or directed to do any act or thing, or to refrain from doing any act or thing, that offence is taken to continue so long as the act or thing so required or directed remains undone, or continues to be done, as the case may be.*

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- (2) *Where an offence is taken to continue, the person who committed the offence, whether by act or omission, commits an additional offence on each day during which the offence is taken to continue after notice of the offence has been given by or on behalf of an authorised person to the offender, and is liable to a fine not exceeding \$500 for every day on which the offence is so continued.*

In addition to the above, in accordance with the *Planning and Development Act 2005*, the following means of infringements, written directions and prosecutions can be undertaken against the owner undertaking the development.

1. As an alternative to commencing prosecution for an offence, an offender may be given an infringement notice under section 228 of the *Act*, and ordered to pay a modified penalty. These are generally given when the breach is minor and can be remedied. Alternatively, they may be given where the local government authority deems that either for lack of evidence, or public interest reasons, or because of the potential expense that could be incurred, or some other reason, the offence is not worth prosecuting.

An infringement notice must be given within 6 months of the alleged offence being committed (s 228(2)). If the modified penalty is paid within 28 days, then the payment may prevent further legal proceedings being brought in certain circumstances (s 232). However, such a payment is not considered an admission for any civil or criminal proceedings (s 232(3)).

2. Under the *Act*, if a development, or any part of the development, is undertaken in contravention of a planning scheme, an interim development order, or in contravention of planning control area requirements, the responsible authority may give a written direction to the owner undertaking the development to stop, remove, pull down, take up, or alter the development, or to restore the land as nearly as practicable to its prior condition (*Planning and Development Act 2005* s 214).

If a person does not comply with such a direction, then the responsible authority may itself remove or pull down the development, restore the land, or execute the work as required (*Planning and Development Act 2005* s 215).

Part 5.1.1 of the Shire of Ashburton Local Planning Scheme No. 7 requires that subject to the exemptions in clause 5.3 the planning approval of Local Government is required for all development, including building, works, changes in use and new uses, on zoned and reserved land in the Scheme.

3. Furthermore, if a person contravenes either a provision of the *Act*, or a development order or planning scheme, or the responsible authority grants an application for approval of development subject to conditions, and the development is commenced contrary to those conditions, then the responsible authority may apply to the Supreme Court for an injunction (*Planning and Development Act 2005* s 216).
4. Section 218 of the *Act* provides that a person who contravenes the provisions of a planning scheme or commences or carries out development in contravention of a scheme, or a condition imposed under the act commits an offence. A local government has discretion to decide whether to commence legal proceedings for in prosecution of an offence.

In the event that an offence is committed, a person who commits an offence under the *Act* is liable to a fine of \$200,000 and, a further fine of \$25,000 for each day during which the offence continues (s 223). However, under the *Sentencing Act 1995 (WA)* s 40(5) a body corporate may be liable to a fine of 5 times the maximum that could be imposed on a natural

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person. Therefore, a company may be liable to a fine of \$1,000,000 and, a further fine of \$125,000 for each day during which the offence continues.

The continued support of an illegitimate use that is contrary to the Shire of Ashburton Local Planning Scheme No. 7, would set a precedent for future non-compliance matters.

Consultation

Executive Leadership Team

Statutory Environment

Regulation 10 of the *Local Government (Administration) Regulations 1996*, pursuant to section 5.25(1)(e) of the *Act*, establishes the circumstances in which an earlier decision of council or a committee may be revoked or changed. These circumstances apply only when a new decision of the council or committee would either reverse an earlier decision entirely, or result in a decision that is 'substantially different' from the earlier decision.

Caravan Parks and Camping Grounds Act 1995

Caravan Park and Camping Regulations 1997

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Native Title Act 1993

Ashburton North Strategic Industrial Area: Improvement Scheme No. 1

Shire of Ashburton Town Planning Scheme No. 7

Financial Implications

There were no known financial implications for this matter.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 02 Economic Prosperity
Objective 3 Well-managed tourism

Goal 03 Unique Heritage and Environment
Objective 1 Flourishing natural environments
Objective 2 Leading regional sustainability

Goal 04 Quality Services and Infrastructure
Objective 3 Well planned towns

Goal 05 Inspiring Governance
Objective 1 Effective planning for the future

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Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Reputation	Unlikely (2)	Insignificant (1)	Low (2)	Unsubstantiated, localised low impact on community trust, low profile or no media item.	Endorse Officers Recommendation
Compliance	Unlikely (2)	Insignificant (1)	Low (2)	No noticeable regulatory or statutory impact	Endorse Officers Recommendation
Natural Environment	Unlikely (2)	Insignificant (1)	Low (2)	Contained reversible impact managed by on site response	Endorse Officers Recommendation
Financial Impact	Unlikely (2)	Insignificant (1)	Low (2)	Less than \$10,000	Endorse Officers Recommendation
Reputation	Likely (4)	Moderate (3)	High (12)	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile.	Refuse to endorse Officers Recommendation
Compliance	Possible (3)	Major(4)	High (12)	Non-compliance results in the termination of services or imposed penalties to Shire/Officers	Refuse to endorse Officers Recommendation
Natural Environment	Almost Certain (5)	Moderate (3)	High (15)	Contained, reversible impact managed by external agencies	Refuse to endorse Officers Recommendation
Financial Impact	Possible (3)	Moderate (3)	Moderate (9)	\$100,000 - \$1 million	Refuse to endorse Officers Recommendation

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The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low due to the risk to the Shire's reputation, impacts on the natural environment, compliance issues and lack of financial implications.

Policy Implications

There are no known policy implications for this matter.

Voting Requirement

Simple Majority Required

<p>Officers Recommendation</p> <p>That with respect to Camping Arrangements at Three Mile Pool (Ashburton River) on Minderoo Station, Council does not support the continuation of the camping arrangements, effective from 1 October 2020; due to requirements to comply with the Caravan Park and Camping Regulations 1997, Improvement Scheme No. 1: Ashburton North Strategic Industrial Area and Shire of Ashburton Local Planning Scheme No. 7.</p> <p>Council Decision</p> <p>MINUTE: 171/2020</p> <p>MOVED: Cr D Diver SECONDED: Cr P Foster</p> <p>That with respect to Camping Arrangements at Three Mile Pool (Ashburton River) on Minderoo Station, Council does not support the continuation of the camping arrangements, effective from 13 October 2020; due to requirements to comply with the Caravan Park and Camping Regulations 1997, Improvement Scheme No. 1: Ashburton North Strategic Industrial Area and Shire of Ashburton Local Planning Scheme No. 7.</p> <p align="right">CARRIED 8/0</p>

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14. COMMUNITY SERVICES REPORTS

14.1 APPLICATION ACCEPTANCE OF COMMUNITY SUPPORT GRANT ALLOCATIONS ROUND 1, 2020/2021 ANNUAL FINANCIAL YEAR

Declaration of Interest

Prior to consideration of this Agenda Item:

Cr Rumble declared a financial interest

Cr Dias declared an impartiality interest

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER GV07

Cr Rumble left the meeting at 1.42 pm due to his Financial Declaration of Interest. Cr Dias remained in the room as he declared an impartiality interest.

FILE REFERENCE:	GS01
AUTHOR'S NAME AND POSITION:	Kellie Bartley Director Community Services
AUTHORISING OFFICER AND POSITION:	Kenn Donohoe Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Various Community/Business Groups
DATE REPORT WRITTEN:	21 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Agenda Item 14.3 (Minute No. 94/2020) Ordinary Meeting of Council 9 June 2020

Summary

The Shire recently promoted and invited applications for Community Support Grants. The submissions were specifically for Community Support Grants as per REC08 Community Donations, Sponsorship and Funding Policy (REC08), with applications closing 31 August 2020.

Seventeen (17) applications were received for Community Support Grants. These grants are provided as in-kind and/or financial assistance to enable community groups and clubs to deliver quality programs, community events and services.

Background

There are two funding rounds each year, one opening in July and closing in August and one opening in February and closing in March. At the close of August round, 17 Community Support

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Grant applications were received, five from Tom Price, five from Paraburdoo, four from Pannawonica and three from Onslow.

Comment

The Community Support Grant funding was promoted directly to clubs and organisations via email, public notice boards, Inside Ashburton, Onslow Pipeline and the Shire of Ashburton website and Facebook page.

Applications received in Round 1 of the Community Support Grants 2020/2021 annual financial year. All applicants have been assessed on the criteria outlined in REC08 Community Donations, Grants and Funding Policy, general conditions and criteria and compliance information provided and are summarised in **ATTACHMENT 14.1A**.

ATTACHMENT 14.1A

The application for Pilbara Inland Chamber of Commerce has been requested to be a separate request to Council for consideration. This is to be presented to Council at the October 2020 Ordinary Council Meeting.

Consultation

Executive Leadership Team
Elected Members

The allocations of support were workshopped with Elected Members on 8 September 2020 the recommendations for general community support grants applications being allocated from EV202 (Community Support Grants).

The applications that were workshopped are contained in the following **ATTACHMENT 14.1B** and are now presented to Council for endorsement. The workshop identified that the request for the Paraburdoo Netball Association will only receive a grant for \$2,500 instead of the \$5,000 as requested.

ATTACHMENT 14.1B

Statutory Environment

Local Government Act 1995

Section 6.7 Municipal fund

(2) Money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by this Act or any other written law.

Complies with all statutory requirements.

Financial Implications

The following budget allocations are provided in the 2020/21 budget: EV202 Community Support Grants \$80,000.00 with an expenditure year to date of \$0.00.

The total required to allocate for round 1, 2020/21 Community Supports Grants is \$38,252.43 of combined cash and in-kind allocations.

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Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 01 Vibrant and Active Communities

Objective 2 Sustainable services, clubs, associations and facilities

Goal 05 Inspiring Governance

Objective 2 Community ownership

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Reputation If support is not for this item for local community groups	Minor (1)	Unlikely (2)	Low (4)	Reduced opportunity for community groups to support community capacity.	Council to support community support grants as per guidelines REC08 Policy

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low due to the financial value of the project and the risk to the Shire's reputation. Regular monitoring will be undertaken with specific procedures and controls engaged throughout the delivery of the project and will be consistently reviewed and managed.

Policy Implications

REC08 Community Donations, Grants and Funding Policy

Voting Requirement

Simple Majority Required

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Officers Recommendation and Council Decision

MINUTE: 172/2020

MOVED: Cr D Diver

SECONDED: Cr P Foster

That with respect to the acceptance of Community Support Grants Allocations, Round 1 2020/21 financial year, Council approve the recommendations for General Community Support Grant applications being allocated from account General Ledger EV202 (Community Support Grants) for a total of \$38,252.43 as contained in ATTACHMENT 14.1B.

CARRIED 7/0

Cr Rumble returned to the meeting at 1.43 pm. The Presiding Member advised Cr Rumble of the outcome of the vote for this item.

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14.2 PILBARA INLAND CHAMBER OF COMMERCE INDUSTRY – REQUEST FOR SUPPORT FOR 2020 BUSINESS AWARDS

FILE REFERENCE:	CR01
AUTHOR'S NAME AND POSITION:	Kellie Bartley Director Community Services
AUTHORISING OFFICER AND POSITION:	Kenn Donohoe Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Pilbara Inland Chamber of Commerce Industry
DATE REPORT WRITTEN:	21 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

This report is for Council to support the request of financial support from the Pilbara Inland Chamber of Commerce Industry for the 2020 Business Awards to be held in Paraburdoo.

Background

The Pilbara Inland Chamber of Commerce Industry (PICCI) represents the interests of businesses operating in the region of Tom Price and Paraburdoo townsites. The mission is to create a professional and prosperous business community that instils confidence and pride in buying locally. The aim of PICCI is to be supportive, motivational, inclusive, forward thinking, professional, and representative, independent and to promote transparency and trust within the region.

The PICCI helps to strengthen the community by implementing workshops and events aimed at engaging businesses and locating gaps in local capacity and capability.

Comment

The PICCI has requested financial support for the 2020 Business Awards to be held in Paraburdoo in November 2020. PICCI requested support during the round 1 of the 2020/21 Community Support Grants process and had previously requested support through the COVID 19 Business Grants.

The businesses within the townsites of Tom Price and Paraburdoo have been effected by the recent COVID 19 restrictions with regards to tourism, business development, housing for businesses and State Government guidelines with regards to events and activities across the state.

With this in place, the reduction of confidence and turnover of many of our smaller business has had a very negative impact on the businesses that have survived COVID19 and membership has been high due to business closures, reduced tourism and events opportunities since early March 2020 and interstate, intrastate and regional closure of borders.

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PICCI has requested the support to help encourage the 2020 Business Awards that are to be held in Paraburdoo. By having the Awards held in Paraburdoo, gives the opportunity for the two towns to unite as small businesses and to be recognised and encourage business owners to become members and support local businesses within both Tom Price and Paraburdoo.

The request of funds will help provide support for venue hire and bus hire to transport Tom Price Business owners to the event to be held in Paraburdoo. It is requested that Council support the request of financial support towards these awards.

PICCI has previously requested support through the COVID 19 grants process and was declined. The support to help sustain business growth in the region is requested to help the continued support for an organisation that is supporting business growth and driving for economic growth in the towns of Paraburdoo and Tom Price.

Consultation

Executive Leadership Team

Elected Members – discussed at Community Support Grants workshop 8 September 2020

Statutory Environment

There are no known statutory impediments for this matter.

Financial Implications

The financial implications for this request is recommended to provide a cash support of \$5,000 which can be utilised from the COVID 19 Small Business and Community Grant Funds.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 01 Vibrant and Active Communities

Objective 2 Sustainable services, clubs, associations and facilities

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Financial Impact	Minor (2)	Unlikely (2)	Low (4)	Reduced opportunity for the Business Community to advocate in the towns of Tom Price and Paraburdoo	Support the Officers recommendation to support the grant submission

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The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low due to the financial value of the project and the risk to the Shire's reputation. Regular monitoring will be undertaken with specific procedures and controls engaged throughout the delivery of the project and will be consistently reviewed and managed.

Policy Implications

There are no known policy implications for this matter.

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MINUTE: 173/2020

MOVED: Cr D Diver

SECONDED: Cr P Foster

That with respect to Pilbara Inland Chamber of Commerce that Council support the cash support of \$5,000 from COVID 19 Small Business and Community Grant Funds to support the 2020 Annual Business Awards.

CARRIED 8/0

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14.3 2020 COMMUNITY SERVICES KEY STRATEGIES ROAD MAP

FILE REFERENCE:	CS46
AUTHOR'S NAME AND POSITION:	Kellie Bartley Director Community Services
AUTHORISING OFFICER AND POSITION:	Kenn Donohoe Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	16 August 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

This report is presented to Council to endorse the 2020 Community Services Key Strategies Road Map that includes several strategies/plans that have been identified in the Shire of Ashburton's Strategic Community Plan and the Corporate Business Plan.

Background

In 2017, during the "planning for the future workshops" the community shared its aspirations for the Shire's future. The Shire recognises that a range of essential infrastructure and community service projects are required to be developed with the local industry and state government to help support community with infrastructure and communities aspirations and deliverables.

To help deliver this, a number of strategies/plans are required to be developed to meet the strategic objectives for the Shire were identified in the Strategic Community Plan 2017-2027. These informing strategies will inform Council with prioritising community aspirations giving consideration to social, economic and environmental objectives, as well as factors such as the vast distance between towns and communities.

It will help lead the Shire in the areas of the following:

- Identify and acknowledge community aspirations and priorities;
- Provide an opportunity for participation by the community in decision making processes;
- Coordinate decision making and the use of resources of the Shire and other organisations working with and in the community;
- Provide a long term focus for the delivery of facilities and services by the Shire and other organisations; and
- Provide a basis for accountability.

Comment

As the Shire is located in the heart of the Pilbara Region, it is apparent that the support of these strategies/plans will provide for the community across the four towns with the opportunity to be involved. This would include social inclusion, safe, valued and empowered communities whilst providing service and activities to enhance living in the remoteness of the Pilbara.

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Strong local communities depend on infrastructure and services such as adequate roads, telephone, health services and transport. They also need enthusiastic and motivated people, community organisations that work well, a long term “vision” for the community and a strong focus on practical action to achieve the vision.

The Shire is committed to delivery of accessible, integrated and sustainable services and programs, planned in consultation with our towns and communities to reflect their differing needs and aspirations. Guiding the delivery of services and programs, our plans and strategies encompass a wide range of topics including preparing for our community facilities, arts and cultural, heritage, tourism, events, activation/place management, reconciliation, recreation and trails outcomes.

Community capacity building is about promoting the ‘capacity’ of the local communities to develop, implement and sustain their own solutions to problems in a way that helps them shape and exercise control over their physical, social, economic and cultural environments. Community capacity building is the continuous process required to foster pride and appropriate local leadership that allows communities, through their members, to take responsibility for their own development.

The outcomes and deliverables can help to identify eight outcomes of community capacity building:

- Expanding, diverse, inclusive participation
- Expanding leadership base
- Strengthening individual skills
- Encouraging a shared understanding and vision
- Strategic community agenda
- Facilitating consistent, tangible progress towards goals
- Creating effective community organisations and institutions
- Promoting resource utilisation by the community

Commonly accepted key actions/objectives to success are:

- Having local people who are willing to “drive” action
- Developing “allies” – people or organisations that can help
- Using the existing assets of the community
- Having a small visible success within six months
- Having access to some resources
- Celebrating successes

Many community strengths are not immediately obvious, and it takes some creativity to discover what skills and abilities are available in the community, and how they might be used.

Strengths and resources that are often ‘hidden’ in communities include:

- Skills and talents of individual people
- The resources offered by local associations and organisations
- The resources offered by institutions such as major employers, schools and the council
- Land, property, building, parks and the environment
- Local businesses and industries
- The arts, cultural and heritage of the community

Community planning provides new opportunities for local community and voluntary groups to influence strategies, services and programs for the benefit of their communities. Being effective in Community Planning will entail community and voluntary groups:

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- Knowing and understanding the needs of their communities;
- Getting and keeping volunteers involved;
- Prioritising issues;
- Presenting ideas and proposals;
- Networking with other communities to maximise impact;
- Knowing how decisions are made by councils and others and being able to influence them;
- Undertaking projects and delivering services/ facilities;
- Being able to work in partnership with elected representatives, councils and public agencies.

The objectives of the Community Services Road Map will include the following:

- **Aims** – Current Shire’s goals and aspirations, linking into the five goals of the shire.
- **Considerations** – best practice in the industry, how do we best create connectiveness between the towns on opportunities of place management, events & tourism, reconciliation, engagement, economic growth in untouched areas, what are new projects activities and opportunities not yet tested. How will this inform the Community Lifestyle Infrastructure Program (CLIP).
- **Deliverables** – objectives that have purpose and outcome driven by all stakeholders, incorporating the commitment through the annual budget, service plans, CAPEX and decisions supported by Council through the strategies to achieve the desired outcomes through the process. How do we measure by having a realistic and pragmatic approach to expectations regarding performance measurement that is practical and meaningful to the informing strategies.
- **Priority & Adoption** – set timeframes to be workshopped and presented to Council for adoption after the consultation process, engagement, workshops, surveys, data collection and presentations.
- **Development & Implementation** – once adopted, review with staff and the community, action plans with outcomes and achievable goals and outcomes. Link to current budgets and/or require business cases to support future or best practice improvements with each informing strategy.



Figure 1 - Community Services Key Strategies

Each informing strategy will be workshopped with community, relevant stakeholders, staff and elected members to assist our community and staff with the outcomes, desires, task/actions, associated costs, identify stakeholders. Along with this, each informing strategy will assist with the delivery of service to the communities, residents, stakeholders, staff and elected members.

To build trust, communities require certainty that Councils are delivering the right services at the right cost. A best practice program of services with strong community engagement will assist in building community confidence and demonstrating efficiencies.

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The implementation of key actions will be measured to ensure they progress towards our goal in delivering the aspirations. All actions will be budgeted for and delivered through the Annual Budget, CAPEX, Asset Management Plan or individual business unit plans and the Corporate Business Plan.

Council will develop a range of strategies, plans and initiatives to help ensure the prosperity and welling being of the four towns within the Shire of Ashburton. A number of strategies have been identified in the Strategic Community Plan and Corporate Business Plan, which includes and is not limited to:

- Community Engagement Strategy
- Activation/Place Management Strategy
- Reconciliation Action Plan
- Arts & Cultural Strategy
- Events and Tourism Strategy
- Recreation Plan Strategy
- Pilbara Trails Strategy – Regionally and Locally (in progress with the Department of LG)
- Community Development Plan

Proposed Timeframes

Strategy Title	Timeframe
Community Engagement Strategy	February 2021
Community Development Plan	February 2021
Events & Tourism Strategy	February 2021
Activation/Place Management Strategy	June 2021
Arts & Cultural Strategy	June 2021
Reconciliation Action Plan	December 2021
Recreation Plan Strategy (aligns with CLIP & AMP)	December 2021
Pilbara Trails Strategy	December 2021
Youth Strategy (In Progress)	November 2020

ATTACHMENT 14.3

Consultation

Elected Members – Workshopped at Briefing Session 8 September 2020
Executive Leadership Team
Community Services Team
Manager Media and Communication

Statutory Environment

There are no known statutory impediments for this matter however the *Local Government Act 1995* section 5.56 requires each local government “to plan for the future of the district” by developing plans in accordance with the regulations.

Financial Implications

Provisions has been made within the 2020/21 Annual Financial Budget for each Strategy/Plan that may require a consultant and costs associated to each plan/strategy. The amount of \$390,000 is in General Ledger 11114520 – Consultant Fees.

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Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 01 Vibrant and Active Communities
 Objective 1 Connected, caring and engaged communities
 Objective 2 Sustainable services, clubs, associations and facilities
 Objective 3 Quality education, healthcare, childcare, aged care and youth services
 Objective 4 A rich cultural life

Goal 02 Economic Prosperity
 Objective 1 Strong local economies
 Objective 2 Enduring partnerships with industry and government
 Objective 3 Well-managed tourism

Goal 03 Unique Heritage and Environment
 Objective 1 Flourishing natural environment
 Objective 2 Leading regional sustainability
 Objective 3 Celebration of history and heritage

Goal 04 Quality Services and Infrastructure
 Objective 1 Quality public infrastructure
 Objective 2 Accessible and safe towns
 Objective 3 Well planned towns

Goal 05 Inspiring Governance
 Objective 1 Effective planning for the future
 Objective 2 Community ownership
 Objective 3 Council leadership
 Objective 4 Exemplary team and work environment

Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Lack of informing strategies to advocate and lead with economic, social, community aspirations to the towns of the shire.	Possible (3)	Moderate (3)	Moderate (9)	Substantiated public embarrassment , moderate impact on community trust	Supported by adopting informing strategies, actions plans and budget allocations that supports the Shire's Strategic Community Plan.

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The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be moderate due to the financial value of the project and the risk to the Shire's reputation. Regular monitoring will be undertaken with specific procedures and controls engaged throughout the delivery of the project and will be consistently reviewed and managed.

Policy Implications

There are no known policy implications for this matter.

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MINUTE: 174/2020

MOVED: Cr D Diver

SECONDED: Cr P Foster

That with respect to 2020 Community Services Key Strategic Road Map Strategy, Council endorse the plan as contained in ATTACHMENT 14.3.

CARRIED 8/0

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15 INFRASTRUCTURE REPORTS

15.1 CONTAINER DEPOSIT SCHEME PARTICIPATION

FILE REFERENCE:	WM07
AUTHOR'S NAME AND POSITION:	Helen Pickering Manager Waste Service
AUTHORISING OFFICER AND POSITION:	Alan Sheridan Acting Director Infrastructure Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	28 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

This report seeks Council's support for promotion of the Containers for Change Scheme in the Shire of Ashburton.

The Container Deposit Scheme commenced in Western Australia on 1 October 2020 and is branded as "Containers for Change". A total of 205 Refund Points opened across Western Australia on that day and one million eligible containers were collected and diverted from landfill.

One of The Container for Change schemes objective was to providing opportunities for social enterprise and benefits for community organisations through participation in the Scheme.

Containers for Change will provide a 10-cent refund for each eligible container returned for recycling at an approved Containers for Change Refund Point, and a 6-cent refund to the refund point organisation.

The not-for-profit organisations, social enterprises, community groups and sporting groups apply for a scheme ID and are able to register to receive donations when people return their containers.

Community and not-for-profit organisations can also register to be a Donation Point in their own right, using a cage or bin to collect eligible containers allowing them to raise funds for their organisation.

Two local organisations were awarded as authorised refund points within the Shire of Ashburton. A non for profit organisation, Ashburton Aboriginal Corporation (AAC) will service Tom Price and Paraburdoo and North West Recycling will have a collection point in Pannawonica and Onslow.

This report seeks Council's support for promotion of the Containers for Change Scheme throughout the Shire of Ashburton.

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Background

The WA Government has appointed the not for profit entity "West Australian Return Recycle Renew Ltd" (WARRRL) that was created to set up and run as the Container Deposit Scheme administrators in Western Australia. WARRRL will be responsible for:

- Scheme accessibility – Establishing a network of Refund Points to provide communities in Western Australia with access to collection points to return eligible containers;
- Product stewardship – Ensuring that all First Responsible Suppliers fund the Scheme including establishing and maintaining a process for approval of Eligible Containers that are supplied into Western Australia;
- Scheme payments – Setting and facilitating payments under the Scheme;
- Scheme awareness – Promoting the Scheme and managing of complaints with respect to both Customers and Scheme Participants;
- Recycling – Ensuring ongoing, efficient and effective arrangements are available in Western Australia for empty Eligible Containers to be collected, sorted, processed and recycled; and
- Scheme Integrity – Ensuring payments and reporting are verified and the Scheme is free from fraud.

The aim of the Containers for Change Scheme is to:

- Assist with the Diversion from landfill
- Reduction of litter
- Increase the recovery and recycling of beverage containers
- Creation of employment
- To provide opportunities for social enterprise and benefits to the community organisations and clubs.

It is estimated that approximately 1,800 million beverage containers were used in Western Australia in 2017 and the Scheme aims to reduce waste and improve recycling by encouraging the collection and recycling of beverage containers by providing incentives in the form of refund amount (initially 10 cents) on the return of an Eligible Container to a collection point for empty containers. The Scheme will apply to most beverage containers between 150mL and 3L in size.

The scheme works by Clubs or individuals signing up for a scheme ID which is a simple online process. Every eligible container will receive a 10c refund that will be paid into the bank account attached to the scheme ID or it can be paid in cash at the refund point.

The two types of refund points that will be available within the Shire of Ashburton are Main Depot Refund Points, this allows customers to return containers and get refunds on the spot. Containers are counted by staff or by machine. A refund is provided in cash, via electronic funds transfer (EFT) using your scheme ID or donated to a community group or charity.

The other type of refund point is a Pop-up Refund Points - These provide a scheduled service where refund point operators meet customers every week, fortnight or month. They allow customers, community groups and charities to return their containers for a refund either in cash, via voucher or through their scheme ID. Some operators count the containers on the spot, whereas others will take your containers back to their sorting point to count later and process your refund.

North West Recycling (NWR) won the tender to operate in Karratha, Wickham, Onslow and Pannawonica. NWR will open their main recycling centre / aggregation point in Karratha and offer a flexible mobile service in Pannawonica and Onslow. The proposed area of operation is at

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the Pannawonica Shopping Centre and Onslow Tourist Centre. This will occur on a weekly/fortnightly basis will to consult with the community on the best operating hours, days etc. At this stage they propose a Wednesday 2pm-6pm and Thursday morning 8-12pm.

Ashburton Aboriginal Corporation (AAC) will run the main depot refund point at their premises in Eucalyptus Court in Tom Price and a pop up type collection point will be in Paraburdoo, the Scheme will operate for four hours a fortnight on Saturday Afternoons. AAC run a Work for the Dole Scheme and will employing staff to assist with the collections and sorting.

Once the containers have been returned the refund point operators sort them into material types before a logistics provider transports them to be processed. The containers are then prepared for recycling at the processing facility before accredited recyclers purchase the processed materials which they transform into new containers and products.

Comment

North West Recycling has proposed a Sponsorship Agreement with the Shire to support the purchase of "Blue Bins" to assist the community and businesses participating in the Containers for Change Scheme with no ongoing cost or role to the Shire. Part of this sponsorship includes the donation of \$20,000 to purchase Blue bins.

However, further consideration is required before endorsement of the sponsorship arrangement. It is possible that the blue bins would become contaminated with other waste streams, resulting in them becoming a general waste disposal bin instead of the intended purpose. This may result in eligible deposited containers inadvertently ending up in landfill.

Consultation

Acting Director Infrastructure
Ashburton Aboriginal Corporation
North West Recycling

Statutory Environment

There are no known statutory impediments for this matter.

Financial Implications

There are no known meaningful financial implications relative to this matter in excess of officer time and minor administrative costs.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 04	Quality Services and Infrastructure
Objective 1	Quality public infrastructure
Objective 3	Well-planned towns

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Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Reputation	Unlikely	Low	2	Substantiated, localised impact on community trust or low media item	Clear communication with all parties involved to ensure a positive outcome.
Natural Environment	Possible	Moderate	3	Contained, reversible impact managed by external agencies	Ensure improved co-ordination of refund points can occur by assisting AAC and NWR.

The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be low due to the financial value of the project and the risk to the Shire's reputation. Regular monitoring will be undertaken with specific procedures and controls engaged throughout the delivery of the project and will be consistently reviewed and managed.

Policy Implications

There are no known policy implications for this matter.

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Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MINUTE: 175/2020

MOVED: Cr P Foster

SECONDED: Cr M Lynch

That with respect to the Containers for Change Scheme, Council support the promotion of the Containers for Change Scheme in the Shire of Ashburton in collaboration with the Ashburton Aboriginal Corporation and North West Recycling.

CARRIED 8/0

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16. COUNCILLOR AGENDA ITEMS / NOTICES OF MOTIONS

**17. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY
DECISION OF MEETING**

Council Decision

MOVED: Cr P Foster

SECONDED: Cr M Lynch

In accordance with Standing Order 5.4 – An item of Urgent Business relating to:

17.1 AWARD OF RFT 10.20 NEW GYM AND CHILDCARE UPGRADE ONSLOW WA,

be introduced to the business of Council under 17.1.

CARRIED 8/0

17.1 AWARD OF RFT 10.20 NEW GYM AND CHILDCARE UPGRADE ONSLOW WA

FILE REFERENCE:

CM10.20

AUTHOR'S NAME AND POSITION:

Chantelle McGurk
Acting Director Development Services

AUTHORISING OFFICER AND POSITION:

Kenn Donohoe
Chief Executive Officer

NAME OF APPLICANT/RESPONDENT:

Not Applicable

DATE REPORT WRITTEN:

8 October 2020

DISCLOSURE OF FINANCIAL INTEREST:

The author and the authorising officer have no financial, proximity or impartiality interests in the proposal

PREVIOUS MEETING REFERENCE:

Not Applicable

Summary

A request for Tender (RFT) 10.20 New Gym and Childcare Upgrade Onslow WA was issued via Tenderlink on Saturday 22 August 2020 and closed Tuesday 15 September 2020.

Three (3) tenders (all conforming) were received in response to the RFT 10.20 The evaluation panel has completed its assessment of the conforming submissions and makes its recommendation.

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Council is requested to authorise the engagement of the recommended contractor for New Gym and Childcare Upgrade to complete capital works program.

Background

The Shire of Ashburton undertook a Request for Tender process in compliance with s 3.57 of the *Local Government Act 1995* to engage a suitably qualified, licensed and experienced construction company to construct a New Gym and upgrades to the existing Childcare Facility.

The objective of the RFT is to appoint a suitably qualified contractor who will provide all necessary services including, materials, products, labour, plant and equipment for its construction and completion of the whole works.

The scope of works was broken down into 2 separable portions:

- a. Separable Portion 1 Onslow Gym, 47 Third Ave, Onslow
- b. Separable Portion 2 Onslow Childcare, Lot 500 McGrath Rd, Onslow

The new gym will be created from four existing transportable units (originally combined as a gym), with a fifth additional unit added. The combined structure will receive a new roof, ceiling, flooring, amenities, storeroom and external cladding, access, and various external works. All as detailed in the supplied specialist specifications. Tenderers were also supplied with schedules of equipment and allow for safe removal, transport and installation of the following:

- Removal and transport of the existing equipment within the existing gym, and place in the existing storage containers at the Onslow airport camp.
- Removal and transport of all equipment at the airport camp storage containers and installation at the new gym facility.

The Childcare upgrade involves changes to the existing internal areas, expansion into the original gym facility and a new external play area and shade structure. All as detailed in the specialist specification supplied in Tender documentation.

Tenderers are to note the attached schedules of equipment and allow for safe removal, transport and installation of the following:

- Removal and transport of the existing furniture and equipment within the existing childcare and place in the existing storage containers at the airport camp and/or the temporary childcare facility located in the RM Forrest Hall, 365 Second Ave, Onslow. All small items will be boxed and labelled by the Childcare Operator.
- Removal and transport of all the above equipment at the airport camp storage containers and installation at the new childcare facility.

Comment

The successful contractors' works must be compliant with the National Construction Codes (NCC) 2016 and all relevant Australian Standards, Codes of Practice, Western Australian and Commonwealth legislation, statutes, ordinance, rules and regulations bearing on the provision of such services and conduct of the work under the contract.

Respondents were requested to include all items necessary to provide a compliant installation, protecting all surrounding finishes during construction, and leaving the existing surrounding area in original condition.

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The selection criteria, based upon FIN 12 Purchasing Policy were:

Qualitative Selection Criteria	Weighting
Relevant Experience	15%
Key Personnel	15%
Resources	10%
Methodology	10%
Price	50%

The evaluation and recommendation report, including the overall evaluation scores and rankings is attached as a confidential item.

CONFIDENTIAL ATTACHMENT 17.1

Consultation

Assessment Panel

Statutory Environment

Local Government Act 1995

3.57. *Tenders for providing goods or services*

- (1) *A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.*
- (2) *Regulations may make provision about tenders.*

Local Government (Functions and General) Regulation 1996 Pt.2 Div.2

Division 2 — Tenders for providing goods or services (s. 3.57)

11. *When tenders have to be publicly invited*

- (1) *Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$250 000 unless sub regulation (2) states otherwise.*

Financial Implications

The budgeted provision for this project is \$2,500,000 in the 2020/21 budget.

The recommended contractor has submitted a fixed lump sum for Separable Portion 1 New Gym; \$1,012,808.89 ex GST and for Separable Portion 2 Childcare Upgrade \$1,050,305.10 ex GST as per the Price Schedule contained in RFT 10.20. Portion 1 and 2 lump sum total \$2,063,113.99 ex GST.

The existing 2020/21 budget will be utilised for the New Gym and Childcare Upgrade project to deliver the capital works program set by Council.

Strategic Implications

Shire of Ashburton 10 Year Strategic Community Plan 2017-2027 (Desktop Review 2019)

Goal 01 Vibrant and Active Communities
Objective 2 Sustainable services, clubs, associations and facilities

Goal 04 Quality Services and Infrastructure
Objective 1 Quality public infrastructure

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Risk Management

Risk has been assessed on the basis of the Officers Recommendation.

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Reputation	Possible 3	Moderate 3	Moderate (9)	Substantiated, public embarrassment, moderate impact on community trust or moderate media profile	Adopt officer recommended to appoint Project Management Consultancy
Financial Impact	Possible 3	Moderate 3	Moderate (9)	\$100,001 to \$1,000,000	Mitigated by the appointment of a Project Management Consultant with the specialised skills to run multiple projects to deliver Council's adopted Capital Works Program.
Project Time	Major 4	Major 4	High (16)	Exceeds deadline by 20% of project timeline	Mitigated by the appointment of a Project Management Consultant with the specialised skills to run multiple projects to deliver Council's adopted Capital Works Program.

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The following Risk Matrix has been applied.

Risk Matrix						
Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Moderate (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Moderate (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Moderate (6)	Moderate (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Moderate (6)	Moderate (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Moderate (5)

This item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be moderate to high risk and will be managed by mitigated by the appointment of a Project Management Consultant with the specialised skills to run multiple projects to deliver Council's adopted Capital Works Program.

Policy Implications

AMP 01 Asset Management Policy
FIN12 Purchasing Policy

Voting Requirement

Simple Majority Required

Officers Recommendation and Council Decision

MINUTE: 176/2020

MOVED: Cr P Foster

SECONDED: Cr D Diver

That with respect to the Award of RFT 06.20 Tom Price Tennis Club Redevelopment, Council:

- 1. Resolve that Report CONFIDENTIAL ATTACHMENT 17.1 is confidential in accordance with s5.23 (2) of the *Local Government Act 1995* because it deals with matters affecting s5.23 (2) (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.”
- 2. Award RFT 10.20 New Gym and Childcare Upgrade Onslow for the tendered fixed lump sum of \$2,063,113.99 ex GST; and**
- 3. Authorise the Chief Executive Officer to negotiation, execute and manage the Contract for RFT 10.20 New Gym and Childcare Upgrade Onslow, including variations to the scope of works and contract value, providing this does not exceed the project budget or reduce the overall scope.**

CARRIED 8/0

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18. CONFIDENTIAL MATTERS

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 (2)(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;*
 - (I) a matter that if disclosed, would reveal;*
 - (II) a trade secret;*
 - (III) information that has a commercial value to a person; or*
 - (IV) information about the business, professional, commercial or financial affairs of a person,*

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

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

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Council Decision

MOVED: Cr D Diver

SECONDED: Cr P Foster

That Council move behind closed doors at 1.49 pm to consider the following Confidential Items.

- 18.1 CONFIDENTIAL – PROPOSED PURCHASE OF LAND, ONSLOW;**
- 18.2 CONFIDENTIAL – REQUEST TO PURCHASE ASSET, TOM PRICE;**
- 18.3 CONFIDENTIAL REFERRAL FROM DEPARTMENT OF JOBS, TOURISM, SCIENCE AND INNOVATION; and**
- 18.4 CONFIDENTIAL ITEM – PARABURDOO COMMUNITY HUB ACTIVATION, YOUTH AND RECREATION ENGAGEMENT**

Pursuant to sub section 5.23 (2) (c) of the *Local Government Act 1995* which provides:

- (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; and**
- (e) a matter that if disclosed, would reveal —**
 - ii information that has a commercial value to a person; or**
 - iii information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government.**

CARRIED 8/0

The guest and visitors in the public gallery left the meeting at 1.50 pm due to the confidential items.

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18.1 CONFIDENTIAL – PROPOSED PURCHASE OF LAND, ONSLOW

FILE REFERENCE: SEC.0341
SEC.0342

AUTHOR'S NAME AND POSITION: Janelle Fell
Manager Land and Asset Compliance

AUTHORISING OFFICER AND POSITION: John Bingham
Director Corporate Services

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 23 September 2020

DISCLOSURE OF FINANCIAL INTEREST: The author and the authorising officer have no financial, proximity or impartiality interests in the proposal.

PREVIOUS MEETING REFERENCE: Agenda Item 18.1 (Minute No. 110/2020) Ordinary Meeting of Council 14 July 2020

REASON FOR CONFIDENTIALITY

This Report is confidential in accordance with s5.23 (2) of the *Local Government Act 1995* because it deals with matters affecting s5.23 (2):

- 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; and*
- e) *a matter that if disclosed, would reveal —*
 - ii *information that has a commercial value to a person; or*
 - iii *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government.*

Officers Recommendation and Council Decision

MINUTE: 177/2020

MOVED: Cr D Diver

SECONDED: Cr M Lynch

That with request to the Proposed Purchase of Land, Onslow, Council:

- 1. Delegate authority to the Chief Executive Officer to submit an offer to purchase the land parcels in Onslow up to the maximum amount indicated, as referenced behind closed doors;**
- 2. Authorise the Shire President and Chief Executive Officer to execute an offer and acceptance contract if the offers are accepted; and**
- 3. Authorise the Shire President and Chief Executive Officer to execute and/or apply the Common Seal to any land titling forms.**

CARRIED BY ABSOLUTE MAJORITY 8/0

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18.2 CONFIDENTIAL – REQUEST TO PURCHASE ASSET, TOM PRICE

FILE REFERENCE: PE06

AUTHOR'S NAME AND POSITION: Janelle Fell
Manager Land and Asset Compliance

AUTHORISING OFFICER AND POSITION: John Bingham
Director Corporate Services

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 21 September 2020

DISCLOSURE OF FINANCIAL INTEREST: The author and the authorising officer have no financial, proximity or impartiality interests in the proposal

PREVIOUS MEETING REFERENCE: Not Applicable

REASON FOR CONFIDENTIALITY

This Report is confidential in accordance with s5.23 (2) of the *Local Government Act 1995* because it deals with matters affecting s5.23 (2):

- 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; and*
- e) *a matter that if disclosed, would reveal —*
 - ii *information that has a commercial value to a person; or*
 - iii *information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government.*

Officers Recommendation and Council Decision

MINUTE: 178/2020

MOVED: Cr P Foster

SECONDED: Cr D Diver

That with respect to the confidential item– Request to Purchase Asset, Tom Price, Council:

1. **Approve the following budget amendment:**
 - a. **Decrease Capital Income account GL No. 10935130 Transfer from Reserve by \$600,000 from \$587,000 to \$1,187,000; and**
 - b. **Increase Capital Expenditure GL No. 10978000 Asset New Housing Land & Buildings by \$600,000 from \$0 to \$600,000;**
2. **Delegates Authority to the Chief Executive Officer to submit an offer to purchase executive style housing in Tom Price up to the maximum amount indicated, when available; and**

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- 3. Authorise the Chief Executive Officer to execute an offer and acceptance contract if the offer is accepted by the Seller, subject to approval by Council.**

CARRIED BY ABSOLUTE MAJORITY 8/0

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**18.3 CONFIDENTIAL REFERRAL FROM DEPARTMENT OF JOBS, TOURISM,
SCIENCE AND INNOVATION**

Declaration of Interest

Prior to consideration of this Agenda Item:

***Cr Rumble declared a financial interest
Cr Lynch declared an indirect financial interest
Cr Foster declared an indirect financial interest
Cr Diver declared an indirect financial interest
Cr Gallanagh declared a financial interest
Cr Dias declared a financial interest***

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER GV07

Councillor Lynch, Gallanagh, Diver and Foster remained in the Chamber in line with the approval given by the Acting Deputy Director General of the Department of Local Government, Sport and Cultural Industries as noted at item 6.2.
--

Cr Rumble and Cr Dias left the meeting at 1.53 pm due to their Financial Declarations of Interest.
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FILE REFERENCE:	MI.CHNR
AUTHOR'S NAME AND POSITION:	Janelle Fell Manager Land and Asset Compliance
AUTHORISING OFFICER AND POSITION:	John Bingham Director Corporate Services
NAME OF APPLICANT/RESPONDENT:	Department of Jobs, Tourism, Science and Innovation
DATE REPORT WRITTEN:	24 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Not Applicable
REASON FOR CONFIDENTIALITY	
This Report is confidential in accordance with s5.23 (2) of the <i>Local Government Act 1995</i> because it deals with matters affecting s5.23 (2):	
c) <i>a matter that if disclosed, would reveal —</i>	
(i) <i>information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government'</i>	

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Officers Recommendation

That with request to the Confidential Item Referral from Department of Jobs, Tourism, Science and Innovation, Council offer no objection.

Alternate Motion

MINUTE: 179/2020

MOVED: Cr D Diver

SECONDED: Cr P Foster

That with request to the Confidential Item Referral from Department of Jobs, Tourism, Science and Innovation, Council offer no objection to the proposal on the basis that the mining companies considers a contribution towards the livability and built form of the Paraburdoo Community.

CARRIED 6/0

Reason for change – Council wishes to seek an engagement process with the resource sector in relation to the investment in community wellbeing.

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**18.4 CONFIDENTIAL ITEM – PARABURDOO COMMUNITY HUB ACTIVATION,
YOUTH AND RECREATION ENGAGEMENT**

Declaration of Interest

Prior to consideration of this Agenda Item:

***Cr Rumble declared a financial interest
Cr Lynch declared an indirect financial interest
Cr Foster declared an indirect financial interest
Cr Diver declared an indirect financial interest
Cr Gallanagh declared a financial interest
Cr Dias declared a financial interest***

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER GV07

Councillor Lynch, Gallanagh, Diver and Foster remained in the Chamber in line with the approval given by the Acting Deputy Director General of the Department of Local Government, Sport and Cultural Industries as noted at item 6.2.
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FILE REFERENCE:	CS48
AUTHOR'S NAME AND POSITION:	Vicki Brown Strategic Partnerships Manager
AUTHORISING OFFICER AND POSITION:	Kellie Bartley Director Community Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	29 September 2020
DISCLOSURE OF FINANCIAL INTEREST:	The author and the authorising officer have no financial, proximity or impartiality interests in the proposal
PREVIOUS MEETING REFERENCE:	Not Applicable

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REASON FOR CONFIDENTIALITY

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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.*

Officers Recommendation and Council Decision

MINUTE: 180/2020

MOVED: Cr M Lynch

SECONDED: Cr D Diver

That with respect to the request for the Paraburdoo Community HUB Activation, Youth and Recreation Engagement, Council:

- 1. Support the proposal business case for the employment of a Youth Engagement Officer for a 12 month trial period as contained in CONFIDENTIAL ATTACHMENT 18.4A;**
- 2. Approve the following amendments to the 2020/21 Budget;**
 - a) Increase the Capital Income account Transfer from RTIO Partnership Reserve, GL no. 113275 by \$100,000, from \$0 to \$100,000;**
 - b) Create a new Operating Expenditure account for 'CHUB – Programs & Activities' by \$100,000, from \$0 to \$100,000;**
 - c) Decrease the Operating Expenditure account Salaries & Superannuation, GL no. 105023 by \$50,000 from \$390,474 to \$340,474;**
 - d) Decrease the Operating Expenditure account Salaries & Superannuation, GL no. 138001 by \$50,000 from \$273,831 to \$223,831; and**
 - e) Create a new Operating Expenditure account 'Salaries & Superannuation - CHUB Programs & Activities' by \$100,000, from \$0 to \$100,000.**

**CARRIED BY ABSOLUTE MAJORITY 5/1
Cr Foster voted against the motion**

Cr Rumble and Cr Dias returned to the meeting at 2.01 pm. The Presiding Member advised Cr Rumble and Cr Dias of the outcome of the votes for items 18.3 and 18.4.

Council Decision

MOVED: Cr P Foster

SECONDED: Cr D Diver

That Council re-open the meeting to the public at 2.03 pm.

CARRIED 8/0

No members of the public returned to the meeting.

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19. NEXT MEETING

The next Ordinary Meeting of Council will be held on 10 November 2020, at the Paraburdoo Sports, Fitness and Community Complex (CHUB), Saints Function Room, Fortescue Place, Paraburdoo commencing at 1.00 pm.

20. CLOSURE OF MEETING

There being no further business to discuss the Presiding Member closed the meeting at 2.03 pm.