

Ordinary Meeting of Council

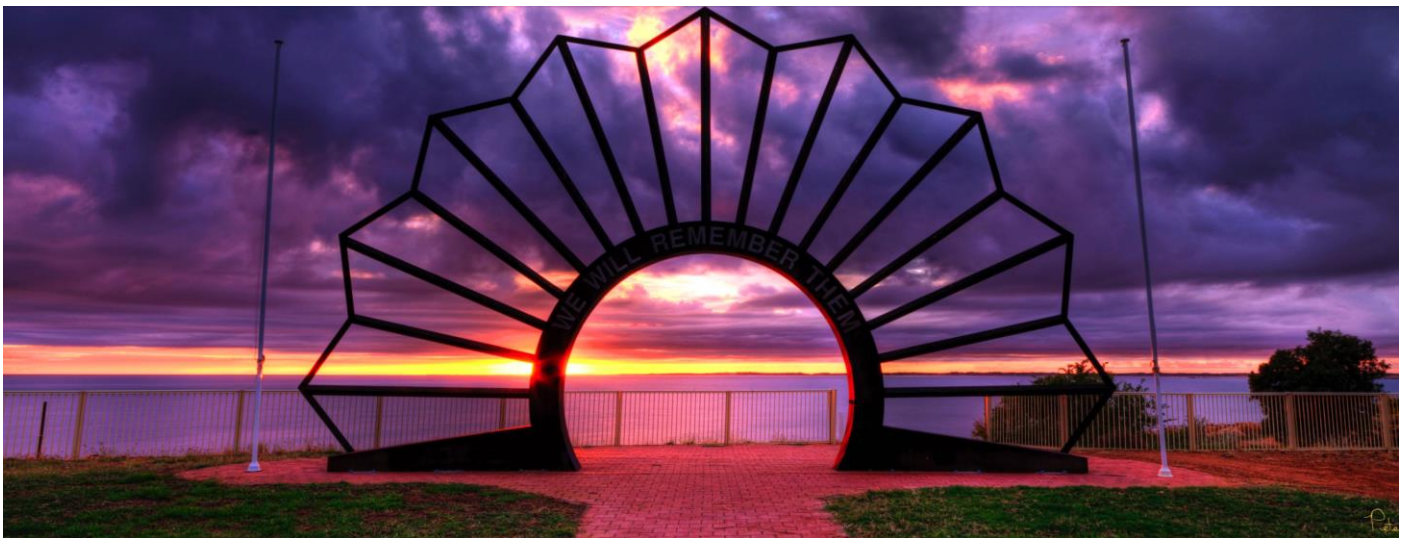
Onslow



Agenda - Public

16 December 2016

Council Chambers
Onslow Shire Complex
Second Avenue, Onslow
1.00pm



The Shire of Ashburton 10 year Community Strategic Plan (2012-2022) provides focus, direction and represents the hopes and aspirations of the Shire.

Our Vision

The Shire of Ashburton will be a vibrant and prosperous place for work, leisure and living



Our Mission

Working together, enhancing lifestyle and economic vitality



Community Goals

- Vibrant and Active Communities
- Economic Prosperity
- Unique Heritage and Environment
- Distinctive and Well-services Places
- Inspiring Governance

Future Focus

The next four years will see a strong focus on:

1. Community inclusion and participation
2. Provision of infrastructure that enables economic strength
3. Economic strength
4. Organisation stability
5. Staying ahead of the game
6. Development of our governance



**SHIRE OF ASHBURTON
ORDINARY MEETING OF COUNCIL**

AGENDA

**Council Chambers, Onslow Shire
Complex, Second Avenue, Onslow
16 December 2016
1.00 pm**

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

SHIRE OF ASHBURTON ORDINARY MEETING OF COUNCIL

Dear Councillor

Notice is hereby given that an Ordinary Meeting of Council of the Shire of Ashburton will be held on 16 December 2016 at Council Chambers, Onslow Shire Complex, Second Avenue, Onslow commencing at 1:00 pm.

The business to be transacted is shown in the Agenda.

Neil Hartley
CHIEF EXECUTIVE OFFICER

DISCLAIMER

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

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

1.	DECLARATION OF OPENING	4
1.1	ACKNOWLEDGEMENT OF COUNTRY	4
2.	ANNOUNCEMENT OF VISITORS	4
3.	ATTENDANCE	4
3.1	PRESENT.....	4
3.2	APOLOGIES.....	4
3.3	APPROVED LEAVE OF ABSENCE.....	4
4.	QUESTION TIME	4
4.1	RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE	4
4.2	PUBLIC QUESTION TIME	4
5.	APPLICATIONS FOR LEAVE OF ABSENCE	4
6.	DECLARATION BY MEMBERS	5
6.1	DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA	5
6.2	DECLARATIONS OF INTEREST.....	5
7.	ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION	6
8.	PETITIONS / DEPUTATIONS / PRESENTATIONS	6
8.1	PETITIONS.....	6
8.2	DEPUTATIONS	6
8.3	PRESENTATIONS	6
9.	CONFIRMATION OF MINUTES OF PREVIOUS MEETING	6
9.1	ORDINARY MEETING OF COUNCIL HELD ON 22 NOVEMBER 2016.....	6
10.	AGENDA ITEMS ADOPTED "EN BLOC"	7
10.1	MOVE AGENDA ITEMS 'EN BLOC'.....	7
11.	GOVERNANCE & EXECUTIVE SERVICE REPORTS	8
11.1	PROGRESS OF IMPLEMENTATION OF COUNCIL DECISIONS NOVEMBER 2016	8
11.2	USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTH OF NOVEMBER 2016.....	10
12.	COMMUNITY DEVELOPMENT REPORTS	12
12.1	ONSLow SWIMMING POOL OPENING HOURS.....	12
13.	CORPORATE SERVICES REPORTS	16
13.1	RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS FOR MONTH OF OCTOBER & NOVEMBER 2016.....	16
13.2	BUDGET AMENDMENT / VARIATION.....	18
13.3	AUDIT AND RISK COMMITTEE - ADOPTION OF RECOMMENDATIONS	21
13.4	2015/2016 ANNUAL REPORT AND ANNUAL GENERAL MEETING OF ELECTORS ..	23
13.5	ANNUAL POLICY REVIEW.....	26
14.	DEVELOPMENT AND REGULATORY SERVICES REPORTS	34
15.	INFRASTRUCTURE SERVICES REPORTS	34
15.1	ENG02 ROAD MANAGEMENT POLICY	34
16.	STRATEGIC AND ECONOMIC DEVELOPMENT REPORTS	37
16.1	PILBARA UNDERGROUND POWER PROJECT - ONSLOW.....	37
17.	COUNCILLORS AGENDA ITEMS / NOTICES OF MOTIONS	44
18.	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING	44
19.	CONFIDENTIAL MATTERS	44
19.1	NWSP PTY LTD DISPUTE OF WASTE MANAGEMENT CHARGES.....	45
20.	NEXT MEETING	46
21.	CLOSURE OF MEETING	46

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

1. DECLARATION OF OPENING

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 and present.

2. ANNOUNCEMENT OF VISITORS

3. ATTENDANCE

3.1 PRESENT

Cr K White	Shire President, Onslow Ward
Cr L Rumble	Deputy Shire President, Paraburdoo Ward
Cr D Dias	Paraburdoo Ward
Cr L Thomas	Tableland Ward
Cr M Lynch	Tom Price Ward
Cr D Diver	Tom Price Ward
Cr G Dellar	Ashburton Ward
Mr N Hartley	Chief Executive Officer
Mr F Ludovico	Executive Manager, Corporate Services
Mr B Hall	Acting Executive Manager, Infrastructure Services
Ms A Serer	Executive Manager, Strategic & Economic Development
Ms L Reddell	Executive Manager, Development & Regulatory Services
Ms L O'Reilly	Executive Manager, Community Development
Mr F Ng	Finance Manager
Ms J Smith	Executive Officer
Mrs T Forbes	CEO & Councillor Support Officer

3.2 APOLOGIES

3.3 APPROVED LEAVE OF ABSENCE

Cr Melanie Gallanagh Pannawonica Ward

4. QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

There were no previous public questions taken on notice.

4.2 PUBLIC QUESTION TIME

5. APPLICATIONS FOR LEAVE OF ABSENCE

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

6. DECLARATION BY MEMBERS

6.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA

That Councillors White, Rumble, Dias, Dellar, Thomas, Diver, Lynch and Foster have given due consideration to all matters contained in the Agenda presently before the meeting.

6.2 DECLARATIONS OF INTEREST

Councillors to Note

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

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

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

- (c) Preside at the part of the Meeting, relating to the matter or;
- (d) 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.

NOTES ON FINANCIAL INTEREST (FOR YOUR GUIDANCE)

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

I intend to include these notes 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 measure in money terms. There are exceptions in the Local Government Act 1995 but they should not be relied on without advice, unless the situation is very clear.
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 (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

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

Declarations of Interest provided:

Item Number/ Name	Type of Interest	Nature/Extent of Interest

7. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

8. PETITIONS / DEPUTATIONS / PRESENTATIONS

8.1 PETITIONS

8.2 DEPUTATIONS

8.3 PRESENTATIONS

9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.1 ORDINARY MEETING OF COUNCIL HELD ON 22 NOVEMBER 2016

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held on 22 November 2016, as previously circulated on 2 December 2016, be confirmed as a true and accurate record.

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

10. AGENDA ITEMS ADOPTED "EN BLOC"

10.1 MOVE AGENDA ITEMS '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 subclause (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."*

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

11. GOVERNANCE & EXECUTIVE SERVICE REPORTS

11.1 PROGRESS OF IMPLEMENTATION OF COUNCIL DECISIONS NOVEMBER 2016

FILE REFERENCE:	GV04
AUTHOR'S NAME AND POSITION:	Tahnee Forbes CEO & Councillor Support Officer
NAME OF APPLICANT/ RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	30 November 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the matter
PREVIOUS MEETING REFERENCE:	Agenda Item 10.1 (Minute: 11477) - Ordinary Meeting of Council 10 April 2013

Summary

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

Background

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

ATTACHMENT 11.1

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, Strategic & Economic Development, Community Development and Development & Regulatory Services.

Consultation

Chief Executive Officer
Executive Management Team

Statutory Environment

Not Applicable

Financial Implications

Not Applicable

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 05 – Inspiring Governance

Objective 04 – Exemplary Team and Work Environment

Risk Management

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

Not Applicable

Voting Requirement

Simple Majority Required

Recommendation

That Council receives the "Decision Status Reports" as per **ATTACHMENT 11.1**.

Author: Tahnee Forbes	Signature:
Manager: Neil Hartley	Signature:

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

11.2 USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTH OF NOVEMBER 2016

FILE REFERENCE:	GV21
AUTHOR'S NAME AND POSITION:	Janyce Smith Executive Officer Sheree Selton Administration Assistant Planning
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	30 November 2016
DISCLOSURE OF FINANCIAL INTEREST:	The authors have no financial interest in the matter.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The purpose of this agenda item is to report to Council for information, Use of the Common Seal and actions performed under delegated authority requiring referral to Council, for the month of November 2016.

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 2016.

ATTACHMENT 11.2

Comment

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

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

Financial Implications

As outlined in Attachment 11.2.

Strategic Implications

Local Government Act 1995

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

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Risk Management

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" in light of the report being for information purposes only and the risk can be managed by routine procedures, and is unlikely to need specific application of resources.

Policy Implications

ELM 13 – Affixing the Shire of Ashburton Common Seal.

FIN12 – Purchasing and Tendering Policy.

Voting Requirement

Simple Majority Required

Recommendation

That Council accept the report "*11.2 Use of Common Seal and Actions Performed Under Delegated Authority for the Month of November 2016*".

Author: Janyce Smith	Signature:
Manager: Neil Hartley	Signature:

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

12. COMMUNITY DEVELOPMENT REPORTS

12.1 ONSLOW SWIMMING POOL OPENING HOURS

FILE REFERENCE:	RC25799
AUTHOR'S NAME AND POSITION:	Lynnette O'Reilly Executive Manager Community Development
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	29 November 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the matter.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The new Onslow Swimming Pool is due for completion in mid January and it is proposed that it will be officially opened on Australia Day 26 January 2017.

Based on community feedback it has been requested that the hours of operation be modified from the current Shire of Ashburton model.

The purpose of the report is to approve operational hours and adjust fees and charges for an annual pool pass to the Onslow Swimming Pool in line with the reduced number of months the pool will be open for the 2016/17 season.

Background

Currently the Shire of Ashburton swimming pools operate between 8.00am and 8.00pm seven days a week between 1 October and 30 April each year. The new Onslow Swimming Pool is due for completion in mid January and it is proposed to be officially opened on Australia Day 26 January 2017. Onslow has not had a swimming pool previously and feedback from the community has indicated that the hours of operation to meet the needs of the swimming community in Onslow need to be different to the current Shire of Ashburton model.

Comment

With the proposed opening of the Onslow Swimming Pool due in January 2017, community feedback was sought to establish the opening hours suitable to the Onslow community. The Vic Hayton Memorial Swimming Pool Tom Price and the Quentin Broad Swimming Pool Parabung open from 8.00am to 8.00pm seven days a week, a total of 12 hours every day. This does not allow for early morning swimmers and pool usage data indicates there are periods where there are very few swimmers at the pool. This also creates additional operational costs due to increased staffing to cover legal and occupational health and safety requirements.

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

The Onslow Community Development Advisory Group (OCDAG) was approached via email survey to provide feedback based on existing hours of operation of other Shire of Ashburton swimming pools to establish if these hours would suit the needs of the community.

The OCDAG has a membership of the following groups;

- Buurabalayji Thalanyji Aboriginal Corporation
- Department of Sport and Recreation
- Shire of Ashburton
- V Swans
- Onslow Sports Club
- Onslow Police
- Chevron
- BHP Billiton
- West Pilbara Active Community Coordinator, Garnduwa Amboomy Wirnan
- REFAP
- Department of Child Protection
- Onslow Early Years Group
- Onslow Primary School
- Thalanyji Inspired Living
- Onslow Rodeo Club
- Enduro Club

Feedback requests were generally centred around the following - that an earlier start than that provided at existing pools was required during the week to enable people to swim before going to work, a later closing time of 8.00pm to cater for shift workers who finish late, closing the pool during the middle of the day was acceptable to most and weekends and public holidays/school holiday hours were acceptable 9.00am to 8.00pm. With the exception of the later closing time suggestion, the other requests have been accommodated.

As the pool will be opening midway through the swimming season, the opening dates of the Onslow Swimming Pool retain the same end date for the season as the other Ashburton pools and close on the 30 April 2017. There after the opening dates to be set as 1 October and 30 April each year.

The following table summarises the hours recommended from the community feedback.

Day	Pool Opening Times*		Total Hours
	Morning	Afternoon	
Monday	6.00am – 10.30am	2.30pm – 8.00pm	10
Tuesday	6.00am – 10.30am	2.30pm – 8.00pm	10
Wednesday	6.00am – 10.30am	2.30pm – 8.00pm	10
Thursday	6.00am – 10.30am	2.30pm – 8.00pm	10
Friday	6.00am – 10.30am	2.30pm – 8.00pm	10
Saturday	9.00am – 8.00pm		11
Sunday	9.00am – 8.00pm		11
Public/School Holidays	9.00am – 8.00pm		11

**Pool hours may vary to accommodate VacSwim and Interm School Swimming Lessons.*

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

In addition to the opening and closing times above, the pool managers also need to spend time approximately 30 minutes each morning and afternoon (before and after opening times) preparing the pool. This includes tasks such as;

- Installing or removing pool blankets
- Office procedures
- Sanitising the toilet blocks
- Removing leaves and lint from filters

The official opening is proposed to be on 26 January and it is recommended the opening hours above apply from when the pool has been signed off for practical completion and is open to the public.

Fees and charges have already been included in the Fees and Charges for 2016/17 and on review there is a need to modify the season pass for this season only. The following table shows the current season pass fees which are consistent across all pools:

Child \$120
Adult \$170
Family (2 x adults 2 x children) \$350
Extra child to be added to family pass \$25

As the Onslow Swimming Pool will be open for 3 of the 7 months of the pool season, the proportionate cost of a season pass would be as follows:

Child \$51
Adult \$73
Family (2 x adults 2 x children) \$150
Extra child to be added to family pass \$11

All other fees would remain the same.

Consultation

Executive Manager – Community Development
Facilities Manager
Pool Managers
Onslow Community Development Advisory Group

Statutory Environment

Complies with all statutory requirements

Financial Implications

There were no financial implications identified

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 1- Vibrant and Active Communities

Objective 1.2.4 Prepare plans, programs and scheduling to optimize use of existing community facilities and provide new facilities that accommodate present and future needs.

Risk Management

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.

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Policy Implications

There were no policy implications identified.

Voting Requirement

Absolute Majority Required

Recommendation

That Council:

1. Approve the seasonal opening hours for the Onslow Swimming Pool as -

Day	Pool Opening Times*		Total Hours
	Morning	Afternoon	
Monday	6.00am – 10.30am	2.30pm – 8.00pm	10
Tuesday	6.00am – 10.30am	2.30pm – 8.00pm	10
Wednesday	6.00am – 10.30am	2.30pm – 8.00pm	10
Thursday	6.00am – 10.30am	2.30pm – 8.00pm	10
Friday	6.00am – 10.30am	2.30pm – 8.00pm	10
Saturday	9.00am – 8.00pm		11
Sunday	9.00am – 8.00pm		11
Public/School Holiday	9.00am – 8.00pm		11

**Pool hours may vary to accommodate VacSwim and Interm School Swimming Lessons.*

2. Approve that the 2016/17 season will be from the date of opening to 30 April 2017;
3. Approve the ongoing seasonal dates for the opening of the Onslow Swimming Pool to be 1 October to 30 April each year; and
4. Approve the following variation to season pass fees for the 2016/17 season for the Onslow Swimming Pool -

Season Pass - Child \$51

Season Pass - Adult \$73

Season Pass - Family (2 x adults 2 x children) \$150

Season Pass - Extra child to be added to family pass \$11

Author: Lynnette O'Reilly	Signature:
Manager: Neil Hartley	Signature:

13. CORPORATE SERVICES REPORTS

13.1 RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS FOR MONTH OF OCTOBER & NOVEMBER 2016

FILE REFERENCE:	FM03
AUTHOR'S NAME AND POSITION:	Freemond Ng Finance Manager
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	1 December 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

In accordance with Regulation 34 of the Local Government (Financial Management) Regulations, the Shire is to prepare a monthly Statement of Financial 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.

Comment

This report presents a summary of the financial activity for the following month:

October 2016

- Statements of Financial Activity and associated statements for the Month of October 2016.

ATTACHMENT 13.1A

November 2016

- Schedule of Accounts and Credit Cards paid under delegated authority for the Month of November 2016.

ATTACHMENT 13.1B

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Consultation

Executive Manager - Corporate Service
Executive Management Team
Finance Manager
Finance Coordinator
Finance Officers
Consultant Accountant

Statutory Environment

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

Financial Implications

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

Strategic Implications

Shire of Ashburton 10 year Community Strategic Plan 2012-2022
Goal 5 - Inspiring Governance
Objective 4 - Exemplary Team and Work Environment

Risk Management

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

There are no policy implications in this matter.

Voting Requirement

Simple Majority Required

Recommendation

That Council:

1. Accepts the Financial Reports for October 2016 **ATTACHMENT 13.1A**; and
2. Notes the Schedule of Accounts and Credit Cards paid in November 2016 as approved by the Chief Executive Officer in accordance with delegation DA03-1 Payments from Municipal Fund and Trust Funds as per **ATTACHMENT 13.1B**.

Author: Freemond Ng	Signature:
Manager: Frank Ludovico	Signature:

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

13.2 BUDGET AMENDMENT / VARIATION

FILE REFERENCE:	FM14.16.17
AUTHOR'S NAME AND POSITION:	Frank Ludovico Executive Manager Corporate Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	30 November 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The 2016/2017 budget was officially adopted by Council on 28 July 2016. Throughout the year variations occur. It is the purpose of this report to bring these to the attention of Council.

Background

The 2016/2017 budget was officially adopted by Council on 28 July 2016. Throughout the year variations occur. It is the purpose of this report to bring these to the attention of Council.

It is proposed to amend the 2016/2017 budget to reflect various adjustments to the General Ledger with an overall effect to the budget as detailed below. Due to the nature of these variations, they fall outside the annual budget review.

Comment

It is recommended that the required budget variations to the Current Budget for 2016/2017 as outlined below be approved.

1. Community Events				
GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget
EV70	Community Events	\$36,918	(\$12,000)	\$24,918
EV81	Onslow Keepers	\$21,908	\$12,000	\$33,908
Reason: This variation will enable the completion of the Oral Histories Project and ensure that there are enough funds to cover the Onslow Keepers Christmas Luncheon and Morning Teas. This has been approved by Chevron's Community Liaison Officer.				
Note: No adverse impact on the anticipated end of year financial position for the Municipal Account.				

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

2. Onslow Airport				
GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget
15026	Onslow Airport Drainage improvement	\$50,000	(\$10,000)	\$ 40,000
17044	Onslow Airport Pedestrian Path GA Apron.	\$0	\$10,000	\$10,000
<p>Reason: There is currently no pedestrian path from the terminal to the GA apron. Due to an increase in passenger movement from the terminal to the GA apron it is recommended a footpath be installed to alleviate any risk of pedestrian injuring themselves. It will also provide a defined route.</p> <p>Because most of the drainage works proposed have been completed funding is available from this job. Once the footpath is installed and after some rain additional drainage works will be assessed.</p> <p>Note: No adverse impact on the anticipated end of year financial position for the Municipal Account.</p>				

Consultation

Executive Manager – Corporate Services
 Executive Manager – Community Development
 Executive Manager – Infrastructure Services
 Finance Manager

Statutory Environment

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 authorized 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

The impact of the proposed budget amendments is described in within the variation commentary.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022
 Goal 5 - Inspiring Governance
 Objective 4 - Exemplary Team and Work Environment

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Risk Management

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: Managed by routine procedures, unlikely to need specific application of resources".

Policy Implications

There are no specific policy implications relative to this issue.

Voting Requirement

Absolute Majority Required

Recommendation

That Council approves the required budget variations to the Current Budget for 2016/2017 as outlined below.

1. Community Events				
GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget
EV70	Community Events	\$36,918	(\$12,000)	\$24,918
EV81	Onslow Keepers	\$21,908	\$12,000	\$33,908
2. Onslow Airport				
GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget
15026	Onslow Airport Drainage improvement	\$50,000	(\$10,000)	\$ 40,000
17044	Onslow Airport Pedestrian Path GA Apron.	\$0	\$10,000	\$10,000

Author: Frank Ludovico	Signature:
Manager: Neil Hartley	Signature:

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

13.3 AUDIT AND RISK COMMITTEE - ADOPTION OF RECOMMENDATIONS

FILE REFERENCE:	FM14.16.17
AUTHOR'S NAME AND POSITION:	Frank Ludovico Executive Manager, Corporate Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	30 November 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has a financial interest in the Audit Tender.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The Audit and Risk Committee is meeting on the morning of the Council meeting. The purpose of this agenda item is to allow the Recommendation(s) of that Committee to progress in a timely manner.

Background

The Audit and Risk Committee is meeting on the morning of the Council meeting. The purpose of this agenda item is to allow the Recommendation(s) of that Committee to be progressed in a timely manner.

Comment

The early adoption of the Audit and Risk Committee recommendation will enable the adoption of Annual Report and scheduling of the Annual Electors meeting.

Consultation

Audit and Risk Committee
Chief Executive Officer
Executive Manager Corporate Services
Finance Manager

Statutory Environment

Section 7.3. Local Government Act 1995 - Appointment of auditors
Regulation 17 Local Government Audit Regulations 1996.
Local Government Operational Guidelines Number 09 -Audit in Local Government – Revised September 2013

Financial Implications

Auditor's fees will be incorporated into the Council Annual Budget.

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 5 – Inspiring Governance

Objective 4 – Exemplary Team & Work Environment

Risk Management

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

There are no policy implications to this matter.

Voting Requirement

Absolute Majority Required

Recommendation

That Council endorse the following Audit and Risk Committee recommendations -

1.

2.

(to be inserted following the completion of the Audit and Risk Committee meeting);

Author: Frank Ludovico	Signature:
Manager: Neil Hartley	Signature:

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

13.4 2015/2016 ANNUAL REPORT AND ANNUAL GENERAL MEETING OF ELECTORS

FILE REFERENCE:	CM08
AUTHOR'S NAME AND POSITION:	Frank Ludovico Executive Manager, Corporate Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	30 November 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the matter.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The Local Government Act 1995 requires that Council accepts the draft Annual Report for 2015/2016, including the Financial and Auditor's Reports, no later than the 31 December or within two months of the Auditor's Report becoming available if that is not received prior to 31 December 2016. The Auditor's report was received on 30 November 2016.

The Audit and Risk Committee met with the Auditor on the 16 December 2016 and has recommended to Council the adoption of the 2015/2016 Independent Audit Report (see item 13.3 of this agenda). Once Item 13.3 has been adopted this matter can proceed.

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

Background

Under Section 5.53 of the *Local Government Act* 1995, the Shire is required to prepare an Annual Report for each financial year. The report is to contain:

- A report from the Shire President and Chief Executive Officer;
- An overview of the Plan For The Future, including any major initiatives that are proposed to commence or continue in the next financial year;
- The 2015/2016 Financial Report;
- The 2015/2016 Auditor Report;
- Prescribed information in relation to payments made to employees; and
- Any other prescribed information.

The draft Annual Report for 2015/2016 is in the process of being finalised and will be available under separate cover on the day of the December 2016 Council meeting.

Council is also requested to give consideration to determining the date, time and location of the Annual General Meeting. The meeting must be held within 56 days from the date Council accepts the Annual Report and Financial Statements. If Council accepts the Annual

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Report at this meeting, the latest possible date for the meeting is Friday 10 February 2017

Comment

The Audit and Risk Committee will meet with the Auditor on 16 December 2016 and has recommended to Council the adoption of the 2015/2016 Independent Audit Report (see item 13.3 of this agenda). Once Item 13.3 has been adopted this matter can proceed.

It is recommended that the Annual Report be considered by the electors of the Shire at the Annual General Meeting to be held in conjunction with the 17 January 2017 Ordinary Meeting of Council in Tom Price commencing at 4:00 pm, which is within the 56 day period from the date of Council adopting the draft Annual Report.

Consultation

Internal consultation between the CEO and Executive Management Team
Corporate Communications & Media Advisor
Administration Manager

Statutory Environment

Sections 5.27, 5.29, 5.53 and 5.54 of the *Local Government Act* 1995.

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 Community Strategic Plan 2012-2022
Goal 5 - Inspiring Governance
Objective 4 - Exemplary Team and Work Environment

Risk Management

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

There are no policy implications.

Voting Requirement

Absolute Majority required for the acceptance of the Annual Report.

Simple Majority required for the selection of date, times and venue for the Annual General Meeting of Electors.

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Recommendation

That Council:

1. Accepts the draft Annual Report for 2015/2016 as per **ATTACHMENT 13.4** and
2. Holds an Annual General Meeting of Electors at the Clem Thompson Sports Pavilion in Tom Price commencing at 4:00 pm on 17 January 2017.

Author: Frank Ludovico	Signature:
Manager: Neil Hartley	Signature:

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

13.5 ANNUAL POLICY REVIEW

FILE REFERENCE:	GV20
AUTHOR'S NAME AND POSITION:	Leanne Lind Governance and Policy Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	22 November 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in this item.
PREVIOUS MEETING REFERENCE:	Agenda Item 11.3 (Minute No. 11312) Ordinary Meeting of Council 17 October 2012 Agenda Item 13.1 (Minute No. 11875) Ordinary Meeting of Council 19 November 2014 Agenda Item 13.2 (Minute No. 12037) Ordinary Meeting of Council 9 December 2014

Summary

Section 2.7(2)(b) of the Local Government Act 1995 ("the Act") states that the making of policy is a role of the Council. Policies provide clarity, ownership, and accountability to the Ashburton community and for the staff of the Shire. A review of relevant policies has been conducted to ensure accuracy and currency which reflect the Council's commitment to ensuring best practice governance principles.

An annual review of Council policies was workshopped with Councillors on 21 November 2016 (prior to the November OMC).

This workshop is scheduled to occur every year so staff have a timeline for conducting the regular review of policies.

However, should the need be identified in the period between reviews, a policy may still be added, amended, or deleted.

The policies attached have been reviewed by key stakeholders; all Councillors and Executive Managers. The review included the need to define policy level; currency of the policy content; relevant statutory environments; policy owner and review timeframes.

Background

Council has adopted a process and a maximum four year review timetable for all of its Policies. The establishment of a formal management review system for all policies has been implemented and aligns with the policy framework adopted by Council at the OMC in October 2012.

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

The review process is now in its fourth year and highlights Council's focus on strategic governance as it provides clarity, ownership, and accountability to the Ashburton community and for the staff of the Shire.

Comment

All Council policies are kept in a Policy Register and uploaded onto the Shire's website. As no changes to the officer proposals were suggested by Councillors at the November 2016 workshop they are presented unchanged from the workshop proposals (for formal Council consideration).

The attached Policy Register spreadsheet highlights the policies which are under review for 2016. This system has been designed to manage the review process of all the Shire's policies through a four year cycle and shows the summary details of each policy at a glance.

The review recommendations to the policies are summarised below:

SUMMARY OF POLICIES ADOPTED BY COUNCIL IN 2016 – ON SHIRE OF ASHBURTON (SOA) WEBPAGE

NUMBER	POLICY	ACTION TO BE TAKEN	CHANGES MADE
ELM20	History Collection	Adopted OCM 19 January 2016	New Policy
ELM21	Tree Management Overview	Adopted OCM 19 January 2016	New Policy
ELM22	Elected Member Event Notification	Adopted OCM 19 January 2016	New Policy
ENG08	Bushfire Policy	Adopted OCM 26 April 2016	Reviewed Policy
FIN19	Panels of Pre-Qualified Supplied	Adopted OCM 19 January 2016	Reviewed Policy
FIN05	Trading in Public Places	Adopted OCM 15 March 2016	Reviewed Policy
FIN04	Buy Local – Regional Price Preference	Adopted OCM 2 June 2016	Reviewed Policy
REC08	Community Donations Sponsorship and Funding	Adopted OCM 19 July 2016	Reviewed Policy
REC09	Premier's Australia Day Awards	Adopted OCM 22 November 2016	Reviewed Policy

NO CONTENT CHANGES

ATTACHMENT 13.5

NUMBER	POLICY	ACTION TO BE TAKEN	CHANGES MADE
ELM11	Integrated Planning Policy	Adopt with No Changes Suggested	No changes made in 2016 review
ELM12	Workforce Planning and Management	Adopt with no Changes suggested	No changes made in 2016 review

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

ENG09	Asset Management Policy	Adopt with No Changes Suggested	No changes made in 2016 review
FIN07	Investment Policy	Adopt with No Changes Suggested	No changes made in 2016 review
FIN09	Authorised Signatories for Cheque and Electronic Funds Transfer Payment	Adopt with No Changes Suggested	No changes made in 2016 review
REC07	Tourism Policy	Adopt with No Changes Suggested	No changes made in 2016 review
FIN06	Significant Accounting Policy	Adopt with No Changes Suggested	No changes made in 2016 however, an ongoing review has been identified as necessary and therefore the Executive will continue to review into 2017

MINOR SUGGESTED CHANGES

ATTACHMENT 13.5

NUMBER	POLICY	ACTION TO BE TAKEN	CHANGES MADE
ADM03	Flying of Flags – Council Buildings	Adopt with suggested Changes	<p>This policy was not workshopped with Councillors on 22 November, however, Councillor Dias requested a change to the Flag Policy to include something along the lines of:</p> <p><i>Flags for Remembrance, Anzac, and Australia Days and any other day with a patriotism significance (like 911 or Bali Bombing) should be flown at the Anzac Place. Other days, like Naidoc week, Queens Birthday or when any dignitaries our visiting should be flown at the poles in-front of Ashburton hall.</i></p> <p>The Executive Management review of this policy has led to procedures being developed to accompany this Policy which includes the issues raised by Cr Dias. The procedures have been forwarded for comment and input on EMACCESS to all Councillors.</p>
ADM11	Memorials on Council Controlled Land Policy	Adopt with Suggest Changes	The Shire of Ashburton may purchase, install, and maintain plaques for deceased past Councillors and staff of the Shire.
ELM06	Elected Members Allowances, Accommodation, Travel and Incidental Expenses Whilst on Council Business	Adopt with Suggest Changes	<p>A query was raised as to how we should calculate this fee for retiring Councillors.</p> <p>An explanation has been included into ELM06 for the sake of transparency <i>“Allowances are to be paid quarterly in arrears, if an elected member retires before the end of their term then they</i></p>

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

			<p><i>will be paid a daily rate up until the date they retire”.</i></p> <p>Given legislation changes in 2016 to Gifts the Elected Members, it is also suggested that an amendment to the Extended Stay clause: <i>“Any extension to accommodation should not be booked at a Local Government rate. However, should the discounted Local Government rate be applied, then Elected Members are to take into account the gift implications which apply and should complete the necessary disclosure forms to ensure transparency of the accommodation payment transaction.”</i></p>
ELM08	Order of Business	Adopt with Suggest Changes	Adding the addition of item 1.1 Acknowledgement to Country (Emanating from ELM19 review).
ELM10	Financial Sustainability	Adopt with Suggest Changes	ELM10 has been amendment to reflect the new State Government Integrated Planning and Reporting - Advisory Standard (September 2016). It also improves the formatting by summarising certain matters.
ELM19	Recognition Of Aboriginal Culture And History; And Council Declaration	Adopted OCM 27 September 2016	<p>That Council notes the Minutes of the Aboriginal Reference Committee held on 16 August 2016 and resolved that:</p> <p>The CEO to progress a modification to ELM19 Recognition of Aboriginal Culture and History; and Council Declaration, to include the following statement on all relevant Shire of Ashburton communications (e.g. website, letterheads, Council agendas, public building signage, etc)</p> <p><i>“The Shire of Ashburton respectfully acknowledges the traditional custodians of this land.”</i></p> <p>Approved OCM 27 September 2016</p>
ELM23	Notice of Motion Procedural Policy	Adopted with suggested changes at OCM 25 October 2016 – Further changes recommended	<p>New Policy</p> <p>At the OCM 17 September 2016, Cr Kerry White tabled the following Notice of Motion in regard to developing a procedure for addressing Notices of Motion - <i>“That the CEO prepare a report on how best Council might practically manage future Notices of Motion at its meetings”.</i></p> <p>At OCM on 25/10/16 Recommendation -</p> <p>That Council initiate a “two stage” process of dealing with any future Notice of Motions and adopts the Policy (including provision for</p>

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

			<p>consultation with the CEO and/or President to discuss the proposed Notice of Motion with the nominating Councillor, following which the nominating Councillor can decide to proceed or withdraw the Notice of Motion.</p> <p>This policy has been reviewed and further amendments have been made to align with the above recommendations.</p>
EMP24	Corporate Credit Card	Amended Policy	<p>This policy has been reviewed with tracked changes following a Notice of Motion at the OCM on 27 September requesting the added requirement to include a copy of all credit card statements. Other minor amendments have also been made.</p>
FIN16	GRV Rating Improvements on Mining Tenements Policy	Adopt with Changes Suggested	<p>FIN16 has been modified to reflect the interim State Government Policy regarding rating of Accommodation and Recreation and Administration facilities has been replaced by a new State Government policy "Rating Policy – Valuation of Land – Mining".</p> <p>The new State Government Policy also details the procedure of applying the policy so those sections of the shire policy have been removed.</p>

MAJOR SUGGESTED CHANGES

ATTACHMENT 13.5

No.	POLICY	ACTION TO BE TAKEN	CHANGES MADE
FIN12	Procurement Policy	Adopt with Suggest Changes	<p>Over the past 12 months we have experienced situations where relatively minor "tweaks" to this policy would enable the staff to function more effectively.</p> <p>Some of the more significant changes are:</p> <ul style="list-style-type: none"> • Clause 9.1. As the Policy is primarily designed to assist staff with procurement under the tender threshold (i.e. quotations) we have removed the detailed list prescribing tenders exemptions already contained in Regulations. Rather the Regulation reference is quoted so staff dealing with tenders can reference that information. • Emergency Circumstance has been removed as once again, this is

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

			<p>prescribed by the Local Government Act 1995.</p> <ul style="list-style-type: none"> • Clause 10 Sole Source supplier has simply been moved from to improve readability and flow within the policy. • Quotations. <ul style="list-style-type: none"> ▪ It is recommended two of the lowest thresholds are adjusted and the threshold for the upper category extended and enhanced. See items 18 and 21. ▪ The new lower category thresholds have been designed to promote efficiency whilst being practicable. ▪ The Upper category has been extended from a \$50,000 starting threshold to a \$10,000 starting threshold. ▪ Descriptors have also become more detailed, giving better direction to staff. ▪ Overall we have considered the risk factors and efficiency of the Shire and suggested an extension at the lower threshold but provided great accountability at the higher thresholds. ▪ There are certain circumstances where there may be an opportunistic situation (e.g. a film crew is in town on another project and utilising them for a budgeted project may save Council several thousand dollars) or an opportunity to enhanced operational efficiency (e.g. it makes sense to use the same supplier of CCTV equipment within a town so we do not have maintain two difference systems) or mitigation of risk (e.g. enhancements to software systems should only be performed by the developers of that software in order to mitigate the risk of catastrophic failure) so a value for money process has been incorporated in the policy. ▪ Any procurement using this value for money process will be reported to Council through the Information Bulletin to ensure accountability. • Form CEO 099 has been removed from the Policy as it merely repeats that matters already contained in the Policy.
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AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

FIN13	Debtors Management – General	Adopt with Changes Suggested	<p>The reason Finance has undertaken a major review is to have a better control on our debt collection.</p> <p>The reviewed FIN13 Debtors Management-General policy is aimed to reduce the debt recovery process from the original 35 days (send reminder), 60 days (2nd reminder) and 90days (legal action taken) down to 35 days (first and final notice), 42 days (Final Demand issue) and 49 days (Credit suspend and legal action taken). Maximum approved credit limit of \$50k has been in place.</p> <p>The new policy will have a meaningful impact and improve on the Shire's debt management into the future.</p>
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Council policies which have undergone changes during their review in 2016 are attached to this Agenda in final draft for consideration of approval.

The current Council level policies are on the Shire's website at:

<http://www.ashburton.wa.gov.au/the-shire/publications/view/council-policies/#publicationlist>

Consultation

Chief Executive Officer
Executive Management Team
Department of Local Government
WALGA

Statutory Environment

The Local Government Act 1995 Section 2.7(2)(b) of the *Local Government Act 1995* ("the Act") states that the making of policy is a role of the Council.

Financial Implications

There are no direct financial implications as a result of the policy review process, but there will be numerous and variable financial implications resultant from individual policy modifications.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022
Goal 05 – Inspiring Governance
Objective 03 – Council Leadership
Objective 04 – Exemplary Team and Work Environment

Risk Management

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", can be managed by routine procedures, and are unlikely to need specific application of resources.

Policy Implications

Reviewed policies updated as per Policy Register.

Voting Requirement

Simple Majority Required

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Recommendation

That Council adopts the proposed reviewed policies as per **ATTACHMENT 13.5**.

Author: Leanne Lind	Signature:
Manager: Frank Ludovico	Signature:

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

14. DEVELOPMENT AND REGULATORY SERVICES REPORTS

There were no reports presented.

15. INFRASTRUCTURE SERVICES REPORTS

15.1 ENG02 ROAD MANAGEMENT POLICY

FILE REFERENCE:	GV02
AUTHOR'S NAME AND POSITION:	Troy Davis Executive Manager Infrastructure Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	25 November 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the matter.
PREVIOUS MEETING REFERENCE:	Agenda Item 10.05.10 - Ordinary Meeting of Council 20 May 2008 Agenda Item 15.1 (Minute 42) Ordinary Meeting of Council 27 September 2016

Summary

Council's Policy 'ENG02 Access to Pastoral Properties' has been in effect since 1997 with little change to its content or context over that time. The programmed Policy Review combined with investigations by staff into our road responsibility and Asset Management practices and processes has led to staff proposing to replace 'ENG02 Access to Pastoral Properties' with a more holistic Road Management Policy.

Background

The "old" policy (ENG02) is principally related to pastoral property access (both via land and air) and does not consider any other roads in the network. The current policy is also ambiguous and difficult to apply. This was recognised when it came up for its review last year.

ATTACHMENT 15.1A

Subsequently, officers have over the past few months been reviewing the overall management of the Shire's road network, including the relevance of policy ENG02; the intent being to present a holistic road management strategy, inclusive of a new Road Management Policy.

ATTACHMENT 15.1B

This has included:

- Seeking legal advice on road responsibility – What constitutes a Public Road? What effect do past practices (road maintenance) have on the Shire's responsibility to

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

maintain those past practices? What mechanisms can Council apply for adding or removing roads to/from its Road Register?

- A desktop review of the Shire's Road Register – Determined the status of each road; whether the road is gazetted; whether it is in a road reserve; if it is located on a pastoral lease.
- Developing Condition Ratings to enable road conditions to be assessed objectively.

Additionally, staff are working on:

- The development of a Road Asset Management Plan;
- The development of a Functional Road Hierarchy to prioritise the road network and enable more robust maintenance programs to be implemented; and
- The development of maintenance and geometric standards to apply across the network.

These investigations and developments have ultimately informed the proposed policy position on the management of Shire roads.

Comment

The proposed new Road Management Policy is intended to be part of a broader Road Management Framework. It will provide for an opportunity for Council to holistically manage its entire road network.

The framework for assessing whether roads are eligible to be included in the Shire's Road Register, as detailed in the policy, is a primary filter only. Additional consideration may be taken into account by staff and/or Council when determining whether a road should be included (or excluded) from the Road Register.

An initial desktop assessment of the roads in the Road Register, against the criteria in the proposed policy, has been undertaken and provided to Councillors previously. It should be noted that additional work will be required to apply the proposed policy to the Road Register with a further report provided to Council at a later date.

Consultation

Executive Team
Councillors
Operations Manager
Department of Regional Development and Lands
Peter Kyle (Solicitor)

Statutory Environment

The Local Government Act 1995 Section 2.7(2)(b) ("the Act") states that the making of policy is a role of the Council.

Financial Implications

There are no immediate financial implications for this matter, however there are a number of financial implications that may arise as this proposed policy is implemented. The implications aren't quantifiable at this stage but it is anticipated that the net result of any decisions will be positive following Councils settlement of the Road Register and the functional Road Hierarchy.

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

A rationalisation of the Road Register (removing roads) will reduce the value of road grant funding we receive each year; however it will also reduce road maintenance costs, or alternatively increase the level of service across the network.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 04 – Title Distinctive and Well Serviced Places

Objective 02 – Accessible and Safe Towns

Risk Management

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 resource.

Policy Implications

There are no policy implications for this matter.

Voting Requirement

Simple Majority Required.

Recommendation

That Council adopt new policy ENG02 Road Management as per **ATTACHMENT 15.1A**.

Author: Troy Davis	Signature:
Manager: Neil Hartley	Signature:

16. STRATEGIC AND ECONOMIC DEVELOPMENT REPORTS

16.1 PILBARA UNDERGROUND POWER PROJECT - ONSLOW

FILE REFERENCE:	EN02
AUTHOR'S NAME AND POSITION:	Anika Serer Executive Manager Strategic and Economic Development
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	2 December 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the matter.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The Pilbara Underground Power Project is a partnership between the State Government's Royalties for Regions initiative and Local Government, delivered by Horizon Power. Historically the rollout of underground power required a 50% financial contribution from the local community, however with additional support from the State Government's Royalties for Regions program, a transition to underground power in the Pilbara only requires a local 25% contribution to the overall cost of the project. The project has so far delivered the undergrounding of powerlines in the Port Hedland and Karratha districts.

Horizon Power requires the endorsement of the Shire of Ashburton, and commitment to the 25% funding requirement, before proceeding with the detailed planning and delivery of underground power in Onslow. It is proposed that the 25% funding is raised via a combination of contributions from the Chevron-operated Wheatstone Project, Shire of Ashburton and a service charge levied through the Shire's rates system, which will be payable by all landowners in Onslow. It is intended that landowners will only need to pay about 10% of the total cost of the project as a levy.

Background

The Pilbara Underground Power Project (PUPP) is a partnership between the State Government's Royalties for Regions initiative and Local Government, delivered by Horizon Power.

PUPP is providing cyclone-affected North West towns with a safe and reliable power supply by replacing ageing overhead electricity infrastructure with underground networks. The project is intended to dramatically reduce the likelihood of power outages to essential services, regional residents and businesses during and immediately following adverse weather events.

Historically the rollout of underground power required a 50% financial contribution from the local community, however with additional support from the State Government's Royalties for Regions program, a transition to underground power in the Pilbara only requires a local 25%

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

contribution to the overall cost of the project.

The project has so far delivered the undergrounding of power lines in South Hedland, Wedgefield, Roebourne, Karratha CBD, Bulgarra, Karratha LIA and Millars Well. Civil works in the suburb of Pegs Creek finished two months ahead of schedule in mid-July and electrical connections at each property are expected to be completed by early 2017.

Horizon Power requires the endorsement of the Shire of Ashburton, and commitment to the 25% funding requirement, before proceeding with the detailed planning and delivery of underground power in Onslow. It is proposed that the 25% funding is raised via a combination of contributions from the Chevron-operated Wheatstone Project, Shire of Ashburton and a service charge levied through the Shire's rates system, which will be payable by all landowners in Onslow. It is intended that landowners will only need to pay about 10% of the total cost of the project as a levy.

ATTACHMENT 16.1

Comment

Funding Model

Horizon Power has advised that the total cost of the Onslow project will be \$8,409,031, with the 25% contribution from Shire of Ashburton totalling \$2,102,258.

The Shire's portion is proposed to be funded by a combination of sources:

Contribution by Chevron-operated Wheatstone Project	\$900,000
Shire of Ashburton:	\$400,000
Landowners:	\$800,000 (9.5% of total project)

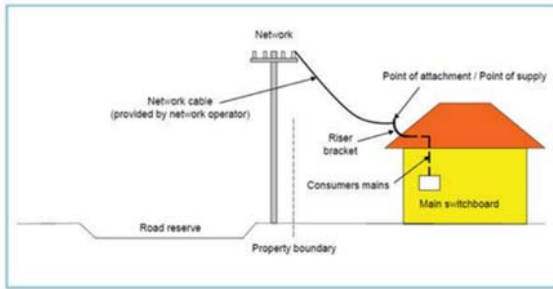
The funding model for Onslow landowners was developed after investigating the methodology used by other local governments. In particular, Town of Port Hedland and City of Karratha implemented a cost model based on the capacity (kVA) of the connection to each lot. The model caused confusion for lot owners that had a higher than average connection capacity and were not aware of this. For example, a 'normal' household capacity is 10kVA however a residence may have had a higher capacity connection installed by previous owners (say 50kVA). The current owners would receive a bill up to five times higher than their neighbour with a standard capacity connection. In commercial and industrial applications there could easily be 10-20 times the difference between adjoining lots.

The proposed model for Onslow landowners has been developed based on the type of existing connection to each lot. For example, if a house currently has 'full overhead power' including the connection to the meter box, the charge will be slightly more than a property that already has underground power from the street to the house. Different rates were modelled for residential, commercial and industrial to reflect the general difference between the work required to underground the supply for each. For example, an industrial lot generally has a larger frontage and distance to meter box than a residential house, requiring more underground cabling and works.

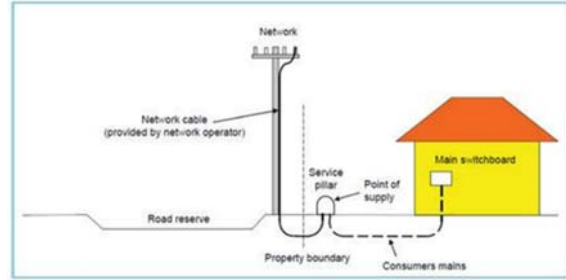
AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Types of Connections

Type 1: Full Overhead



Type 2: Consumer Mains Underground



Type 3: Transformer or Vacant



Type 4: Street Already Underground



If approved, the Shire of Ashburton will pay the landowner contribution at construction which will be funded by a low interest loan. Landowners will then pay their portion over four years as a service charge levy, which will appear on the annual Rates Notice.

Pensioners and eligible concession holders are entitled to a 50% discount on the cost.

Proposed Cost (per year over four years)

Connection Type	Residential	Residential (pensioner)	Commercial	Commercial (pensioner)	Industrial
1. Full Overhead	\$525	\$263	\$1576.24	\$788.12	\$3021.12
2. Consumer Mains U/ground	\$302	\$151	\$1352.94	\$676.47	\$2797.82
3. Transformer or Vacant	\$210	\$105	\$210.16	\$105.08	\$2705.87
4. Street already underground	\$105	\$52	\$210.16	\$105.08	\$2600.79

Community Consultation

Community consultation has been undertaken to seek feedback from landowners regarding the proposal to underground power in Onslow, including support for the project overall and the funding model.

A Community Information Session was held at the Onslow Shire Complex on Monday 7 November 2016, which was attended by about 25 community members. Representatives from Horizon Power, Shire of Ashburton and Pilbara Development Commission presented on

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

the various aspects of the project including how it is delivered, proposed cost to owners and how this will be charged, and a question/answer session.

Information about the project has been included on the Shire of Ashburton website, including Fact Sheets, Customer Information (by Horizon Power) and Frequently Asked Questions. The Fact Sheets and other information were also posted to all Onslow landowners, with a survey requesting feedback on whether the project was supported (also available on the website).

ATTACHMENT 16.1A
ATTACHMENT 16.1B
ATTACHMENT 16.1C

The survey closed on 2 December 2016, with the following results:

Total number of properties:	641
Number of properties that DO support PUPP:	210
Number of properties that DO NOT support PUPP:	12
Number of properties UNSURE:	3

It should be noted that the 210 'YES' votes for PUPP were received from a combination of single and multiple land owners being Chevron (51 properties), Onslow Salt (64 properties), others (95).

Comments provided by the owners that DO NOT or are UNSURE of support include:

"Due to cost. The Premier & Chevron promised a lot and delivered nothing but lies and more lies"

"100% cost should be borne by Horizon Power and State Government"

"Due to cost. Lighting should be upgraded regardless, monies put aside for maintenance of poles and lines should be contributed."

"Currently have vacant ground with no power connections."

"Being a property owner in Karratha we have witnessed first-hand the excessive waste associated with PUPP. In principle we are supportive of idea, but need convincing there will not be same waste."

"Due to cost. I have paid Horizon Power \$2800 for 1 green dome. I will not pay anymore"

Overall, the survey response indicates overwhelming response for the Pilbara Underground Power Project to proceed in Onslow (93.3% of responses in favour, 86.4% of responses excluding the two major landowners).

Horizon Power is seeking commitment from the Shire of Ashburton to the project by 31 December 2016 (if it is supported), in order to meet the following proposed timeline for delivery of the project:

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Stages	Timeline
Planning	Completed
Design	Completed
Tender process (compliance)	Completed
Community Information Session & Shire of Ashburton approval	Pending
Proposed timeline IF accepted by The Shire of Ashburton	
Civil works	Commence March 2017
Electrical connections (4 months overlap with civil)	Commence October 2017
Dismantling of old powerlines and poles	Completion by April 2018

Funding

A draft funding agreement has been presented by Horizon Power for consideration and feedback. The agreement outlines the Shire of Ashburton's portion (25% of the project) being \$2,102,258 however due to the short timeframe for consultation and modelling, the exact payment terms have not been negotiated yet. In order to proceed with the project in a timely manner it is proposed that the Chief Executive Officer is delegated authority to finalise these terms and execute the agreement if the project is supported by Council.

CONFIDENTIAL ATTACHMENT 16.1D

Chevron has agreed in principle to the application of \$900,000 from the Community Development Fund (provided as part of its State Development Agreement for the Wheatstone Project) to be applied to the 25% project contribution. Officers are working with Department of State Development and Chevron to finalise the terms and release of this funding, to complement the Shire's instalments to Horizon Power.

Consultation

Shire President
Chief Executive Officer
Onslow Land Owners
Department of State Development
Horizon Power
Chevron
Pilbara Development Commission
PUPP Steering Committee

Statutory Environment

Local Government Act 1995 – Section 6.38 'Service Charges' applies:

- (1) A local government may impose on:
 - a) Owners; or
 - b) Occupiers,
Of land within the district or a defined part of the district a service charge for a financial year to meet the cost of providing a prescribed service in relation to the land.
- (2) A local government is required to:
 - a) Use the money from a service charge in the financial year in which the charge is imposed; or
 - b) To place it in a reserve account established under section 6.11 for the purpose of that service.
- (3) Where money has been placed in a reserve account under subsection (2)(b), the local government is not to:
 - (a) Change the purpose of the reserve account; or
 - (b) Use the money in the reserve account for a purpose other than the service for which the charge was imposed,

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

- And subsections (2), (3) and (4) of section 6.11 do not apply to such a reserve account.*
- (4) *A local government may only use the money raised from a service charge:*
- (a) To meet the cost of providing the specific service for which the service charge was imposed, or*
 - (b) To repay money borrowed for anything referred to in paragraph (a) and interest on that money.*
- (5) *If a local government receives more money than it requires from the service charge imposed under subsection (1)(a) it:*
- (a) May, and if so requested by the owner of the land, is required to, make a refund to the owner of the land which is proportionate to the contributions received by the local government; or*
 - (b) Is required to allow a credit of an amount proportionate to the contribution received by the local government in relation to any land on which the service charge was imposed against future liabilities for rates or service charges in respect of that land.*
- (6) *If a local government receives more money than it requires from the service charge imposed under subsection (1)(b) it is required to make a refund to the person who paid the service charge which is proportionate to the contributions received by the local government.*

Local Government (Financial Management) Regulations 1996 (in part) state:

54. Service charge – prescribed services – s.6.38 (1)

For the purposes of section 6.38 (1), the services for which a local government may impose a service charge are the provision of –

- (a) Television and radio rebroadcasting;*
- (b) Volunteer bush fire brigades;*
- (c) Underground electricity;*
- (d) Property surveillance and security; and*
- (e) Water*

Financial Implications

The Shire's overall commitment of \$2,102,258 (25% of the project cost) is proposed to be funded by the following means:

Contribution by Chevron-operated Wheatstone Project	\$900,000
Shire of Ashburton Future Projects Reserve:	\$300,000
Shire of Ashburton Municipal Funds:	\$100,000
Loan (to be repaid by Landowners over four years):	\$800,000

The Shire's contributions from the Future Projects Reserve and Municipal Fund are included in the 2016/17 Annual Budget.

In order to meet Horizon Power's requirement to pay instalments over the delivery of the project (March 2017 to April 2018) it is proposed that the Shire raise a loan for up to \$850,000 to cover land owner contributions and a small contingency, which will be reimbursed over four years as a service charge (in addition to the annual rates charge). The financial modelling for owners includes the estimated interest on the loan over a four year period.

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022
Goal 4 – Distinctive and Well Serviced Places
Objective 1 – Quality Public Infrastructure

Risk Management

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 "High" in light of the cost and contract negotiations required. As a high risk matter, the Executive Manager Strategic and Economic Development will monitor progress of this item.

Policy Implications

ELM10 Financial Sustainability Policy
ENG09 Asset Management Policy

Voting Requirement

Absolute Majority Required

Recommendation

That Council:

1. Endorses the delivery of the 'Pilbara Underground Power Project' in Onslow by Horizon Power and the Shire's total contribution of \$2,102,258 toward the cost;
2. Delegates the CEO authority to finalise the terms of the Pilbara Underground Power Program Funding Agreement with Horizon Power, and the signing by the Shire President and CEO (including affixing of the common seal) to facilitate its execution;
3. Approves the contribution of \$900,000 toward the Shire's cost by Chevron's Community Development Fund and authorises the CEO to finalise the terms of this agreement;
4. Approves the proposed funding model for the Shire of Ashburton to pay \$400,000 and landowners to pay the remaining estimated \$800,000 for the balance of the 25% contribution;
5. Endorse the raising of a Service Charge on landowners in Onslow for the provision of Underground Power in future Annual Budgets;
6. Approve the funding of the land owner's portion of the project costs (up to \$850,000) from a self-supporting loan, being repaid as funds are collected from property owners over four years;
7. In accordance with Section 6.38(2)(b) of the Local government Act 1995, approve the establishment of an Underground Power Reserve Fund commencing in the 2017/18 financial year (with the purpose of the Underground Power Reserve Fund being for 'the installation of underground power in Onslow').

Author: Anika Serer	Signature:
Manager: Neil Hartley	Signature:

- 17. COUNCILLORS AGENDA ITEMS / NOTICES OF MOTIONS
- 18. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
- 19. 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 (1)(b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:*
 - (a) *a matter affecting an employee or employees;*
 - (b) *the personal affairs of any person;*
 - (c) *a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*
 - (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*
 - (e) *a matter that if disclosed, would reveal:*
 - (I) *a trade secret;*
 - (II) *information that has a commercial value to a person; or*
 - (III) *information about the business, professional, commercial or financial affairs of a person,*

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

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

19.1 NWSP PTY LTD DISPUTE OF WASTE MANAGEMENT CHARGES

FILE REFERENCE: WM02

AUTHOR'S NAME AND POSITION: Troy Davis
Executive Manager Infrastructure Services

NAME OF APPLICANT/RESPONDENT: Brent Rowe
NWSP Pty Ltd

DATE REPORT WRITTEN: 30 November 2016

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

PREVIOUS MEETING REFERENCE: Agenda Item 15.3 (Minute 60) Ordinary Meeting of Council 25 October 2016

Item provided under separate cover.

Author: Troy Davis	Signature:
Manager: Neil Hartley	Signature:

AGENDA - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

20. NEXT MEETING

The next Ordinary Meeting of Council will be held on Tuesday 17 January 2017 at the Clem Thompson Sports Pavilion, Stadium Road, Tom Price, commencing at 1.00 pm.

21. CLOSURE OF MEETING