

# Ordinary Meeting of Council

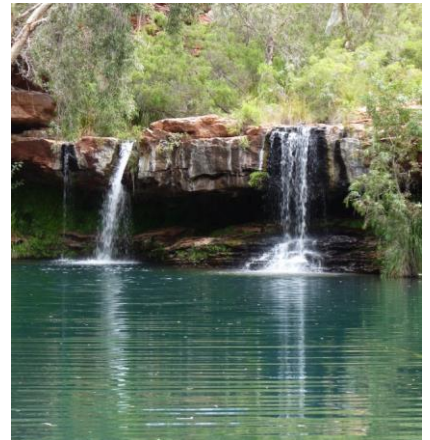
Tom Price



## Agenda – Public Document

26 April 2016

Clem Thompson Sports  
Pavilion  
Stadium Road  
Tom Price  
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.

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## 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



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### 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  
(Public Document)**

**Clem Thompson Sports Pavilion, Stadium  
Road, Tom Price  
26 April 2016  
1.00 pm**

# **AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 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 26 April 2016 at Clem Thompson Sports Pavilion, Stadium Road, Tom Price commencing at 1:00 pm.

The business to be transacted is shown in the Agenda.

Maurice Ferialdi  
**ACTING 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.*

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## **AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 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**

#### **3.2 APOLOGIES**

#### **3.3 APPROVED LEAVE OF ABSENCE**

Cr M Gallanagh

Pannawonica Ward

### **4. QUESTION TIME**

#### **4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

At the Ordinary Meeting of Council held on 15 March 2016 no public questions were tabled.

#### **4.2 PUBLIC QUESTION TIME**

### **5. APPLICATIONS FOR LEAVE OF ABSENCE**

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### **6. DECLARATION BY MEMBERS**

#### **6.1 DUE CONSIDERATION BY COUNCILLORS TO THE AGENDA**

That Councillors 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

## **AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016**

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; 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.

### **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 15 MARCH 2016**

##### **Officer's Recommendation**

**That the Minutes of the Ordinary Meeting of Council held on 15 March 2016, as previously circulated on 22 March 2016, be confirmed as a true and accurate record.**



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### 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."*

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### 11. GOVERNANCE & EXECUTIVE SERVICE REPORTS

#### 11.1 PROGRESS OF IMPLEMENTATION OF COUNCIL DECISIONS MARCH 2016

<b>FILE REFERENCE:</b>	GV04
<b>AUTHOR'S NAME AND POSITION:</b>	Jasmin Forward CEO & Councillor Support Officer
<b>NAME OF APPLICANT/RESPONDENT:</b>	Not Applicable
<b>DATE REPORT WRITTEN:</b>	1 April 2016
<b>DISCLOSURE OF FINANCIAL INTEREST:</b>	The author has no financial interest in the proposal.
<b>PREVIOUS MEETING REFERENCE:</b>	Not Applicable

##### **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.

##### **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.

#### **ATTACHMENT 11.1**

##### **Consultation**

Chief Executive Officer  
Executive Management Team

##### **Statutory Environment**

Not Applicable

##### **Financial Implications**

Not Applicable

## **AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 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**.

<b>Author:</b> Jasmin Forward	<b>Signature:</b>
<b>Manager:</b> Neil Hartley	<b>Signature:</b>

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

<b>FILE REFERENCE:</b>	GV21 T03 CM02 LP10.7.0
<b>AUTHOR'S NAME AND POSITION:</b>	Janyce Smith Executive Officer  Sheree Selton Administration Assistant Planning
<b>NAME OF APPLICANT/RESPONDENT:</b>	Not Applicable
<b>DATE REPORT WRITTEN:</b>	1 April 2016
<b>DISCLOSURE OF FINANCIAL INTEREST:</b>	The authors have no financial interest in the proposal.
<b>PREVIOUS MEETING REFERENCE:</b>	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 March 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.

#### Comment

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

#### ATTACHMENT 11.2

#### 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.

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### 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" 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 March 2015*".

<b>Author:</b> Janyce Smith Sheree Selton	<b>Signature:</b>
<b>Manager:</b> Neil Hartley	<b>Signature:</b>



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### 11.3 NOTICE OF MOTION - TOURISM REFERENCE COMMITTEE

**FILE REFERENCE:** GV04

**AUTHOR'S NAME AND POSITION:** Neil Hartley  
Chief Executive Officer

**NAME OF APPLICANT/RESPONDENT:** Cr Lorraine Thomas

**DATE REPORT WRITTEN:** 23 March 2016

**DISCLOSURE OF FINANCIAL INTEREST:** The author declares a conflict of interest in the proposal.

**PREVIOUS MEETING REFERENCE:** Item 15.08.06 – Ordinary Meeting of Council 21 October 2015  
Item 11.5 – Ordinary Meeting of Council 18 November 2015

#### **Summary**

At the Ordinary Meeting of Council held on 21 October 2015, Cr Foster tabled a Notice of Motion in regard to the potential of a Tourism Committee being established. The Council Meeting of 18 November subsequently resolved that 'Council not establish a Tourism Committee at this point in time'.

A further Notice of Motion was lodged by Cr Thomas at the Ordinary Meeting of Council held on 15 March 2016 as follows:

*"That Council establish the Ashburton Tourism Development Committee.*

***Committee Purpose:*** *To reduce Council financially dependency on mining.*

***Committee Membership:*** *Six Councillors, one of each Ward. Administration to undertake record keeping."*

Council resolved to receive the Notice of Motion and that a Councillors Workshop be scheduled in the afternoon of that Council Meeting day to outline in more detail the possible role and function of the proposed Committee, or any alternative strategies to enhance tourism in Ashburton. Unfortunately though, there was insufficient time to accommodate the Council resolution to schedule the Workshop following the meeting.

A Tourism Destination Development Strategy is in place and is being progressively implemented as budget allocations permit. The Tourism Strategy is still relevant and not in need of review. To this point in time, it has been concluded that unless there is a significant increase in the Tourism budget, or that the Shire's Tourism Strategy program of activities is close to being exhausted (which is not likely to occur in the next several years) that there is no net value seen with a Tourism Committee being appointed. A Workshop to explore those parameters would greatly assist that thinking process and promote a better understanding of the issues surrounding tourism.

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### Background

Cr Thomas has lodged a Notice of Motion as follows:

*"That Council establish the Ashburton Tourism Development Committee.*

**Committee Purpose:** *To reduce Council financially dependency on mining.*

**Committee Membership:** *Six Councillors, one of each Ward. Administration to undertake record keeping."*

Council at the March Council Meeting resolved to receive the Notice of Motion and that a Councillors Workshop be scheduled for the afternoon of that Meeting day to outline in more detail the possible role and function of the proposed Committee, or any alternative strategies to enhance tourism in Ashburton. Unfortunately, there was insufficient time to accommodate the Council resolution so a Workshop following the March Council Meeting did not occur.

Prior to the above, at the Ordinary Meeting of Council held on 18 November 2015, a Notice of Motion by Cr Foster (*namely, to investigate the formulation of a Council Committee on Tourism to better engage with the sector, including with local businesses and tourism operators, and also, what work is required to build upon the Shire's strengths and weaknesses, and what investment is required*) was considered and it resolved by Council '*not to establish a Tourism Committee at this point in time*'.

Tourism by the Shire of Ashburton is undertaken in "precincts" with Onslow (the Western Precinct) managed by a voluntary group, Tom Price is managed by the Shire directly through a Visitor Centre, and Paraburdoo and Pannawonica activities are on an "as needs" basis and decided annually through the Shire budget. There is a good deal of cooperation between the "eastern" and "western" precincts and both Visitor Centres actively value add and promote the other.

A Council endorsed (16 March 2011) Tourism Strategy is in place and is being progressively implemented as annual budget allocations permit. The Strategy includes a program of activities but the funds to support that budget were not able to be incorporated in to the Shire's annual budgets due to the historic shortness of funds. The Tourism budget component of the Shire's budget has though, increased substantially over the last couple of years (but still represents only a very small component of the overall budget, approximately 1%). Even with the current Shire budget allocations continuing, the Tourism Strategy program (which includes capital and operations initiatives) will take many years to be completed. As a result even though some of the program components might well be dated or possibly even irrelevant in light of the passage of time, it has been concluded that the Tourism Strategy is still largely relevant and not in need of wholesale review.

The Shire currently promotes tourism and engages with the tourism sector, in the following ways:

- Participating in regional tourism initiatives through the Pilbara Development Commission such as "My Pilbara Adventure", WiFi in Tom Price and Paraburdoo and the "Pilbara Tourism Product Development Plan". Also applying for PDC grants for new Tourism Information Bay Signage, Onslow Boardwalk upgrade and Onslow Museum Refurbishment/Shell Display construction.
- Participating with the Pilbara Regional Council in initiatives such as the RV Study; Tourism Signage Audit; Warlu Way promotion; and Rest Area establishments.

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- Engaging with Tourism WA; Tourism Council of WA; other Visitor Centres; and Australia's North West.
- Upgrading the signage at the Tom Price Visitor Centre and Onslow Visitor Centre and creating a tourism 'brand' for the Shire. This project also includes the refreshing of the internal fit-out of the Tom Price Visitor Centre currently underway.
- Promoting the upgrade/sealing of the Tom Price to Karratha route.
- Sponsoring key tourism events such as Karijini Experience in 2015 and 2016 and also developing a program to more widely promote local Ashburton events.
- Tom Price and Onslow Visitor Centres encourage tourism businesses to join as members.
- Tourism publications and maps are being updated and 'rebranded'.
- Tom Price Visitor Centre website and Facebook page have both been upgraded.

### **Comment**

A Workshop to consider the current Shire activities, the relevance of the 2011 Tourism Strategy, and the capacity of the Shire's ongoing budget to fund tourism initiatives is considered to be worthwhile and would greatly assist that thinking process as to "what to do next". For example, an annual Tourism Workshop as part to the Shire's budget process might prove more valuable and efficient than a permanent Tourism Committee, which would need to incorporate the logistics of working with the existing Onslow Tourism and Progress Association (which operates the Onslow Visitor Centre).

### **Consultation**

Chief Executive Officer  
Manager Communications and Tourism  
Executive Managers

### **Statutory Environment**

Local Government Act Part 5 — Administration has a number of sections dedicated to Committees. A Committee needs a Council decision to be established, and has similar rules that apply to a Council meeting and its membership, including for example, the application of Shire of Ashburton Standing Orders (2012).

### **Financial Implications**

The management of a Committee will require similar costs to be incurred as a Council meeting (depending on the membership, meeting schedule and location), including the preparation of agendas, reports, minutes, and other attendee expenses (e.g. travel and accommodation etc).

### **Strategic Implications**

Shire of Ashburton Corporate Business Plan 2013-2017 (*Living Life – Making it Happen*) outlines that Tourism is a component of the Economic Strength and Development function of the Shire.

There are several specific tourism related initiatives within the Plan, like Onslow Caravan Park upgrade and Tom Price Visitor Centre upgrade, but also "related" proposals, like the Tom Price to Karratha Road upgrade.

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### **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 a "Low", and can be managed through specific monitoring and actions as required.

### **Policy Implications**

There are no Policy implications.

### **Voting Requirement**

Simple Majority Required

### **Recommendation**

That Council schedule a Councillor's Workshop for the May 2016 Council Meeting Day to consider strategies to further enhance tourism in Ashburton, including the potential of a Tourism Development Committee, or any alternatives.

<b>Author:</b> Neil Hartley	<b>Signature:</b>
<b>Manager:</b> Neil Hartley	<b>Signature:</b>

## 12. COMMUNITY DEVELOPMENT REPORTS

### 12.1 NOTICE OF MOTION - PROPOSAL TO DONATE TO MOUNTAIN VIEW GOLF CLUB - 50TH YEAR ANNIVERSARY AND ENDORSE CHANGES TO REC08 COMMUNITY DONATIONS, SPONSORSHIP AND FUNDING POLICY

**FILE REFERENCE:** CR01

**AUTHOR'S NAME AND POSITION:** Maurice Ferialdi  
General Manager

**NAME OF APPLICANT/RESPONDENT:** Cr Cecilia Fernandez

**DATE REPORT WRITTEN:** 23 March 2016

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

**PREVIOUS MEETING REFERENCE:** Item 17.2 – Ordinary Meeting of Council 15 March 2016

#### **Summary**

At the Ordinary Meeting of Council held on 15 March 2016, Cr Fernandez tabled the following Notice of Motion:

*To sponsor the 50 year anniversary of the Mountain View Golf Club with a suggested amount of \$5,000. Purpose – support and engage the Shire in the 50 year Anniversary of one of the oldest clubs in town.*

It is suggested that the existing REC08 COMMUNITY DONATIONS, GRANTS AND FUNDING POLICY be modified to give Council the flexibility to provide for significant milestone events of incorporated community and sporting organisations.

#### **Background**

Cr Fernandez has lodged a Notice of Motion as follows:

*To sponsor the 50 year anniversary of the Mountain View Golf Club with a suggested amount of \$5,000. Purpose – support and engage the Shire in the 50 year Anniversary of one of the oldest clubs in town*

The Mountain View Golf Club will be celebrating its 50 year anniversary shortly. This is considered to be a significant milestone for the club and the community of Tom Price, as such, Cr Fernandez has suggested that the Shire contribute \$5,000 toward the celebrations of this achievement.

#### **Comment**

Currently a Policy exists (REC08) that provides for support grants to incorporated community and sporting organisations for town wide signature events but it is considered that the policy doesn't incorporate provisions to support significant milestone events of individual clubs. It is



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also considered that it would be appropriate to modify the current Policy to give Council the flexibility to provide for major milestones of individual incorporated community and sporting organisations.

A simple modification to dot point four of Clause 2 COMMUNITY SUPPORT GRANTS (highlighted in the attachment) can provide for such contributions. By doing this it provides for a more structured consideration rather than a piece meal approach.

Current wording of dot point four;

- Identified annual, town wide, signature events/organisations (including the Onslow Rodeo, Robe River Pannawonica Rodeo Pannawonica Gala and Paraburdoo Red Dirt Rocks Committee are eligible to apply for up to \$5,000.

Proposed new wording to dot point four;

- Identified signature events/organisations and significant incorporated community or sporting organisations, as related to milestone events, (including but not limited to the Onslow Rodeo, Robe River Pannawonica Rodeo Pannawonica Gala and Paraburdoo Red Dirt Rocks Committee) are eligible to apply for up to \$5,000.

Modified REC08 COMMUNITY DONATIONS, GRANTS AND FUNDING POLICY attached for Council's consideration.

### **ATTACHMENT 12.1**

No financial or program activities documentation has been provided as part of the request for a Shire grant and whilst it might well be appropriate to allocate a contribution towards the event, suitable supporting information does need to be provided to meet acceptable governance requirements.

#### **Consultation**

Governance and Policy Officer  
Executive Team

#### **Statutory Environment**

Local Government Act S3.1. (General function) outlines at subsection (1) the general function of a local government is to provide for the good government of persons in its district and at subsection (3) that a liberal approach is to be taken to the construction of the scope of the general function of a local government.

#### **Financial Implications**

The additional cost implications will need to be considered as and when such requests for contributions toward significant milestone events are lodged by individual incorporated community and sporting organisations and considered by Council. It may not be necessary to increase the budget allocation, but if Council is aware prior to any financial year of there being the likelihood of additional applications of this type, it could consider as part of its annual budget, a specific additional allocation for this type of celebration request, which could be added to the annual budget for grants allocated via Policy REC08.

Currently the Shire allocates \$160,000 for Lease/License Compliance contributions; \$75,000 for Signature Events (\$5,000 per event) and individual Community Support Grant applications towards club projects/activities (maximum \$2,500/club); and \$40,000 for Small Assistance Donations (maximum \$500/club).

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

### Strategic Implications

The Corporate Community Plan has numerous references to goals of supporting community events and building community wellbeing.

### 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" and can be managed by routine procedures.

### Policy Implications

Provides for the modification of an existing Council Policy.

### Voting Requirement

Simple Majority Required

### Recommendation

That Council:

1. Endorse the changes to REC08 (as outlined in Attachment 12.1), and
2. Allocates as part of the April 2016 round of the Community Support Grants (via Council Policy REC08 - account 10818770 Sponsorships & Grants) a \$5,000 allocation towards the Mountain View Golf Club's 50 year anniversary event, subject to a suitable application being received under Policy REC08.

<b>Author: Maurice Ferialdi</b>	<b>Signature:</b>
<b>Manager: Neil Hartley</b>	<b>Signature:</b>

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

### 12.2 NOTICE OF MOTION - PROPOSAL FOR ELECTED MEMBER EVENT NOTIFICATION POLICY

FILE REFERENCE:	GV20
AUTHOR'S NAME AND POSITION:	Maurice Ferialdi General Manager
NAME OF APPLICANT/RESPONDENT:	Cr Ivan Dias
DATE REPORT WRITTEN:	22 March 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Item 17.3 – Ordinary Meeting of Council 15 March 2016

#### Summary

At the Ordinary Meeting of Council held on 15 March 2016, Cr Dias tabled the following Notice of Motion:

*Request CEO to write a report to Council to review the existing policy and processes regarding setting dates for comprehensive openings, ceremonies of projects, consultation with local Ward Councillors for setting these dates and ensuring all Councillors are officially invited to the events with adequate lead time prior to the event being publically advertised.*

There is always a high level of interest by members of Council to attend official openings within their respective Wards. Existing procedures do provide Councillors with as much opportunity to be able to attend as practical, but a formal Policy focusing on the issue of "Councillor consultation" occurring in a timely manner prior to the opening of major ceremonies and openings of projects is reasonable.

#### Background

Cr Dias has lodged a Notice of Motion as follows:

*Request CEO to write a report to Council to review the existing policy and processes regarding setting dates for comprehensive openings, ceremonies of projects, consultation with local ward councillors for setting these dates and ensuring all Councillors are officially invited to the events with adequate lead time prior to the event being publically advertised.*

Officers have been following the practice of liaising with the Shire President and other stakeholders on official openings, and selecting dates that are mutually agreeable to the key parties (vis. the people conducting the official opening and any complementary event attractions).

## **AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016**

### **Comment**

Councillors have a high level of interest and ownership in events and Ceremonies that celebrate major or milestone achievements in our Shire. Given this level of association it is considered important that appropriate notification and consultation is afforded to Councillors in order to give them the opportunity to make the necessary arrangements to attend such events.

There is no policy that relates to notifying Councillors of events, however, there has been a practice to do so. Consideration has been given to the development of a Council policy to address this issue. Given the type and nature of events and the range of stakeholders associated with such events, it is considered that such a Policy should be generic enough to allow sufficient flexibility to deal with the variety and nature of events as they arise.

The policy needs to be flexible because setting dates for major events and celebrations are not always within the Shire's control, for example, if the events are subject to attendance by the Premier or senior politicians we are limited to the dates available to them and the lead time they give us is influenced by their schedules. Other influencing factors are when events involve partnerships and as such attendance by representatives of those involved can also create difficulties.

Any proposed policy should therefore give the maximum opportunity to consult with and advise Councillors of upcoming celebratory events without restricting the flexibility needed to work around major stakeholder attendance (including the Shire President). It is suggested that Council focus the Policy on the issue of "Councillor consultation" occurring prior to the setting of dates for celebratory events. Such a Policy will formally reinforce the existing practice of engaging with Ward Councillors on issues of topical interest within the community. Attached is a draft Events Notification Policy (ELM22 – Elected Member Event Notification Policy) for Council's consideration.

### **ATTACHMENT 12.2**

There is a careful balance that needs to be observed with consultation, such that Councillors (and also the community in certain circumstances) can be suitably engaged to the extent that a "net advantage" for all concerned is achieved.

### **Consultation**

Governance and Policy Officer  
Executive Team

### **Statutory Environment**

Local Government Act S3.1. (General function) outlines at subsection (1) the general function of a local government is to provide for the good government of persons in its district and at subsection (3) that a liberal approach is to be taken to the construction of the scope of the general function of a local government.

### **Financial Implications**

There is no meaningful cash cost implications anticipated beyond existing levels.

### **Strategic Implications**

The Corporate Community Plan has numerous references to goals of supporting community events, building community wellbeing, improving civic leadership and providing high quality information on activities throughout the whole Shire.

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 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" and can be managed by routine procedures.

### **Policy Implications**

Provides for the adoption of an Additional Council Policy.

### **Voting Requirement**

Simple Majority Required

### **Recommendation**

*That Council adopt Policy ELM22 (Elected Member Event Notification Policy) as per Attachment 12.2.*

<b>Author: Maurice Ferialdi</b>	<b>Signature:</b>
<b>Manager: Neil Hartley</b>	<b>Signature:</b>



## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

### 12.3 NOTICE OF MOTION - VIC HAYTON MEMORIAL SWIMMING POOL OPENING HOURS

<b>FILE REFERENCE:</b>	RC52223
<b>AUTHOR'S NAME AND POSITION:</b>	Maurice Ferialdi General Manager
<b>NAME OF APPLICANT/RESPONDENT:</b>	Cr Peter Foster
<b>DATE REPORT WRITTEN:</b>	29 March 2016
<b>DISCLOSURE OF FINANCIAL INTEREST:</b>	The author has no financial interest in the proposal.
<b>PREVIOUS MEETING REFERENCE:</b>	Item 12.1 - Ordinary Meeting of Council 15 March 2016 Item 17.4 - Ordinary Meeting of Council 15 March 2016

#### Summary

At the Ordinary Meeting of Council held on Council 15 March 2016, a report was presented to Council addressing a proposal put forward by the Tom Price Amateur Swimming Club for the purchase and installation of a solar heating system for the Vic Hayton Memorial Swimming Pool. The officer recommendation was lost and at that same meeting Cr Foster tabled the following Notice of Motion:

*Report to Council outlining the full costs of extending the Tom Price Swimming Pool hours for the benefit of the Tom Price Community including the Tom Price Amateur Swimming Club. Options including heating of the pool (funded by the Swim Club) opening pool longer (Swim Club to be consulted for appropriate dates / times) or the Swim Club operate the pool during the cooler months, with proper insurance & training, to reduce costs to the Shire. Greater consultation with the Swim Club and community (including other user groups of the pool) is requested.*

A request for a quote to develop a report that will identify the costs has been obtained and Council is now requested to give direction as to whether or not it wishes to proceed in the commissioning of the report.

#### Background

Cr Foster has lodged a Notice of Motion as follows:

*Report to Council outlining the full costs of extending the Tom Price Swimming Pool hours for the benefit of the Tom Price Community including the Tom Price Amateur Swimming Club. Options including heating of the pool (funded by the Swim Club) opening pool longer (Swim Club to be consulted for appropriate dates / times) or the Swim Club operate the pool during the cooler months, with proper insurance & training, to reduce costs to the Shire. Greater consultation with the Swim Club and community (including other user groups of the pool) is requested.*

To enable more accurate costings than were submitted in the report that was presented to Council at its Ordinary Meeting of Council last month a request was made to HQ

## **AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016**

Management to provide a quote for the preparation of a report that would address the items stated in the Notice of Motion tabled by Cr Foster.

### **Comment**

In order to capture the potential costs associated with the installation of a heating system for the Vic Hayton Memorial Swimming Pool in line with Cr Foster's Notice of Motion, it was considered prudent to establish and present to Council, for its consideration, the initial cost that would be incurred in the preparation of a detailed report to address those issues.

HQ Management, as requested, have submitted a quote, attached, detailing the breakdown of costs associated with the preparation of the requisite report.

The quote has come in at \$21,686; this does not include the additional consultants costs for Structural and Hydrological Engineer reports. It is estimated that these costs would amount to approximately \$7,000, including a site visit, for each consultant. It is therefore estimated that the total cost of the report would be circa \$35,000.

The Tom Price Amateur Swimming Club proposed to raise funds to purchase and install a solar heating system which would enable the pool to remain open for an extended period each year. This initial capital cost does not consider all the tangible costs associated with the extended pool opening times and it is considered that the value of the extended pool times would be of greatest benefit to the Tom Price Amateur Swimming Club.

The HQ Management report will provide insight into the associated costs, both capital and operational. Given that the initial capital costs for the purchase and installation of the solar heating system are proposed to be borne by the Swim Club, through the attainment of funding, it would be beneficial for the Swim Club to have a full understanding of the amount it will need to find and Council will also benefit from a comprehensive report on the operational costs that will accompany the proposal.

The initial Capital costs, if totally funded externally, should not have an impact on Council's budget and as expressed in the report to Council at its last meeting (item 12.1, 15 March 2016) it is the ongoing maintenance and operational costs, which include the provision of additional housing and staffing that will impact future budgets.

Council is being requested to give direction as to whether it should;

- a. Commission the production of a detailed report, at a cost of \$35,000 (utilising funds from the Office of the CEO Consultant/Project Costs Budget – GL 040056) addressing all the capital and ongoing operational costs that would be associated with the purchase and installation of a solar powered pool heating system and extending the swimming season at the Vic Hayton Memorial Swimming Pool.

OR

- b. Seek to partner, on equal financial terms, with the Tom Price Amateur Swimming Club in commissioning the production of a detailed report, at a cost of \$17,500 each, addressing all the capital and ongoing operational costs that would be associated with the purchase and installation of a solar powered pool heating system and extending the swimming season at the Vic Hayton Memorial Swimming Pool. The Shire's portion of the costs to be accessed from the Office of the CEO Consultant/Project Costs Budget – GL 040056.

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As it is considered that the value of the extended pool times would be of greatest benefit to the Tom Price Amateur Swimming Club and the Shire would also benefit by the information provided by the report option (b) is being promoted as the officer recommendation for Council consideration

### **ATTACHMENT 12.3**

#### **Consultation**

Chief Executive Officer  
Executive Team

#### **Statutory Environment**

Code of Practice for the Design, Construction, Operation, Management & Maintenance of Aquatic Facilities  
Health (Swimming Pools) Regulations 2007

#### **Financial Implications**

At this point it is suggested that Council could reasonably seek to share, on an equal basis with the Tom Price Amateur Swimming Club, the costs of commissioning a detailed report addressing the potential Capital and ongoing Operational costs that would be incurred with the purchase and installation of a solar powered pool heating system and extending the swimming season at the Vic Hayton Memorial Swimming Pool. A quote of \$21,686 has been submitted by HQ Management and an additional \$14,000 for specialist engineers has been estimated for the preparation of such a report. The funding for this report could be sourced from the Office of the CEO Consultant/Project Costs Budget – GL 040056.

Council's current Long Term Financial Plan does not consider this project or its ongoing operating costs. The Plan is currently being reviewed and obtaining information regarding the long term implications will be useful.

#### **Strategic Implications**

Shire of Ashburton 10 Year Community Strategic Plan 2012 - 2022  
Goal 1 – Active and Vibrant Communities  
Objective 2 – Active People, Clubs and Associations

#### **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 in commissioning a report from a consultant is considered to be "Low" and can be managed by routine procedures.

#### **Policy Implications**

No policy implications are associated with the commissioning of a report from a consultant.

#### **Voting Requirement**

Simple Majority Required

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### Recommendation

That Council seek to partner, on equal financial terms, with the Tom Price Amateur Swimming Club in commissioning the production of a detailed report, at a cost of \$17,500 each, addressing all the capital and ongoing operational costs that would be associated with the purchase and installation of a solar powered pool heating system and extending the swimming season at the Vic Hayton Memorial Swimming Pool. The Shire's portion of the costs to be accessed from the Office of the CEO Consultant/Project Costs Budget – GL 040056.

<b>Author: Maurice Ferialdi</b>	<b>Signature:</b>
<b>Manager: Neil Hartley</b>	<b>Signature:</b>

### 13. CORPORATE SERVICES REPORTS

#### 13.1 RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS FOR MONTHS OF FEBRUARY AND MARCH 2016

FILE REFERENCE:	FM03
AUTHOR'S NAME AND POSITION:	Frank Ludovico Executive Manager Corporate Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	7 April 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:

##### February 2016

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

##### ATTACHMENT 13.1A

##### March 2016

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

13.1B

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### 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 Monthly Financial Reports for February 2016 **ATTACHMENT 13.1A**; and
2. Notes the Schedule of Accounts and Credit Cards paid in March 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**.

<b>Author:</b> Frank Ludovico	<b>Signature:</b>
<b>Manager:</b> Maurice Ferialdi	<b>Signature:</b>

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

### 13.2 BUDGET AMENDMENT / VARIATION

<b>FILE REFERENCE:</b>	FM14.15.16
<b>AUTHOR'S NAME AND POSITION:</b>	Frank Ludovico Executive Manager Corporate Services
<b>NAME OF APPLICANT/RESPONDENT:</b>	Not Applicable
<b>DATE REPORT WRITTEN:</b>	7 April 2016
<b>DISCLOSURE OF FINANCIAL INTEREST:</b>	The author has no financial interest in the proposal.
<b>PREVIOUS MEETING REFERENCE:</b>	Not Applicable

#### **Summary**

The 2015/2016 budget was officially adopted by Council on 19 August 2015 and throughout the year variations occur. It is the purpose of this report to bring these to the attention of Council.

#### **Background**

The 2015/2016 budget was officially adopted by Council on 19 August 2015 and 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 2015/2016 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 2015/2016 as outlined below be approved.



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<b>1. Cultural Activities (West)</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Original Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
EV72	NAIDOC - Pannawonica	\$10,000	(\$10,000)	0
EV60	General Events	\$92,000	\$10,000	\$102,000
<p>Reason: NAIDOC events in Pannawonica are covered by the RIO partnership agreement. The variation request is being made to enable the funds to be utilised for a community Jazz concert in Pannawonica.</p> <p>This event will be held at the rocks to utilize the stage and seating area and to give the evening a warm feel. The community will be asked to bring their own picnic rug and a share plate of food in the hope that the members of the community will engage with one another. Family events such as this bring a number of positive aspects to the community, by promoting community engagement in an informal and relaxed setting to encourage socialisation whilst developing a sense of community.</p> <p>Note: No adverse impact on the anticipated end of year financial position for the Municipal Account.</p>				
<b>2. Town Planning</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Original Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
106255	Coastal Hazard Risk Management and Adaptation Plan (CHRMAP)	\$0	\$210,000	\$210,000
102913	Grant Income - Town Planning	\$0	(\$210,000)	(\$210,000)
<p>Reason: The Department of Planning administers the Northern Planning Program that provides funds for approved projects. The Shire has an approved budget of \$210,000 from this program to fund the preparation of a Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) for the Onslow coast.</p> <p>Note: No adverse impact on the anticipated end of year financial position for the Municipal Account.</p>				
<b>3. Opening Balance</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Original Balance</b>	<b>Variation Amount</b>	<b>Revised Actual</b>
0620260	Accrued Expenses 2014/15	(\$76,090)	\$184,822	(\$260,912)
Reason: Subsequent to the Budget Review the Auditors felt the \$184,822 refunded for				

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

overcharges for the Nameless Valley and the Onslow Airport Camps (as per ATTACHMENT 19.1B of August 2016 Council meeting), should be recognised in the 2014/15 Annual Financial year as an Accrued Expense even though Council had provided \$205,000 to meet this requirement in the 2015/16 Budget.

Note: The reduced Opening Balances for 2014/2015, affects the 2015/16 Forecast bringing it down from the estimated \$100,520 surplus to a 2016/15 Forecast deficit of \$84,618.

### 4. Vic Hayton Memorial Pool

GL/Job Number	General Ledger Description	Original Budget	Variation Amount	Revised Budget
C1656	Pool Blankets	\$0	\$32,000	\$32,000
114363	Grant Income	(\$30,000)	(\$2,000)	(\$32,000)

Reason: During the Budget Review grant income of \$30,000 was recognised at account 114363 for the purchase of Pool Blankets at the Vic Hayton Memorial Pool. It transpires the grant is actually \$32,000. However the expenditure of \$32,000 was not recognised.

Note: The impact of this amendment is an increase in our Forecast deficit on the anticipated end of year financial position for the Municipal Account.

### 5. Cultural Activities (West)

GL/Job Number	General Ledger Description	Original Budget	Variation Amount	Revised Budget
105005	Salaries & Superannuation (Community West)	\$279,455	(\$60,000)	\$219,455
105025	Special Program - Dept of Sport & Rec - Salaries & Superannuation	\$0	\$60,000	\$60,000
105026	Special Program - Dept of Sport & Rec - Resources	\$0	\$10,000	\$10,000
105027	Special Program - Dept of Sport & Rec - Training	\$0	\$5,000	\$5,000

Reason: Council has been successful in obtaining funding (\$75,000) for a Community Development Officer in Onslow from the Department of Sport & Recreation. The Grant funding was included in the 2015/16 Budget Review (Job code EV184). This Budget amendment separates the program for other activities.

Note: As the Resources and Training components were not included in the 2015/16 Budget review our forecast deficit will increase by \$15,000.

### 6. Foreshore Areas - Onslow

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GL/Job Number	General Ledger Description	Original Budget	Variation Amount	Revised Budget
15094	Removal and Renewal of Fish Offal Tank	\$0	\$16,680	\$16,680
GI025	Grant Income - Beadon Creek Fish Compost Facility	\$0	(\$15,180)	(\$15,180)

Reason: The project was programed in 2015/16 Budget. Advice received through the 2015/16 Budget Review process indicated the project had been completed and so both the income and expenditure was removed. However the project is continuing and almost finalised and the expenditure and income (grant) funds need to be reinstated.

Note: The impact on the anticipated end of year financial position for the Municipal Account will be a further increase in the Forecast Deficit position by \$1,500.

### 7. Town Planning

GL/Job Number	General Ledger Description	Original Budget	Variation Amount	Revised Budget
GE061	Local Planning Strategy	\$0	\$340,000	\$340,000
GI061	Grant Income - Local Planning Strategy	\$0	(\$340,000)	(\$340,000)

Reason: The Department of Planning administer the Northern Planning Program (NPP) that provides funds for approved projects. The Shire has an approved maximum budget of \$340,000 from this program to fund the preparation of a Local Planning Strategy (LPS) which is the forerunner to a full Local Planning Scheme Review. The tenders for the LPS are currently being evaluated and it is expected that the successful candidate will come in under the \$340,000 maximum. A budget variation to nominate the LPS funds is required now however in order to expedite the issue of a contract and receipt of the first invoice as we are required to provide this to the NPP by May 2016 or risk losing all of the funding for the LPS. If the successful bid is over \$250,000 the tender will come to Council for approval in accordance with our delegations.

Note: No adverse impact on the anticipated end of year financial position for the Municipal Account.

### Consultation

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

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### **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

### **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

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### Recommendation

That Council approved the required budget variations to the Current Budget for 2015/2016 as outlined below.

<b>1. Cultural Activities (West)</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Original Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
EV72	NAIDOC Pannawonica -	\$10,000	(\$10,000)	0
EV60	General Events	\$92,000	\$10,000	\$102,000
<b>2. Town Planning</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Original Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
106255	Coastal Hazard Risk Management and Plan Adaptation (CHRMAP)	\$0	\$210,000	\$210,000
102913	Grant Income - Town Planning	\$0	(\$210,000)	(\$210,000)
<b>3. Opening Balance</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Original Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
0620260	Accrued Expenses 2014/15	(\$76,090)	\$184,822	(\$260,912)
<b>4. Vic Hayton Memorial Pool</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Original Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
C1656	Pool Blankets	\$0	\$32,000	\$32,000
114363	Grant Income	(\$30,000)	(\$2,000)	(\$32,000)
<b>5. Cultural Activities (West)</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Original Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
105005	Salaries & Superannuation (Community West)	\$279,455	(\$60,000)	\$219,455

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105025	Special Program - Dept of Sport & Rec - Salaries & Superannuation	\$0	\$60,000	\$60,000
105026	Special Program - Dept of Sport & Rec - Resources	\$0	\$10,000	\$10,000
105027	Special Program - Dept of Sport & Rec - Training	\$0	\$5,000	\$5,000

### 6. Foreshore Areas - Onslow

GL/Job Number	General Ledger Description	Original Budget	Variation Amount	Revised Budget
15094	Removal and Renewal of Fish Offal Tank	\$0	\$16,680	\$16,680
GI025	Grant Income - Beadon Creek Fish Compost Facility	\$0	(\$15,180)	(\$15,180)

### 7. Town Planning

GL/Job Number	General Ledger Description	Original Budget	Variation Amount	Revised Budget
GE061	Local Planning Strategy	\$0	\$340,000	\$340,000
GI061	Grant Income - Local Planning Strategy	\$0	(\$340,000)	(\$340,000)

<b>Author:</b> Frank Ludovico	<b>Signature:</b>
<b>Manager:</b> Maurice Ferialdi	<b>Signature:</b>

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

### 13.3 AUDIT AND RISK COMMITTEE - ADOPTION OF RECOMMENDATIONS

<b>FILE REFERENCE:</b>	FM09.15.16
<b>AUTHOR'S NAME AND POSITION:</b>	Frank Ludovico Executive Manager, Corporate Services
<b>NAME OF APPLICANT/RESPONDENT:</b>	Not Applicable
<b>DATE REPORT WRITTEN:</b>	7 April 2016
<b>DISCLOSURE OF FINANCIAL INTEREST:</b>	The author has a financial interest in the Audit Tender.
<b>PREVIOUS MEETING REFERENCE:</b>	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 (ie rather than waiting for the next Council meeting which is in April 2016).

#### 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 (ie rather than waiting for the next Council which is in April 2016).

#### Comment

The early adoption of the Audit and Risk Committee recommendation will enable the adoption of the Annual Report (See item 13.4) 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

Auditors fees will be incorporated into the Council Annual Budget.

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 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 -

*(Audit and Risk Committee recommendations to be provided at the Council Meeting)*

<b>Author: Frank Ludovico</b>	<b>Signature:</b>
<b>Manager: Maurice Ferialdi</b>	<b>Signature:</b>



## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

### 13.4 2014/2015 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:	8 April 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal
PREVIOUS MEETING REFERENCE:	Not Applicable

#### Summary

The Local Government Act 1995 requires that Council accepts the draft Annual Report for 2014/2015, including the Financial and Auditor's Reports, within two months of the Auditor's Report becoming available. The Auditor's report was received on 1 April 2016.

The Audit and Risk Committee met with the Auditor on the 26 April 2016 and has recommended to Council the adoption of the 2014/2015 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 2014/2015 Financial Report;
- The 2014/2015 Auditor Report;
- Prescribed information in relation to payments made to employees; and
- Any other prescribed information.

The draft Annual Report for 2014/2015 is attached.

**ATTACHMENT 13.4**

## **AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016**

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 Report at this meeting, the latest possible date for the meeting is 21 June 2016.

### **Comment**

The Audit and Risk Committee will meet with the Auditor on 26 April 2016 and may recommended to Council the adoption of the 2014/2015 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 24 May 2016 Ordinary Meeting of Council in Onslow commencing at 4.30 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  
A/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 26 APRIL 2016

### Recommendation

That Council:

1. Accepts the draft Annual Report for 2014/2015 as per ATTACHMENT 13.1 and
2. Holds an Annual General Meeting of Electors at the Onslow Multi-Purpose Centre cnr McGrath Rd and Hooley Ave Onslow commencing at 4.30 pm on Tuesday 24 May 2016.

<b>Author: Frank Ludovico</b>	<b>Signature:</b>
<b>Manager: Maurice Ferialdi</b>	<b>Signature:</b>

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

### 14. DEVELOPMENT AND REGULATORY SERVICES REPORTS

#### 14.1 ENDORSEMENT OF THE BUSH FIRE ADVISORY COMMITTEE MEETING MINUTES, CHANGES TO MEMBERSHIP STRUCTURE AND AMENDMENTS TO THE SHIRE OF ASHBURTON BUSH FIRE POLICY

FILE REFERENCE:	ES02 ES04
AUTHOR'S NAME AND POSITION:	Morgwn Jones Emergency Management Coordinator
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	13 April 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in this matter
PREVIOUS MEETING REFERENCE:	Agenda Item 15.11.24 – Ordinary Meeting of Council 17 November 2010

#### Summary

The Shire of Ashburton Bush Fire Advisory Committee (BFAC) has not had a minuted meeting since 2010. In this time any issues arising have been handled by email or telephone correspondence. On 6 April 2016 a meeting of the BFAC was held.

The recommendation of this report is that Council adopt the recommendations contained within the minutes of this meeting as resolutions of Council.

#### Background

In accordance with Sec 67(1) of the *Bush Fires Act 1954*;

*A local government may at any time appoint such persons as it thinks fit as a bush fire advisory committee for the purpose of advising the local government regarding all matters relating to the preventing, controlling and extinguishing of bush fires, the planning of the layout of fire-breaks in the district, prosecutions for breaches of this Act, the formation of bush fire brigades and the grouping thereof under group brigade officers, the ensuring of cooperation and co-ordination of bush fire brigades in their efforts and activities, and any other matter relating to bush fire control whether of the same kind as, or a different kind from those specified in at subsection.*

The Shire of Ashburton Bush Fire Advisory Committee (BFAC) has not had a minuted meeting since 2010 due to difficulties achieving a quorum.

#### Comment

An outline of discussions held and recommendations made at the recent BFAC Meeting are contained within the attached minutes. Due to the long interval between meetings, the BFAC structure was reviewed at this meeting, where it was agreed to appoint an additional Council representative to the committee. This representative will have the delegation to act as the

## **AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016**

Chair of the BFAC in the absence of the Shire President. This should alleviate issues relating to achieving a quorum and it is the intention to have bi-annual meetings, pre and post fire season moving forward.

The revised committee structure can be seen in Attachment 14.1A. Section 1 of the Shire of Ashburton Bush Fire Policy Attachment 14.1B has been amended to reflect the changes.

### **ATTACHMENT 14.1A ATTACHMENT 14.1B**

The proposed MOU between Pilbara Local Governments and DFES in respect to control of Bush Fires and control of Bush Fire Brigades was also discussed at the meeting with a range of questions and opinions expressed. It is the recommendation of the BFAC that the MOU not be progressed any further until the Tom Price Bush Fire Brigade and pastoralists within the Shire of Ashburton are satisfied they have received adequate consultation. Once this has been achieved, a further agenda item will be presented to Council with a recommendation on whether to sign the MOU and join the DFES bush fire trial. It is anticipated that this report will be presented to Council within the next three months.

#### **Consultation**

Bush Fire Advisory Committee Members  
DFES Superintendent Pilbara John Newman  
DFES Area Officer Pilbara Wayne Cooke

#### **Statutory Environment**

*Sec 67 of the Bush Fires Act 1964*  
*Sec 5.8, 5.10 and 5.25 of the Local Government Act 1995.*

#### **Financial Implications**

There are no financial implications for this matter.

#### **Strategic Implications**

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022  
Goal 4 – Distinctive and Well Serviced Places  
Objective 2 - 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 resources.

#### **Policy Implications**

Amendments to the Shire of Ashburton Bush Fire Policy are required (See Attachment 14.1B).

#### **Voting Requirement**

Simple Majority Required

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### Recommendation

That Council:

1. Council adopts the minutes of the Bush Fire Advisory Committee held on 6 April 2016 as per Attachment 14.1A.
2. Council endorses the Bush Fire Advisory Committee recommendations to the committee structure and appoint Cr Glen Dellar as the second Council representative, and that Cr Glen Dellar be delegated to Chair Bush Fire Advisory Committee meetings in the absence of the Shire President as per Attachment 14.1A.
3. Council endorses Jamie Richardson or his delegate as a member of the Bush Fire Advisory Committee as per Attachment 14.1A.
4. Council endorses CBFCO Morgwn Jones as the Shire of Ashburton representative on the Pilbara District Operations Advisory Committee as per Attachment 14.1A.
5. Council endorses the amendments to the Shire of Ashburton Bush Fire Policy; Section 1 Bush Fire Advisory Committee as per Attachment 14.1B.

<b>Author: Morgwn Jones</b>	<b>Signature:</b>
<b>Manager: Lee Reddell</b>	<b>Signature:</b>

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

### 15. INFRASTRUCTURE SERVICES REPORTS

There were no Infrastructure Services reports for this agenda.

### 16. STRATEGIC AND ECONOMIC DEVELOPMENT REPORTS

#### 16.1 ENDORSEMENT OF PARABURDOO COMMUNITY HUB DESIGN, BUSINESS CASE AND OPERATING COST MODEL

**FILE REFERENCE:** PA.DG.0615

**AUTHOR'S NAME AND POSITION:** Anika Serer  
Executive Manager Strategic and Economic Development

**NAME OF APPLICANT/RESPONDENT:** Not Applicable

**DATE REPORT WRITTEN:** 13 April 2016

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

**PREVIOUS MEETING REFERENCE:** Agenda Item 7.1 – Special Meeting of Council 12 November 2014  
Agenda Item 13.1 (Minute No. 11753) – Ordinary Meeting of Council 19 February 2014  
Agenda Item 13.2 (Minute No. 11727) – Ordinary Meeting of Council 11 December 2013  
Agenda Item 13.3 (Minute No. 11694) – Ordinary Meeting of Council 20 November 2013  
Agenda Item 13.3 (Minute No. 11673) - Ordinary Meeting of Council 16 October 2013  
Agenda Item 13.3 - Ordinary Meeting of Council 18 September 2013  
Agenda Item 13.2 (Minute No. 11611) - Ordinary Meeting of Council 21 August 2013  
Agenda Item 12.3 (Minute No. 11550) – Ordinary Meeting of Council 5 June 2013  
Agenda Item 12.6 (Minute No. 11351) - Ordinary Meeting of Council 21 November 2012  
Agenda Item 15.3 (Minute No. 11294) - Ordinary Meeting of Council 19 September 2012  
Agenda Item 15.1 (Minute No. 11100) - Ordinary Meeting of Council 14 December 2011

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

### Summary

The design and development of a new community and recreation hub in Paraburdoo (CHUB) has been a focus of the Shire since 2011.

A Business Case was endorsed by Council at a Special Meeting held on 12 November 2014, and then presented to Pilbara Development Commission (PDC) seeking funding of \$5 million from Royalties for Regions. The PDC considered the Business Case and advised that several critical issues needed to be addressed to meet the conditions of funding.

The Shire has continued to work closely with Rio Tinto through its partnership; the community; and other stakeholders; to research, draft and review the design and business case for the Paraburdoo CHUB. A Working Group of Councillors and staff have dedicated many hours to considering, negotiating and liaising with various agencies and parties to reach a revised design and business case that is now presented for Council's consideration and endorsement, in order to submit to PDC seeking funding of \$5 million. The current plans were kindly provided by Rio Tinto, and business case prepared by NAJA Consulting.

The major issues to confirm, are (1) that the scope and options provided in the proposal are a 'good fit' for the Paraburdoo community, and (2) that the cost of the proposal and its priority are 'in balance' with the Shire's strategic planning documents.

### Background

The consultation and development of the Paraburdoo CHUB has been a priority project for the Shire since 2011. Significant work has been undertaken to scope and design the facility, including consultation with community and sporting groups, review of existing facilities and stakeholder engagement.

In January 2014 a concept design for the CHUB, estimated to cost \$14.8m, and supporting business case was submitted to PDC seeking funding of \$7 million. The balance of the project cost was proposed to be met by a contribution of \$6 million by Rio Tinto, and \$1.8 million by the Shire (including a \$1.5 million loan).

The concept design provided for a new indoor multi-purpose hall/evacuation area, swimming pool and oval change rooms, first aid, public toilets, spectator viewing area, commercial kitchen, function area, meeting room and administration.

The business case and design were considered by PDC at the Board Meeting held on 13 February 2014. The Board resolved (in part) to:

*"Advise the Shire of Ashburton that whilst the concept of a Paraburdoo Community Hub is supported, it considers the current proposal needs to be reconsidered by a Project Control Group comprising PDC, Rio Tinto, SoA and the Department of Sport and Recreation to review the current proposal with the view of reducing the scale of the building including:*

- Determining the scale of the project in line with population base, scope and location options (e.g. levels of functionality, population/user base considerations, collocated vs separate components, staging options). This should include an investigation of the option to upgrade the current Paraburdoo Hall.*
- Evidence that demonstrates the long term sustainability of the facility including a projected need/demand analysis; life cycle costing considerations including identification in SoA forward budgets; operational management modelling and demonstrated affordability including a sensitivity analysis and risk assessment and management plans.*



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- *Department of Local Government to review and provide advice on the viability of the operational model.*
- *A Rio Tinto commitment to provide funding to support the operations of the facility for up to 10 years.”*

The Paraburdoo CHUB Working Group, consisting of representatives from PDC, Paraburdoo Councillors, Shire officers and Rio Tinto, met several times to discuss the response from the PDC Board and review the scale of the project. Representatives from Department of Sport and Recreation (DSR) also visited Paraburdoo on 23 May 2014 to assess the current sporting facilities and provide feedback to the Working Group.

In August 2014, Rio Tinto offered as part of its commitment to the Partnership with the Shire, to take on responsibility for the design, costing and development of a revised business case for the Paraburdoo CHUB.

Rio Tinto engaged the architectural firm CODA Studio, along with ABV Leisure Consultancy Services and other consultants to develop a revised scope for the Paraburdoo CHUB. The Paraburdoo Councillors and Shire officers were consulted to inform the architect's brief and understand the needs of the community.

The design prepared by CODA involved repurposing existing facilities in Paraburdoo, as well as constructing new facilities to create a vibrant community and recreation precinct. The issues raised by the Pilbara Development Commission at its meeting of 13 February 2014 were considered as part of the new design and business case.

The revised business case was endorsed at the Special Meeting of Council held on 12 November 2014, and subsequently submitted to PDC for consideration at the board meeting held on 11 December 2014. Three options were provided for the project (as required in the business case):

1. Do Nothing (project does not proceed in any shape or form);
2. Full Scope – estimated cost of \$14.396 million;
3. Reduced Scope – remove softball net, refurbishment of Lesser Hall, carpark line work and pedestrian walkways from project – estimated cost of \$13.981 million.

The following feedback (in part) was received in response to the application:

*“The inclusion of key components of the revised concept designs which address some of the issues previously raised by the PDC Board, are supported and represent good value for money i.e. the repurposing of many of the existing spaces in Paraburdoo, particularly the Karingal Neighbourhood Centre will support the creation of a multifunctional, well-connected community hub.*

*The Multi-Purpose Centre component of the proposal does not differ significantly from the February 2014 proposal that was declined for funding by the Commission Board of Management. As per the previous submission, this component does not demonstrate need for a facility of this size and scale and is disproportionately large given the current population and limited potential for future growth. In particular, the need for a full-size indoor basketball court is not substantiated in any of the numerous feasibilities and needs analysis commissioned by the SoA and RTIO over the past few years.*

*The three options presented do not fully address the conditions previously set by the Board. SoA has not fully considered the professional advice provided by the various*

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*consultants engaged by the SoA, the Department of Sport and Recreation and the Commission.*

*Insufficient evidence is provided that demonstrates the long term sustainability of the facility including well-defined operational management modelling and demonstrated affordability; risk assessment and management plans, including identification in SoA forward Budgets.*

*Further consideration is needed re population base and scope (e.g. population/user base considerations, collocated vs separate components, staging options).*

*Provision of documentation that demonstrates a Rio Tinto commitment to provide funding to support the operations of the facility for up to 10 years is not shown.*

*Again and overall the proposal has failed to meet the rigorous Due Diligence criteria in a number of key areas. In particular, further information is required to enable an informed assessment of project viability. The capacity of Shire of Ashburton (SoA) to service the proposed bank loan and substantial additional operating costs needs to be considered in the context of the SoA's long term whole-of-LGA operating budget. This information has not been provided and is critical to complete the Due Diligence Assessment."*

### **Comment**

The Shire has continued to work closely with Rio Tinto through its partnership, the community, and other stakeholders; to review the design and business case for the Paraburdoo CHUB in line with the feedback from PDC. A Working Group of Councillors and staff have dedicated many hours to considering, negotiating and liaising with various agencies and parties to review the design options and needs of the community. NAJA Consulting was engaged to prepare a revised business case that is now presented for Council's consideration and endorsement, in order to submit to PDC seeking funding of \$5 million.

The revised business case addresses the deficiencies outlined by PDC in 2014, in particular the following areas:

1. Demonstrated need for Multi-Purpose Centre and assessment against similar regional towns;
2. Long term sustainability and affordability of the facility addressed;
3. Commitment from Rio Tinto to contribute to the operating cost of the facility for at least five years;
4. Shire's ability to service a loan and additional operating costs evidenced against the Long Term Financial Plan and Asset Renewal Funding ratio;
5. Revision of the three options for the project.

The preferred option in the business case retains the scope and design prepared by CODA Studio for the 2014 case. The facilities to be repurposed or refurbished include:

1. Sports Pavilion - refurbish squash courts; repurpose the balance of the building to accommodate the Neighbourhood Centre;
2. Lesser Hall – refurbished for community & Council meetings;
3. Paraburdoo Saints Football Club Rooms – convert to storage sheds with capacity for trailers.

A new multi-purpose centre will also be constructed to provide a facility servicing the swimming pool, oval, spectator and indoor sports/community needs. The building will include:

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1. Indoor sports & multi-purpose hall/evacuation area (975sqm);
2. Storage (50sqm);
3. Gym (300sqm);
4. Kitchen and sports bar (47sqm);
5. Clubroom (130sqm);
6. Veranda (85sqm);
7. Sports change rooms;
8. Swimming pool change rooms;
9. Umpire room;
10. First aid;
11. Pool and admin office; and
12. Plant room and pool storage

The design was reviewed by Donald Cant Watts Corke (Quantity Surveyor), who has estimated the construction cost at \$14.4 million.

The second option proposed in the Business Case has been revised with the following changes, at an estimated total cost of \$12.996 million:

1. Remove the multi-purpose hall from the scope;
2. Replace with a covered outdoor court facility.

Option Three is 'do nothing' i.e. the project does not proceed.

The information has been used to formulate a revised business case, seeking a contribution of \$5 million from PDC toward the construction cost of the CHUB. Rio Tinto has agreed to contribute up to \$6 million to the budget, and (dependent on final cost) \$3.4 million will be required from the Shire. An allocation of \$2 million has been quarantined in the Infrastructure Reserve and is available for the project. A loan of approximately \$1.5 million will be required to finance the project.

### ATTACHMENT 16.1: BUSINESS CASE

Rio Tinto has also kindly committed to contribute \$500,000 per annum (indexed to CPI) for at least five years, to the operating cost of the facility. As can be seen in the table below, this will result in the 'Whole of Life Cost' to the Shire projected to range from \$nil in the years 2016-2021, to \$734,291 in 2030. Please refer to Section 2.9.4 of the business case for further detail.

	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029	2030
Net Asset Renewal Demand	0	0	3,101	10,442	22,739	39,563	59,681	81,486	103,332	123,760	141,630	156,188	167,067	174,245	177,985
Net Asset Maintenance Demand	13,333	26,667	40,000	53,333	66,667	80,000	93,333	106,667	120,000	133,333	146,667	160,000	173,333	186,667	200,000
Net Asset Operating Impact	356,306	356,306	356,306	356,306	356,306	356,306	356,306	356,306	356,306	356,306	356,306	356,306	356,306	356,306	356,306
Total Cost to the Shire	369,639	382,973	399,407	420,081	445,712	475,869	509,320	544,459	579,638	613,399	644,603	672,494	696,706	717,218	734,291
Difference to Previous Year		13,333	16,434	20,675	25,631	30,157	33,451	35,139	35,180	33,761	31,203	27,892	24,212	20,512	17,073
Rio Tinto Contribution	500,000	500,000	500,000	500,000	500,000										
Total WOL Expenditure / annum	-130,361	-117,027	-100,593	-79,919	-54,288	-6,319	503,001	544,459	579,638	613,399	644,603	672,494	696,706	717,218	734,291

Based on a loan of \$1.5 million, repaid over 10 years at 3.72% interest, the Shire will also have an additional cost of \$181,000 in annual repayments. The current interest rate is 2.97% per annum however a conservative approach has been applied.

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### **Consultation**

Chief Executive Officer  
Paraburdoo Ward Councillors  
Manager Communities and Partnerships – Rio Tinto  
Principal Development Inland – Rio Tinto  
Specialist Town Partnerships Accommodation & Towns Management – Rio Tinto  
NAJA Business Consulting Services  
Pilbara Development Commission  
Department of Sport and Recreation  
Yinhawangka Aboriginal Corporation

### **Statutory Environment**

Section 5.56(1) and (2) of the Local Government Act 1995 requires that each local government is 'to plan for the future of the district', by developing plans in accordance with the regulations.

### **Financial Implications**

A summary of the key financials are-

1. Rio Tinto has committed up to \$6 million toward the scope, design and construction of the Paraburdoo Community Hub ;
2. The proposal seeks a contribution of \$5 million from PDC toward the Paraburdoo Community Hub;
3. Should the funding submission to PDC be successful, the Shire will be required to contribute the balance of the total cost to the project (\$3.4 million – partially supported by an estimated \$1.5 million loan);
4. Rio Tinto has further committed to provide up to \$500,000 per annum (indexed to CPI) for five years toward the operating cost of the Hub;
5. The net cost to the Shire to operate the facility ranges from nil for the first five years, to \$734,291 in 2030, plus any loan commitments. (up to \$181,000 per annum for 10 years).

A perusal of the Shire's current Long Term Financial Plan (currently being reviewed) indicates that this project is affordable but if future revenue streams are restricted or reduced, Council will very likely need to select capital projects presently scheduled for 2016/17 or later years, to defer. That is quite an acceptable strategy when considering the timing and scale of, large infrastructure projects.

One final point that requires highlighting, is that the Minister for Local Government has in more recent times (and did for the Shire of Ashburton with the 2015/16 budget) limit differential rate increases to a level he believed was appropriate. It is not possible to pre-empt the Minister's decision on this matter for the Shire's 2016/17 budget, but if he does restrict the Council to a rate increase below the level required by Council, the only alternatives left to Council will be to lift other revenues (like fees and charges); and/or delete/defer programs/services or capital expenditures to a level that can be accommodated within the Minister's rate increase level.

### **Strategic Implications**

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022:

Goal 01 – Vibrant and Active Communities

Objective 01 – Connected, Caring and Engaged Communities

Objective 02 – Active People, Clubs and Associations

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Goal 02 – Enduring Partnerships

Objective 02 – Enduring Partnerships with Industry and Government

Goal 04 – Distinctive and Well Serviced Places

Objective 01 – Quality Public Infrastructure

Objective 03 – Well Planned Towns

### **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". The high level of risk is being driven by the high financial value of this project. As a high risk matter, the Executive Manager Strategic & Economic Development is monitoring progress.

### **Policy Implications**

Policy ELM10 (Financial Sustainability) outlines that 'no policy or other decisions will be made without considering the long-term financial impact on those decisions'. The cost of the facility to the Shire has consistently grown as the external funding options have declined, however a loan facility will spread the cost of that increase across ten years, and the deferral of 'out year' capital works (if required) will enable the purpose and intent of this policy to be accommodated.

AMP1 – Asset Management Policy

FIN12 – Purchasing and Tender Policy

FIN04 – Buy Local – Regional Price Preference Policy

These policies will be taken into consideration throughout the project.

### **Voting Requirement**

Absolute Majority Required

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

### Recommendation

That Council:

1. Endorses the revised business case, project options and proposed operating budget model presented for the Paraburdoo Community Hub (CHUB), seeking a grant of \$5 million from the Pilbara Development Commission; and
2. Highlights its commitment to the project and to specifically address the State Government's sustainability requirements of the Shire of Ashburton, by –
  - a) Recognising that there will be an increased annual operating cost deficit for the new Paraburdoo CHUB after the five year operating contribution from Rio Tinto has expired, estimated at up \$734,291 per annum by 2030, and committing to the necessary deficit sum being incorporated into future Shire of Ashburton budgets; and
  - b) Recognising that if loan borrowings are required to meet the capital cost of the new Paraburdoo CHUB, Council commits future budgets of the Shire of Ashburton to those consequential repayments (estimated to be in the order of up to \$181,000 for a \$1.5 million loan); and
  - c) Recognising that the Shire's long term financial planning indicates that this project is affordable, but that Council accepts it may need to defer less important capital projects until later financial years if that is financially prudent or necessary to do so.

<b>Author:</b> Anika Serer	<b>Signature:</b>
<b>Manager:</b> Maurice Ferialdi	<b>Signature:</b>

## AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016

### 16.2 ENDORSMENT OF FINAL CONCEPT DESIGN ONSLOW SKATE PARK

<b>FILE REFERENCE:</b>	RC30686
<b>AUTHOR'S NAME AND POSITION:</b>	Sean Ripley Strategic Project Manager
<b>NAME OF APPLICANT/RESPONDENT:</b>	Not Applicable
<b>DATE REPORT WRITTEN:</b>	13 April 2016
<b>DISCLOSURE OF FINANCIAL INTEREST:</b>	The author has no financial interest in the matter.
<b>PREVIOUS MEETING REFERENCE:</b>	Agenda Item 16.1 (Minute 11897) – Ordinary Meeting of Council 15 October 2014 Agenda Item 18.1 (Minute 11870) – Ordinary Meeting of Council 15 October 2014 Agenda Item 16.5 (Minute 11798) – Ordinary Meeting of Council 21 May 2014 Agenda Item 18.3 (Minute 11709) – Ordinary Meeting of Council 20 November 2013 Agenda Item 12.3 (Minute 11348) – Ordinary Meeting of Council 21 November 2012 Agenda Item 14.04.05 – Ordinary Meeting of Council 21 April 2010

#### Summary

At the Ordinary Meeting of Council on 21 November 2012, Council adopted the Onslow BHP Billiton Macedon Social Investment fund. This included funding from the Social Infrastructure fund of \$1 million towards a skate park and recreation area in Onslow.

Community consultation was undertaken in March 2016 to further refine the skate park's design following initial engagement in August 2014. All feedback and information gathered has now been incorporated into the final concept report, 'Onslow Skate Space'.

Council endorsement of this Final Concept design is now requested to enable the progression of the project to Tender.

#### Background

In August 2014 CONVIC was engaged to carry out community consultation in Onslow in order to develop a concept design for a skate facility. Sessions were run at Onslow Primary School with all age groups, at the Bindi Bindi Community, with V Swans, Thalanyji Aboriginal Corporation, and with the broader community and stakeholders at evening events.

The consultations were held to engage with key stakeholders, inform participants about the project, gather user information and discuss user requirements to aid the design of the facility. As part of this process CONVIC also undertook a site selection process with a final site identified at Reserve 30686, Lot 555 Cameron Avenue Onslow. This is the current location of the basketball courts which will be made redundant when a new complex is constructed near the Multi-Purpose Centre.

## **AGENDA - ORDINARY MEETING OF COUNCIL 26 APRIL 2016**

In March 2016 CONVIC undertook further community consultation in Onslow to refine the concept design desired by the community and stakeholders. This also included a detailed review of all information gathered from past consultations to ensure the design would meet CONVIC's criteria for a successful facility.

### **ATTACHMENT 16.2**

#### **Comment**

CONVIC has developed a final concept report for the Onslow Skate Space.

This report merges the 'Onslow Skate Space – Site Selection and Consultation Report' (16.09.14) and ideas provided by the community, into an informed conceptual design.

The report explains the approach and principles utilised to create a comprehensive design response. It outlines the development of the design process and how it responds to Council and community feedback. This builds a project vision and will result in a well informed final concept design.

The design explores opportunities and possibilities for the holistic integration of an active youth recreation precinct with landscape amenity, increased youth activation, supporting infrastructure, circulation and access. It also considers the budget allocation of \$1 million toward the construction of the facility.

Endorsement of the Concept Report is now sought to enable the project to progress to a Request for Design and Construction tender.

#### **Consultation**

Shire President  
Chief Executive Officer  
Executive Manager – Strategic & Economic Development  
Executive Manager – Community Development  
Department of State Development  
BHP Billiton Petroleum Pty Limited  
CONVIC  
Northern Edge Consultants  
Community members of Onslow  
Onslow Police  
Thalanyji Aboriginal Corporation  
Manager Onslow Sports Club  
Onslow Chamber of Commerce and Industry

#### **Statutory Environment**

S3.57 Local Government Act 195 - Tendering for Goods & Services  
Regulation 11 Local Government (Functions and General) Regulations 1996  
FIN12 – Purchasing and Tender Policy  
FIN04 – Buy Local – Regional Price Preference Policy



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### **Financial Implications**

There is \$1 million allocated in the 2015/16 budget for the completion of the Onslow Skate Park project from the BHP Billiton Social Infrastructure fund. The initial consultation process, at a cost of around \$45,000, has been charged to this funding source.

Once the project is complete consideration will need to be made for the maintenance costs of the skate park and this should be included in future budgets (and if possible, will be provided as part of the construction tender consideration/acceptance process).

### **Strategic Implications**

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 01 Vibrant and Active Communities

Objective 01 – Connected, caring and engaged communities

Objective 02 – Active people, clubs and associations

Goal 04 - Distinctive and well serviced places

Objective 01 – Quality public infrastructure

Objective 03 – Well planned towns

### **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 "Medium" risk and will be managed by specific monitoring and response procedures.

### **Policy Implications**

There are no policy implications identified.

### **Voting Requirement**

Simple Majority Required

### **Recommendation**

That Council approves the Final Concept Report and Design of the Onslow Skate Park as per Attachment 16.2, to be developed into a request for tender for design and construction.

<b>Author: Sean Ripley</b>	<b>Signature:</b>
<b>Manager: Anika Serer</b>	<b>Signature:</b>

- 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 26 APRIL 2016**

### **20. NEXT MEETING**

The next Ordinary Meeting of Council will be held on 24 May 2016, at the Onslow Multi-Purpose Centre, Cnr McGrath Rd and Hooley Avenue, Onslow, commencing at 1.00 pm.

### **21. CLOSURE OF MEETING**