



**SHIRE OF ASHBURTON
ORDINARY MEETING OF COUNCIL**

**AGENDA
(PUBLIC DOCUMENT)**

**Mayu Maya Centre, Pannawonica
27 September 2016
1.00 pm**

AGENDA - ORDINARY MEETING OF COUNCIL 27 SEPTEMBER 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 27 September 2016 at Mayu Maya Centre, Pannawonica commencing at 1:00 pm.

The business to be transacted is shown in the Agenda.

Neil Hartley
CHIEF EXECUTIVE OFFICER

DISCLAIMER

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

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1. DECLARATION OF OPENING

1.1 ACKNOWLEDGEMENT OF COUNTRY

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

2. ANNOUNCEMENT OF VISITORS

3. ATTENDANCE

3.1 PRESENT

Cr K White	Shire President, Onslow Ward
Cr L Rumble	Deputy Shire President, Paraburdoo Ward
Cr D Dias	Paraburdoo Ward
Cr L Thomas	Tableland Ward
Cr P Foster	Tom Price Ward
Cr M Gallanagh	Pannawonica Ward
Mr N Hartley	Chief Executive Officer
Mr M Ferialdi	Acting Executive Manager, Development & Regulatory Services
Mr F Ludovico	Executive Manager, Corporate Services
Mrs L O'Reilly	Executive Manager, Community Development
Mr T Davis	Executive Manager, Infrastructure Services
Mrs J Fell	Manager, Economic & Land Development
Ms J Smith	Executive Officer
Mrs D Walkington	Executive Assistant, Community Development

3.2 APOLOGIES

Cr G Dellar	Ashburton Ward
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3.3 APPROVED LEAVE OF ABSENCE

4. QUESTION TIME

4.1 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

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 it **MUST** be

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given when the matter arises in the Agenda, and immediately before the matter is discussed.

6. Ordinarily the disclosing Councillor must leave the meeting room before discussion commences. The **only** exceptions are:
 - 6.1 Where the Councillor discloses the **extent** of the interest, and Council carries a motion under s.5.68(1)(b)(ii) or the Local Government Act; or
 - 6.2 Where the Minister allows the Councillor to participate under s.5.69(3) of the Local Government Act, with or without conditions.

Declarations of Interest provided:

Item Number/ Name	Type of Interest	Nature/Extent of Interest
16.1 EXECUTION OF FUNDING DEAD – PARABURDOO COMMUNITY HUB 2016 - 2022		
Sarah Johnston	Financial/Indirect Financial/Impartiality	The nature of interest being financial, indirect financial and impartiality. The extent of the interest is that Ms Johnston is the acting president of a not for profit organisation that is a proposed tenant of the building, her husband is employed by Rio Tinto and is a shareholder of Rio Tinto (valued at more than \$10,000) and reside in a house rented from Rio Tinto.

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 16 AUGUST 2016**

Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held on 16 August 2016, as previously circulated on 22 August 2016, be confirmed as a true and accurate record.

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10. AGENDA ITEMS ADOPTED "EN BLOC"

10.1 AGENDA ITEMS ADOPTED 'EN BLOC'

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

"Part 5 – Business of a meeting

Clause 5.6 Adoption by exception resolution:

- (1) In this clause 'adoption by exception resolution' means a resolution of the Council that has the effect of adopting, for a number of specifically identified reports, the officer recommendation as the Council resolution.*
- (2) Subject to 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 AUGUST 2016

FILE REFERENCE:	GV04
AUTHOR'S NAME AND POSITION:	Nicky Pratt Administration Assistant
NAME OF APPLICANT/ RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	1 September 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 10.1 (Minute: 11477) - Ordinary Meeting of Council 10 April 2013

Summary

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

Background

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

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

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

Policy Implications

Not Applicable

Voting Requirement

Simple Majority Required

Recommendation

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

Author: Nicky Pratt	Signature:
Manager: Neil Hartley	Signature:

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

FILE REFERENCE:	GV21 IT03 CM02 LP10.7.0
AUTHOR'S NAME AND POSITION:	Janyce Smith Executive Officer Sheree Selton Administration Assistant Planning
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	1 September 2016
DISCLOSURE OF FINANCIAL INTEREST:	The authors have no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

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

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Financial Implications

As outlined in Attachment 11.2.

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 August 2016”.

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

AGENDA - ORDINARY MEETING OF COUNCIL 27 SEPTEMBER 2016

11.3 ABORIGINAL REFERENCE COMMITTEE - 16 AUGUST 2016

FILE REFERENCE:	GV04 GV20
AUTHOR'S NAME AND POSITION:	Neil Hartley Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	30 August 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 11.3 (Minute No. 3) – Ordinary Meeting of Council 19 July 2016 Agenda Item 11.3 (Minute No. 12088) – Ordinary Meeting of Council 21 June 2016 Agenda Item 12.1 (Minute No. 12046) – Ordinary Meeting of Council 19 January 2016 Agenda Item 11.4 (Minute No. 11978) – Ordinary Meeting of Council 15 July 2015 Agenda Item 17.2 (Minute No. 11973) – Notice of Motion - Ordinary Meeting of Council 17 June 2015

Summary

At the Ordinary Meeting of Council held on 19 January 2016 it was resolved to establish an Aboriginal Reference Committee.

The Committee's Minutes of the 16 August 2016 meeting are presented for Council's consideration and it may accept, reject, or modify any committee recommendation.

Background

At the Ordinary Meeting of Council held on 19 January 2016, it was resolved to establish an Aboriginal Reference Committee. The purpose of the Committee is to be a conduit and provide a forum for Aboriginal people and their communities living within the Shire of Ashburton so as to raise issues with the Shire of Ashburton on the Shire's business and affairs that relate to them, and to advise Council on suggested actions the Council should consider to address relevant issues raised with and by the Committee.

The Committee has no delegated powers and its role is to consider issues and make recommendations to Council. The attached Minutes (16 August 2016) of the Committee are presented for Council's consideration.

Comment

At the Committee Meeting held on 16 August 2016 the following agenda item and recommendations were considered. Additional officer comments are provided where appropriate and Council needs to now consider whether it accepts, rejects, or modifies any committee recommendation.

Review of ELM19 - Recognition of Aboriginal Culture and History; and Council Declaration Policy

Committee Recommendation:

Request the CEO progress a modification to ELM19 Recognition of Aboriginal Culture and History; and Council Declaration, to include the following statement on all relevant Shire of Ashburton communications (e.g. website, letterheads, Council agendas, public building signage, etc) -

“The Shire of Ashburton respectfully acknowledges the traditional custodians of this place.”

Officer Comment: After further research the common wording used in “Welcome to Country” is the phrase of “traditional custodians of this land”. It is suggested that the statement be changed to:

“The Shire of Ashburton respectfully acknowledges the traditional custodians of this land.”

Committee Vacancy

When the Committee was established on 19 January 2016, the Councillors appointed to it were Councillors Fernandez, Foster, and Thomas. The Committee Meeting noted the resignation of Cr Fernandez and Cr Foster was subsequently elected as its Chairperson. There is therefore one vacancy which will need to be filled. It is suggested that this occur at the October 2016 Ordinary Meeting of Council, when the two newly elected Tom Price Ward Councillors are in attendance.

Consultation

Chief Executive Officer

Statutory Environment

Part 5 (Administration) Division 2 (Council meetings, committees and their meetings and electors’ meetings) devotes numerous sections to the establishment, type and processes for Committees.

The Shire of Ashburton Standing Orders also addresses such matters as the appointment and management of Committees.

Financial Implications

There will be some financial implications in the form of staff resources and some additional costs relating to printing “set-up/artwork”, but these will be relatively minor and will be accommodated within existing budget allowances.

Strategic Implications

As per the officer reports to the Committee.

Risk Management

No additional risk management implications anticipated to those mentioned within the officer reports to the Committee.

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Policy Implications

As per the officer reports to the Committee.

Voting Requirement

Simple Majority Required

Recommendation

That Council notes the Minutes of the Aboriginal Reference Committee held on 16 August 2016 and resolves that it:

1. Review ELM19 - Recognition of Aboriginal Culture and History; and Council Declaration Policy -

Request the CEO to progress a modification to ELM19 Recognition of Aboriginal Culture and History; and Council Declaration, to include the following statement on all relevant Shire of Ashburton communications (e.g. website, letterheads, Council agendas, public building signage, etc)

"The Shire of Ashburton respectfully acknowledges the traditional custodians of this land."

2. Appointment of Vacancy -

Notes the resignation of Cr Fernandez and asks that a report be presented to the October 2016 Ordinary Meeting of Council (when the two newly elected Tom Price Ward Councillors will be in attendance) to fill that vacancy.

Author: Neil Hartley	Signature:
Manager: Neil Hartley	Signature:

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11.4 CHANGE OF DATE AND VENUE - ORDINARY MEETING OF COUNCIL 25 OCTOBER 2016 & CHANGE OF VENUE - ORDINARY MEETING OF COUNCIL 16 DECEMBER 2016

FILE REFERENCE:	GV04
AUTHOR'S NAME AND POSITION:	Janyce Smith Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not applicable
DATE REPORT WRITTEN:	29 August 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 11.3 (Minute No. 120233) – Ordinary Meeting of Council 18 November 2015

Summary

It is a requirement for Council to adopt a schedule of meeting dates, times and locations for all Ordinary Meetings of Council each year.

At the June 2016 Council Meeting a discussion was held with Councillors regarding upcoming events / openings and the impact they may have on the dates schedule for Council Meetings. It was suggested that an agenda item be prepared for Council's consideration.

The purpose of this report is to propose a change to the schedule for both the Ordinary Meeting of Council to be held on 25 October 2016 and 16 December 2016.

Background

In November 2015 Council adopted the monthly schedule for the Ordinary Meetings of Council for 2016.

25 October 2016 Meeting - Currently the Ordinary Meeting of Council for October 2016 is scheduled to be held on Tuesday 25 October 2016 at the Clem Thompson Sport Pavilion, Stadium Road at Tom Price. During 2016 the Shire of Ashburton has been progressing the construction of the new Onslow Shire Complex (OSC). The OSC is due for completion in October 2016 with an official opening date of Friday 28 October 2016. It is therefore proposed that the Ordinary Meeting of Council be held on Thursday 27 October 2016 at the Onslow Multi-Purpose Centre, Cnr McGrath Road and Hooley Avenue, Onslow. This will give all of the Councillors the opportunity to attend activities currently being planned for the opening celebrations of the OSC.

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16 December 2016 Meeting - The Ordinary Meeting of Council set for 16 December 2016 has been scheduled to be held at the location of the Onslow Multi-Purpose Centre, Cnr McGrath Road and Hooley Avenue, Onslow. With the completion of the OSC (which includes a Council Chamber facility) it is proposed that the location of the Council Meeting scheduled for 16 December 2016 be changed to the Council Chamber, OSC.

Comment

In determining the dates, times, and locations of the Ordinary Meetings of Council, consideration is given to a number of factors including travel and facilitation of workshops / briefing sessions and in this instance the opening event of the new OSC.

It should be noted that even though the building will be completed prior to the intended meeting date of Thursday 27 October 2016 it is not suggested that the October meeting be held at the OSC as a number of activities will be underway in preparation for the opening activities to be held the following day.

Consultation

Councillors
Chief Executive Officer

Statutory Environment

Local Government Act 1995, Section 5.3 requires Council to hold an Ordinary Meeting not more than three months apart.

Financial Implications

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

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022
Goal 05 – Inspiring Governance
Objective 03 – Council Leadership

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

Council Policy ELM01 – Council and other meetings
Council Policy ELM09 – Elected Member Information Forums

Voting Requirement

Simple Majority Required

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Recommendation

That Council endorse the following meeting date/location changes:

1. The Ordinary Meeting of Council to be held on Tuesday 25 October 2016 (Tom Price), to be rescheduled to Thursday 27 October 2016 at the Onslow Multi-purpose Centre, Cnr McGrath Road and Hooley Avenue, Onslow;
2. The location of the Ordinary Meeting of Council to be held on Friday 16 December 2016 to be held on the same date, but at the Council Chambers, Onslow Shire Complex, Second Avenue, Onslow; and
3. The necessary public advertising occur.

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

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11.5 NOTICE OF MOTION - PROPOSAL FOR 'RV FRIENDLY TOWN' STATUS

FILE REFERENCE:	ED01.01
AUTHOR'S NAME AND POSITION:	Kylie Hartley Manager Communication and Tourism
NAME OF APPLICANT/RESPONDENT:	Cr Peter Foster
DATE REPORT WRITTEN:	26 August 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

At the Ordinary Council Meeting held on 16 August 2016, Cr Peter Foster tabled the following Notice of Motion in regard to the formulation of RV Friendly Towns:

“Request a report to Council on how Shire of Ashburton towns can become “RV Friendly Towns” to encourage further tourism and associated benefits to our towns. RV Friendly Towns scheme is an initiative of the Campervan and Motorhome Club of Australia and is a helpful way for caravans’ and campers to help identify friendly towns for stop overs. Further information can be found at <https://www.cmca.net.au/>.”

Studies on becoming RV Friendly have been undertaken by the Pilbara Regional Council and some funds (\$25,000) have been included in the 2016/17 budget to progress the installation of some of the services required to meet that standard. The successful classification of becoming an RV Friendly district may though, require the cooperation of third parties.

Background

At the Ordinary Council Meeting held on 16 August 2016, Cr Peter Foster tabled the following Notice of Motion in regard to the formulation of RV Friendly Towns:

“Request a report to Council on how Shire of Ashburton towns can become “RV Friendly Towns” to encourage further tourism and associated benefits to our towns. RV Friendly Towns scheme is an initiative of the Campervan and Motorhome Club of Australia and is a helpful way for caravans’ and campers to help identify friendly towns for stop overs. Further information can be found at <https://www.cmca.net.au/>.”

A copy of the criteria for being RV Friendly is provided at **ATTACHMENT 11.5A**. The *RV Friendly* status conditions and the assessment for those that wish to pursue it, are undertaken by the same body, the Campervan & Motorhome Club of Australia Limited (CMCA).

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The Shire has been working with the Pilbara Regional Council on a “*regional RV Friendly*” program for a year or so and attached is a copy of the (January 2016) Pilbara Regional Council’s (PRC’s) *RV Friendly* Report. This PRC report was limited to assessing one town per Pilbara local government. Attached also is its further assessment (May 2016) specifically relevant to the Shire of Ashburton in regard to potentially being *RV Friendly*.

ATTACHMENT 11.5B
ATTACHMENT 11.5C

Comment

The January (sample) report provided by PRC was for one town per Pilbara local Government (in this case that was Tom Price). PRC has since at the Shire’s request, provided some additional information (see table below) in regard to other towns in Ashburton but these “scores” need to be verified. The Shire’s 2016/17 Budget includes a provision of \$25,000 towards upgrading facilities within the Shire of Ashburton to be *RV Friendly*, but a separate assessment is required to confirm that the expense of any additional services provided in some or each of the Shire’s other three towns is justified.

		Tom Price	Onslow	Paraburdoo	Pannawonica
Essential Criteria	1. Provision of appropriate long vehicle parking in town centre	*	✓	✓	✓
	2. Provision of short term, low cost parking (camping) for self contained vehicles	*	*	*	*
	3. Access to potable water	✓	✓	*	*
	4. Access to dump point	✓	✓	*	*
Desirable Criteria	5. Provision of long term camping for RVs	✓	✓	*	*
	6. Access to medical facilities and/or emergency services	✓	✓	✓	✓
	7. Access to a pharmacy or ways to obtain pharmaceutical products	✓	✓	✓	*
	8. Visitor Centre with appropriate parking and map with essential features	✓	✓	*	*

Some of the standards required to become *RV Friendly* need to be achieved as a partnership with third party commercial providers (like the Tom Price Tourist Park agreeing to offer “short term, low cost parking for self contained vehicles” – which is defined as being \$10.00 or less per night). That said, recent contact with some commercial providers has not always met with “enthusiasm” to provide that low cost (\$10/night) overnight RV parking price schedule. This low cost criteria may not be able to be met at any of our towns.

Notwithstanding, it would seem to be an ideal goal for the Shire of Ashburton to work towards securing *RV Friendly* status for each town if that is feasible and warranted. Assessments and costings to do so have not been undertaken as yet, but as future budget provisions become available, more can be done in this area, with the potential best case scenario being that all of the four towns within the Shire of Ashburton might become individually recognised as being *RV Friendly*.

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Consultation

Chief Executive Officer
Pilbara Regional Council

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 Shire's 2016/17 Budget includes a provision of \$25,000 towards upgrading facilities within the Shire of Ashburton to securing *RV Friendly* status. Firm prices for securing the various components of being *RV Friendly* at all of our towns has not been undertaken and whilst some components (like a potable water supply tap) will be relatively inexpensive, others (like the provision of free dump points) will be quite expensive to install and maintain.

Strategic Implications

Shire of Ashburton 10 Community Strategic Plan 2012 – 2022
Goal 2 Economic Prosperity
Objective 3 Well Managed Tourism

The Corporate Business Plan includes an Economic Strength and Development section, which includes Tourism Development as one of the initiatives. There is no particular mention of *RV Friendly* status in that document, but it would naturally fit in the general area as a positive initiative.

Risk Management

This item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk of not adopting the position of the Shire becoming *RV Friendly* is considered to be "Low to Medium" however as time progresses and the travelling public's expectations rise, that risk could increase. This risk is considered to be manageable by routine procedures and monitoring by the CEO.

Policy Implications

No policy implications are considered relevant, although there will be a requirement for normal compliances to prevail if any development is eventually required in order to meet an *RV Friendly* criteria (e.g. a caravan park modification of some kind).

Voting Requirement

Simple Majority Required

Recommendation

That Council continue to pursue the achievable essential criteria of being an *RV Friendly* district, as budget funding permits.

Author: Kylie Hartley	Signature:
Manager: Neil Hartley	Signature:

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11.6 SHIRE OF ASHBURTON ENTERPRISE AGREEMENT 2016

FILE REFERENCE:	PE03
AUTHOR'S NAME AND POSITION:	Kim Parks Manager Organisational Development Neil Hartley Chief Executive Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	14 September 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the matter
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The Shire's 2011 Collective Agreement nominally expired on 2 October 2015. Council has previously been briefed regarding staff turnover and endorsed changes to improve retention. A process of research gathering and information provision has occurred over the last twelve months and negotiations for the new Agreement have proceeded in a manner that retained or increased harmony within the Shire's workforce. A draft new Enterprise Agreement which addresses the shortcomings of the 2011 Agreement in principle has been reached including improvements to allow the organisation more flexibility regarding attraction and retention strategies.

The key changes from a financial perspective are:

- a) increased allowances to reflect the last five years of inflation; and
- b) a change in annual salary indexation from CPI with a 2.5% "safety net" minimum, to Wage Price Index (WPI) without any minimum safety net.

The CEO is seeking support from Council to proceed to employee-ballot with the above package. While the employment of staff falls under the responsibility of the CEO, rather than Council, salaries and wages form a significant part of the operating budget, which Council approves. Council is therefore requested to consider the potential financial impact of the proposed Enterprise Agreement 2016.

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Background

The Shire's 2011 Collective Agreement nominally expired on 2 October 2015. While the Agreement continues to remain in effect after its nominal expiry (until either party formally withdraws from it) it does not contain provision for any further inflationary payment increases. Further, whilst the salaries/wages were indexed against inflation for the years prior to its expiry, most allowances were not and have therefore been eroded by at least 5 years of inflation.

Council has previously been briefed regarding staff turnover and endorsed changes to improve retention. Like all old agreements, the Shire's Collective Agreement 2011 requires some improvements to wording/interpretation/clarity as well as changes to accommodate contemporary practices, like Remote and Split-Location Employees, etc.

A process of research gathering and information provision has occurred over the last twelve months and includes:

- Research conducted on current "best practice" conditions of employment including comparisons to other local governments to ensure equity and a competitive employee value proposition (for staff attraction and retention);
- Small group meetings and information provided to staff;
- Negotiation meetings with appointed employee representatives;
- Review of draft agreement by Executive Managers; and
- Reviewed by West Australian Local Government Authority (WALGA).

Negotiations for the new Agreement formally commenced on 16 February 2016 via open group meetings/information sessions. Agreement was quickly and harmoniously reached in all areas except that employees felt the Consumer Price Index (CPI) does not adequately reflect wage-price increases of other organisations. The CEO agreed to replace CPI indexation with Wage Price Indexation (WPI) provided the Employees surrendered the existing 2.5% minimum safety net.

A new draft Enterprise Agreement which addresses the shortcomings of the 2011 Agreement for both parties has been agreed to in principle with some improvements to allow the organisation more flexibility regarding attraction and retention strategies.

The key changes from a financial perspective are:

Item/ Condition	SOA Collective Agreement 2011	Draft SOA Enterprise Agreement 2016
Annual Inflationary salary/wage increase	2.5% or Consumer Price Index, (all groups Perth category) whichever is greater	Wage Price Index (WA Public Sector group) with no "safety net"
Indexation for all allowances	NIL	All allowances will be indexed to Govt Dept (eg. ATO) guidelines, or otherwise to the same indexation used for annual pay increase with an FBT Ceiling/threshold cap (i.e. whichever is the lesser)
Ashburton Allowance	\$3,000pa for all staff completing more than 12months' of service (pro-rata for non-F/T employees)	\$4,000pa on anniversary for all residential staff (i.e. excludes remote worker and FIFO/Split Location employees who work less than 50% of the time on site in the Shire) (pro-rata for non-F/T employees)
A/L Travel Allowance	\$750pa for all staff completing more than 12months' of service (pro-rata for non-F/T employees)	\$900pa on anniversary for all residential staff (i.e. excludes remote worker and FIFO/Split Location employees (pro-rata for non-F/T employees)

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Health & Wellbeing Allowance	\$200pa for all staff (pro rata for P/Ters)	\$250pa for all staff (pro rata for P/Ters)
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While section 5.36 of the Local Government Act 1995 provides that the employment of employees (other than the CEO and senior employees) is the CEO's responsibility, it is the Council which approves the annual budget that the CEO uses to remunerate the Shire's employees.

The CEO and Manager Organisational Development (MOD) presented a summary of the proposed Shire Enterprise Agreement to Council at its 19 July 2016 and 16 August Workshops. That Presentation is attached, as is a copy of the draft Enterprise Agreement 2016 and further information regarding the two types of indexation that consumed the majority of discussion during the workshops (i.e. Consumer Price Index and Wage Price Index).

From the July and August Council Workshops, general consensus was achieved with the exception of the annual pay inflationary increase indexation. That is:

- 2.5% or CPI (whichever is the greater); or
- Straight WPI.

ATTACHMENT 11.6A
ATTACHMENT 11.6B
ATTACHMENT 11.6C
ATTACHMENT 11.6D
ATTACHMENT 11.6E
ATTACHMENT 11.6F
ATTACHMENT 11.6G

Comment

The package...

As Council will see from the attachments, CPI for the 12 months to March 2016 (all groups Perth) was only 0.7 percent, while WPI for the same period (public sector subgroup) was 3.4 percent. The table under the "financial implications" heading summarises what this would mean in either scenario of the previous indexation method (i.e. CPI or 2.5% - whichever is greater) or with straight WPI for the 2016/17 budget.

As the attachments show, the two index trends can behave quite differently, and also within themselves between subgroups. However the theory is that, in the longer term, both represent an approximately equivalent inflationary measure. The reason employees prefer WPI in the long term is because this brings them closer to the wage fluctuations of other members of their community, providing them with a better sense of equity. The 0.9 percent difference in the 2016/17 year is somewhat unfortunate in its timing, however this should be considered in the context of the employees relinquishing the previous 2.5% "safety net". That is, while no one can see into the future, statistically it is reasonable to assume that eventually WPI may fall as low as recent CPI figures (i.e. less than one percent), and the Shire will no doubt benefit from the relatively long term unsustainable practice of providing a safety net, while still ensuring that employee wages remain relatively consistent with other employers in the WA government sector.

In short, there is a theoretical "happy medium" between maintaining a positive culture and remaining financially sustainable and there is agreement between the CEO and his staff that the recommendation as outlined in this report would seem to achieve that state.

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The way forward...

If Council supports the budget provision for the draft Agreement as recommended in this report, it will proceed to a staff ballot, and if supported by a majority of voters, it will be registered with the Fair Work Commission (FWC), subject to compliance with the *Better Off Overall Test (BOOT)*, which is conducted by FWC.

If Council does not support the draft Agreement as recommended in this report, the CEO will need to return to the negotiation table with employees, which further delays an already slightly overdue 2016 increase and therefore potentially negatively influences the current harmonious relationship between the CEO and staff.

If the Agreement is not supported by a majority of voters at ballot, the CEO will need to return to the negotiation table to arrive at an alternative Agreement, however given there appears to be a majority of support for the in-principle Agreement, that would seem highly improbable.

Consultation

Chief Executive Officer
Executive Management Team
WALGA
Shire of Ashburton Staff

Statutory Environment

- Sections 2.7 and 5.0 of the Local Government Act 1995, relating to the general functions provisions, as well as section 5.36 which specifically refers to the appointment of local government employees.
- Fair Work Act 2009

Financial Implications

The following differences have been provided for in the 2016/17 operational budget:

Item/Condition	Difference
Annual Inflationary salary/wage increase (2.5% vs 3.4%)	\$126,721
Ashburton Allowance (\$3,000 vs \$4,000)	\$140,251
A/L Travel Allowance (\$750 vs \$900)	\$9,871
Health & Wellbeing Allowance (\$200 vs \$250)	\$1,777

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022
Goal 5 – Inspiring Governance
Objective 5.4 – Exemplary Team and Work Environment

Risk Management

Adoption of this recommendation 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 if the recommendation is not adopted, due to the potential decrease in staff morale (and the indirect consequences of that eg. higher staff turnover & corporate knowledge loss). However, if the recommendation is adopted, the risk potentially reduces to (very) Low if the current mood and

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harmony between the CEO and staff following the in-principle agreement to the recommendation is used as a measure of sorts.

Policy Implications

There are no policy implications for this matter.

Voting Requirement

Simple Majority Required

Recommendation

That Council supports the CEO in reaching agreement with staff based on the package outlined in the attached report (ATTACHMENT 11.6G), including Wage Price Indexation for annual inflationary increases.

Author: Kim Parks	Signature:
Manager: Neil Hartley	Signature:

12. COMMUNITY DEVELOPMENT REPORTS

12.1 NOTICE OF MOTION – ANNUAL TOWNSITE RESIDENTIAL GARDEN COMPETITION

FILE REFERENCE:	CR01
AUTHOR'S NAME AND POSITION:	Lynnette O'Reilly Executive Manager Community Development
NAME OF APPLICANT/RESPONDENT:	Cr Lorraine Thomas
DATE REPORT WRITTEN:	9 September 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

Cr Thomas has lodged a Notice of Motion.

Annual Townsite Residential Garden Competition for Tom Price, Paraburdoo, Pannawonica and Onslow, to be announced now for the judging to be completed within one month of September 2016. Suggested awards to consist of plants suitable for planting within the Shire of Ashburton. Staff to provide organisation assistance, costing and procedures.

Although it is too late for a 2016 townsite residential garden competition, consideration could be given to a 2017 garden competition by providing funding through the Council Policy REC08, (Community Donations, Grants and Funding), for a townsite residential garden competition to be developed and run by interested community groups.

Background

At the August 2016 Council meeting Cr Thomas placed a Notice of Motion with regards to the instigation of a townsite residential garden competition. Investigation has indicated there has been no formal garden competition held since 2005 and records are not available as to the format and the areas covered by the competition. There is no formal policy in place to cover such a competition.

Comment

Many Shires do facilitate and assist with the coordination of garden competitions. It is thought to be too late however for the consideration for any garden competition in 2016 as appropriate planning by an organising committee would need to have considerable lead times to plan for the type of awards and scope of awards to enable and encourage participants to prepare.

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Other local government garden competitions have included categories such:
Best residential garden

Best business/industrial garden
Best government garden
Best vegetable garden
Best kept verge
Best water wise/sustainable garden
Best native garden

For 2016 the timing to plan and judge a garden competition is not suitable as it is too late in the season. However, a garden competition could be planned for and established for the 2017 year.

Garden competitions across four towns would take up considerable resources and cost to develop, especially in the early stages when gauging the level of community interest in such a competition.

The Community Grants could be used as a way for Council to encourage community interest in a garden competition across all four towns by offering up to \$2500 per town in the 2016/17 second round Community Grants specifically for a Townsite Garden Competition. This would enable applications from incorporated community organisation that were interested in developing and implementing a garden competition for their individual town.

Consultation

Paraburdoo Ward Councillor
Chief Executive Officer
Executive Manager Community Development
Executive Assistant Community Development

Statutory Environment

There are no statutory impediments

Financial Implications

If a grant was offered to support each town under a Community Grant there would be no financial implication. If it was required that Shire staff were to take full responsibility for the four competitions, additional resources would need to be considered in the 2017/18 budget.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022
Goal 01 – Vibrant and Active Communities
Objective 02 – 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 is considered to be "low" risk and can be managed by routine procedures, and is unlikely to need specific application of resources.

Policy Implications

REC08 Community Donations, Grants and Funding.

Voting Requirement

Simple Majority Required

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Recommendation

That Council:

1. Utilise its existing REC08 Policy (Community Donations, Sponsorship and Funding) to provide up to one grant per town (Onslow, Tom Price, Paraburdoo, and Pannawonica) of up to \$2500 per grant to be used specifically for a Townsite Garden Competition to be judged in September 2017.
2. The availability of this funding be locally advertised to encourage community group activation.

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

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12.2 NOTICE OF MOTION – SHIRE TOWNSITE AND COMMUNITIES TREE PLANTING PROGRAMME

FILE REFERENCE:	GV20
AUTHOR'S NAME AND POSITION:	Lynnette O'Reilly Executive Manager Community Development
NAME OF APPLICANT/RESPONDENT:	Cr Lorraine Thomas
DATE REPORT WRITTEN:	9 September 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

Cr Thomas - Planting of Trees – Shire Town site / Communities tree planting programme over a 3 year programme. Staff to propose planting areas. No. (Number) trees sought. Costs of plants, planting projects, community club activity. School projects. Purchase of plants locally. Purchase of fertiliser locally.

Background

A notice of motion from Cr Thomas was made at the August 2016 meeting for the Shire to investigate a planned approach to tree and planting programmes across the Shire. The scope of the plan to include opportunities for community and club projects with a focus on local purchasing of plants and fertiliser.

Council policy ELM21 Tree Management Overview is a policy to promote the prior consultation with stakeholders with regards to the management of trees to ensure appropriate benefits to the community. This is to take into account safety, infrastructure protection, appropriate selection of trees and appropriate consultation. However, there is no overall planning policy or document with regards to town site and community tree planting programmes.

Comment

Current tree planting programmes:

An investigation of the planning and preparation currently occurring across the 3 towns of Paraburdoo, Tom Price and Onslow indicate varying levels of planning. All towns have some planning to replace trees that have been damaged due to storm, age and white ant damage. Consideration is given to the type of tree/plant and suitability to the climate and location. For example water wise trees and smaller trees in locations subject to severe cyclones.

A critical issue for trees and other plantings is the consideration of water and irrigation systems and access of other services. Additionally, consideration is given to the type of plants

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native to or suitable for the harsh environments specific to each of the 3 towns. In the early stages of planting hand watering is required to ensure survival of plants.

Through the capital works programme and where new infrastructure is provided such as skate parks and buildings a planned approach to gardens/tree planting occurs through the planning, development and implementation of the project. Both infrastructure and facilities manage tree planting and gardens. For example new trees have been planned for the Skate Park in Tom Price and new plants and trees were recently planted at Paraburdoo.

Plans are in place to replace trees in Tom Price including:

- Cassia Street to Cedar Street verge - Four mature trees are required to replace trees that were damaged / removed due to storms and old age.
- Tamarind Street to Oleander Street verge - Four mature trees are required to replace trees that were damaged / removed due to storms and old age.
- Tjiluna Oval - Four mature trees are required to replace trees that were damaged due to white ant and storm damage.
- Doradeen Road Footpath Trees - Six trees are required to replace trees that have died due to the tough conditions in the Pilbara. Recommendation is to replace these with trees more appropriate for the conditions.

Onslow

With the Tree planting in and around town the approach taken is using the right species planted in the right areas. It is suggested the new ring road could have some poinsettias and eucalyptus species planted along the verges to fit in with the new Barrarda estate plantings. As there is no water access on the ring road this would mean hand watering until trees were established unless a meter was installed on both sides of the ring road. This would allow automatic watering.

Costs for purchase and planting trees

Generally when purchasing trees and plants, Council's FIN12 Procurement Policy and FIN04 Buy Local Price Preference Policy are utilised to ensure equal opportunity to local suppliers, efficient and effective purchasing practices in addition to providing value for money. Quotes are sourced from both local suppliers as well as suppliers from Perth and even Darwin in order to supply climate appropriate plants.

As an example, cost per mature tree in a 90ltr – 100ltr pot to purchase from Perth is approximately \$200.00 and planting cost per tree is approximately \$500.00 which includes vacuum excavation of the holes plus planting, watering in and securing the tree. Irrigation drip lines supply to any new plantings is a major consideration as well. Existing irrigation sprinkler systems in most cases cannot be utilised as this would impact on the pressures required to run the sprinklers. Therefore alternatives such as mains supply might be required with the costs involved in setting up such a system.

With the planting of any trees within the Shire, location maps of in ground services such as power, water, sewerage, telecommunications, stormwater and existing irrigation is a requirement when determining the best location for future tree plantings.

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Community participation

There are a range of opportunities for community participation including Tidy Towns which is open to any of the towns. The focus of Tidy Towns is around community, shire and business areas rather than individual gardens.

Onslow's Community Garden provides an opportunity for the community to be involved in maintaining and developing the garden. Onslow school children are involved in the Kid's Kitchen Garden which is a successful programme.

Other opportunities may be developed for future School Holiday Programs, however, these are contingent on weather and time of the year as well as interest by participants. Any school programmes need to be negotiated with the schools to ensure all projects meet funding and school programme objectives.

A project was planned in the 2016/17 Clubs and Community Capacity work plans for Paraburdoo, focussing on the National Tree Day Planting Day in late August 2016. The project primarily focussed on involving the community in a planned planting out of the road verge area adjacent to the front of the Hospital. The project faced some obstacles in the planning stages regarding the locations of underground services and associated planning permissions which were obtained. In the 2016/17 facilities budget \$10,000 was budgeted for the beautification of the same area with planting of more mature trees and established plants versus smaller stock. Therefore there are still funds assigned to National Tree Day Planting available for a similar project if required in the town site.

It appears that current planned planting programs under the general town maintenance program and budget are working satisfactorily, however, could be improved with a more planned approach to plantings across each individual town. A three year plan could be developed to identify specific locations and types of plantings required.

Where there is community interest in tree planting programs and tidy towns, community participation is dependent on community interest. Community and school groups could be supported through the use of community grants for use in planting areas identified as part of greater community involvement.

Consultation

Executive Manager Community Development
Executive Manager Infrastructure Services
Executive Assistant Community Development
Town Maintenance Supervisors

Statutory Environment

There are no statutory implications.

Financial Implications

Existing practices are accommodated with Council's 2016/17 Budget.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022
Goal 01 – Vibrant and Active Communities
Objective 02 – Active People, Clubs and Associations

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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 were no policy implications identified.

Voting Requirement

Simple Majority Required

Recommendation

That Council:

1. Requests the Shire to develop a three year Tree Planting plan for the Shire including proposed planting areas, types of suitable trees and number required and estimate of associated budget.
2. Continues to support community programs around tree planting such as National Tree Planting Day by providing financial support to community groups through the Community Support Grants (REC08 Community Donations, Sponsorship and Funding).
3. Note that supplies of trees and fertiliser be in accordance with procurement policy FIN12 and FIN04

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

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12.3 APPLICATION ACCEPTANCE OF COMMUNITY SUPPORT GRANT ALLOCATIONS - ROUND 1, 2016/17 ANNUAL FINANCIAL YEAR

FILE REFERENCE:	GS01
AUTHOR'S NAME AND POSITION:	Lynnette O'Reilly Executive Manager Community Development
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	1 September 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 12.1 (Minute No 12103) - Ordinary Meeting of Council 21 June 2016

Summary

Thirty two applications were received for funding in response to the Shire's promotion and invitation for applications under REC08 Policy (Community Donations, Grants and Funding). The submissions were specifically for Community Support and Community Lease/Licence grants with applications closed on the 31st August 2016.

These grants are provided to assist groups with in-kind and financial assistance to deliver high quality programs, community events and services and to support lease compliance for community groups. The recommendations from the review panel will be presented to Council for consideration.

Background

There are two funding rounds each year, one opening in July closing August and one opening in February closing March. At the close of applications on 31 August 2016 thirty one Community Support Grant applications were received, one Aboriginal grant application, two signature event applications and no Community Lease/Licence funding applications.

The Community Support Grant funding and Community Lease/Licence funding were promoted directly to clubs and groups via email and the Shire of Ashburton website. Recent changes to REC08 have enabled unincorporated emergency services and Aboriginal organisations to be able to apply for Community Grant funding along with incorporated community and sporting groups.

Grant applications were received for four Signature Events including Onslow Rodeo, Pannawonica Gala, Red Dirt Rocks and the Robe River Rodeo. Pannawonica Gala and the Robe River Rodeo applications were approved and have already received their funding for the Signature Events as per funding from the approved budget. Approval is still required for the Onslow Rodeo and Red Dirt Rocks.

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Comment

Thirty two groups applied for grants in Round 1 of the Community Support Grants 2016/17 annual financial year. One non-compliant application was received from Fortescue Old Bustards Masters Cricket Team and it was referred to the Small Assistance Donations as it is not an incorporated body therefore not eligible for a Community Support Grant.

The Onslow Rodeo Association submitted two applications, one being for Signature Event funding and a second application for a Community Support Grant. As per REC08:

Community Donations, Grants and Funding:

3. Signature Events:

k. Groups identified as a signature event and approved for funding are not eligible to apply for any other funding under this policy except for Community Lease/Licence Funding if applicable and are ineligible to receive a Community Support Grant.

In line with REC08 policy, as the Onslow Rodeo Association has been approved for a signature event it is ineligible for a Community Support Grant.

The Shire of Ashburton submitted an application under the Aboriginal funding category.

The following table summarises the applications received for each category of grant funding.

Name of Organisation	Event/Project	Cash \$	In-Kind \$	Total \$	Budget Code
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SIGNATURE EVENTS – FUNDS ALREADY PAID TO GROUPS AS APPROVED BY COUNCIL

Pannawonica Association Gala	Pannawonica Gala	5000.00	0.00	5,000.00	113182
Robe River Rodeo Association	Robe River Rodeo	10,000.00	0.00	10,000.00	EV80

SIGNATURE EVENTS – RECOMMENDATIONS FOR PAYMENT

Onslow Rodeo Association	Onslow Rodeo	10000.00	0.00	10,000.00	EV75
Red Dirt Rocks Paraburdoo	Paraburdoo Grande Ball	3853.00	1147	5,000.00	EV22

ABORIGINAL COMMUNITIES

Shire of Ashburton - . Emergency Services levy Bindi Bindi Community Onslow and refuse Collection charges	ESL total outstanding is about \$18,600 (outstanding since 2009/2010 and the Shire has incurred penalty interest of \$5,300 for not paying it) this averages about \$1,900 per year.	18,600.00	0.00	18,600.00	
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COMMUNITY SUPPORT GRANTS – GENERAL ROUND 1

Name of Organisation	Event/Project	Cash \$	In-Kind \$	Total \$
ONSLow				
Onslow Tourism & Progress Assoc.	To repair the veranda at St Nicolas Church.	2,272.73	0.00	2,272.73
V Swans	To help with the cost of establishing and setting up a Toy Library in Onslow	2,500.00	0.00	2,500.00
Onslow Sports Club	Purchase of 100 seats to be used in the outdoor area.	2,500.00	0.00	2,500.00
Onslow Volunteer Marine Rescue Service	To purchase satellite phone and handheld units.	2,500.00	0.00	2,500.00
St John Ambulance Onslow Sub Centre	Purchase of trestle tables, Chairs, Marquee, Icebox to assistance in the various community activities and functions	2,456.91	0.00	2,456.91
PANNAWONICA				
Pannawonica Primary School	Early childhood Social Emotional Project	2,500.00	0.00	2,500.00
Panna Golf Club	Club house improvements to increase security and members safety	2500.00	0.00	2,500.00
Pannawonica Junior Sports	Enable members of the Pannawonica Junior Sports to attend a sports camp to be held at Coral Bay in early 2017	2,500.00	0.00	2,500.00
Northern Swimming Association Pilbara Region 6 WASA	Enable the Association to hold 10 inter-club meets across the 2016/17 season in the Pilbara area.	2,500.00	0.00	2,500.00
Pannawonica Playgroup Inc.	To assist in the replacement of current toys	2,500.00	0.00	2,500.00
PARABURDOO				
Paraburdoo Amateur Swim Club	To bring a qualified swim instructor to Paraburdoo to run and maintain coaching accreditation standards	2,500.00	0.00	2,500.00
The Lifestyle Centre Paraburdoo Inc.	Funding for a new Nautilus K2 Vertical Climber for the Lifestyle Centre Paraburdoo	2,500.00	0.00	2,500.00
TOM PRICE				
Tom Price Futsal and Hockey Club	Futsal Competition and outdoor/indoor soccer program	1,000.00	0.00	1,000.00
The Nintirri Centre	To install a large cubby house in the yard of the Little Gecko's	2,500.00	0.00	2,500.00
Tom Price P & C	Tom Price Out Door Education Program. First Aid Training and repair of mountain bikes	1,000.00	0.00	1,000.00
Tom Price Tee ball	Northwest Tee ball Championships	2,00.00	1,000.00	2,000.00
Tom Price BMX Club	To bring nationally recognised coach to assist with training and coaching for riders representing Tom Price at the Western Australian State BMX titles in October	2,500.00	0.00	2,500.00

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Nameless Playgroup	To cover the cost of hiring Civic Centre for the year.	0.00	1,700.00	1,700.00
Fortescue Cricket Association	In-kind donation to offset the cost of oval usage and lighting for the 2016/17 cricket season.	0.00	2500.00	2,500.00
Mountain View Sporting Club Inc.	To Assist The Club sound system to purchase parts for the existing system as well as replace two speakers and a microphone.	2,500.00	0.00	2,500.00
Scorchers Cricket Club Inc.	To assist with the Annual cricket match to raise money for prostate cancer.	2,500.00	500.00	2,500.00
Tom Price Women's Softball Association	To participate in the North West Softball Championships	2,500.00	0.00	2,500.00
Tom Price Youth Centre	Assistance with consumables i.e. fuel incurred by the use of the bus for the Wakathuni Youth Transport Service	2,500.00	0.00	2,500.00
Total		77,729.64	5,700.00	86,929.64

There is \$75,000.00 available in budget account 081877 to cover two Community Support Grant funding rounds in the 2016/17 annual financial year. In previous years, Council has allocated 50% of the Community Support Grant funding to round one with equal allocations to each town.

Based on the \$37,500 to be allocated to Round 1 an equal split is \$9,375 for each town..

With the introduction of the additional category of Aboriginal grants with no additional budget, and one application of \$18,600 for Onslow the budget of \$9,375 is greatly exceeded.

Funding available for each of the Shire's four towns for Round 1 and Round 2 listed below:

Town	Round 1 Funds Available \$	Round 1 Funding Allocations \$	Funds Rolled Over to Round 2 \$	Round 2 Funding Available \$	Total Funds Available for Round 2 \$
Onslow	9,375	39,829.64	0.00	9,375.00	9,375.00
Pannawonica	9,375	12,500.00	0.00	9,375.00	9,375.00
Paraburdoo	9,375	5,000.00	4,375.00	9,375.00	9,375.00
Tom Price	9,375	30,100.00	0.00	9,375.00	9,375.00
TOTAL	37,500	86,929.64	4,375.00	34,500.00	41,227.27

There were no applications received under the Community Lease/ Licence grant fund. This funding was budgeted to support community clubs and organisations to meet licence and compliance issues related to their leases with the Shire. Council budgeted \$250,000 in the 2016/17 financial year across two application periods in line with other community grants. As no community applications have been received, half of the funds could be allocated by Council to priority projects as identified in the *Implementation Plan for Risk Mitigation Works Required on Shire of Ashburton Reserves Leased to Community Groups* report, including asbestos and rubbish removal, demolition of old buildings and bringing priority buildings up to current standards.

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Consultation

Chief Executive Officer
Executive Manager – Community Development
Executive Manager – Corporate Services
Shire of Ashburton Councillors

Statutory Environment

Local Government Act (1995) Section 6.7 (2)

Financial Implications

The signature events that have been allocated individual general ledger accounts have no influence on the balance of money in the Community Support Grant funding account 081877. With the introduction of the additional category of Aboriginal grants and no additional funding, and one application of \$18,600, if supported will markedly reduce the amount of funding available for other groups.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022
Goal 01 – Vibrant and Active Communities
Objective 02 – 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 is considered to be "Low" risk and can be managed by routine procedures, and is unlikely to need specific application of resources.

Policy Implications

REC08 Community Donations, Grants and Funding Policy

Voting Requirement

Simple Majority Required

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Recommendation

Community Support Grants will be accessed and work shopped on the 27 September 2016 with a resolution to be finalised on the day.

The groups and the amount of donation recommended by the panel are listed below.

That Council:

1. Accepts the donation recommendations for two signature events/groups as listed below:

Name of Organisation	Proposed Funding \$	Budget Codes
Onslow Rodeo Association	10,000.00	EV75
Paraburdoo Red Dirt Rocks	5,000.00	EV22

2. Accepts the donation recommendations for general Community Support Grant applications being allocated from account 081877 (Sponsorships and Grants) as listed below:

Name of Organisation	Proposed Funding \$
Onslow Tourism & Progress Association Inc.	
V Swans	
St John Ambulance Onslow Sub Centre	
Onslow Sports Club	
Shire of Ashburton – ESL Bindi Bindi Community	
Empowering People in Communities (EPIC) Inc.	
Onslow Volunteer Marine Rescue Service	
Pannawonica Primary School	
Northern Swimming Association Pilbara Region 6 WASA	
Pannawonica Playgroup	
Pannawonica Junior Sports	
Panna Golf Club	
Paraburdoo Amateur Swimming Club	
The Lifestyle Centre Paraburdoo Inc.	
Tom Price Futsal and Hockey Club	
Tom Price P & C	
Tom Price Tee Ball	
Nameless Playgroup	
Tom Price Bowling Club Inc.	
Tom Price Community Arts and Culture Centre	
The Nintirri Centre	
Mountain View Sporting Club	
Tom Price Tee ball	
Tom Price BMX Club	
Tom Price Women's Softball Association	
Scorchers Cricket Club Inc.	
Tom Price Youth Centre	

3. Allocates \$125,000 (50%) from the Donation to Community Groups – Compliance fund to the following:
 - \$40 000 for the demolition and removal of buildings at Crushers Sporting Club

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Tom Price

- \$38,000 for a lift for building compliance at the Goods Shed Museum Onslow
- \$47 000 for asbestos and rubbish removal (with a priority at the Onslow Rodeo grounds).

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

13. CORPORATE SERVICES REPORTS

13.1 RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS FOR MONTH OF JULY 2016 & AUGUST 2016

FILE REFERENCE:	FM03
AUTHOR'S NAME AND POSITION:	Freemond Ng Finance Manager
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	1 September 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:

July 2016

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

ATTACHMENT 13.1A

August 2016

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

ATTACHMENT 13.1B

Consultation

Executive Manager - Corporate Service
Executive Management Team
Finance Manager
Finance Coordinator

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Finance Officers
Consultant Accountant

Statutory Environment

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

Financial Implications

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

Strategic Implications

Shire of Ashburton 10 year Community Strategic Plan 2012-2022

Goal 5 - Inspiring Governance

Objective 4 - Exemplary Team and Work Environment

Risk Management

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

Policy Implications

There are no policy implications in this matter.

Voting Requirement

Simple Majority Required

Recommendation

That Council:

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

Author: Freemond Ng	Signature:
Manager: Neil Hartley	Signature:

AGENDA - ORDINARY MEETING OF COUNCIL 27 SEPTEMBER 2016

13.2 NOTICE OF MOTION – COUNCIL POLICY EMP24 CORPORATE CREDIT CARD

FILE REFERENCE:	FM15 Gv20
AUTHOR'S NAME AND POSITION:	Frank Ludovico Executive Manager, Corporate Service
NAME OF APPLICANT/RESPONDENT:	Cr Peter Foster
DATE REPORT WRITTEN:	22 August 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 11.1 (Minute No. 11148) – Ordinary Meeting of Council 21 March 2012

Summary

At the Ordinary Council Meeting held on 16 September 2016, Cr Foster tabled the following Notice of Motion in regard to Council Policy EMP24 Credit Card:

“Request a report to Council on review of Council Policy EMP24 Corporate Credit Card on including a requirement that staff credit card statements be lodged as attachments in the Schedule of Accounts & Credit Card purchases section in the monthly financial report to Council at each monthly Ordinary Meeting of Council.”

Credit card statements have previously been provided, but were ceased following the provision of additional transaction information via a separate officer prepared statement. Providing a copy of the credit card statement in addition to the current information will create extra activity and cost and would seem in light of the existing provision of information, to have little if any additional value, but it can be provided if that is the wish of the Council.

Background

For reference, attached is a copy of Policy EMP24.

ATTACHMENT 13.2

Credit card statements have been previously provided to Council, however at the March 2012 meeting, Cr Foster requested additional information be provided on credit card transactions. Prior to March 2012, a copy of the bank produced credit card statements were provided (which simply listed the name of the supplier and the transaction amount).

For three months post March 2012, both the credit card statement and a table providing additional information concerning the nature and reason of the transaction were provided to Council. For the last four or so years, from June 2012, only the detailed table has been provided.

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Comment

The information currently provided to Council provides more extensive detail than the basic credit card statement, namely, a description of the reasons/transactions incurred.

Councillors who currently from time to time might wish to access monthly Credit Card Statements for perusal are presently accommodated on an "on request" basis. Providing a copy of the credit card statement can be provided as part of the Agenda if that is the wish of the Council, but it will create extra activity and cost and would seem in light of the existing provision of information, to have little if any additional value.

Consultation

Chief Executive Officer

Statutory Environment

Section 6.4 Local Government Act 1995, Part 6 – Financial Management, and regulation 34 Local Government (Financial Management) Regulation 1996 applies. These rules create the requirement to report to Council on a monthly basis a statement of financial activity.

Financial Implications

Existing processes are met within Council's Budget. Changes to those process will incur additional costs, but would be minimal.

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

Policy EMP24 is currently being reviewed as part of Council normal annual review process. At this stage it was not proposed to recommend any changes to that policy.

Voting Requirement

Simple Majority Required

Recommendation

That Council:

1. Continue with the current practice of providing additional transaction related information against each month's credit card accounts, but not alter Council's Policy EMP24 Corporate Credit Card, to otherwise required duplicated information through the provision of the Credit Card Statement; and
2. Note that Councillors wishing to access copies of the monthly Credit Card Statements will continue to be accommodated upon request.

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

AGENDA - ORDINARY MEETING OF COUNCIL 27 SEPTEMBER 2016

13.3 NOTICE OF MOTION - COUNCIL POLICY EMP02 PROHIBITED AREAS - WITTENOOM AND YAMPIRE GORGE

FILE REFERENCE:	GV20 LS34
AUTHOR'S NAME AND POSITION:	Frank Ludovico Executive Manager, Corporate Service
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	23 August 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 17.4 – Ordinary Meeting of Council 16 August 2016. Agenda Item 10.1 (Minute 11448) – Ordinary Meeting of Council 13 March 2013. Agenda Item 12.09.943 - Ordinary Meeting of Council 17 September 2002

Summary

At the Ordinary Council Meeting held on 16 September 2016, Cr Foster tabled the following Notice of Motion in regard to Council Policy EMP02 Prohibited Areas – Wittenoom and Yampire Gorge.

“Request a report to Council on review of Council Policy EMP02 Prohibited Areas – Wittenoom and Yampire Gorge. The State Government has recently updated its’ information on this prohibited area including map and current conditions. The new map and conditions may need to be added to the current Council policy. The updated State Government policy is on www.lands.wa.gov.au/Crown-Land/Contaminated-Site/Pages/Wittenoom.”

This is complex area requiring input from different disciplines but it is suggested that as the existing Policy is some three years old, a review is appropriate and timely.

Background

Council adopted the current policy in March 2013, which was the latest review of a Policy that has been reviewed several times in its history. This latest version of the policy was designed to clarify the responsibilities of staff and volunteers, particularly those of Bush Fire Brigade Offices and it may have even been produced by FESA (now the Department of Fire and Emergency Services (DFES)).

ATTACHMENT 13.3A

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The existing State Government policy on Wittenoom (attached) shows a different area to that in the Council policy. To the best of knowledge, this policy has been the same since at least September 2014.

ATTACHMENT 13.3B

In researching this matter it appears that the Towhig Report was used as a basis for both the FESA and State Government report (although we understand that only an extract of that report is publically available).

Comment

A number of issues arise from any review of this particular policy:

- **Legal Position** - Advice from our Insurers, MRWA and other experts would be prudent before any final decisions are made to alter the existing policy;
- **Risk** - To what level of safety risk do we operate at, such that we can ensure staff, volunteer, and contractor safety in the exclusion zone areas?
- **Road Maintenance** – Is it expected that the Shire will maintain its roads and keep them open to the travelling public (albeit this is not a legal requirement in Wittenoom due to its status);
- **Public Access** - The public can legally make reasonable use of publicly open roads;
- **State Government Position** - We are aware that for example, Main Roads WA (MRWA) maintain the Nanutarra – Wittenoom (Munjina) Rd even though the State Government website *'strongly advises against ALL travel through Wittenoom and the surrounding areas'*; and
- **Road and Public Space Closure** – Is it an alternative to close all Shire roads and public spaces in the area and if so, what are the consequences?

Officers examined some of these issues with the Wittenoom Steering Committee in September 2014 with a response being received in February 2015. A copy of those letters are attached.

ATTACHMENT 13.3C

This is complex area requiring input from different disciplines and it is suggested after three years that a review is timely and that we should approach the issue in the following manner –

1. We liaise with MRWA in order to understand its operational practices for the maintenance of the Nanutarra – Wittenoom (Munjina) Road;
2. We liaise with the DFES in order to understand its suggested operational practices for the Wittenoom area;
3. We seek from the State Government, its current policy position on Wittenoom;
4. We liaise with our Insurers in order to understand its position on the restrictions and limitations of the Shire's insurance levels for the Wittenoom area; and
5. We seek appropriate legal and other necessary advice to formulate a proposal for Council's consideration.

From this investigation we will understand the best way forward to address the safety and risk components of for example, road maintenance, bushfire control, and general shire activities like health management.

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Consultation

Chief Executive Officer

Statutory Environment

Local Government Act 1995 Section 5.40(e) - Principles affecting employment by local governments. This section indicates employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984.

Occupational Safety and Health Act 1998 at Section 19 (duties of Employers) and 20 (Duties of Employees) outlining the obligation and responsibilities of Employers, Volunteers, and Contractors.

Local Government Act 1995 Section 3.52 - local governments are to ensure that public thoroughfares are kept open for public use in gazetted townsites.

Financial Implications

The investigations described above will be met within the current Operational Budget.

Issues such as constructing new roads to provide access or additional management process and procedures to mitigate risk are unknown at this stage, but could be quite sizable.

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

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 investigation process will need to be managed at Executive Manager or CEO level.

Policy Implications

This matter seeking to undertake an investigation in order the review policy EMP02 Prohibited Areas – Wittenoom and Yampire Gorge.

Voting Requirement

Simple Majority Required

Recommendation

That Councillors note that officers will undertake a review of Council Policy EMP02 Prohibited Areas – Wittenoom and Yampire Gorge, noting that the State Government has recently updated its information on this prohibited area including map and current conditions (and the new map and conditions may need to be added to the current Council policy). The review to accommodate state government policy positions and necessary insurance and legal considerations.

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

AGENDA - ORDINARY MEETING OF COUNCIL 27 SEPTEMBER 2016

13.4 COUNCILLOR RESIGNATION CR CECILIA FERNANDEZ, TOM PRICE WARD - EXTRAORDINARY ELECTION 20 OCTOBER 2016

FILE REFERENCE:	GV03
AUTHOR'S NAME AND POSITION:	Jasmin Forward Corporate Services Support Coordinator
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	29 August 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

Former Councillor Cecilia Fernandez has submitted her resignation to the Shire of Ashburton from her Office of Councillor for the Tom Price ward, effective from the 23 August 2016 and it is proposed that her position be filled at the Extraordinary Election 20 October 2016.

It is proposed that Mrs Cecilia Fernandez will attend a future Ordinary Meeting of Council as a guest to receive her presentation of recognition.

Background

Mrs Cecilia Fernandez held her elected members position from 2007 to 2009, and from 2011 to August 2016 in the Ward of Tom Price. The term of office for the position previously held by Mrs Cecilia Fernandez ends in October 2017.

The Shire President pursuant section 4.9(1) of the Local Government Act, has endorsed the date for the Extraordinary Election, being Thursday, 20 October 2016.

Council endorsed on the 19 July 2016 at the Ordinary Meeting of Council that the Western Australian Electoral Commissioner be responsible for the conduct of the extraordinary election via postal vote.

In accordance with the Local Government Act Section 4.9 (1) (a) the Shire President authorised, on 17 August 2016, the inclusion of the election vacancy for Former Councillor Fernandez at the current set date of the Extraordinary Election for the Tom Price Ward on Thursday, 20 October 2016.

Comment

With Local Government Extraordinary Election for the Shire of Ashburton scheduled for October 2016 it is appropriate that this position be filled at this Extraordinary Election.

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Consultation

Chief Executive Officer
Executive Manager – Corporate Services
Administration Manager

Statutory Environment

Under Section 4.8 of the Local Government Act 1995, if the office of a Councillor becomes vacant (resignation) an election to fill the office is to be held.

Local Government Act Part 4 (Elections and Other Polls) outlines the regulations and other rules relating to Extraordinary Elections.

Financial Implications

A provision of \$15,000 has been made in the 2016/17 Budget endorsed by Council 16 August for an extraordinary election. The West Australian Electoral Commission have confirmed that adding the second vacancy does not impact the total cost of the election.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022
Goal 5 – Inspiring Governance
Objective 3 – Council Leadership

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 allocation of resources.

Policy Implications

There were no policy implications identified.

Voting Requirement

Absolute Majority Required

Recommendation

That Council:

1. Note Former Councillor Cecilia Fernandez resignation, effective 23 August 2016.
2. Note that an extraordinary election will now be held for two vacancies for the Tom Price Ward on Thursday, 20 October 2016.
3. Endorse Mrs Fernandez to attend an Ordinary Meeting of Council (at a date to be determined in the near future) as a guest of the Shire, in order that the Shire might facilitate an opportunity for the Council to acknowledge her services to Council.

Author: Jasmin Forward	Signature:
Manager: Frank Ludovico	Signature:

AGENDA - ORDINARY MEETING OF COUNCIL 27 SEPTEMBER 2016

13.5 NOTICE OF MOTION – REQUEST A REPORT ON THE FORMULATION OF A POLICY ON 'GREENING ASHBURTON'

FILE REFERENCE:	GV20
AUTHOR'S NAME AND POSITION:	Frank Ludovico Executive Manager Corporate Services
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	9 September 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda Item 17.5 – Ordinary Meeting of Council 16 August 2016. Agenda Item 13.12.48– Ordinary Meeting of Council 16 December 2008

Summary

At the Ordinary Council Meeting held on 16 September 2016, Cr Foster tabled the following Notice of Motion in regard to a request for a report on the formulation of a policy on “Greening Ashburton”.

“Request a report to Council on the formulation of a policy on “Greening Ashburton” or something similar. As a guide Council Policy LPP14 “Percent for Public Art” policy. The Shire of Ashburton is experiencing rapid growth, particular in Onslow with new infrastructure with housing, of which appears to be a lack of trees and gardening, or “greening” in these areas. Similarly existing development – in particular Tom Price and Paraburdoo, trees are being removed, seemingly without permission, at the detriment of the townscape. Recent example is that the Rio Tinto owned properties in North Road in Tom Price all had trees removed on North Road, creating a barren landscape. The policy would need to take into consideration “greening” new infrastructure.”

It is recommended that a whole of district integrated Landscaping Plan be develop and not progress a local law to control the removal of trees on private property

Background

Local Planning Policy LPP14 “Percent for Public Art Policy” was originally adopted in December 2008 and reviewed on several occasions. The objective of the policy was for the protection and enhancement of amenity and identity of the public domain in Tom Price, Onslow, and Paraburdoo, major commercial buildings, entry points, squares, foreshores and parks within the Shire of Ashburton. The policy indicates that for projects of a greater value the \$1m an amount of 1% of the project cost should be used to provide public art.

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The Council's Town Planning Scheme also requires that landscaping occur as part of any multiple dwelling developments (three or more) but the extent of landscaping for single dwellings are generally only at the discretion of the owner.

Council also has two policies ENG01 – Street Lawns and Gardens and ELM21 Tree Management Overview policies that could be considered in the discussion on this matter.

ENG01 – Street Lawns and Gardens policy provides guidelines for the installation and maintenance of street road reserve lawns and gardens, and ELM21 Tree Management Overview policy is to promote the prior consultation to the management of trees.

These two policies however, only provide guidance on the management of plants on Council controlled lands.

In relation to the Barrarda Estate, as part of the MOU for the use of sand from Stage 2 of the subdivision, the Shire will be planting and irrigating two Chevron supplied street trees per house block. They will not be planted before a house is complete as they normally get adversely affected by the construction process.

There has been some removal of trees occur from time to time around the townsites of our Shire in both public and private areas. These generally occur as a result of works around power/water/sewerage supplies, or in the case of private properties, for either aesthetic, personal safety or asset protection reasons.

Comment

A local planning policy focusing on greening the Shire would be unlikely to be an efficient tool for effecting increased vegetation in either public or private lands as the Scheme already requires that all applications for development approval (except for those of two dwellings of fewer) require a landscaping plan. As single dwellings generally don't require planning approval, the RCodes sets a minimum standard.

The landscaping plans for those classes of developments that require them, are assessed for amelioration of streetscape (e.g. soften the visual impact of a bulk building) and visual penetration (e.g. allow visibility so it assist in security). There have been relatively few of these types of developments (mostly in Onslow of recent times) and they are relatively easy to assess. Compliance has been an issue and the appointment of a Development & Regulatory Services Compliance Officer in the last three years has enable some follow up to occur.

If Council wish to increase the amount and quality of landscaping, this can be achieved within the existing statutory framework. The major restrictions being that we don't process a vast number of applications and so visual change would take time to eventuate, and additional landscaping would create an additional cost and some developers would be opposed to that.

There is a further issue of ongoing compliance and the resources required to monitor and enforce landscaping conditions imposed on planning approvals (although it should be acknowledged that compliance is already currently existing challenge). Council would if it wishes to expand the landscaping standards, need to consider the cost and benefit to bringing added levels of non-compliance to prosecution, including whether State Administrative Tribunal or a court would consider the quality and quantity of landscaping required was fair and reasonable.

From a planning perspective the easiest means of increasing the Shire's amenity through improved landscaping will be through increased funding for installing and maintaining trees and other planting in public spaces such as parks and road verges.

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Currently the Shire does not have a whole of district integrated Landscaping Plan. Such a Plan can be developed and with suitable budget support a program could be developed to improve the shire amenity.

Controlling the removal of trees on private property could be achieved by adopting a Local Law. This would require the development guidelines determining which trees/plants would be controlled by the Local Law (e.g. width, height or canopy size etc.), determining an approval/assessment process and penalties for non-compliance.

Developing this Local Law is certainly possible, however any approval process would need to be resourced by qualified personnel such as an arborist. If the Shire did not have a staff member with those skills, the cost of sourcing such an expert would need to be incurred by the applicant. This may be not an issue for some applicants but for some single residential private owners, that cost might be a challenge for their household budget.

Consultation

Chief Executive Officer
Executive Managers
Principal Town Planner
Facilities Manager

Statutory Environment

The Shire of Ashburton Town Planning Scheme 7 at Part 2 allows for the development of Local Planning Policies. Policy Statements are guidelines used to assist the Local Government in making decisions under the Scheme. Although Policy Statements are not part of the Scheme they must be consistent with, and cannot vary, the intent of the Scheme provisions, including the Residential Planning Codes. In considering an application for planning approval, the Local Government must had due regard to relevant Policy Statements.

The Local Government Act 1995 Part 3 Division 2 provides the power for Local Governments to develop Local Laws

Financial Implications

The development of a Local Planning Policy for the "Greening of Ashburton" or a Local Law to protect trees/plants is not contained in the current budget however budget adjustments could be made to accommodate a project of this nature.

From a Local Laws perspective, there are no resources allocated to reviewing or policing any applications for tree removal but an estimate could be developed if required. From a Planning Policy perspective, if Council desire for all developments (including residential) to provide landscaping plans, additional staff/contractor resources will be required to assess these plans and to monitor their implementation. Again, there are no resources allocated for this purpose currently, but an estimate could be developed if required.

The development of a shire wide integrated Landscaping Plan could be developed in house with Consultant support. Budget adjustments could be made to accommodate a project of this nature.

Any implementation plan will require funding support over at least a 3-5 year period in order to make an impact. These funds could be considered as part of the normal budget processes.

Strategic Implications

Shire of Ashburton 10 year Community Strategic Plan 2012-2022

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Goal 4 Distinctive and Well Serviced Places
Objective 2 Accessible and Safe 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" as this matter will potentially draw media attention and costs are difficult to quantify until a direction is determined. The investigation process will need to be managed at Executive Manager level.

Policy Implications

ENG01 – Street Lawns and Gardens and ELM21 Tree Management Overview policies impact this agenda item.

Voting Requirement

Simple Majority Required

Recommendation

That Council:

1. Approve the development of a whole of district integrated Landscaping Plan; and
2. At its 2016/17 Annual Budget Review, consider the potential of providing additional funds to progress district landscaping as outlined in the Plan.
3. Not progress a local law to control removal of trees on private property.

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

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13.6 BUDGET AMENDMENT / VARIATION

FILE REFERENCE: FM14.15.16

AUTHOR'S NAME AND POSITION: Freemond Ng
Finance Manager

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 14 September 2016

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

PREVIOUS MEETING REFERENCE: Not Applicable

Summary

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

Background

The 2016/2017 budget was officially adopted by Council on 28 July 2016. Throughout the year variations occur. It is the purpose of this report to bring these to the attention of Council. It is proposed to amend the 2016/2017 budget to reflect various adjustments to the General Ledger with an overall effect to the budget as detailed below. Due to the nature of these variations, they fall outside the annual budget review.

Comment

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

1. Paraburdoo Pool				
GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget
17043	Shade Structure	\$0	\$35,200	\$35,200
G1103	Shade Structure	\$0	\$(35,200)	\$(35,200)

Reason: A budget variation is required to allow for the construction of a shelter at the Quentin Broad Pool. A grant was received to fund this project.

Grant funds will be used to Install a fixed steel framed shade structure behind the starting blocks at the deep end of the 50m pool. This is to provide adequate shade for time keepers and children being marshalled for upcoming races. The swimming club and school will make regular use of the share for carnivals, training and learn to swim programs.

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The impact on the pool's access due to the CHUB construction may be manageable, but this will need to be assessed as part of the design and tender process.

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

2. Sanitation General Refuse

GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget
W225	Works Program Liquid Waste	\$270	\$30,000	\$30,270
W 238	Works Prog Waste Transfer Station Onslow	\$ 520,000	- \$ 20,000	\$ 500,000
11025930	Transportation Onslow to Tom Price	\$ 500,000	- \$ 10,000	\$ 490,000

Reason: There was insufficient funds allocated to the Works Program Liquid Waste Budget (W225). It is proposed to transfer funds within the Sanitation Operational budget from Job Number W 238 and GL Code 11025930 to fund the variation.

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
 Finance Manager

Statutory Environment

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

(b) is authorised in advance by resolution*

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

*requires an absolute majority of Council

Financial Implications

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

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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

Recommendation

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

1. Paraburdoo Pool				
GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget
17043	Shade Structure	\$0	\$35,200	\$35,200
GI103	Shade Structure	\$0	\$(35,200)	\$(35,200)
Reason: A budget variation is required to allow for the construction of a shelter at the Quentin Broad Pool. A grant was received to fund this project.				
2. Sanitation General Refuse				
GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget
W225	Works Program Liquid Waste	\$270	\$30,000	\$30,270
W 238	Works Prog Waste Transfer Station Onslow	\$ 520,000	- \$ 20,000	\$ 500,000
11025930	Transportation Onslow to Tom Price	\$ 500,000	- \$ 10,000	\$ 490,000
Reason: There was insufficient funds allocated to the Works Program Liquid Waste Budget (W225). It is proposed to transfer funds within the Sanitation Operational budget from Job Number W 238 and GL Code 11025930 to fund the variation.				

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

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13.7 RATES WRITE OFF - SGMC PTY LTD

FILE REFERENCE:	RV13 RV12 GV01.16
AUTHOR'S NAME AND POSITION:	Alesha Embrey Rates Officer
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	12 September 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the matter.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

SGMC Pty Ltd held three Mining Leases and owes the Shire \$570,142.17 in rates, interest and other charges. The Shire followed Policy FIN15 Rated Debt Recovery in attempting to recover these outstanding rates. This has eventually lead to an Order to windup the company.

The company was wound up in the Federal Court on 30 March 2016 and Chadwick Hall Chartered Accountants were appointed liquidators.

The liquidators have received an offer to purchase the Mining Leases (M08/11, M08/12 and M08/27) for \$86,363.64 plus GST and as the petitioning creditor, the Shire must either accept or decline the proposal.

After deduction of costs of sale, liquidator's remuneration there will be approximately \$24,000 to be paid to the Shire. The Liquidators have indicated that in the event the offer is not accepted, it is unlikely that there will be any greater return, or any return at all.

The potential purchaser has agreed to pay the rates and service charges imposed for 2016/17 Financial Year on the three Mining Leases.

Background

On 1 July 1998, Mining Leases M08/11 and M08/12 was granted to SGMC Pty Ltd. Then on 1 July 2007 Mining Lease M08/27 was also granted to SGMC Pty.

The last rate payment the Shire received for all three Mining leases was in March 2013.

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Action taken to recover the debt are:

January 2012 – The rate debt was referred to Austral Mercantile (the Shire's Debt Recovery Agency)

April 2013 – Austral Mercantile served a General Procedure Claim to SGMC Pty Ltd

May 2013 – The Shire received a Notice of Intention to Defend General Procedure Claim from SGMC Pty Ltd. This meant a delay on proceedings and the Shire would be required to go to a Pre Trial Conference to negotiate a settlement. At this stage SGMC Pty Ltd was not required to stipulate why they were defending, this would be outlined in the Pre Trial Conference.

January 2014 – Due to staff turnover there was a delay in responding to Valenti Lawyers who acted on behalf of the Shire which resulted in discontinuing the current proceedings and to start the legal process again.

September 2014 – Letter of Demand was issued to SGMC Pty Ltd.

October 2015 – Creditors Statutory Demand for Payment of Debt and sworn Affidavit Accompanying Statutory Demand including Rate Record was issued to SGMC Pty Ltd in application to wind the company up.

December 2015 – Austral Mercantile, as per the Shire's instructions, endeavored to seek a settlement before proceeding to wind up which involved SGMC Pty Ltd paying \$100,000 initially and monthly payments of \$30,000 until the debt was paid inclusive of 11% interest.

January 2016 – SGMC Pty Ltd failed to respond to the Shires counter offer in the given timeframe which left the Shire no choice but to instruct Valenti Lawyers to commence proceedings to wind the company up.

March 2016 – In the Federal Court, SGMC Pty Ltd was wound up in insolvency under the provisions for the Corporations Act 2001. Hall Chadwick Chartered Accountants were appointed as liquidators of the affairs of the company.

August 2016 - Hall Chadwick Chartered Accountants send through an offer to purchase the Mining Leases (M08/11, M08/12 and M08/27) for \$86,363.64 plus GST.

Assessment Number	Rates	ESL	Interest	Legal Fees	Total
A34153	\$158,038.08	\$320	\$38,453.23	\$2,827.47	\$199,638.78
A34162	\$135,815.33	\$375	\$34,290.96	\$2,827.82	\$173,309.11
A6231	\$156,050.66	\$320	\$37,995.80	\$2,827.82	\$197,194.28

If the offer of \$86,363.64 (plus GST), costs of sale and liquidators remuneration has been deducted and the remaining amount of \$24,000 has been applied to the outstanding rate debt the total amount to write off will be \$457,832.11 (this amount excludes 2016/17 Rates \$88,097.06 + ESL \$213 which the purchaser has indicated they will pay).

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Comment

The Shire has pursued recovery in accordance with Policy FIN15 (Rate Debt Recovery) and in light of the sum involved, has now effectively exhausted all reasonable avenues to recover this outstanding rate debt. As the Liquidator has advised that in the event we decline the offer there is a high chance we will receive no return at all. In this instance it is suggested the Shire accepts the proposal and write off the remaining rate debt for \$457,832.11.

Consultation

Executive Manager – Corporate Services
Rates Officer

Statutory Environment

Section 6.12 (1) (c) of the Local Government Act 1995 states that Council may write off money that is owed to Local Government (by absolute majority).

Financial Implications

The total amount of Rate Arrears, Current Interest and Legal Fees suggested to be written off is \$457,832.11 (assuming the offer of \$24,000 and 2016/17 levied rates and ESL charges will be payable).

Each year during the Annual and Interim Audit process an evaluation occurs as the likely collection of outstanding debts and a provision for Doubtful Debts is raised in consultation with the Auditors. Our current Provision stands at \$727,000.

Therefore the impact of this write off has been already reflected in our Budget.

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

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 the write off. Even though a high risk has been assessed the Provision for Doubtful Debts mitigates that risk.

Policy Implications

Policy FIN15 Rate Debt Recovery Policy

Voting Requirement

Absolute Majority Required

Recommendation

That Council accepts the offer of \$24,000 (approximately) after deduction of costs of sale and liquidator's remuneration for Assessment A34153, A34162 and A6231 and to write off the balance of the rates arrears, and other relevant charges/expenses which have accrued on Assessment A34153, A34162 and A6231 to the value of \$457,832.11 (assuming 2016/17 levied rates and ESL charges will be payable).

Author: Alesha Embrey	Signature:
Manager: Frank Ludovico	Signature:

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14. DEVELOPMENT AND REGULATORY SERVICES REPORTS

There were no agenda items for this meeting.

15. INFRASTRUCTURE SERVICES REPORTS

15.1 NOTICE OF MOTION - REVIEW OF COUNCIL POLICY ENG02 ACCESS TO PASTORAL PROPERTIES

FILE REFERENCE:	GV20
AUTHOR'S NAME AND POSITION:	Troy Davis Executive Manager, Infrastructure Services
NAME OF APPLICANT/ RESPONDENT:	Cr Peter Foster
DATE REPORT WRITTEN:	23 August 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal
PREVIOUS MEETING REFERENCE:	Minute 12.07.1045 Ordinary Meeting of Council 18 November 1997 Ordinary Meeting of Council 15 July 2003 Agenda Item 10.05.10 Ordinary Meeting of Council 20 May 2008

Summary

At the August 2016 Ordinary Council Meeting (OCM), Cr Foster raised the following Notice of Motion:

“Request a report to Council on review of Council Policy ENG02 Access to Pastoral Properties as to whether the policy is still relevant (last reviewed in 2003); whether roads named in the policy are still appropriate; whether any changes are needed to modernise this policy including reference to pastoral station airstrips, and finally whether Council wished to continue to support this policy, or revoke it.”

Research into the history of this policy has revealed it was reviewed at the May 2008 OCM and an amended policy was adopted, but not implemented. It is recommended that this amended policy be maintained pending the current review into Council's road management practices, expected to be completed late 2016.

Background

At the August 2016 Ordinary Council Meeting, Cr Foster raised the following Notice of Motion:

“Request a report to Council on review of Council Policy ENG02 Access to Pastoral Properties as to whether the policy is still relevant (last reviewed in 2003); whether roads named in the policy are still appropriate; whether any changes are needed to modernise this policy including

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reference to pastoral station airstrips, and finally whether Council wishes to continue to support this policy, or revoke it.”

Research into the history of this policy has revealed it was reviewed at the May 2008 OCM and an amended policy was adopted by Council. There is no record located as to why this amended policy was not implemented.

ATTACHMENT 15.1

Comment

The 2003 version of ENG02 is ambiguous and difficult to apply. This was recognised by staff when it came up for review last year. Subsequently, staff have been reviewing the overall management of the Shire’s road network for the last several months, including the relevance of policy ENG02. The intent being to present a holistic road management strategy, inclusive of a new Road Management Policy, later in 2016. This has included:

- Seeking legal advice on road responsibility – What constitutes a Public Road? What effect do past practices (road maintenance) have on the Shire’s responsibility to maintain those past practices? What mechanisms can Council apply for adding or removing roads to/from its Road Register?
- A review of the Shire’s Road Register – Determining the status of each road; whether the road is gazetted; whether it is in a road reserve; if it is located on a pastoral lease.
- The development of a Road Asset Management Plan; and
- The development of a Functional Road Hierarchy to prioritise the road network and enable more robust maintenance programs to be implemented.

Whilst these investigations will ultimately inform a policy position on the management of Shire roads, it is not considered that the May 2008 version of the policy is as ambiguous as the 2003 version, nor does it represent a material difference to current operations. The only issue, and one that is recognised in Cr Foster’s *Notice of Motion*, is the reference to the maintenance of airstrips.

Given airstrip maintenance is noted as ‘if required’, and a renewed policy position is imminent, it is recommended that the 2008 version of ENG02 be maintained (as passed by Council at that time).

Consultation

Chief Executive Officer
Operations Manager
Manager Strategic Asset Management

Statutory Environment

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

Financial Implications

There are no financial implications associated with this item.

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Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 04 – Distinctive and well serviced places

Objective 02 – Accessible and safe 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 "Low Risk", to be managed by routine procedures and unlikely to need specific application of resources.

Policy Implications

ENG02 Access to Pastoral Properties

Voting Requirement

Absolute Majority Required

Recommendation

That Council:

1. Confirms that the May 2008 resolution of policy ENG02 (Access to Pastoral Properties) should prevail for the time being; and
2. Notes the progress of development of a holistic road management strategy, inclusive of a new Road Management Policy, and that a further report will be presented to Council upon their development.

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

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15.2 INVESTIGATION OF ALTERNATE LANDFILL COVER OPTIONS AT PARABURDOO LANDFILL

FILE REFERENCE:	WM05
AUTHOR'S NAME AND POSITION:	Brenton Hall Manager Operations
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	7 September 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Agenda 15.2 (Minute No.: 12034) - Ordinary Meeting of Council, 9 December 2015

Summary

Council at its Ordinary Meeting held on 9 December 2015 endorsed the Strategic Waste Management Plan (SWMP) as a guide to ongoing waste management in the Shire. A component of the SWMP was an Action Plan that highlighted improvement opportunities in our operations.

The intention of the Action Plan was to break down key actions and prioritise them for consideration during Council's future annual budget deliberations. A high priority action was to address a number of issues at the Paraburdoo Landfill relating to compliance, daily waste cover, compaction and landfill life expectancy.

In recognition of this priority, a capital expenditure item of \$150,000 for '*Alternate Daily Cover*' was included in the 2016/2017 budget. Further workshops with key staff and the Shire's Waste Consultants, plus investigations into options has driven us to the conclusion that the purchase of a second hand landfill compactor is the optimum solution to satisfy a number of immediate issues at the Paraburdoo Landfill.

Background

Council at its Ordinary Meeting held on 9 December 2015 endorsed the Strategic Waste Management Plan (SWMP) as a guide to ongoing waste management in the Shire. A component of the SWMP was an Action Plan that highlighted improvement opportunities (from locating gaps and deficiencies) in our operations.

The intention of the Action Plan was to break down key actions and prioritise them for consideration during Council's annual budget deliberations. A high priority action was to address a number of issues at the Paraburdoo Landfill, namely:

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- Address the shortage of daily cover material (soil);
- Address the non-compliance issues of not adequately covering waste daily; and
- Address the short life expectancy of the facility with improved compaction and daily cover techniques.

In recognition of this priority, a capital expenditure item of \$150,000 for '*Alternate Daily Cover*' was included in the 2016/2017 budget. Further workshops with key staff and our Waste Consultants, plus investigations into options recognised many synergies between a number of issues and it was realised a number of issues could be resolved / ameliorated with a single action. This has driven us to the conclusion that the purchase of a second hand landfill compactor is the optimum solution to satisfy a number of immediate issues at the Paraburdoe Landfill.

Comment

One of the DER Licence Conditions at the Paraburdoe landfill site requires the waste to be covered each day. Current work practices are considered to be sub-optimal and ultimately costly to maintain. These inefficiencies were recognised broadly in the SWMP and further workshopped and investigated to determine an optimum solution that addressed as many issues as possible.

Currently, the Shire does not compact the waste at the Paraburdoe Landfill. In comparison to modern landfilling practices, this practice is inefficient and has negative economic, operational and environmental impacts, including:

- Loss of void space;
- Larger tipping area;
- Reduction of landfill life;
- Larger volume of daily cover required;
- Windblown litter; and
- Attracting nuisance pests.

The uncompacted waste is not maximising the life of the site and results in an uneven final surface with large numbers of voids. The larger tipping area, due to the uncompacted waste combined with the void spaces caused by the uneven surface, is estimated to require an additional 75% of daily cover material to comply with the minimum daily cover of 150mm as required by the DER Site Licence Conditions. This amounts to an annual total requirement of some 4,000m³ of cover material. The amount of cover material can we believe, be reduced to 1,000m³ if the waste is compacted. The cover soil being used at the Paraburdoe site is being imported from the Tom Price landfill site. If we can reduce the amount of cover material to 1,000m³ we will be able to save approximately \$90,000 in transportation costs.

Issue 1

A large amount of soil is required each day to cover the waste (approximately 10-20m³). This is principally because the waste is uncompacted and the majority of soil goes into filling the voids in the waste mass rather than actually covering the waste.

The Paraburdoe Landfill has exhausted all of its own cover material with soil being imported from the Tom Price landfill site and surrounding borrow pits at an annual cost in excess of \$100,000.

Alternative sources of cover material have been investigated, such as using the proposed landfill expansion area as a 'borrow pit', however preliminary investigations suggest that only the first 300mm of soil would be suitable as cover material, plus you effectively lose the cover material you would need for that landfilling area, so it is only a short term solution.

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Shire staff have also commenced discussions with Rio Tinto on the availability of accessing soil from Rio Tinto's Paraburdoo mine site. Whilst initial discussions have been positive, indications are that the soil will have a monetary value to Rio Tinto, plus it would also need to be carted to our landfill site.

Issue 2

The Paraburdoo Landfill currently has a life expectancy of approximately nine years, based on current waste projections and processes. The two critical elements that effect landfill life (outside of the actual amount of waste delivered) are waste compaction and daily cover methods.

The SWMP recognised the limited life expectancy of the site and nominated an expansion area adjacent to the site. As discussed previously, whilst this may provide additional landfilling life, it will not resolve the constant issue of a lack of daily cover material.

The amount of cover material required each day is directly related to the compaction of the waste mass. There are a number of negative economic impacts as a result of not compacting waste. A key negative economic impact is the loss of void space due to the low density of loose waste, which can be as low as 300kg/m³. Void space of 300kg/m³ is significantly less than modern landfilling standards which can achieve 800kg/m³. These voids effectively 'absorb' the vast majority of cover material being applied thereby reducing the life of the landfill and incurring additional costs in cover material. By compacting the waste, the life of the site is estimated to be approximately 25 years (or more than double the current life expectancy of having an uncompacted waste system in place).

Discussion

The allocated budget for '*Alternate Daily Cover*' provided an opportunity for staff to investigate all the issues and options relating to the cover material issues noted in the SWMP and detailed above.

In isolation, alternate daily cover options could include plastic sheets, tarps, foams and fabricated metal landfill lids. Further investigations into these products recognised they would be inefficient if the waste wasn't compacted initially.

Modern landfilling techniques involve maximising the compaction of the waste to maximise landfill life and minimise daily cover requirements. A landfill compactor is an appropriate solution to resolve / ameliorate a number of the key issues highlighted in the SWMP.

A landfill compactor will:

- Increase the life of the Landfill from 9 to about 25 years;
- Reduce the amount of daily cover material being imported to the site, a saving of approximately \$90,000 per year;
- Enable improved compliance with the DER Licence Conditions;
- Reduce the size of the tipping area;
- Minimise the production of windblown litter; and
- Deter nuisance pests.

A second hand Landfill compactor would suffice at Paraburdoo given the relatively low volume of waste brought into the site. Preliminary enquiries have identified that there are second hand landfill compactors for sale that would be suitable for the Shire needs.

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It is proposed to utilise the available budget to purchase a second hand landfill compactor at an estimated cost of \$100,000. A new landfill compactor is around \$900,000 - \$1,000,000.

Tom Price has a landfill compactor currently operating and we would have looked to transfer this unit to Paraburdoo as it neared its replacement date, rather than trade it in, but it is not scheduled for replacement until 2023/2024.

Consultation

Executive Manager, Infrastructure Services
Waste Coordinator
Fleet Manager
Talis Consultants

Statutory Environment

Environmental Protection Act 1986

Financial Implications

There is a budgeted amount of \$150,000 for Alternate Landfill Cover. The estimated cost to purchase a second hand landfill compactor is \$100,000, which includes delivery.

Purchasing a landfill compactor will:

- Save approximately \$90,000 per year in transportation costs importing soil from Tom Price to Paraburdoo;
- Extend the life of the landfill site from 9 to 25 years; and
- Enable improved compliance with the DER Licence Conditions.

The balance of funds (\$50,000) may be able to be re-allocated by Council once the purchase of the compactor has been finalised.

The existing waste site Operator at Paraburdoo will operate the landfill compactor; therefore no additional staff are required.

The operational costs of a landfill compactor are about \$20,000 per year. This will need to be accommodated, but can be achieved by reducing soil transportation costs from within the existing Sanitation Operational budget.

Therefore, the overall annual operational savings are approximately \$70,000, not including the future savings realised by extending the life of the landfill from some 9, to about 25 years.

Strategic Implications

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

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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, should Council resolve not to proceed with the project is considered to be "High". Principally this risk level is related to Operational, Reputational and Compliance consequences relating to non-compliance with DER licence conditions and the operational life of the landfill site. Should the purchase of the landfill compactor not proceed, the transportation costs (\$90,000) will continue to be met from the Infrastructure Services operational budget. The matter of locating a large amount of soil each year (4000m³) for the site will remain an ongoing issue.

Policy Implications

There were no policy implications identified.

Voting Requirement

Absolute Majority Required

Recommendation

That Council:

1. Acknowledge the investigations into alternate daily cover options at the Paraburdoo Landfill site and the progression of the Shire's Strategic Waste Management Plan; and
2. Approve the purchase of a secondhand landfill compactor utilising the 2016/17 budget allocation for "Alternate Daily Cover"
3. Approve the Budget transfer of \$150,000 from Job 17037 Alternate Daily Cover to account 124956 Asset New - Plant & Equipment Purchase

Author: Brenton Hall	Signature:
Manager: Troy Davis	Signature:

16. STRATEGIC AND ECONOMIC DEVELOPMENT REPORTS

Declaration of Interest

Prior to consideration of this Agenda Item:

The Author, Sarah Johnston, has declared the following interests – financial, indirect financial & impartiality.

See item 6.2 for details of the interest declared.

RECORDED ON REGISTER GV07

16.1 EXECUTION OF FUNDING DEED - PARABURDOO COMMUNITY HUB 2016-2022

FILE REFERENCE:	RC42129
AUTHOR'S NAME AND POSITION:	Sarah Johnston Strategic Partnership Manager
NAME OF APPLICANT/ RESPONDENT:	Not applicable
DATE REPORT WRITTEN:	25 August 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has a financial interest in this matter.
PREVIOUS MEETING REFERENCE:	Agenda Item 18.2 – (Minute No. 12109) – Ordinary Meeting of Council 21 June 2016 Agenda Item 16.1 – (Minute No. 12083) – Ordinary Meeting of Council 26 April 2016 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

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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 Item

Summary

As part of the Community Infrastructure Services Partnership between the Shire of Ashburton (SoA) and Pilbara Iron Company Services Pty Ltd (RTIO), it (RTIO) has agreed to contribute \$6 million to the scope, design and construction of the Paraburdoo Community Hub project and a further \$500,000 per annum (indexed to CPI) towards the operating costs of the facility for a period of five years commencing from the practical completion of the facility.

The funding deed between RTIO and SoA is presented for execution. It is recommended that Council authorise the Shire President and Chief Executive Officer to sign and execute this deed.

Background

A Memorandum of Understanding (MOU) between RTIO and SoA was signed in July 2012, creating a long term partnership to work together to revitalise existing and develop new civic, sporting and community facilities and programs in the towns that Rio Tinto has a significant presence. The MOU provides an engagement framework and Community, Infrastructure and Services Plan (CISP) which details the projects that will be the focus of the partnership.

The engagement framework provides for a Partnership Governing Committee (PGC) to review and direct the activities of the Partnership in accordance with the MOU. The Shire is represented on the PGC by the Shire President, Deputy Shire President, Chief Executive Officer, Executive Managers and appropriate senior staff, with RTIO representation by General Managers and appropriate senior staff. The funding agreements and conditions for the various projects outlined in the CISP are prepared in close consultation and approval by the PGC.

The consultation and development of the Paraburdoo CHUB has been a priority project for both the SoA and RTIO. 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.

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.

At the Ordinary Meeting held on 21 June 2016, Council approved the signing of the Financial Assistance Agreement for \$5 million from Royalties for Regions to assist in the construction of the Paraburdoo Community Hub.

Comment

RTIO has agreed to contribute \$6 million to the scope, design and construction of the Paraburdoo Community Hub project and a further \$500,000 per annum (indexed to CPI), towards the operating costs of the facility for a period of five years commencing at the practical completion of the facility.

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The funding deed outlining the terms and conditions of this contribution has now been finalised and is presented for Council's approval. It is recommended that Council authorise the Shire President and Chief Executive Officer to sign and execute this deed.

CONFIDENTIAL ATTACHMENT 16.1

Consultation

Chief Executive Officer
Executive Manager – Strategic & Economic Development
Communications and Administration Officer - Strategic & Economic Development
Specialist Community Engagement - Rio Tinto
Superintendent Community Engagement – Inland Communities - Rio Tinto
Advisor Community Engagement – Inland, Rio Tinto

Statutory Environment

Local Government Act 1995 S9.49 (A) Execution of Documents
Local Government Act 1995 S5.43 (HA) Delegation of Powers to the CEO

Financial Implications

The proposed budget for the Paraburdoo Community Hub is reflected in the table below:

Item	Income (excl GST)	Expense (excl GST)
Rio Tinto - Capex	\$6,000,000	
Royalties for Regions	\$5,000,000	
Shire of Ashburton	\$3,396,065	
Total	\$14,396,065	
Construction		\$7,758,230
Pilbara Allowance		\$4,405,026
Other costs, contingencies, fit out, professional fees, project management etc.		\$2,232,809
Total		\$14,396,065

Council approved the contribution of up to \$3.5 million from Council's reserves at the Ordinary Meeting held on 21 June 2016.

A further \$2.5 million at a rate of \$500,000 per annum (indexed to CPI) is included within the RTIO funding deed to contribute towards the expected operating cost of the facility over the first five years of operation. It is anticipated that this contribution will largely meet the additional net operating costs for several years.

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 02 – Enduring Partnerships
Objective 02 – Enduring Partnerships with Industry and Government

Goal 04 – Distinctive and Well Served Places
Objective 01 – Quality Public Infrastructure
Objective 03 – Well Planned Towns

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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

AMP1 – Asset Management Policy

FIN 12 – Purchasing and Tender Policy

FIN 04 – Buy Local – Regional Price Preference Policy

Voting Requirement

Simple Majority Required

Recommendation

That Council authorises the Shire President and Chief Executive Officer to execute the Funding Deed – Paraburdoo Community Hub 2016-2022 between Pilbara Iron Company (Services) Pty Ltd (RTIO) and SoA for \$8,500,000 by signing the deed.

Author: Sarah Johnston	Signature:
Manager: Anika Serer	Signature:

AGENDA - ORDINARY MEETING OF COUNCIL 27 SEPTEMBER 2016

16.2 ONSLOW COMMUNITY BOATING PRECINCT

FILE REFERENCE:	PR30711
AUTHOR'S NAME AND POSITION:	Anika Serer Executive Manager Strategic and Economic Development
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	14 September 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the proposal.
PREVIOUS MEETING REFERENCE:	Not Applicable

Summary

The Department of Transport has been working with key agencies including the Shire of Ashburton, as well as key community stakeholders, to develop a concept plan for the Onslow Community Boating Precinct at Beadon Creek Boat Harbour. The preferred design has now been finalised, including 12 cyclone-rated pens, passenger loading berths, fishing jetty, replacement boat ramp and pontoon, and public amenities, and is expected to cost around \$10.685 million to construct.

A Business Case seeking \$8 million funding from Royalties for Regions via Pilbara Development Commission is now being developed. Department of Transport seeks the Shire's support for this application along with an allocation of \$1.5 million from the Onslow Community Development Fund (provided by Chevron as part of the State Development Agreement for the Wheatstone Project).

Background

In response to Onslow's recent growth and as part of planning to support the co-location of recreational uses within Beadon Creek and the expanded energy sector, the Department of Transport (DoT) prepared the Beadon Creek Boat Harbour Land Use Framework (LUF) in 2014. In 2015 DoT and the Shire established a Community Boating Precinct Working Group. The group was comprised of community representatives including Mackerel Island Charters, Onslow Marine Sea Rescue and Thalanyji Aboriginal Corporation. The Group collaboratively consulted with a range of stakeholders to define the scope of the 'Onslow Community Boating Precinct' project and discuss preliminary concept plans. A number of charter operators were consulted through an online survey in the development phase of the concept plan.

A Community Boating Precinct Agency Working Group, consisting of representatives from key government agencies including DoT, the Shire, Department of State Development and Pilbara Development Commission, was also established in 2015. The Agency Working Group's key

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role was develop a viable project scope, budget and funding strategy; and oversee the development of a business case to obtain the necessary funding.

As a result of extensive consultation with the working groups, the scope and budget for the proposed Community Boating Precinct has now been finalised:

- 12 cyclone-rated floating pens for different size vessels (to be managed on a commercial lease basis by DoT);
- Two passenger loading berths for charter and larger vessels;
- Fishing jetty;
- A new boat ramp and pontoon;
- Public amenities such as barbecue, seating, shelter areas and ablution facilities; and
- A landside developable area (for future leases such as kiosk)



3D visualisation of the project

The total project is expected to cost \$10.685 million, with the following funding strategy identified by the Agency Working Group:

Pilbara Development Commission (Royalties for Regions)	\$8,000,000
Onslow Community Development Fund	\$1,500,000
Department of Transport	\$ 810,000
OMSB (in kind value of dredging)	<u>\$ 375,000</u>
Total	\$10,685,000

Comment

A business case is now being finalised to seek \$8 million Royalties for Regions funding via the Pilbara Development Commission. DoT is the proponent for the business case, and will manage the delivery and ownership of the project upon completion. DoT has also offered to take over the ongoing management and upkeep of the boat ramp and pontoon as part of this arrangement, which are currently the Shire's responsibility.

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A further \$1.5 million has been identified as potentially being funded by the Onslow Community Development Fund. The fund was established as a result of Chevron's State Development Agreement for the Wheatstone project, and provides funds for agreed community infrastructure projects.

The project will deliver a number of outcomes that also support the Shire's vision for Onslow:

- Replace deteriorating community infrastructure (boat ramp and pontoon);
- Expand the public facilities to further activate the community (barbecue, ablutions, shade);
- Expand visitation to and awareness of Onslow's unique access to marine tourism assets such as the Mackerel Islands;
- Support and encourage tourist charters;
- Support the newly developed tourist accommodation such as Discovery Park, Beadon Bay Hotel, Ocean Beach Resort, Ocean View Caravan Park;
- Leverage other tourist investments such as the Onslow Airport;
- Cater for increased boat ownership and provide safe mooring during cyclonic events;
- Increase the town's capacity to capture the tourist market and in particular the growing marine tourism industry.

At this time, the Shire's contribution to the progression of the project has been limited to active participation on the Community Working Group, Agency Working Group and assistance with the development of the funding business case (including a small contribution to the consultant costs). A meaningful capital contribution to the project has not been identified in the Shire's annual budget or Long Term Financial Plan, but other funding opportunities such as Royalties for Regions and the Community Development Fund have been identified to support the project. The Shire's endorsement of the project and funding strategy, including allocation of funds from the Community Development Fund, is considered vital to its successful delivery.

Consultation

Shire President
Chief Executive Officer
Department of Transport
Department of State Development
Pilbara Development Commission
Chevron

Statutory Environment

None identified

Financial Implications

The proposal will not impact the Shire's 2016/17 Budget or Long Term Financial Plan, however it will reduce the funds in the Community Development Fund by \$1.5 million which may have otherwise been allocated to other infrastructure projects of community significance in Onslow.

Strategic Implications

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

Risk Management

Adoption of this item has been evaluated against the Shire of Ashburton's Risk Management

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Policy CORP5 Risk Matrix. The perceived level of risk is considered to be “Low” as it does not affect the Shire’s operations or budget, and will in fact reduce the asset management responsibilities.

Policy Implications

ELM10 Financial Sustainability Policy

ENG09 Asset Management Policy

Voting Requirement

Simple Majority Required.

Recommendation

That Council endorses the proposal by Department of Transport to construct the ‘Onslow Community Boating Precinct’ and supports it’s application for \$8 million from Royalties for Regions and \$1.5 million from the Onslow Community Development Fund.

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

AGENDA - ORDINARY MEETING OF COUNCIL 27 SEPTEMBER 2016

16.3 AWARD OF RFT 16/16 DESIGN AND CONSTRUCTION OF RESIDENTIAL DWELLINGS AT BARRARDA ESTATE, ONSLOW

FILE REFERENCE:	CM16.16 ED28 YUN.0094 CAR.0170 TIN.0194
AUTHOR'S NAME AND POSITION:	Janelle Fell Manager, Economic and Land Development
NAME OF APPLICANT/RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	8 September 2016
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the matter.
PREVIOUS MEETING REFERENCE:	Agenda Item 11.3 (Minute No. 11999) – Ordinary Meeting of Council 16 September 2015 Agenda Item 11.4 (Minute No. 11466) – Ordinary Meeting of Council 20 May 2015 Agenda Item 19.2 (Minute No. 11872) – Ordinary Meeting of Council 15 October 2014 Agenda Item 16.2 (Minute No. 11831) – Ordinary Meeting of Council 16 July 2014 Agenda Item 16.3 (Minute No. 11805) – Ordinary Meeting of Council 21 May 2014 Agenda Item 12.1 (Minute No. 11172) – Ordinary Meeting of Council 18 April 2012

Summary

At the September 2015 Ordinary Meeting of Council, the Chief Executive Officer was authorised to investigate the purchase or construction of additional housing in Onslow, for the purpose of staff housing .

Two villas at Anketell Court and three freehold lots in Barrarda Estate were purchased with written approval from the Shire President.

Subsequently, Tender submissions were sought from suitably qualified and experienced companies for the design and construction of dwellings on the Barrarda Estate lots. The Request for Tender proposed two options:

1. Option 1 - 1 x 4 bedroom, 2 bathroom and 1 x 3 bedroom, 2 bathroom dwelling with patio, garden shed/externally accessible storage room, fencing of the boundary and fully reticulated landscaping;
2. Option 2 - Construction of the two dwellings outlined above plus a further 3 bedroom, 2 bathroom dwelling with patio, garden shed/externally accessible storage room, fencing of the boundary and fully reticulated landscaping.

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Award of a contract for two or three dwellings was subject to submissions meeting available budget.

Five submissions were received in response to the Request for Tender, which have now been assessed by the Evaluation Panel. Council consideration of the Tender assessment outcome is now requested to accept the Tender from Pindan Pty Ltd.

Background

Due to increased staff numbers, excessive private leasing costs and renovation needs in Onslow, additional Shire owned staff housing was identified as an organisational priority to reduce operational expenditure.

In September 2015 (Minute No. 11999), several options were presented to Council to address the housing shortages. In accordance with Council's resolution, investigations were undertaken to optimise the Shire's 2015/16 \$2.2m budget, such as comparison of buying existing private housing stock, scoping costs to build on Shire land or, build on new land release via house and land package deals at Landcorp's Barrarda Estate.

The villas (2 & 3) at 5 Anketell Court, Onslow and the three vacant lots (56 Yungu Road, 6 Carlyon Road and 16 Tink Street) at Barrarda Estate cost \$1,153,935 (including settlement agent and legal fees).

To comply with the conditions in the contract of sale for the Barrarda Estate lots, the Shire must commence construction within twelve months of the settlement date; 23 May 2016. Tenders were called in July 2016 for the Design and Construction of Residential Dwellings in Barrarda Estate, Onslow, with submissions closing on 18 August 2016. Five tenders were received and assessed with the following results:

Tenderer	Price (incl. GST)	Score	Ranking
Pindan Pty Ltd	\$1,196,972.37	79.6	1
Modular WA	\$1,214,854.30	78.9	2
McGrath Homes	\$1,399,850.32	69.9	3
Fleetwood	\$1,370,198.50	66.6	4
Murray River North	\$1,509,222.00	60.9	5

CONFIDENTIAL ATTACHMENT 16.3A

Comment

The 2015/16 budget balance after the purchase of the Anketell and Barrarda assets (\$944,620) indicated only two dwelling builds at Barrarda Estate may be achievable. This was increased to \$1,346,000 in 2016/17 to provide greater certainty of being able to build all three houses.

The works proposed under the Tender will enable construction and delivery of three dwellings at:

- 56 Yungu Road being a 4 bedroom, 2 bathroom;
- 6 Carlyon Road and 16 Tink Street both, being 3 bedroom 2 bathroom dwellings.

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Tenders were assessed against the compliance, qualitative and pricing criteria specified (Price – 40%, Relevant Past Company Performance – 15%, Key Personnel and Resources – 15%, Drawings, Specifications, Methodology, Innovation, Program, Innovation, Program, Systems and Risk – 30%) in the Tender. The target completion date of the project is early 2017 with the recommended submission specifying completion by the end of April 2017, subject to execution of the Contract.

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Stage	Description	Indicative Timeline
STAGE 1	TENDER PROCESS	
A	Issue Tender Documents.	8 July 2016
B	Tender Close.	18 August 2016
C	Tender approval by Council and Award to Contractor	27 September 2016
STAGE 2	MANAGEMENT PLANS AND DESIGN & DOCUMENTATION	
A	Principal to provide relevant building design information for the D&C component	27 September 2016
B	Contractor's issue of Draft Design Drawings and Documentation for Principal's review	24 October 2016
C	Principal's review and comment on Draft Design Drawings and documentation (2 weeks)	7 November 2016
D	Contractor's issue of Final Design Drawings and Documentation for Principal's review	14 November 2016
E	Final Design Drawings & Documentation completion and sign-off by Principal (1 week)	21 November 2016
F	Contractor's issue of Management Plans and for Principal's review	15 December 2016
G	Principal's review and comment on draft Management Plans (1 week)	16 January 2017
H	Contractor's issue of Final Management Plans for Principal's review	23 January 2017
I	Final Management Plans completion and sign-off by Principal (1 week)	31 January 2017
J	Contractor to commence procurement, mobilisation to site	21 November 2016
STAGE 3	CONSTRUCTION COMMENCEMENT	14 February 2017

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STAGE 4	COMPLETION & HANDOVER (Early 2017 Target by Principal)	12 April 2017
STAGE 5	DEFECT LIABILITY PERIOD (Target Early 2018)	12 April 2018

Submissions are compliant with the specification and critical aspects of the project including:

- D-Region Category 2
- “Deemed-to-comply” with Residential Design Codes (2015) (R-Codes) standards
- Landcorp’s Onslow Residential Design Guidelines
- Passive Solar Design
- Energy Efficient fittings, fixtures and appliances
- Offers indoor and outdoor living spaces
- Waterwise landscaping in accordance with the Waterwise Garden Guidelines

Pindan Pty Ltd and Modular WA’s submissions are both within the Shire’s budget and demonstrate the ability to provide a quality, fit for purpose product at a competitive price. Modular WA is a newly formed modular construction company therefore scored lower on ‘Relevant Past Company Performance’. Pindan has ranked number 1 as the organisation has demonstrated experience in projects of a similar nature, offered a smart cost conscious approach, an adequate site team and has sufficient capacity to undertake the work.

ATTACHMENT 16.3B
ATTACHMENT 16.3C
ATTACHMENT 16.3D

Consultation

Executive Manager – Strategic and Economic Development
Manager – Strategic Projects
Housing Officer

Statutory Environment

Section 3.57 ‘Tender for providing goods or services’ of the Local Government Act 1995.

Financial Implications

\$1,346,000 is allocated in the 2016/17 budget for New Staff Housing. The delivery of three full turnkey dwellings is \$1,214,853 with an allowance for project costs (project management, disbursements, client fees etc). The budget will be reviewed regularly throughout the project.

Ongoing maintenance costs will be included in future budgets (2017/18 onwards) to maintain the condition of each dwelling.

Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022
Goal 05 – Inspiring Governance
Objective 3 – Exemplary Team and Work Environment – retention of Shire employees

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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.

While there is currently an oversupply of private housing in Onslow, rents are still high and it is not sustainable for the Shire to continue to pay premium rentals for accommodating members of the permanent Onslow workforce. To ensure risk in the area of staff housing does not escalate, it is important that the Shire increases its own housing stock in Onslow.

Risk will be managed throughout the project through continual analysis of existing and new risks by the Strategic Project Manager.

Policy Implications

AMP1 – Asset Management Policy

FIN04 – Buy Local – Regional Price Preference Policy

FIN12 – Purchasing and Tender

FIN14 – Tender Assessment Policy

Voting Requirement

Simple Majority Required

Recommendation

That Council:

1. Accepts Option 2 (three dwellings) Lump Sum Tender of \$1,196,972.37 (including GST) from Pindan Pty Ltd for RFT 16/16 - Design and Construction of Residential Dwellings in Barrarda Estate, Onslow; and
2. Authorises the Chief Executive Officer to execute the Contract and manage the Contract, including variations to the design specifications and contract value, providing this does not exceed the project budget or reduce the overall scope.

Author: Janelle Fell	Signature:
Manager: Anika Serer	Signature:

- 17. COUNCILLORS AGENDA ITEMS / NOTICES OF MOTIONS
- 18. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
- 18.1 PROPOSED NAMING OF ONSLOW RING ROAD AND RENAMING OF PORTION OF ONSLOW ROAD
To be provided under separate cover.
- 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.*

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19.1 CONFIDENTIAL ITEM - SALE OF LOT 9500 ONSLOW ROAD, ONSLOW.

FILE REFERENCE: GV05

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

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 12 September 2016

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

PREVIOUS MEETING REFERENCE: Agenda Item 19.1 (Minute No. 14) – Ordinary Meeting of Council 19 July 2016
Agenda Item 19.1 (Minute No. 12023) – Ordinary Meeting of Council 25 October 2015

Report/ Attachment is Confidential as per Local Government Act 1995, Section 5.23 (2)(c)(d).

Author: Neil Hartley	Signature:
Manager: Neil Hartley	Signature:

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20. NEXT MEETING

The next Ordinary Meeting of Council is yet to be determined. **(See Agenda Item 11.4)**

21. CLOSURE OF MEETING