



**SHIRE OF ASHBURTON  
ORDINARY MEETING OF COUNCIL**

**MINUTES  
(Public Document)**

**Ashburton Hall, Ashburton Avenue,  
Paraburdoo  
17 June 2015**

**1.00 pm**

# MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

## 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 17 June 2015 at Ashburton Hall, Ashburton Avenue, Paraborndoo 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**

The Shire President declared the meeting open at 1 pm.

### 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 C Fernandez	Tom Price Ward
Cr A Bloem	Tom Price Ward
Cr D Wright	Pannawonica Ward
Mr N Hartley	Chief Executive Officer
Ms A Serer	Executive Manager, Strategic & Economic Development
Ms L Reddell	Executive Manager, Development & Regulatory Services
Mr M Sully	Executive Manager, Community Development
Mr T Davis	Executive Manager, Infrastructure Services
Mr F Ludovico	Executive Manager, Corporate Services
Ms J Smith	Executive Officer
Miss J Forward	CEO & Councillor Support Officer

#### 3.2 **APOLOGIES**

There were no apologies.

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

There were no Councillors on approved leave of absence.

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### 4. QUESTION TIME

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

At the Ordinary Meeting of Council held on 20 May 2015 no public questions were taken on notice.

#### 4.2 PUBLIC QUESTION TIME

##### 4.2.1 David Mansfield (Paraburdoo)

**Q1. As a business owner of signage where may I register my business for any shire business and what is the process that may be require?**

The Chief Executive Officer outlined that there are two main opportunities for local businesses to “register” for Shire Business. In addition, local businesses should introduce themselves to our purchasing staff so they have a better idea of what local businesses operate in the district.

The first main opportunity is by lodging Tenders (i.e. purchases of \$100,000 and over) when they are advertised. Tenders progress through a Web based portal where any business (local or otherwise) can register. Once registered, these businesses are notified by email when a tender coinciding with the registration data of the business is called. Registered businesses can then tender if they wish to.

The second opportunity is currently under development, but relates to Quotes (i.e. purchases below \$100,000). The Shire is developing a policy based upon the above mentioned version of the Web based Tenders system, but for the smaller Quotations component of the Shire's purchases. Once the new Policy is in place, this will be promoted to local businesses and will apply for purchases above a few thousand dollars, and below \$100,000.

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**5. APPLICATIONS FOR LEAVE OF ABSENCE**

**Council Decision**

**MOVED: Cr Wright**

**SECONDED: Cr Fernandez**

**That Council accept the applications for leave of absence from Cr Peter Foster for the period 27 August to 2 October 2015 and including the Ordinary Meeting of Council being held on 16 September 2015.**

**CARRIED 8/0**  
**Crs White, Rumble, Dias, Wright, Thomas, Bloem, Foster and Fernandez voted for the motion.**

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### 6. DECLARATION BY MEMBERS

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

That Councillors White, Rumble, Dias, Wright, Thomas, Bloem, Fernandez and Foster confirm that they 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

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

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

Item Number/ Name	Type of Interest	Nature/Extent of Interest
<b>11.4</b>	<b>WESTSIDE COMMUNITY - TOM PRICE AND PARABURDOO ROAD</b>	
Cr Dias	Impartially	The nature of my interest is dedicated and valued employee at Hamersley Iron PTY LTD. The extent of my interest is shares over the value of \$10,000.00 in Rio Tinto LTD.
Cr Foster	Impartially	The nature of my interest is partner employed by Rio Tinto who is party to matter. The extent of my interest is partner employed by Rio Tinto (Tom Price).
Cr Bloem	Impartially	The nature of my interest is employee of Rio Tinto. The extent of my interest is proximity.



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**7. ANNOUNCEMENTS BY THE PRESIDING PERSON  
WITHOUT DISCUSSION**

**8. PETITIONS / DEPUTATIONS / PRESENTATIONS**

**8.1 PETITIONS**

There were no petitions presented to Council.

**8.2 DEPUTATIONS**

There were no deputations presented to Council.

**8.3 PRESENTATIONS**

There were no presentations to Council.

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### 9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

#### 9.1 ORDINARY MEETING OF COUNCIL HELD ON 20 MAY 2015

##### Officer's Recommendation

That the Minutes of the Ordinary Meeting of Council held on 20 May 2015, as previously circulated on 27 May 2015, be confirmed as a true and accurate record with the following changes:

- The wording for 13.1 Council Decision Box to state "Cr Fernandez voted against" in lieu of "Cr Fernandez voted for the motion".
- The wording for 13.4 Council Decision Box to state "Cr Fernandez voted against the motion" in lieu of "Cr Fernandez voted for the motion".

##### Council Decision

**MOVED:** Cr Foster  
Rumble

**SECONDED:** Cr

That the Minutes of the Ordinary Meeting of Council held on 20 May 2015, as previously circulated on 27 May 2015, be confirmed as a true and accurate record with the following changes:

- The wording for 13.1 Council Decision Box to state "Cr Fernandez voted against" in lieu of "Cr Fernandez voted for the motion".
- The wording for 13.4 Council Decision Box to state "Crs Fernandez and Thomas voted against" in lieu of "Crs Fernandez and Thomas voted for the motion".

**CARRIED 7/1**

**Crs White, Rumble, Dias, Wright, Thomas, Bloem and Foster voted for the motion.**

**Cr Fernandez voted against the motion.**

**Reason for Change:** Officers presented an alternative recommendation after noticing an error of fact in the original proposal.

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**9.2 SPECIAL MEETING OF COUNCIL HELD ON 05 JUNE 2015**

**Council Decision**

**MOVED: Cr Foster**

**SECONDED: Cr Rumble**

**That the Minutes of the Special Meeting of Council held on 05 June 2015, as previously circulated on 09 June 2015, be confirmed as a true and accurate record.**

**CARRIED 7/1**  
**Crs White, Rumble, Dias, Wright, Bloem, Fernandez and Foster voted for the motion.**  
**Cr Thomas voted against the motion.**

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### 10. AGENDA ITEMS ADOPTED "EN BLOC"

#### 10.1 EN BLOC

MINUTE: 11961

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."*

#### Council Decision

**MOVED: Cr P Foster**

**SECONDED: Cr D Wright**

**That Council adopts en bloc the following officer recommendations contained in the Agenda for the Ordinary Meeting of Council 17 June 2015.**

<b>Item No.</b>	<b>Agenda Item</b>
<b>11.2</b>	<b>USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTH OF MAY 2015</b>
<b>14.1</b>	<b>PROPOSED CROWN LAND ACTIONS REQUIRED TO RATIONALISE REMNANT LAND PARCELS FOLLOWING DEDICATION OF ONSLOW RING ROAD</b>

**CARRIED EN BLOC 7/1**

**Crs White, Rumble, Dias, Wright, Bloem, Fernandez and Foster voted for the motion.  
Cr Thomas voted against the motion.**

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### 11. GOVERNANCE & EXECUTIVE SERVICE REPORTS

#### 11.1 PROGRESS OF IMPLEMENTATION OF COUNCIL DECISIONS MAY 2015

**MINUTE:** 11965

**FILE REFERENCE:** GV04

**AUTHOR'S NAME AND POSITION:** Jasmin Forward  
CEO & Councillor Support Officer

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

**DATE REPORT WRITTEN:** 28 May 2015

**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

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### Financial Implications

Not Applicable

### 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

### Council Decision

**MOVED: Cr P Foster**

**SECONDED: Cr D Dias**

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

**CARRIED 6/2**

**Crs White, Rumble, Dias, Wright, Bloem, and Foster voted for the motion.**

**Crs Thomas and Fernandez voted against the motion.**

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### 11.2 USE OF COMMON SEAL AND ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTH OF MAY 2015

**MINUTE:** 11961

**FILE REFERENCE:** GV12

**AUTHOR'S NAME AND POSITION:** Janyce Smith  
Executive Officer

Susan Babao  
Administration Assistant Planning

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

**DATE REPORT WRITTEN:** 28 May 2015

**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 May 2015.

#### **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 2014.

#### **Comment**

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

#### **ATTACHMENT 11.2**

#### **Consultation**

Relevant officers as listed in the Attachment.

#### **Statutory Environment**

Local Government Act 1995

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

#### **Financial Implications**

As outlined in Attachment 11.2.

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### **Strategic Implications**

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 05 – Inspiring Governance

Objective 04 – Exemplary Team and Work Environment

### **Risk Management**

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

### **Policy Implications**

ELM 13 – Affixing the Shire of Ashburton Common Seal.

FIN12 – Purchasing and Tendering Policy.

### **Voting Requirement**

Simple Majority Required

### **Council Decision**

**MOVED: Cr P Foster**

**SECONDED: Cr D Wright**

**That Council accept the report "11.2 Use of Common Seal and Actions Performed Under Delegated Authority for the Month of May 2015".**

**CARRIED EN BLOC 7/1**

**Crs White, Rumble, Dias, Wright, Bloem, Fernandez and Foster voted for the motion.**

**Cr Thomas voted against the motion.**



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### 11.3 ROLE AND IMPLEMENTATION OF THE ABORIGINAL PORTFOLIO

**MINUTE:** 11966

**FILE REFERENCE:** GV18

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

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

**DATE REPORT WRITTEN:** 28 May 2015

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

**PREVIOUS MEETING REFERENCE:** Agenda Item 10.5 (Minute No.11686) – Ordinary Meeting of Council 20 November 2013  
Agenda Item 10.3 (Minute No. 11342) - Ordinary Meeting of Council 21 November 2012  
Agenda Item 10.1 (Minute No. 11277) - Ordinary Meeting of Council 19 September 2012  
Agenda Item 10.1 (Minute No. 11249) - Ordinary Meeting of Council 18 July 2012  
Agenda Item 10.1 (Minute No. 11147) - Ordinary Meeting of Council 21 March 2012

#### **Summary**

At the Ordinary Meeting of Council held on 20 May 2015, Cr Fernandez tabled a Notice of Motion regard to the Role and Implementation of the Aboriginal Portfolio. The Notice of Motion was:

*Request Council to review the role and implementation of Aboriginal portfolio.*

The last Council position on portfolios was a resolution on 20 November 2013 to *discontinue the implementation of the Councillor portfolio system*. It is recommended that Portfolios are not reconsidered in light of the view of the Department of Local Government and Communities.

#### **Background**

The Shire of Ashburton did support Portfolios in the past following a July 2011 review of its structure.

At the Ordinary Meeting of Council 21 March 2012 Council nominated Councillors to each portfolio and at the Ordinary Meeting of Council 18 July 2012 Council assigned Executive Managers to each portfolio.

At Council's September 2012 meeting it was decided to trial the Portfolio System for the Transport (Public Transport and Roads), Indigenous Affairs and Tourism portfolios for a six months period subject to "Portfolio Leaders Personal Performance Agreement" (which was approved at Council's November 2013 meeting).

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The practice of Portfolios was not uncommon in local government in the past, but after a review by the Department of Local Government it developed the position that Portfolios are not a good alignment with Section 2.10 of the Local Government Act, which highlights the need for Councillors to “*represents the interests of electors, ratepayers and residents of the district*” as Portfolios tend to align with topics (like Aboriginal issues, or swimming pools, or roads) and the concern was that other Councillors would unduly rely on the Portfolio holder to guide the meeting, as opposed to every Councillor playing an equal role in representing the electors.

At the November 2013 Council Meeting, Council considered it was more appropriate to recognise the division of responsibilities contained within the Local Government Act (as there was the view that using portfolios blurs the line between the operational side of the organisation and the strategic and where Administration stops and Council activities commence) and subsequently resolved to *discontinue the implementation of the Councillor portfolio system*.

The design of the Local Government Act is that the elected Council act as a group and consider the various issues concerning the community in order to provide good governance. Contemporary advice from the Department of Local Government is that whilst Portfolios may help elected members focus on issues and matters within the community better and have closer relationships with those particular groups, this could also lead to the Councillors having an unnecessary involvement in operational matters, plus there is also a risk of Portfolio participants canvassing the elected member, either consciously or unconsciously, which could be harmful to the Council. The practice of Portfolios was therefore regarded to have a high level of risk and was discouraged as common practice, particularly as there are no guidelines or legislation that governs how the portfolios are to be structured and managed.

### **Comment**

The last Council position on portfolios was a resolution on 20 November 2013 to discontinue the implementation of the Councillor portfolio system. It is recommended that Portfolios are not reconsidered in light of the view of the Department of Local Government and Communities.

### **Consultation**

Department of Local Government  
Relevant Officers and Executive Team

### **Statutory Environment**

Section 2.10 of the Local Government Act highlights the need for Councillors to ‘*represent the interests of electors, ratepayers and residents of the district.*’

### **Financial Implications**

The implementation of a Portfolio system will not incur any considerable financial expense, but it will require the organisation to change its operational procedures and add an operational labour cost to the system.

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### Strategic Implications

Shire of Ashburton's Corporate Business Plan 2013-2017 at Focus Area 5.1 (Governance) outlines that a productive relationship between elected Council and Administration is to be promoted, and that Policies and Procedures will provide uniformity.

### Risk Management

This item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be a "High" risk in light of the lack of guidelines/legislation and the views of the Department of Local Government. Risks could be managed though, by specific monitoring and actions as required, by the Council.

### Policy Implications

None Applicable

### Voting Requirement

Simple Majority Required

### Council Decision

**MOVED: Cr P Foster**

**SECONDED: Cr D Dias**

**That Council reinforce its position of 20 November 2013 and not reintroduce a Councillor Portfolio System.**

**CARRIED 6/2**

**Crs White, Rumble, Dias, Wright, Bloem and Foster voted for the motion.  
Cr Thomas and Fernandez voted against the motion.**

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### Declaration of Interest

Prior to consideration of this Agenda Item:

Cr Dias declared a (impartial) interest.

Cr Foster declared a (impartial) interest.

Cr Bloem declared a (impartial) interest.

See item 6.2 for details of the interest declared.

### 11.4 WESTSIDE COMMUNITY - TOM PRICE AND PARABURDOO ROAD

MINUTE: 11967

FILE REFERENCE:	GV17
AUTHOR'S NAME AND POSITION:	Neil Hartley Chief Executive Officer
NAME OF APPLICANT/ RESPONDENT:	Not Applicable
DATE REPORT WRITTEN:	28 April 2015
DISCLOSURE OF FINANCIAL INTEREST:	The author has no financial interest in the matter.
PREVIOUS MEETING REFERENCE:	Not Applicable.

### **Summary**

At the Ordinary Meeting of Council held on 20 May 2015, Cr Foster tabled a Notice of Motion with regard to the Westside Community of the Tom Price/Paraburdoo Road. The Notice of Motion was:

*Request Council Report on the status of Westside Community of Tom Price – Paraburdoo Road including who owns the land, who resides there and whether it is compliant, to determine Council's position on this community.*

Westside is understood to be an informal community, but the Shire has a role to play in ensuring that relevant legislation is complied with across the entire district. The State Government is though, progressing a statewide review of indigenous communities and this should also be factored into the Shire's considerations.

### **Background**

The Shire became aware of the Westside Community (Ngume Ngu) in 2011. It is situated on the eastern side of the Tom Price-Paraburdoo Road approximately 3km south of the Wakathuni Aboriginal Community. The site is located within the boundaries of the Rocklea Pastoral Lease which is controlled by Rio Tinto. It is understood that 'Westside' is not a formal Aboriginal community but rather an informal camp. Preliminary discussion between Shire officers and Rio Tinto has indicated that no permission has been granted by them, as the Pastoral Lease holder, for the use of the land.

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Since early 2015 it is understood that there has been nobody living full time at the community as the site is only occupied as a "weekend camping ground". Two recent site visits by Shire staff revealed that there were no residents occupying the site.

The Shire's key responsibility in regard to any new development is ensuring that statutory requirements relating to Town Planning, Building and Health are observed. The Shire's aim to cater for the safety, health and wellbeing of its residents in accordance with the Community Strategic Plan is most commonly addressed through these statutory provisions. The Shire does have a direct resource allocation to manage the health of the indigenous residents of "formal" remote communities, but it is limited to one health officer (jointly funded by the Shire/Department of Health).

When considering the broader matter of aboriginal communities within the Shire of Ashburton, the 20 May Council Meeting resolved that Council:

1. *Engages with the WA State Government's proposed consultation process so as to contribute to the WA State Government's planning for remote Indigenous communities in the Shire of Ashburton;*
2. *Monitor the State Government consultation process to ensure the views of the several local Indigenous communities are adequately invited; and*
3. *Defers any decision on the question of a Shire policy position on Ashburton's remote Indigenous communities, at least until the initial positions of the WA State Government and the several local Indigenous communities are ascertained.*

Since the above position of Council was set, the State Government has made some progress with its statewide review of indigenous communities (see attached media release seeking regional aboriginal leaders to nominate for membership on a Strategic Regional Advisory Council).

### ATTACHMENT 11.4

#### **Comment**

The Shire has very limited resources to deal with aboriginal communities and as Westside is an "unofficial" community, there are in effect no direct responsibilities to provide services, beyond ensuring compliance with the normal Town Planning, Building and Health requirements. Given preliminary discussion with Rio Tinto has indicated that no formal approval for use of the land has been issued by them as the Pastoral Lease holder, the first issue that should be resolved is land tenure. Given no approval has been provided for use of the land, 'Westside' is in effect a squatters camp (noting that formal squatters rights do not apply to Crown land).

Under normal circumstances, the Shire would seek that the land owner rectify, by way of a planning approval or removal/demolition of unapproved development, any such informal and unauthorised development. The Shire should ideally seek to address the legislative aspects of the development to address concerns regarding the health and safety of any residents given the lack of any formal consideration of issues such as building integrity, safe disposal of waste water and rubbish, potential impact of bush fires etc.

Given the current State Government review of the future of Aboriginal communities however, it is recommended that rather than taking a strictly 'compliance' based approach to Westside

## **MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015**

that the Shire engages with the Department of Regional Development, any relevant Aboriginal Corporation and Rio Tinto to determine whether there is any intention to formalise Westside as an Aboriginal community and thereafter make a determination as to how best to address the requirements of Town Planning, Building and Health.

### **Consultation**

Executive Team

### **Statutory Environment**

Building Act 2011

Health Act 1911

Planning and Development Act 2005

Shire of Ashburton Town Planning Scheme No. 7

The Local Government Act at S1.3 outlines that local governments in carrying out their functions are to use their best endeavours to meet the needs of current and future generations through an integration of environmental protection, social advancement and economic prosperity. There is no specific mention in the Local Government Act of Aboriginal communities, indicating that all communities are to be treated equitably.

### **Financial Implications**

Whilst all Indigenous communities have access to the broader range of community facilities and services available across the shire area, the Shire presently provides a modest range of services direct to our Indigenous communities, in particular health and refuse services. The approximate cost of these two services is about \$50,000 (nett of the Department of Health's annual contribution).

### **Strategic Implications**

There are numerous references to Ashburton's Aboriginal people throughout the Shire's Community Plan, and its Corporate Plan, but generally in the context of them being a part of the overall fabric of our Ashburton community. There is though, a specific reference to strategy TS8 Aboriginal Health Services.

### **Risk Management**

This item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be a "High" risk in light of the health risks of the Westside community and the reputational risk of the Shire. These can be managed though, by specific monitoring and actions as required, by the Shire's Executive Management Team.

### **Policy Implications**

There are several policies relevant that are general to the overall Ashburton district (like ADM08 Community Engagement Policy) but a specific policy applicable solely to our Aboriginal communities is HTH02 Aboriginal Environmental Health Strategy.

### **Voting Requirement**

Simple Majority Required

## MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

### Council Decision

**MOVED: Cr P Foster**

**SECONDED: Cr L Rumble**

**That Council engage with the Department of Regional Development (including as part of the WA State Government's planning for remote Indigenous communities), any relevant Aboriginal Corporation and Rio Tinto in a formal discussion regarding the tenure of the 'Westside' community in an effort to determine whether there is any intention to formalise Westside as an Aboriginal community and to secure a plan for a way forward in relation to ensuring compliance with the relevant Shire statutory requirements relating to Town Planning, Building and Health.**

**LOST 3/5**

**Crs Rumble, Bloem and Foster voted for the motion.**

**Crs White, Dias, Wright, Thomas and Fernandez voted against the motion.**

## MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

### 12. COMMUNITY DEVELOPMENT REPORTS

#### 12.1 APPLICATION ACCEPTANCE OF COMMUNITY LEASE/LICENCE FUNDING ALLOCATIONS FOR WASTE COMPLIANCE

MINUTE: 11968

FILE REFERENCE: GV20

AUTHOR'S NAME AND POSITION: Mabel Gough  
Temporary Project Officer

NAME OF APPLICANT/  
RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 31 May 2015

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

PREVIOUS MEETING REFERENCE: Agenda Item 12.1 (Minute No. 11901) – Ordinary Meeting of Council 28 January 2015  
Agenda Item 12.2 (Minute No. 11890) – Ordinary Meeting of Council 10 December 2014

#### Summary

Six applications were received for funding in response to the Shire's invitation for grants under its REC08 Policy (Community Donations, Grants and Funding). The applications were specifically for Community Lease/Licence Funding and applications closed on 30th April, 2015.

These grants are to assist clubs to bring their Shire lease areas up to the necessary standards.

#### Background

Following preliminary inspections in December 2014 on Shire of Ashburton community group leased reserves, a number of community groups have been requested to remove various waste items from their Club's leased land (such as tyres, dilapidated demountable buildings, car bodies, light towers, scrap metal and general waste) by 30 June, 2015 to comply with their respective lease agreements.

To assist, Council introduced a new Policy to guide funding parameters, and a budget allocation in the 2014/15 annual budget review. The funds were to assist community groups leasing a reserve with waste compliance/removal, and with the goal of having the funds allocated before end of the current financial year.

The Community Lease/Licence funding round was advertised via email and telephone to community groups leasing reserves. At the close of applications (30 April, 2015) six applications were received.

#### Comment

Six community groups on leased reserves applied for funding as part of the Community Lease/Licence funding round and they are listed below for consideration.



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<b>Name of Organisation</b>	<b>Club Commitment Cash</b>	<b>Club Commitment In-Kind</b>	<b>Other Funding Received</b>	<b>Cash Request from Shire (ex GST)</b>	<b>In-Kind Request from Shire (ex GST)</b>	<b>Total Cost of Waste Removal</b>	<b>Comments</b>
Tom Price Horse & Pony Club	\$0.00	Volunteer labour to load rubbish and transfer to rubbish tip. Machine operator hours.	Tom Price Skip Bins donating bin for scrap metal however will be charging for general waste.	\$7,846.39 Machine hire.	\$1,066.44 Waiving of tip fees.	\$8,912.83	Other Shire in-kind assistance: \$29,740 site survey. \$1,821 grading reserve roads. Tip fees waived.  Club has commenced waste removal taking several loads of waste to Tom Price Rubbish Tip in Club member utes and trailers. Club has shown genuine commitment to removing waste and has made extensive headway of the task.
Tom Price Sporting Shooters Association	\$3,000.00 Fuel for machines - excavator, truck bob cat.	Volunteer labour & machine operator.	\$7,350.00 Machine hire donated.	\$0.00	\$2,550.00 Waiving of tip fees.	\$12,600.00	Other Shire in-kind assistance: \$11,020 site survey. \$600 tyre disposal.  Club has commenced waste removal with excavator currently on-site piling waste.
Tom Price Camp Draft Association	\$2,000.00 Fuel for machines - excavator, truck bob cat.	40 hours volunteer labour	\$4,350.00 Machine hire donated.	\$0.00	\$10,200.00 Waiving of tip fees. 100m3 of waste.	\$16,550.00	A large volume of waste such as wire, scrap metal, burnt out ablution blocks, demountable buildings etc. near the old race track towards Kings Lake has not been factored into the cost of waste removal. This waste was on the reserve when Tom Price was 'normalised' and is not waste from the Camp Draft Association. It is suggested that the Shire removes this waste. Probable cost is \$10,000.
Tom Price Speedway	\$0.00	Mini excavator and grader.	\$2,820.00	\$16,197.32 Machine hire &	\$5,334.00 Waiving of tip fees.	\$24,351.32	Other Shire in-kind assistance: \$7,510 site survey. \$124 truck tyre disposal

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				machine operator.			<p>\$634 10m3 waste - waived tip fees. Scrap metal disposal.</p> <p>Club has commenced waste removal taking several loads of waste including car bodies to the Tom Price Rubbish Tip. The Club has shown genuine commitment to removing waste and has made extensive headway of the task.</p> <p>\$6,545 has been requested by the Club to pay Gladstone Motors, a company owned by members of Speedway.</p>
Tom Price BMX	\$500.00 Volunteer refreshments.	\$0.00	Simms Metal to collect steel.	\$750.00 Fuel for loader and hire of equipment.	\$22,034.18 Removal of light tower poles.	\$23,284.18	<p>Other Shire in-kind assistance: \$4,950 site survey. \$2,309 grading entrance road. \$2,379 arsenic test on light poles. \$5,530 tyre removal – 476 tyres</p>
Tom Price Motorcycle Club	\$0.00	\$5,040.00 Machine operators.	\$3,520.00 RCR, Simms Metal & free machine and tool hire.	\$3,908.40 Machine Hire.	\$3,650.00 Waiving tip fees.	\$16,118.40	<p>Other Shire in-kind assistance: \$5,340 site survey. Tip fees waived.</p> <p>Club has commenced waste removal taking several loads of waste to Tom Price Rubbish Tip. The Club has shown genuine commitment to removing waste and has made extensive headway of the task.</p>
Total Cash & In-Kind (Shire Commitment)				\$28,702.11	\$44,834.62		
Grand Total (Shire Commitment)	\$73,536.73						

Five community groups invited to submit a funding application to assist with waste removal did not apply for funding. Progress of waste

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removal and Shire assistance listed:

Name of Organisation	Comments
Onslow Motorcross & Enduro Club	<p>Shire in-kind assistance: \$8,180.00 site survey.</p> <p>Club has not commenced waste removal or submitted a funding application for assistance.</p>
Mountain View Sporting Club	<p>Shire in-kind assistance: \$18,040.00 site survey.</p> <p>Club has not commenced waste removal or submitted a funding application for assistance.</p>
Crushers Sporting Club	<p>Shire in-kind assistance: \$5,340.00 site survey.</p> <p>Club waiting on information to be provided in respect to the structural integrity of the buildings. Should any buildings be deemed unsafe the Club will commence removal of the structures.</p>
Impala Kart Club	<p>Shire in-kind assistance: \$7,680.00 site survey.</p> <p>Club has commenced waste removal although no application for assistance received.</p>
Onslow Rodeo Association (Stables)	<p>Shire in-kind assistance: \$4,840.00 site survey.</p> <p>Club has completed a small quantity of waste removal although no application for assistance received. Club focusing on waste removal from rodeo grounds and will address the stables as a secondary matter.</p>
Onslow Rodeo Association (Grounds)	<p>Shire in-kind assistance: \$4,840.00 site survey. \$5,250.00 tyre disposal. Scrap metal disposal.</p> <p>Club has commenced waste removal although no application for assistance received. Onsite donated machinery to remove tyres, scrap metal and general waste with several loads delivered at the Onslow Rubbish Tip. A further 1500 tyres to be discarded. Club has shown genuine commitment to removing waste and has made extensive headway of the task.</p>

## MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

### Consultation

Executive Manager – Community Development  
Facilities Manager  
Compliance Officer  
Manager Works & Civil Services  
Waste Management Coordinator  
Temporary Project Officer  
Tom Price Motorcycle Club  
Tom Price BMX Club  
Impala Kart Club  
Crushers Sporting Club Incorporated  
Mountain View Sporting Club Incorporated  
Tom Price Branch Incorporated Sporting Shooters Association of Western Australian Incorporated  
Tom Price Speedway  
Tom Price Horse & Pony Club Incorporated  
Onslow Sports Club Incorporated  
Onslow Rodeo Association Incorporated  
Onslow Motorcross & Enduro Club Incorporated

### Statutory Environment

Local Government Act (1995) 6.7(2) (ensuring there is sufficient money in the budget)

### Financial Implications

An allocation of \$160,000 has been made in the 2014/15 annual financial budget review to cover the anticipated cost of compliance for 2014/2015. \$60,000 is allocated for the hire of qualified contractor/s to provide reports on the level of compliance of the structural and health conditions of buildings located on leased properties. An initial review of building compliance, by a qualified Shire employee, has recently been undertaken and a report is currently being prepared. The report will identify the scope of works required for the buildings to meet compliance and will also identify the works in order from most urgent to least urgent.

Of the remaining \$100,000, \$4,130 has previously been allocated and \$ 95,870 is currently available to clubs/groups that meet the REC 08 policy grant conditions and gain Council approval. Six grant applications are attached to this agenda item, totaling \$73,537, for cash and in-kind requests for funding for waste compliance assistance funding. \$22,333 will remain available if all six applications are approved.

The Tom Price Camp Draft Club members were keen to carry out a clean-up of their leased property and have commenced removing rubbish they believe belongs to the club. An application for a contribution of \$10,200, for clean-up work to date, is included in the current six applications

The Tom Price Camp Draft Club<sup>1</sup> claim that there is refuse, mainly disused wooden power and light poles, located on the Camp Draft site which were dumped as part of the historical process to “normalise” Tom Price and Club members also claim that technically removal is the Shire’s responsibility.

As the poles contain arsenic, they require testing prior to removal and a specific handling process for removal, which has been quoted at around \$30,000, depending on test results.

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<sup>1</sup> Correction should be Tom Price BMX Club

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Until the results of testing are available and the removal process is determined, no work can be undertaken on the poles which will result in the testing and removal costs being incurred in the 2015/2016 financial year. Therefore it is recommended that an amount of \$30,000 should be allocated in the 2015/2016 budget account 111223 (Donation to Community Groups – Compliance) specifically for this work.

### 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

REC05 Community Lease and Licence Agreements of Shire Assets (Facilities, Buildings and Land)

REC08 Community Donations, Grants and Funding Policy

### Voting Requirement

Simple Majority Required

### Recommendation

That Council approve funds being allocated from account 111223 (Donation to Community Groups – Compliance) as outlined in the chart below:

1. Individual Club contributions:

Name of Organisation	Cash	In-Kind	Total
Tom Price Horse & Pony Club	\$7,846.39	\$1,066.44	\$8,912.83
Tom Price Sporting Shooters Association	\$0.00	\$2,550.00	\$2,550.00
Tom Price Camp Draft Association	\$0.00	\$10,200.00	\$10,200.00
Tom Price Speedway	\$16,197.32	\$5,334.00	\$21,531.32
Tom Price BMX	\$750.00	\$22,034.18	\$22,784.18
Tom Price Motorcycle Club	\$3,908.40	\$3,650.00	\$7,558.40
<b>TOTAL</b>			<b>\$73,536.73</b>

2. That the Shire arranges removal from the Camp Draft Association area, the "pre-normalisation" waste (estimated to cost \$10,000 – to be charged to budget account 111223 (Donation to Community Groups – Compliance) and further, an amount of \$30,000 be allocated in the 2015/2016 budget account 111223 (Donation to Community Groups – Compliance) specifically for removal of used wooden poles from the Tom Price Camp Draft leased site.

## MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

### Council Decision

**MOVED:** Cr A Bloem

**SECONDED:** Cr D Wright

That Council approve funds being allocated from account 111223 (Donation to Community Groups – Compliance) as outlined in the chart below:

**1. Individual Club contributions:**

Name of Organisation	Cash	In-Kind	Total
Tom Price Horse & Pony Club	\$7,846.39	\$1,066.44	\$8,912.83
Tom Price Sporting Shooters Association	\$0.00	\$2,550.00	\$2,550.00
Tom Price Camp Draft Association	\$0.00	\$10,200.00	\$10,200.00
Tom Price Speedway	\$16,197.32	\$5,334.00	\$21,531.32
Tom Price BMX	\$750.00	\$22,034.18	\$22,784.18
Tom Price Motorcycle Club	\$3,908.40	\$3,650.00	\$7,558.40
<b>TOTAL</b>			<b>\$73,536.73</b>

- 2. That the Shire arranges removal from the Camp Draft Association area, the “pre-normalisation” waste (estimated to cost \$10,000 – to be charged to budget account 111223 (Donation to Community Groups – Compliance) and further, an amount of \$30,000 be allocated in the 2015/2016 budget account 111223 (Donation to Community Groups – Compliance) specifically for removal of used wooden poles from the Tom Price BMX Club leased site .**

**CARRIED 7/1**

**Crs White, Rumble, Wright, Thomas, Bloem, Fernandez and Foster voted for the motion.**

**Cr Dias voted against the motion.**

**Reason for Change:** That there was a typographical error that required correction in section two of the officers recommendation (vis. alter “Tom Prices Camp Draft” to “Tom Price BMX Club”).

## MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

### 13. CORPORATE SERVICES REPORTS

#### 13.1 RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS FOR MONTH OF APRIL & MAY 2015

MINUTE: 11969

FILE REFERENCE: FM03

AUTHOR'S NAME AND POSITION: Leah M John  
Finance Manager

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 2 June 2015

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

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:

#### April 2015

- Statements of Financial Activity and associated statements for the Month of April 2015.

**ATTACHMENT 13.1A**

#### May 2015

- Schedule of Accounts and Credit Cards paid under delegated authority for the Month of May 2015.

**ATTACHMENT 13.1B**

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### Consultation

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

### Statutory Environment

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

### Financial Implications

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

### Strategic Implications

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

### Risk Management

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

### Policy Implications

There are no policy implications in this matter.

### Voting Requirement

Simple Majority Required

### Council Decision

**MOVED: Cr P Foster**

**SECONDED: Cr D Wright**

**That Council:**

- 1. Accepts the Financial Reports for April 2015 ATTACHMENT 13.3A; and**
- 2. Notes the Schedule of Accounts and Credit Cards paid in May 2015 as approved by the Chief Executive Officer in accordance with delegation DA03-1 Payments from Municipal Fund and Trust Funds as per ATTACHMENT 13.3B.**

**CARRIED 7/1**

**Crs White, Rumble, Dias, Wright, Thomas, Bloem and Foster voted for the motion.  
Cr Fernandez voted against the motion.**



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### 13.2 BUDGET AMENDMENT / VARIATION

**MINUTE:** 11970

**FILE REFERENCE:** FM14.14.15

**AUTHOR'S NAME AND POSITION:** Leah M John  
Finance Manager

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

**DATE REPORT WRITTEN:** 4 June 2015

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

**PREVIOUS MEETING REFERENCE:** Not Applicable

#### **Summary**

The 2014/2015 budget was officially adopted by Council on 30 July 2014 and throughout the year variations occur. It is the purpose of this report to bring these to the attention of Council.

#### **Background**

The 2014/2015 budget was officially adopted by Council on 30 July 2014 and throughout the year variations occur. It is the purpose of this report to bring these to the attention of Council.

It is proposed to amend the 2014/2015 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 2014/2015 as outlined below be approved.

## MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

<b>1. Community Facilities: Parks</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Current Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
15218	Paraburdoo Shopping Mall Replace Playground	<b>\$40,000</b>	<b>\$17,000</b>	<b>\$57,000</b>
15149	Paraburdoo - Meeka Park Repair Train	<b>\$23,000</b>	<b>(\$17,000)</b>	<b>\$6,000</b>
Reason: Repairs to the train at Paraburdoo Train Park have been completed at a total cost of \$6,000 with a remaining balance of \$17,000 of the total budget. The leftover funds are requested to be applied to CAPEX project item no.1415.218 – Paraburdoo Shopping Mall Replace Playground. The current expenditure forecast is higher than expected so extra funds are required to complete the project. This budget variation will have no impact on the budget.				
<b>2. Infrastructure Services: Drainage</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Current Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
New code	Drainage Renewal – Works Paraburdoo	<b>\$0</b>	<b>\$999,579</b>	<b>\$999,579</b>
New code	Income - CLGF Grant Funding 2012/13	<b>\$0</b>	<b>-\$999,579</b>	<b>-\$999,579</b>
Reason: Successful grant application under the Royalties for Regions, Country Local Government Scheme 2012-2013. Funds expected to be received before 30 June 2015. This budget variation will have no effect on the budget.				
<b>3. Media &amp; Tourism: Onslow Visitor Centre</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Current Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
130147	Area Promotion General – Consultant Project Costs	<b>\$185,000</b>	<b>(\$60,000)</b>	<b>\$125,000</b>
New code	Onslow Visitor Centre & Museum Signage	<b>\$0</b>	<b>\$ 60,000</b>	<b>\$ 60,000</b>
Reason: When the 2014-15 Budget was adopted, Council approved a \$330,000 allocation towards helping implement actions in the Shire's Tourism Strategy (adopted in 2011). This was placed in operations budget (Area Promotion General – Consultants 11301470). Funding was reduced to \$255,000 in the March Budget Review. One of the priority projects being implemented from the tourism strategy over the past year, has been the upgrading of signage at the Tom Price Visitor Centre, and the subsequent development of a 'tourism sub-brand' for both our 'inland' Karijini and coastal Onslow assests. Another priority has been the upgrading of the interior of the Tom Price Visitor Centre. Council gave approval for a transfer of \$70,000 in May Council Meeting (minute ref: #11948) to be allocated from Consultants budget 130147 for the Tom Price Visitors Centre upgrade. Staff were not considering doing external signage works at the Onslow Visitor Centre/Museum but there is now an opportunity to do this using the remaining budget allocation of \$185,000 in Consultants 130147. The external signage at Onslow Visitor Centre/Museum will be the first application of the coastal themed tourism sub-brand. Council is requested to approve the transfer of the costs for the three external signs at the Onslow Visitor Centre/Museum from the Consultants GL account to a Capital Expenditure. This variation will have no effect on the budget.				

# MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

## Consultation

Executive Manager – Corporate Services  
Executive Manager – Community Development  
Executive Manager – Infrastructure Services  
Finance Manager  
Budget and Grants Finance Officer

## Statutory Environment

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

(b) is authorized in advance by resolution\*

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

\*requires an absolute majority of Council

## Financial Implications

The proposed budget amendments will have no impact on current budget’s position.

## 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

## Council Decision

**MOVED:** Cr D Wright

**SECONDED:** Cr P Foster

**That Council approved the required budget variations to the Current Budget for 2014/2015 as outlined below.**

<b>1. Community Facilities: Parks</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Current Budget</b>	<b>Variation Amount</b>	<b>Revised Budget Figure</b>
15218	Paraburdoo Shopping Mall Replace Playground	\$40,000	\$15,000	\$55,000
15149	Paraburdoo - Meeka	\$23,000	(\$15,000)	\$8,000

**MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015**

<b>Park - Repair Train</b>				
Reason: Repairs to the train at Paraburdoo Train Park have been completed at a total cost of \$6,000 with a remaining balance of \$17,000 of the total budget. The leftover funds are requested to be applied to CAPEX project item no.1415.218 – Paraburdoo Shopping Mall Replace Playground. The current expenditure forecast is higher than expected so extra funds are required to complete the project.				
<b>2. Infrastructure Services: Drainage</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Current Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
New code	Drainage Renewal – Works Paraburdoo	\$0	\$999,579	\$999,579
New code	CLGF Grant Funding 2012/13	\$0	-\$999,579	-\$999,579
Reason: Successful grant application under the Royalties for Regions, Country Local Government Scheme 2012-2013. Funds expected to be received before 30 June 2015.				
<b>3. Media &amp; Tourism: Onslow Visitor Centre</b>				
<b>GL/Job Number</b>	<b>General Ledger Description</b>	<b>Current Budget</b>	<b>Variation Amount</b>	<b>Revised Budget</b>
130147	Area Promotion General – Consultant Project Costs	\$185,000	(\$40,000)	\$145,000
New code	Onslow Visitor Centre & Museum Signage	\$0	\$40,000	\$40,000
Reason: When the 2014-15 Budget was adopted, Council approved a \$330,000 allocation towards helping implement actions in the Shire’s Tourism Strategy (adopted in 2011). This was placed in operations budget (Area Promotion General – Consultants 11301470). Funding was reduced to \$255,000 in the March Budget Review. One of the priority projects being implemented from the tourism strategy over the past year, has been the upgrading of signage at the Tom Price Visitor Centre, and the subsequent development of a ‘tourism sub-brand’ for both our ‘inland’ Karijini and coastal Onslow assests. Another priority has been the upgrading of the interior of the Tom Price Visitor Centre. Council gave approval for a transfer of \$70,000 in May Council Meeting (minute ref: #11948) to be allocated from Consultants budget 130147 for the Tom Price Visitors Centre upgrade. Staff were not considering doing external signage works at the Onslow Visitor Centre/Museum but there is now an opportunity to do this using the remaining budget allocation of \$185,000 in Consultants 130147. The external signage at Onslow Visitor Centre/Museum will be the first application of the coastal themed tourism sub-brand. Council is requested to approve the transfer of the costs for the three external signs at the Onslow Visitor Centre/Museum from the Consultants GL account to a Capital Expenditure.				
<b>CARRIED BY ABSOLUTE MAJORITY 7/1</b>				
Crs White, Rumble, Dias, Wright, Bloem, Fernandez and Foster voted for the motion. Cr Thomas voted against the motion.				

## MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

### 13.3 PROPOSED 2015/2016 FEES & CHARGES

MINUTE: 11971

<b>FILE REFERENCE:</b>	FM29
<b>AUTHOR'S NAME AND POSITION:</b>	Leah M John Finance Manager
<b>NAME OF APPLICANT/RESPONDENT:</b>	Not Applicable
<b>DATE REPORT WRITTEN:</b>	04 June 2015
<b>DISCLOSURE OF FINANCIAL INTEREST:</b>	The author has no financial interest in the proposal.
<b>PREVIOUS MEETING REFERENCE:</b>	Not Applicable

#### Summary

The Shire's proposed Fees and Charges are presented to Council for consideration for the new Financial Year 2015/16. The proposal is required to be advertised for a period of seven days. It is proposed that the new fees and charges will become effective from the start of the 2015/16 financial year (1 of July 2015).

#### Background

A local government may impose and recover a fee or charge for goods or services it provides.

The proposed Fees and Charges have been collated and compiled in consultation with Department/Program Managers responsible for providing the relevant services to the community and ensuring appropriate levels of income are generated for the Shire.

The Fees and Charges for 2014/2015 have been included for Council's reference, to highlight the changes considered in the proposed Fees & Charges for 2015/16 (proposed newly introduced fees/charges for 2015/16 year are indicated as "new" in the schedule).

### ATTACHMENT 13.3

#### Comment

With a relatively low inflation rate and most fees and charges being low dollar amounts, it is generally considered unrealistic to increase charges by just a few cents, most program area charges are therefore suggested to remain the same as for 2014/15 year, or adjusted by a sum that created a realistic end figure (like ending in an even dollar charge figure).

Programs that have proposed increases include the following; Community Building and Facilities Hire – mostly for commercial hirers (avg.3.6%), Plant Hire rates (4%), Swimming Pool and Sanitation have increased more than 50% in some instances to provide a suitably graded (child/adult/multi-pass) fee level. New charges have also been introduced in Planning and Building and Sanitation.

## MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

Generally pricing for these charges are set below the financial cost of providing the service as there is an expected community service obligation for the provision of community/recreation services. In these instances the fees received are expected to make minimal contribution towards the total cost of the service provision, with the balance being met from general rates revenue.

### Consultation

Department/Program Managers  
Executive Management Team

### Statutory Environment

Local Government Act 1995, Section 6.16, 6.17 and 6.19.  
Local Government Act 1995, Section 1.7.

### Financial Implications

The revenue raised from fees and charges set by Council will underpin to a degree, its ability to provide services and facilities for the 2015/2016 financial year and into the future. The Long Term Financial Plan incorporates fees/charges and predicts a gradual increase along inflationary lines. If Council was to direct that fees/charges be modified significantly, it would also need to consider how best to offset those impacts in other parts of the budget.

### 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. Even though the total revenues collected from fees and charges is significant, the level of increase is the risk driver and the perceived level of risk is therefore considered to be a *"Low Risk: Managed by routine procedures"*.

If Council was to direct that fees/charges be modified significantly without complimentary changes in other parts of the budget, then the level of risk would need to be reassessed.

### Policy Implications

There are no specific policy implications relative to this issue.

### Voting Requirement

Absolute Majority Required

### Recommendation

That Council:

Adopt the 2015/2016 Fees & Charges Schedule as per the **ATTACHMENT 13.3**

1 Pursuant to section 53 of the Cemeteries Act 1986 the Council adopts the Fees and Charges for all Cemeteries in the Shire of Ashburton included at page 3 in **ATTACHMENT 13.3**

1.1 Pursuant to section 245A(8) of the Local Government (Miscellaneous Provisions) Act 1960 adopts a swimming pool inspection fees of:

- |                          |         |
|--------------------------|---------|
| • Intitial Inspection    | \$56.00 |
| • Annual Inspection Fees | \$40.00 |

## MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

1.2 Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, adopt the following charges for the removal and deposit of domestic and commercial waste:

1.2.1 Residential Premises (including recycling)

• 240ltr bin per weekly collection	\$ 453 pa
• 240ltr bin per weekly collection Additional bin pick up at time of normal collection	\$ 453 pa
Non Rateable Land	\$ 453 pa
New Replacement 240ltr bin	\$ 153 pa

1.2.2 Commercial Premises

• 240ltr bin per weekly collection	\$ 800 pa
• 600ltr Bulk Bin Weekly Collection	\$1,200 pa
• 1.1m <sup>3</sup> per weekly collection	\$1,700 pa
New Replacement 240ltr bin	\$ 153 pa
New Replacement 1100m <sup>3</sup> bin	\$ 650 pa

1.3 Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, and section 6.16 of the Local Government Act 1995 adopt the following charges for the deposit of domestic and commercial waste:

• Domestic (private residents: cars, utilities, trailers only)	No Charge
• Commercial Bulk Waste delivered to landfill site	\$ 54.00/m <sup>3</sup>
• Commercial / Industrial Bulk Waste unsorted	\$108.00/m <sup>3</sup>
• Car and light vehicle tyres	\$ 15.00/tyre
• Fire Extinguishers (Emptied)	\$ 15.00ea
• Truck tyres	\$ 20.00/tyre
• Earthmover tyres	By negotiation
• Tyres with Rim	\$ 55.00ea
• Gas bottles valve intact	\$ 15.00ea
• Waste oil	\$ 2.00/ltr
• White goods & Scrap Metals	\$ 54.00ea
• 210ltr Drums (empty)	\$ 11.00/drum
• Vehicle batteries	\$ 11.00ea
• Asbestos (Double Wrapped)	\$ 160.00/m <sup>3</sup>
• Burial fee	\$ 54.00
• Oversized items	By negotiation
• Clean fill	\$ 10.00/m <sup>3</sup>
• Green waste	\$ 75.00/m <sup>3</sup>
• Empty Industrial Bulk Containers (IBC)	\$ 150.00ea
• Special Solid Waste (IBC)	\$1200.00ea
• Waste Oil Containers	\$ 30.00ea
• Deceased Animal	\$ 10.00ea
• Medical Waste	\$ 160.00/m <sup>3</sup>
• Car Bodies (All oils (including diff oil), fuels and batteries removed)	\$ 54.00/car

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### Council Decision

**MOVED:** Cr L Rumble

**SECONDED:** Cr C Fernandez

**That Council:**

**Adopt the 2015/2016 Fees & Charges Schedule as per the ATTACHMENT 13.3**

**1 Pursuant to section 53 of the Cemeteries Act 1986 the Council adopts the Fees and Charges for all Cemeteries in the Shire of Ashburton included at page 3 in ATTACHMENT 13.3**

**1.1 Pursuant to section 245A(8) of the Local Government (Miscellaneous Provisions) Act 1960 adopts a swimming pool inspection fees of:**

- **Intitial Inspection** **\$56.00**
- **Annual Inspection Fees** **\$40.00**

**1.2 Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, adopt the following charges for the removal and deposit of domestic and commercial waste:**

**1.2.1 Residential Premises (including recycling)**

- **240ltr bin per weekly collection** **\$ 453 pa**
- **240ltr bin per weekly collection**  
**Additional bin pick up at time of normal collection** **\$ 453 pa**  
**Non Rateable Land** **\$ 453 pa**  
**New Replacement 240ltr bin** **\$ 153 pa**

**1.2.2 Commercial Premises**

- **240ltr bin per weekly collection** **\$ 800 pa**
- **600ltr Bulk Bin Weekly Collection** **\$1,200 pa**
- **1.1m3 per weekly collection** **\$1,700 pa**  
**New Replacement 240ltr bin** **\$ 153 pa**  
**New Replacement 1100m3 bin** **\$ 650 pa**

**1.3 Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, and section 6.16 of the Local Government Act 1995 adopt the following charges for the deposit of domestic and commercial waste:**

- **Domestic (private residents: cars, utilities, trailers only)** **No Charge**
- **Commercial Bulk Waste delivered to landfill site** **\$ 54.00/m3**
- **Commercial / Industrial Bulk Waste unsorted** **\$108.00/m3**
- **Car and light vehicle tyres** **\$ 16.00/tyre**
- **Fire Extinguishers (Emptied)** **\$ 15.00ea**
- **Truck tyres** **\$ 16.00/tyre**
- **Earthmover tyres** **By negotiation**
- **Tyres with Rim** **\$ 55.00ea**
- **Gas bottles valve intact** **\$ 15.00ea**
- **Waste oil** **\$ 2.00/ltr**
- **White goods & Scrap Metals** **\$ 22.00ea**
- **210ltr Drums (empty)** **\$ 11.00/drum**



**MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015**

• Vehicle batteries	\$ 11.00ea
• Asbestos (Double Wrapped)	\$ 160.00/m3
• Burial fee	\$ 54.00
• Oversized items	By negotiation
• Clean fill	\$ 10.00/m3
• Green waste	\$ 00.00
• Empty Industrial Bulk Containers (IBC)	\$ 150.00ea
• Special Solid Waste (IBC)	\$1200.00ea
• Waste Oil Containers	\$ 30.00ea
• Deceased Animal	\$ 10.00ea
• Medical Waste	\$ 160.00/m3
• Car Bodies (All oils (including diff oil), fuels and batteries removed)	\$ 54.00/car

**CARRIED BY ABSOLUTE MAJORITY 6/2**

**Crs White, Rumble, Wright, Thomas, Bloem, and Fernandez voted for the motion.**

**Crs Dias and Foster against the motion.**

**Reason for Change:** Cr Rumble proposed that Council make the following changes to the officer recommendation as it was felt the proposed alternative charges were more practical, particularly in regard to green waste residential usage:

100023	Car and Light Vehicle Tyres from	\$15 to \$16
100023	Truck Tyres from	\$20 to \$16
102613	Green Waste	\$75 to \$00
100958	Scrap Metal and White Goods	\$54 to \$22

## MINUTES - ORDINARY MEETING OF COUNCIL 17 JUNE 2015

### 14. DEVELOPMENT AND REGULATORY SERVICES REPORTS

#### 14.1 PROPOSED CROWN LAND ACTIONS REQUIRED TO RATIONALISE REMNANT LAND PARCELS FOLLOWING DEDICATION OF ONSLOW RING ROAD

**MINUTE:** 11961

**FILE REFERENCE:** PR42090

**AUTHOR'S NAME AND POSITION:** Andrew Patterson  
Principal Town Planner

**NAME OF APPLICANT/RESPONDENT:** Main Roads Western Australia

**DATE REPORT WRITTEN:** 2 June 2015

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

**PREVIOUS MEETING REFERENCE:** Agenda Item 14.11 (Minute No. 11664) – Ordinary Meeting of Council 16 October

#### **Summary**

Main Roads Western Australia (MRWA) has requested that the Shire of Ashburton undertake a number of actions relating to Crown land parcels under the Shire's management that will be affected by the dedication of the Onslow Ring Road.

As illustrated in the Onslow Ring Road Plan (ATTACHMENT 14.1A), the road corridor traverses a number of lots, some of which are held as managed Crown reserves by the Shire of Ashburton. In order to construct and dedicate the new road, the Shire will need to relinquish portions of these reserves. The road corridor also traverses a portion of dedicated road (Macedon Road) that will require formal closing, with the resulting land requiring disposal into adjoining Crown reserves. In addition, a small number of land parcels will be severed from their parent lots, with these severances requiring disposal into adjoining lots given that their size will preclude independent use and development.

#### **ATTACHMENT 14.1A**

#### **Background**

As the lead agency for the Onslow Ring Road project, MRWA are responsible for obtaining all required approvals and consents required to construct the Onslow Ring Road from other agencies and authorities. Amongst these are a number of actions required from the Shire of Ashburton to allow for the dedication of the new road, and then to dispose of a number of severances (parts of lots that are severed from the majority of the lot and unusable in their own right). Two road closures are also required being Macedon Road and a portion of Simpson Street, both of which are unpaved tracks that will be replaced by the new Ring Road.

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The Deposited Plans attached to this report visually describe the actions required that are described below:

### LDP 1460-161 (ATTACHMENT 14.1B)

#### ATTACHMENT 14.1B

This plan describes the southern extent of the Ring Road as it deviates from the existing Onslow Road and heads north to a point just beyond the Rodeo Grounds. The two lots requiring action on the Land are:

- Lot 85 that is currently vacant but in the process of being leased in accordance with Council's resolution made at its Ordinary Meeting on 20 May 2015. The proposed lessee has been advised of the necessity to excise land from this Reserve for the Ring Road and any lease will take account of the reduced lease area; and
- Lot 719 that is part of the Shires 'Common' Reserve 19291. The affected land is undeveloped.

Lot description: Lot 85 on DP 215492, CLT 3138/673 being portion of Reserve 38264 is set aside for 'Equestrian Purposes' with a Management Order granted in favour of the Shire of Ashburton.

#### Actions Required:

- Consent from the Shire required to excise that portion of land required for the Onslow Ring Road from Reserve 38264.
- Confirmation from the Shire as to whether there are any remaining interests (leases, licences etc.) held over the Reserve that will be affected by the road dedication. Any interests will need to be surrendered prior to dedication.
- The Department of Lands will require a Statutory Declaration from the Shire confirming that no interests remain over the affected land and that the land is free from contamination.

Lot description: Lot 719 on DP 400252, CLT 3162/952 being portion of Reserve 19291 which is set aside for 'Common' with a Management Order granted in favour of the Shire of Ashburton.

#### Actions required:

- Consent from the Shire required to excise that portion of land required for the Onslow Ring Road from the Reserve 19291.
- Confirmation from the Shire as to whether there are any interests (leases, licences etc.) held over the Reserve that will be affected by the road dedication. Any interests will need to be surrendered prior to dedication.
- The Department of Lands will require a Statutory Declaration from the Shire confirming that no interests remain over the affected land.

### LDP 1460-162 (ATTACHMENT 14.1C)

#### ATTACHMENT 14.1C

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This plan describes the Ring Road alignment as it heads north past the now closed Onslow Tip and along the west boundary of the Chevron superlot. Those lots requiring action on this Land Dealings Plan are:

- Lot 302 (the Tip site) that will lose some land to the Ring Road, and have some land added to its eastern boundary where some land will be added to the Reserve on the west side of the Ring Road; and
- Lot 500 that is part of the Shire's 'Common' Reserve. As noted above, this is undeveloped.

Lot Description: Lot 302 on DP 45791, CLT 3135/814 being portion of Reserve 38336 which is set aside for 'Gravel & rubbish disposal site' with a Management Order granted in favour of the Shire of Ashburton.

Actions Required:

- Consent from the Shire required to excise the portion of land required for the Onslow Ring Road from the Reserve 38336.
- Partial withdrawal of Contaminated Sites memorial M91908 from the road
- The Department of Lands will require a Statutory Declaration from the Shire confirming that no interests remain over the affected land.

Lot Description: Lot 500 on DP 401881, CLT 3152/109 being portion of Reserve 19291 which is set aside for 'Common' with a Management Order granted in favour of the Shire of Ashburton.

Actions Required:

- Consent from the Shire required to excise that part of the Lot required for the Onslow Ring Road from the reserve.

### ATTACHMENT 14.1D

#### LDP 1460-163 (ATTACHMENT 14.1D)

This plan describes the intersection of the Ring Road with Simpson Street where it forms the new entrance to the Onslow Townsite. This Land Dealings Plan predominantly affects unallocated Crown land and so the only actions required from the Shire will be to close a portion of the southeast edge of the Simpson Street road corridor. The affected part of Simpson Street comprises an unsealed track that will be superseded by the new road, so there will be no impact on connectivity.

#### ROAD CLOSURES

The construction and dedication of the Onslow Ring Road will make redundant two existing dedicated road corridors: Macedon Road, and the portion of Simpson Street south of the intersection with Back Beach Road. It is therefore proposed to permanently close these portions of dedicated road, amalgamating the land with adjoining lots as described in the attached Land Dealings Plans.

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Actions required:

- Closure of redundant portions of Macedon Road:

Macedon Road is the unsealed track that provides access to the now closed waste disposal site and the Water Treatment Plant that sits within a dedicated road corridor. This track will be superseded by the Onslow Ring Road. As this road corridor will be made redundant by the new road, it is proposed to formally close this remaining part of dedicated road, with those portions closed road not required for the new road being amalgamated with adjoining lots as described in ATTACHMENT 14.1D.

- Closure of portion of Simpson Street:

The portion of Simpson Street proposed to be closed comprises a section of unsealed track that will be made redundant by the new Ring Road. As the Ring Road is to be constructed on a slightly different alignment, part of the exiting dedicated road may be closed, with the land amalgamated with the adjacent Lot 974 and 703, both of which are unallocated Crown land. Sufficient land will be retained of the dedicate road to ensure adequate land is retained for the Ring Road corridor.

The balance of the Simpson Street road corridor that extends south of the Ring Road alignment will be effectively orphaned and it is proposed to amalgamate this land into Lot 712 that is also unallocated Crown land.

### DISPOSAL OF SEVERANCES CREATED BY NEW ROAD DEDICATION

The dedication of the new road corridor will create a number of small, orphaned portions of lots (severances) that need to be amalgamated, along with the closed Macedon Road, with adjoining lots and, where necessary, incorporated into existing Crown reserves. These severances are described in the attached Land Dealings Plans (ATTACHMENTS 14.1B – 14.1D).

### CONCLUSION

The construction and dedication of the Onslow Ring Road will take significant time to complete, and the land actions outlined above will most likely require several subdivisions and Deposited Plans to fully implement over a similar time period.

In making all the necessary Council resolutions, the process of creating the new dedicated road will be largely simplified for MRWA as they and the Department of Lands will be able to act on each individual Council decision as and when necessary to create the dedicated road and disposed of the various remnant severances when necessary.

Of these proposed decisions, the two road closures (Macedon Road and Simpson Street) will require further actions on behalf of the Shire to advertise and consider any objections to the closure, should these be submitted.

### Comment

The Onslow Ring Road is one of the most visible and significant improvements to the Onslow Townsite made possible by the State Government and Chevron Australia pursuant to their State Development Agreement. The benefits to the town will be a segregation of heavy industrial traffic and light vehicle traffic that will have separate entrances to the town.

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Improved access will also be made available to new residential subdivisions constructed and planned along the southern and western edges of the Townsite.

This comprehensive request from MRWA to address all of the land tenure issues created by the construction and dedication of the Ring Road, while complex and highly technical, will simplify the overall project by ensuring MRWA, DoL, and any other involved agency will not need to make successive, individual requests as the project unfolds, potentially creating delays as necessary consents are acquired.

In considering this matter in a single, comprehensive manner, Council, the Shire, and other stakeholders are able to assess the whole of the land tenure matters at one time, giving a strategic overview of this technical aspect of the project.

### **Consultation**

Infrastructure Services

### **Statutory Environment**

Land Administration Act 1997

### **Financial Implications**

None

### **Strategic Implications**

Goal 04 Distinctive and Well Service Places

Objective 01 – Quality Public Infrastructure

Objective 03 – Well Planned Towns

### **Risk Management**

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

### **Policy Implications**

There are no policy implications.

### **Voting Requirement**

Simple Majority Required

### **Council Decision**

**MOVED: Cr P Foster**

**SECONDED: Cr D Wright**

**That Council:**

**1. Advertise the proposed permanent closure of:**

- a. Macedon Road south of the intersection with the proposed Onslow Ring Road; and**
- b. Simpson Street south of the intersection with Back Beach Road in accordance with section 58 of the Land Administration Act 1997 (LAA); and**

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2. If no objections are received regarding the proposed road closures, request the Minister for Lands to permanently close Macedon Road south of the intersection with the Ring Road, and Simpson Street south of the intersection with Back Beach Road as depicted on Main Roads Land Dealing Plans 1460-161, 1460-162, and 1460-163 dated December 2014.
3. Request the Minister for Lands to:
  - a. Excise land from the following Reserves for dedication as public road in accordance with Plans 1460-161 and 1460-162:
    - i. Reserve 19291
    - ii. Reserve 38264
    - iii. Reserve 38336
  - b. Amend Reserve 19291 by:
    - i. Excising that portion of Reserve 19291 labelled '9' on plan 1460-161 and amalgamating it with the abutting closed portion of Macedon Road into Reserve 39070 ; and
    - ii. Excising that portion of Reserve 19291 labelled '9' on plan 1460-162 and amalgamating it with the abutting closed portion of Macedon Road into Reserve 38336;
    - iii. Including that portion of Lot 9001 labelled 10 and that portion of Lot 350 labelled 11 on plan 1460-162 into Reserve 19291
  - c. Amend Reserve 38337 by including that portion of the abutting closed Macedon Road and portion of Reserve 47957 labelled 8 on plan 1460-161 in the Reserve;
    - i. if easements are required to be registered in favour of the Water Corporation over its water and sewer mains that are located within that portion of Reserve 47957 to be amalgamated into Reserve 38337, Council provides its consent to the registration of the easements, subject to the Shire of Ashburton not being liable for any of the costs associated with the easements.
  - d. Amend Reserve 39070 by including that portion of abutting closed Macedon Road and portion of Reserve 19291 labelled '9' on plan 1460-161 in the Reserve; and
  - e. Amend Reserve 38336 by including that portion of abutting closed Macedon Road and portion of Reserve 19291 labelled '9' on plan 1460-162 in the Reserve, and excise that portion of Reserve 38336 located between the proposed road corridor and Lot 9001 on DP 403451;

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**4. Determines that:**

**Should any portion of the road depicted on plans 1460-161, 1460-162, and 1460-163 require dedication pursuant to section 56 of the LAA, Council hereby:**

- a. requests the Minister for Lands to dedicate those portions of the road pursuant to section 56 of the LAA;**
- b. resolves to dedicate those portions of the road in accordance with section 56 of the LAA; and**
- c. indemnifies the Minister for Lands against any costs or claims that may arise as a result of the dedication in accordance with section 56(4) of the LAA.**

**CARRIED EN BLOC 7/1**

**Crs White, Rumble, Dias, Wright, Bloem, Fernandez and Foster voted for the motion.  
Cr Thomas voted against the motion.**



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### 15. INFRASTRUCTURE SERVICES REPORTS

#### 15.1 KARRATHA/ TOM PRICE - LOBBYING PROPOSAL FOR FUNDING

MINUTE: 11972

<b>FILE REFERENCE:</b>	RD.0299
<b>AUTHOR'S NAME AND POSITION:</b>	Troy Davis Executive Manager, Infrastructure Services
<b>NAME OF APPLICANT/ RESPONDENT:</b>	Not Applicable
<b>DATE REPORT WRITTEN:</b>	8 June 2015
<b>DISCLOSURE OF FINANCIAL INTEREST:</b>	The author has no financial interest in the matter.
<b>PREVIOUS MEETING REFERENCE:</b>	Not Applicable

#### **Summary**

This agenda item discusses investigating applying for Royalties for Regions Funding to fund the sealing of the Karratha to Tom Price Road.

A business case, communications plan and cost benefit analysis have been completed.

There are multiple economic and social benefits to sealing the road. The proposed sealing of a road between Karratha and Tom Price will provide the key infrastructure stimulus to facilitate tourism growth in the Shire. The project comfortably delivers on all policy objectives and aims of the Royalties for Regions Program.

A number of scenarios were investigated with two options developed to explore different propositions each with their own merit. The proposal supported is the best option available to Council and provides flexibility for prospective funding agencies.

The proposed project's total cost is considerable (\$250m) and whilst grants may provide the substantial portion of the construction cost, the asset's life costs and the Council's long term financial commitment needs to be understood and accepted as part of the consideration process.

#### **Background**

Since the completion of Stage 2 of the Karratha-Tom Price Road in 2008 the Shire of Ashburton has been examining the feasibility of bituminising the entire road, effectively linking two of the Pilbara region's most strategic towns. The current sealed road access route between the two towns is 568km long and takes a circuitous route via North West Coastal Highway, Great Northern Highway and Karijini Drive.

Research has shown that Australia's shortfall in essential infrastructure when compared with other countries is largely due to distance and low population density which results in

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diseconomies of scale in both capital and labour investment (Productivity Commission, 1999). Consequently, infrastructure provision that improves transport, communication and other basic services are particularly necessary in remote and regional parts of Australia. Investment in essential infrastructure in regional areas has a direct benefit to users and stimulates behavioural change in users that has wider impacts.

To this end, a plan to source funds for the road has been developed and a business case to support funding for the road has been prepared.

The key benefits of sealing a road between Karratha and Tom Price would be:

- removes the current transport deficiency that disincentives population growth;
- increases the number of tourists in the region;
- greater road safety through delivery of a sealed road of superior design and layout;
- reduction of vehicle wear and tear;
- reduced fuel consumption and carbon emissions;
- improved access to mining projects and indigenous communities along the route;
- reduced travel time for workers, tourists and residents to commute between the towns and along the route;
- reduced transport costs for the mining and pastoral industries along with private motorists through provision of a more direct route between Karratha, Tom Price and the central Pilbara;
- easier access to medical, dental and social services agencies for residents; and
- reduced road closures and delays at times of rain.

### ATTACHMENT 15.1

#### Comment

Stage 1 of Karratha-Tom Price Road, approximately 25km section between Tom Price and the Nanutarra-Munjina Road was completed in 2003.

Stage 2 - approximately 90km section between North West Coastal Highway at Karratha and the Roebourne-Wittenoom Road at Barowanna Hill - commenced in June 2006 and was completed in August 2008.

Pracsys – (Economic Planning and Development Consultant) were commissioned by the Shire of Ashburton to update its 2012 Karratha-Tom Price Road Concept Approval Report to examine the business case for constructing the Roebourne – Wittenoom Road / Nanutarra - Munijina Road as the preferred route for completing a sealed road between Karratha and Tom Price. The cost estimate for the road upgrade is approximately \$250 million, phased in over a minimum of three discrete stages which could be further broken down based on funding availability.

#### New Stages

- Stage 1 - from the end of sealed road at the northern end of Roebourne-Wittenoom Rd to the start of the RTIO Rail Access Road.
- Stage 2 - from the Roebourne-Wittenoom Rd to the Nanutarra-Munjina Rd.
- Stage 3 - from the Nanutarra-Munjina Rd to the end of the existing bitumen on Bingarn Rd.

Main Roads Western Australia (MRWA) has given in-principle support to the proposal. It is believed that an initial allocation of \$2.65M will be required to undertake the preliminary

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investigations and approvals for the new Stage 1 including geotechnical, land clearing, heritage, and detailed design work for road and drainage construction. These investigations and approvals are anticipated to take 12 months to complete.

The Shire spent \$1.9million on drainage improvements, gravel re-sheeting and minor alignment works on the Stage 1 section to improve the road as part of Council's 2014-15 Budget. The work was completed in April 2015.

### **Initial business case**

The Pracsys Report of 2012 established a well-researched and constructed business case to secure capital funding for the Karratha -Tom Price Road upgrade. The initial report has been updated (see attached) and broadened to provide a contemporary and more in-depth business case to support the Shire's application for Royalties for Regions (RfR) funding.

### **ATTACHMENT 15.2**

As public roads do not generate any revenue, Pracsys conducted modelling, informed by a road user intercept survey, to quantify the following benefits of the road upgrade:

- travel time savings;
- vehicle operating cost savings;
- road accident savings; and
- environmental cost savings.

These benefits, less construction costs, were used to calculate a project net present value, internal rate of return and cost/benefit ratio for three road upgrade options.

To assess the benefits of the project Pracsys examined the value of the:

- reduced travel time;
- reduced vehicle wear;
- reduction in accidents; and
- reduced fuel consumption and carbon emissions

### **Cost benefit analysis**

The 2012 Pracsys report undertook a cost benefit analysis assuming a discount rate of 10 per cent and considered three options. The first option was for the Shire to upgrade the Rio Tinto Iron Ore (RTIO) rail access road; the second option was for the Shire to upgrade the Roebourne – Wittenoorn Road / Nanutarra- Munijina Road; and the third option was for Main Roads to upgrade the RTIO rail access road. Options one and two were found to be economically worthwhile with benefits to the community being estimated to be 1.65 and 1.82 times greater than the costs. All three measures Net Present Value (NPV), Internal Rate of Return (IRR) and Benefit Cost Ratio (BCR), indicated a strong case for proceeding with either option.

Shire officers considered it was not prudent to continue to pursue Option 1 because of unresolved issues around Rio Tinto's policy on the road upgrade, and also, the Shire's need to double up on road maintenance expenses (Option 1 would require both the sealed route and the Roebourne – Wittenoorn Road / Nanutarra - Munijina Road to be maintained at the Shire's cost).

Main Roads estimated the cost to construct the upgrade to the RTIO Rail Access Road alignment (Option 1) to be \$680 million. This much higher cost estimate is due to Main Roads planning to build a completely new road with considerable earthworks designed to improve the horizontal and vertical geometry of the road. Main Roads has also suggested

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that there may also be differences in drainage and pavement construction standards. Main Roads has also acknowledged that the Shire may have the potential to source some or all of its workforce from the local area which would lower the Shire's costs, whereas the need to establish workers' camps would be a substantial cost for Main Roads.

The review and subsequent updating of the Pracsys report focussed on the two 'feasible' options. The first was for the Shire to upgrade the Rio Tinto Iron Ore (RTIO) rail access road; the second option was for the Shire to upgrade the Roebourne – Wittenoom Road / Nanutarra- Munijina Road. The resultant assessments are tabled below.

### Net Present Value Options Summary

	Option 1 NPV	Option 2 NPV
Capital Costs (\$ Millions)	447.37	244.90
<b>TOTAL COSTS (\$ Millions)</b>	<b>447.37</b>	<b>244.90</b>
Operating/Maintenance Cost Saving	10.37	20.54
Travel Time (\$ Millions)	15.13	23.69
Vehicle Operating Costs (VOC) Saving (\$ Millions)	52.28	18.52
Road Accident (\$ Millions)	132.80	202.07
Environmental Costs (\$ Millions)	9.82	(6.53)
Tourism Benefits 30% and 50% respectively	28.66	47.76
<b>TOTAL BENEFITS (\$ Millions)</b>	<b>249.06</b>	<b>306.05</b>
Net Present Value (NPV)	-198.31	61.15
Internal Rate of Return (IRR)	4.8%	12.5%
Benefit Cost Ratio (BCR)	0.56	1.25

The business case for Option 2 shows it is economically worthwhile, with the benefits to the community being estimated to be up to 1.25 times greater than the costs. All three of the measures BCR, IRR and NPV, indicated a strong case for proceeding on this option. Based on the analysis in this feasibility study, it was recommended that Option 2 was the best alternative for constructing the upgrade.

### Current status of the project at the State Government level

The Karratha-Tom Price Road Stages 1 and 2 were completed in 2008. Further stages that were proposed to extend the 158km from Millstream to the Nanutarra-Munjina Road, about 25kms north of Tom Price, were not progressed. Main Roads has not in the past three years raised a request with Treasury for further funding. The project was not identified as a priority in the Main Roads 2015-16 Strategic Asset Plan nor was it included in the Main Roads 10-year capital investment plan and there was no request to fund the road included in the Minister for Transport's 2015-16 Budget submission.

### Commonwealth's position on funding the road

The Minister for Infrastructure and Regional Development's office has advised that Commonwealth road funding could be made available to the project on condition that the State Government made it a "priority road project", a status the project does not currently have. The State Government would need to commit a dollar amount to the project, which would then be matched by Federal Government road funding.

The Karratha-Tom Price Road is not in the Commonwealth Government's four-year funding program but this can be overcome by the above approach and the project could be funded

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when savings occur in the four-year program. Savings invariably occur in road funding programs and are redistributed to other projects.

The Commonwealth would require an up-to-date cost benefit analysis and road usage report to be included in the request for funding. The Commonwealth Government only funds dollar-for-dollar with State Government contributions. They do not include local government or private contributions in their matched contribution so the Shire's current funding would be on top of the State-Federal program. For this reason, any contribution from the private sector and the Shire should be "gifted" to the State Government for the specific purpose of constructing the road and on this basis would attract a higher (dollar for dollar) matched funding from the Commonwealth.

### **Alternative Funding Options**

To secure funding for the project it is essential that the current State Government makes sealing the road a priority. The Shire has identified that funding could be sourced from the RfR program. WA Treasury has advised the Shire that it would oppose any effort to secure the funding from alternative sources including consolidated revenue or from the loans program.

Royalties for Regions was launched in December 2008 and underpins the State Government's long-term focus on regional development in Western Australia. Originally through RfR, the equivalent of 25 per cent of the State's mining and onshore petroleum royalties was returned to Western Australia's regional areas each year. Each financial year, the Treasurer was to credit to the RfR Fund an amount equal to 25 per cent of the forecast royalty income for the financial year. In May 2014 the State Government announced in the budget the RfR spending program would be capped at \$1 billion per year. The 2014 Mid-Year Review indicates that the money available for the RfR program will remain at \$1 billion and of that \$246.8 million is a contribution to the Future Fund leaving \$753.2 million for allocation to regional projects in 2014-15. In 2015-16 over \$800 million will be available.

The RfR focuses on delivering benefits to regional areas through six policy objectives:

- building capacity in regional communities;
- retaining benefits in regional communities;
- improving services to regional communities;
- attaining sustainability;
- expanding opportunity; and
- growing prosperity.

This project delivers on all six policy objectives and sits comfortably with the original aims and objectives of RfR.

Historically the largest proportion of RfR funding has been directed to regional infrastructure. Funded projects support large-scale, strategic regional infrastructure acknowledged as being of strategic importance to Western Australia.

The Regional Infrastructure and Headworks Fund came into operation on 27 March 2010. At this time RfR monies held in the Treasurer's Special Purpose Account were transferred to the Fund's Special Purpose Accounts and four subsidiary accounts, the largest of which is the Regional Infrastructure and Headworks Fund. The Western Australian Regional Development Trust, like the Commonwealth, would require an up-to-date cost/benefit analysis and road usage report to approve funding from this Fund.

Unlike most transport projects, those funded under RfR do not add to state debt. They do not require Cabinet approval and although applications may be reviewed by the "independent

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and impartial" Western Australian Regional Development Trust (the Trust) it only makes recommendations on how the monies of the Fund should be allocated. (*Royalties for Regions Act 2009 Sec 12*). The Minister for Regional Development and Leader of the National Party Terry Redman can accept or reject recommendations from the Trust and is not obliged to consult with the Trust on all funding allocations and can independently nominate that a project be funded. The Minister has considerable discretion in what projects are approved and how.

It has been suggested that the Shire seek staged funding for the project and the first stage should be from the end of the sealed section of the road at Barowanne Hill to the RTIO Rail Access Road. To gain broad support, the primary justification for the road would be on the basis that the upgrade will increase tourism access to the region.

The State Government is keen to focus on tourism and indigenous employment and an application for funding should focus on how the road project would assist the government in attaining these objectives. Regional WA is described by Tourism WA as providing an extraordinary travel experience. One of Tourism WA's key strategies is improving the caravan, camping and self-drive experience in regional Western Australia.

The Premier said when launching the State's Strategy for Tourism in Western Australia 2020 "*the Government of Western Australia is committed to helping our vibrant tourism industry flourish by growing our domestic and international tourism markets*". The strategy has separate sections on regional travel and the impacts on tourism of Indigenous tourism experiences. They are highly sought after with 66% of visitors (83% of international visitors) seeking to participate in these activities in Western Australia. To complement this strategy the Government has also published an Aboriginal Tourism Strategy.

The Shire of Ashburton possesses significant natural tourism and impressive coastal assets. Karijini and Millstream-Chichester National Parks are "iconic" visitor attractions on a national level.

Millstream-Chichester National Park attracted more than 20,000 visitors in 2012 and Karijini attracts more than 100,000 visitors each year. The Millstream-Chichester National Park, two hours' drive from Karratha, is on the proposed route. The Park offers some of the best nature-based camping opportunities in the region and covers an area of approximately 200,000ha around the Fortescue River. It has well maintained public camping facilities, including bush toilets, gas barbecues and wood for campfires.

The Yindjibarndi people are the traditional owners of the Millstream-Chichester National Park and the Juluwarlu Aboriginal Corporation has actively promoted the National Park. The sealing of the Karratha-Tom Price Road would allow for easier access to the National Park from the south. It would open up a quicker access route to Karijini National Park, the Chichester Range, Python, Deepreach and Circular Pools and Cliff Lookout, Fortescue River Valley and Hamersley Pool. With greater sealed road access national and international experience suggests tourists would stay in the area longer.

Karijini National Park is set in the Hamersley Range 50 kms to the east of Tom Price. It was gazetted as a national park in 1969. Karijini is the second largest national park in Western Australia.

At a regional level, the local governments of Ashburton, Exmouth and Karratha have significant and impressive coastal tourist assets with enormous tourist potential. The Cape Range National Park, the Mackerel Islands, and the Dampier Archipelago, being just three examples.

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A critical issue affecting tourism in the Pilbara is the lack of tourist accommodation. Short stay accommodation in the Pilbara has been dominated by the corporate sector and there has not been a consistent, reliable supply of accommodation available to the tourism sector. This is a significant constraint to the expansion of local tourism however an increase in tourists would justify investment in tourist-focused short term stay accommodation. The proposed road would allow a number of pastoral leaseholders the opportunity to justify providing tourist accommodation and lifestyle vacations.

### **Aboriginal heritage**

The area adjacent to the Karratha-Tom Price Road has a number of recorded archaeological sites which are registered with the Department of Indigenous Affairs. Based on the available information in the register, four sites are considered to be of some significance due to their size and their location along watercourses. Following further field investigations and further clarification of the areas there are likely to be numerous other sites.

The majority of Aboriginal usage sites are along watercourses, particularly on permanent or semi-permanent pools. In non-riverine environments, permanent or semi-permanent rock-holes or other water catchment places are important and often known only to members of family groups. Thirty sites of ethnographic significance have been recorded within or close to the proposed road corridor.

The areas which are most likely to have ethnographic sites are:

- within the vicinity of the Harding River;
- between the Millstream turnoff and Camp Curlewis;
- in the Weelumurra Creek area of the Hamersley Range; and
- in the vicinity of the Hamersley Station homestead.

With many minerals and energy projects being deferred or placed on care and maintenance, dedicated Indigenous training and employment to assist Indigenous people to become part of the workforce is likely to decline dramatically in the near future. As the mining and energy sector contract, it is essential that other employment opportunities become available to Indigenous Australians living in the Pilbara.

There is a strong and widely acknowledged synergy between cultural tourism, economic development and Indigenous cultural development, particularly in regional Australia. Apart from the resources sector, tourism has the most economic potential in the Pilbara, particularly with respect to Indigenous cultural and nature-based tourism. Currently there are limited facilities for tourists in the region and, outside of the resources sector, few opportunities for economic expansion.

For tourism to gain its position as a thriving economic sector in the Shire there will have to be:

- increased tourism products;
- improved quality and value;
- enhanced infrastructure that supports tourism;
- new experiences that will attract visitors and encourage existing visitors to stay longer; and
- the creation of a positive image of Indigenous tourism in the region.

The Karratha-Tom Price Road has the opportunity to assist in the growth of a successful and vibrant tourism industry.

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There are multiple economic and social benefits to sealing this road and as this project delivers on all six policy objectives of the RfR Program and sits comfortably with the original aims and objectives of RfR. It is considered that the Shire should pursue seeking RfR funding to complete the sealing of the Karratha – Tom Price road as proposed above.

It is recommended that the application be for a staged development which would minimise the annual contributions from RfR. It should also be noted that any contribution from the private sector and the Shire should be “gifted” to the State Government for the specific purpose of constructing the road and on this basis would attract a higher (dollar for dollar) matched funding from the Commonwealth.

### **Consultation**

Halden/Burns - Strategic Issues & Management Consultants  
Pracsys – Economic Planning and Development Consultants  
Main Roads Western Australia (MRWA)  
Chief Executive Officer  
General Manager

### **Statutory Environment**

There is no particular legislation applicable to this proposed plan to secure funding for the upgrade of the Karratha-Tom Price Road, however, there is a range of legislation that will be applicable to the construction of the road itself. Also, the Local Government Act requires local governments to keep public roads open and safe.

### **Financial Implications**

In order to promote the project for funding, it will require two more steps. Firstly, a dedicated financial grant application proposal (approximately \$5000), and secondly, the promotion of that application through attendance at relevant state and federal government agency and political levels. Suitable funding to undertake this task would likely be about \$10,000pa, mostly for travel to Canberra (noting that state meetings can occur in cooperation with other visits to Perth).

The cost to the Shire of the actual road construction will vary depending on the success or otherwise of road and other grants, and the pace at which the Council wishes the construction program to proceed. The total cost of the project is estimated to be in the vicinity of \$250m, but the Shire's cost need only be a fraction of this if grants can be successfully secured (noting that we do have annual Regional Road Grant Funds that can be allocated to this project).

The project's total cost is considerable and whilst grants may provide the substantial portion of the construction cost, the asset's life costs and the Council's long term financial commitment needs to be understood and accepted as part of the consideration process. The Shire's two policies applicable to Asset Management (ENG09) and Financial Sustainability(ELM10), and its Long Term Financial Plan, being of paramount relevance to this consideration.

### **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  
Goal 02 – Economic Prosperity  
Objective 03 – Well Managed Tourism  
Goal 03 – Unique Heritage and Environment  
Objective 01 – Flourishing Natural Environments



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Objective 03 – Celebration of History and Heritage  
Goal 04 – Distinctive and Well Serviced Places  
Objective 01 – Quality Public Infrastructure  
Objective 02 – Accessible and Safe Towns

### **Risk Management**

This item has been evaluated against the Shire of Ashburton's Risk Management Policy CORP5 Risk Matrix. The perceived level of risk is considered to be a "High/Extreme" risk due to the financial impact it would impose. These costs would need to be managed via the Shire's Asset Management Planning and the Long Term Financial Plan.

### **Policy Implications**

ENG09 – Asset Management  
ELM10 – Financial Sustainability Policy

### **Voting Requirement**

Simple Majority Required

### **Council Decision**

**MOVED:** Cr C Fernandez

**SECONDED:** Cr P Foster

#### **That Council:**

- 1. Note that there are multiple economic and social benefits to sealing the Karratha-Tom Price route, that this project sits comfortably with the original aims and objectives of RfR and that it also delivers on all six policy objectives of the RfR Program;**
- 2. Note that any contribution from the private sector and the Shire should be "gifted" to the State Government for the specific purpose of constructing the road and on this basis would attract a higher (dollar for dollar) matched funding from the Commonwealth;**
- 3. Proceed to discuss with stakeholders their support for the Shire to submit an application to the RfR Program for staged funding to complete the Karratha-Tom Price route and authorise the President and CEO to promote the grant application at both state and federal political levels as required (conditional though, that within the eventual grant approval process, the Shire's two policies applicable to Asset Management (ENG09) and Financial Sustainability(ELM10), and its Long Term Financial Plan, must suitably accommodate the road construction schedule and its long term road maintenance program.**

**CARRIED 8/0**

**Crs White, Rumble, Dias, Wright, Thomas, Bloem, Fernandez and Foster voted for the motion.**

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**16. STRATEGIC AND ECONOMIC DEVELOPMENT REPORTS**

There were no Strategic and Economic Development reports for this agenda.

**17. COUNCILLORS AGENDA ITEMS / NOTICES OF MOTIONS**

**17.1 NOTICE OF MOTION IN REGARDS TO FORMING A COMMITTEE FOR THE ABORIGINAL COMMUNITIES**

**MINUTE:** 11973

**FILE REFERENCE:** GV11

Cr Lorraine Thomas tabled the following Notice of Motion in regard to forming a committee for the Aboriginal Communities:

**Notice of Motion**

**Request Council to form an Aboriginal Community Committee, to liaise with Aboriginal Communities on how best to formalise communications between the local aboriginal communities and the Council, and develop recommendations relevant to local aboriginal issues.**

**17.2 NOTICE OF MOTION IN REGARDS TO THE RELEVANT PILBARA REGIONAL COUNCIL OUTCOMES TO BE BROUGHT TO COUNCIL AS AN AGENDA ITEM**

**MINUTE:** 11974

**FILE REFERENCE:** GV11

Cr Lorraine Thomas tabled the following Notice of Motion in regard to the relevant Pilbara Regional Council items/outcomes to be brought to Council as an agenda item:

**Notice of motion**

**To have an agenda item brought to future Ordinary Meetings of Council regarding the items/outcomes that are relevant to the Shire of Ashburton from the Pilbara Regional Council meetings.**

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

**19. CONFIDENTIAL MATTERS**

*Under the Local Government Act 1995, Part 5, and Section 5.23, states in part:*

*(2) If a meeting is being held by a Council or by a committee referred to in subsection (1)(b), the Council or committee may close to members of the public the meeting, or part of the meeting, if the meeting or the part of the meeting deals with any of the following:*

*(a) a matter affecting an employee or employees;*

*(b) the personal affairs of any person;*

*(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;*

*(d) legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting;*

*(e) a matter that if disclosed, would reveal:*

*(I) a trade secret;*

*(II) information that has a commercial value to a person; or*

*(III) information about the business, professional, commercial or financial affairs of a person,*

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

*(f) a matter that if disclosed, could be reasonably expected to:*

*(I) Impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law;*

*(II) Endanger the security of the local government's property; or*

*(III) Prejudice the maintenance or enforcement of any lawful measure for protecting public safety;*

*(g) information which is the subject of a direction given under section 23(1a) of the Parliamentary Commissioner Act 1981; and*

*(h) such other matters as may be prescribed.*

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### **20. NEXT MEETING**

The next Ordinary Meeting of Council will be held on Wednesday 15 July 2015, at the Clem Thompson Sports Pavilion, Stadium Road, commencing at 1.00 pm.

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

The Shire President declared the meeting closed at 2.40 pm.