



**SHIRE OF ASHBURTON**

**ORDINARY COUNCIL MEETING**

**MINUTES**

**Ashburton Hall, Ashburton Avenue,  
Paraburdoo**

**18 June 2014**

**1.00 pm**

# MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

## SHIRE OF ASHBURTON ORDINARY COUNCIL MEETING

Dear Councillor

Notice is hereby given that an Ordinary Meeting of the Council of the Shire of Ashburton will be held on 18 June 2014 at Ashburton Hall, Ashburton Avenue, Paraburdoo 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.*

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

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## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 1. **DECLARATION OF OPENING**

The Deputy Shire President declared the meeting open at 1.01 pm.

### 2. **ANNOUNCEMENT OF VISITORS**

The Deputy Shire President welcomed members of the public to the gallery.

### 3. **ATTENDANCE**

#### 3.1 **PRESENT**

Cr L Rumble	Deputy Shire President, Paraburdoo Ward
Cr D Dias	Paraburdoo Ward
Cr L Thomas	Tableland Ward
Cr A Bloem	Tom Price Ward
Cr P Foster	Tom Price Ward
Cr C Fernandez	Tom Price Ward
Cr A Eyre	Ashburton Ward
Cr D Wright	Pannawonica Ward

Mr N Hartley	Chief Executive Officer
Ms D Wilkes	Executive Manager, Community Development
Mr F Ludovico	Executive Manager, Corporate Services
Mr T Davis	Executive Manager, Infrastructure Services
Ms A Serer	Executive Manager, Strategic & Economic Development
Mr EH (Jim) Kelly	CEO's Representative – Onslow
Ms J Smith	Executive Officer CEO
Mrs C Robson	CEO & Councillor Support Officer
Ms L Moir	A/CEO & Councillor Support Officer

#### 3.2 **APOLOGIES**

There were no apologies

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

Cr Kerry White                      Shire President, Onslow Ward

### 4. **QUESTION TIME**

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

At the Ordinary Meeting of Council held on 21 May 2014, there were no public questions taken on notice.

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

There were no questions from the public questions tabled.

## 5. APPLICATIONS FOR LEAVE OF ABSENCE

**Council Decision**

**MOVED: Cr L Thomas**

**SECONDED: Cr P Foster**

**That Council accept the application for leave of absence from Cr Dennis Wright for the Ordinary Meeting of Council being held on 18 June 2014.**

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

## 6. DECLARATION BY MEMBERS

That Councillors Rumble, Bloem, Foster, Fernandez, Eyre, Dias, Wright and Thomas have given due consideration to all matters contained in the Agenda presently before the meeting.

### 6.1 DECLARATION 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.

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2. If a Councillor is a member of an Association (which is a Body Corporate) with not less than 10 members i.e. sporting, social, religious etc), and the Councillor is not a holder of office of profit or a guarantor, and has not leased land to or from the club, i.e., if the Councillor is an ordinary member of the Association, the Councillor has a common and not a financial interest in any matter to that Association.
3. If an interest is shared in common with a significant number of electors or ratepayers, then the obligation to disclose that interest does not arise. Each case needs to be considered.
4. If in doubt declare.
5. As stated in (b) above, if written notice disclosing the interest has not been given to the Chief Executive Officer before the meeting, then it **MUST** be 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.
  - 6.3 Item 12.2 - Cr Bloem, Cr Dias, Cr Rumble, Cr Wright and Cr Foster declared a financial interest.

The nature of their interest being Cr Bloem is an employee of Rio Tinto Pty Ltd, Cr Dias is an employee of Rio Tinto and shareholder having a total value exceeding \$10,000, Cr Rumble is a shareholder having a total value exceeding \$10,000, Cr Foster has a partner employed by Rio Tinto Pty Ltd and Cr Wright is an employee of Rio Tinto.

The Minister approved for Cr Peter Foster, Anthony Bloem and Dennis Wright (only) to participate in the discussion and vote in relation to this agenda item was obtained prior to the Council Meeting.
- Item 15.1 - Cr Bloem, Cr Dias, Cr Rumble, Cr Wright and Cr Foster declared a financial interest.

The nature of their interest being Cr Bloem is an employee of Rio Tinto Pty Ltd, Cr Dias is an employee of Rio Tinto and shareholder having a total value exceeding \$10,000, Cr Rumble is a shareholder having a total value exceeding \$10,000, Cr Foster has a partner employed by Rio Tinto Pty Ltd and Cr Wright is an employee of Rio Tinto.

The Minister approved for Cr Peter Foster, Anthony Bloem and Dennis Wright (only) to participate in the discussion and vote in relation to this agenda item was obtained prior to the Council Meeting.

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

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

### 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

David Kerr, President of the Lifestyle Centre Paraburdoo Incorporated gave a presentation regarding the centres opportunity for improvements and utilisation of space in the new Paraburdoo CHUB or Paraburdoo Pavilion.

### 9. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

#### 9.1 ORDINARY MEETING OF COUNCIL HELD ON 21 May 2014

##### Council Decision

**MOVED: Cr P Foster**

**SECONDED: Cr L Thomas**

**That the Minutes of the Ordinary Meeting of Council held on 21 May 2014, as previously circulated on 28 May 2014, be confirmed as a true and accurate record.**

**CARRIED 8/0**

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

#### 9.2 SPECIAL MEETING OF COUNCIL HELD ON 04 June 2014

##### Council Decision

**MOVED: Cr D Wright**

**SECONDED: Cr D Dias**

**That the Minutes of the Ordinary Meeting of Council held on 04 June 2014, as previously circulated on 05 June 2014, be confirmed as a true and accurate record.**

**CARRIED 8/0**

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

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

#### 10.1 MOVE AGENDA ITEMS 'EN BLOC'

MINUTE: 11809

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 A Bloem**

**SECONDED: Cr P Foster**

**That Council adopts en bloc the following officer recommendations contained in the Agenda for the Ordinary Meeting of Council 18 June 2014.**

<b>Item No.</b>	<b>Agenda Title</b>
<b>13.2</b>	<b>Receipt of Financials and Schedule of Accounts for Month of April &amp; May 2014.</b>
<b>13.6</b>	<b>Review of FIN07 Investment Policy</b>
<b>14.1</b>	<b>Amendment to Draft Local Planning Policy 29 (Development Plan) for Lot 381 Second Ave, Onslow</b>
<b>15.2</b>	<b>Onslow Liquid Waste – Interim Arrangements</b>

**CARRIED 8/0**

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



## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 11. CHIEF EXECUTIVE OFFICER REPORTS

#### 11.1 PROGRESS OF IMPLEMENTATION OF COUNCIL DECISIONS

**MINUTE:** 11819

**FILE REFERENCE:** OR.MT.1

**AUTHOR'S NAME AND POSITION:** Chelsie Robson  
CEO & Councillor Support Officer

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

**DATE REPORT WRITTEN:** 06 June 2014

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

**PREVIOUS MEETING REFERENCE:** Agenda Item 1.1 (Minute 11477) - Ordinary Meeting of Council 10 April 2013

#### **Summary**

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

#### **Background**

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

#### **Comment**

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

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

**ATTACHMENT 11.1**

#### **Consultation**

Chief Executive Officer  
Executive Management Team

#### **Statutory Environment**

Not Applicable

#### **Financial Implications**

Not Applicable

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### **Strategic Implications**

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

### **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 8/0**  
**Crs Rumble, Dias, Thomas, Bloem, Foster, Fernandez, Eyre & Wright voted for the motion**

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 11.2 ACTIONS PERFORMED UNDER DELEGATED AUTHORITY FOR THE MONTH OF MAY

**MINUTE:** 11810

**FILE REFERENCE:** OR.DA.00.00  
AS.AS.00000.000  
PS.TP.07.00

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

Susan Babao  
Administration Assistant, Planning & Health Services

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

**DATE REPORT WRITTEN:** 03 June 2014

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

**PREVIOUS MEETING REFERENCE:** Not Applicable

#### **Summary**

The purpose of this agenda item is to report back to Council actions performed under delegated authority for the month of May 2014.

This report includes all actions performed under delegated authority for:

- The Use of the Common Seal.
- Development Approvals Issued.
- Approval to Purchase Goods and Services by the Chief Executive Officer (CEO).

#### **Background**

The Use of the Common Seal

Details of the use of the Common Seal for the month of May 2014 are set out below.

Planning Delegations

Details of delegations undertaken for the month of May 2014 are set out below.

Approval to Purchase Goods and Services by the Chief Executive Officer

Details of approvals to Purchase Goods and Services by the Chief Executive Officer under delegated authority are set out below.

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### Comment

#### The Use of the Common Seal

Details of the use of the Common Seal for the month of May 2014 are set out below.

#### Planning Delegations

Details of delegations undertaken for the month of May 2014 are set out below.

#### Approval to Purchase Goods and Services by the Chief Executive Officer

Details of approvals to Purchase Goods and Services by the Chief Executive Officer under delegated authority are set out below.

### Comment

The Information Bulletin is not a public document and so to increase transparency, a report on actions performed under delegated authority has been prepared for Council.

This report is prepared for each Council meeting.

#### The Use of the Common Seal

The Common Seal has been affixed to the following documents for the month of May 2014:

- Seal 570 Licence Agreement Shire of Ashburton & Karley Ball – Creche Facility – Tom Price Recreation Centre
- Seal 571 Master Lending Agreement between WA Treasury Corporation and Shire of Ashburton dated as 30 May 2014
- Seal 572 Amendment No. 24 to the Shire of Ashburton Town Planning Scheme No. 7
- Seal 573 Deed of Release and Discharge – Thomas JACOB
- Seal 574 Deed of Release and Discharge – Joan GREEN

#### Planning Delegations

Planning Delegations undertaken for the month of May 2014.

A	Advertising and Determining Applications for Planning Approval				
Adv or Det. App.	Date	Applicant	Description	Development location	
Delegated Approval 14-6	13/02/2014	McGlashan Mechanical	Motor Vehicle Repairs and Storage Facility	Lot 103 Eucalyptus Court, Tom Price	
Delegated Approval 14-20	19/05/2014	SOA	Sign	Lot 16 Onslow Road, Onslow	
Delegated Approval 14-18	21/05/2014	Chevron	Office/Guardhouse, Shed, Genset	Lot 500 ANSIA (Brolga TWA Ashburton North)	
Advertised 14-9	7/5/2014 & 14/5/2014	RFF Pty Ltd	Mixed Use development comprising 8 two bedroom units and 145m <sup>2</sup> office	Lot 306 No. 5 First Ave, Onslow	
Advertised Amendment 26	7/5/14 & 14/5/14	Water Corporation	Rezone site of Onslow WWTP on Reserve 47957. Establish buffer and insert provisions into the scheme.	WWTP Onslow Reserve 47957	

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B	Advertising draft Development Plans - none							
C	Advertising Extension for Town Planning Scheme Amendments and Development Plans - none							
D	Subdivision and Development Design - none							
E	Consideration of WAPC Referrals of Applications for Subdivision Approval - none							
F	Clearance of Local Government Conditions associated with Subdivision Approval - WAPC 149161 - Lot 311 Second Ave, Onslow							
G	Issue of Certificates (Strata Titles) - none							
H	Directions regarding unauthorised development Information was not provided by officer for May.							
I	Responsible Authority Reports to the Development Assessment Panel							
	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 15%;">Date</th> <th style="width: 25%;">Applicant</th> <th style="width: 35%;">Description</th> <th style="width: 25%;">Development Location</th> </tr> </thead> <tbody> <tr> <td>none</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Date	Applicant	Description	Development Location	none		
Date	Applicant	Description	Development Location					
none								

### Approval to Purchase Goods and Services by the Chief Executive Officer

This following table presents a summary of the Approvals to Purchase Goods and Services by the CEO Under Delegated Authority for the month of May 2014.

Approval Date	File Ref	Title	Decision
15.05.14	AS.TE.06.14	RFT 06/14 Provision of Survey Services	Award the appointment of McMullen Nolan for the provision of survey services to the value not exceeding limits of \$1,000,000 in a single year and \$5,000,000 for a multi-year.
22.05.14	AS.TE.17.14	RFT 17/14 Remove, Repair, Replace Soft fall at Meeka Park, Doug Talbot Park, Lions Park, Shire of Ashburton	Approval of payment in relation to infrastructure – Remove current soft fall, repair / replace compacted surface and install rubber soft fall with concrete perimeter of Meeka Park (Paraburdoo), Doug Talbot park (Tom Price) and Lions Park (Paraburdoo) – to the value of \$175,989.00 (exc GST)
23.05.14	AS.TE.19.14	RFT 19/14 Provision of Refuse Compactor Truck	Award the appointment of WA Hino for the provision of a Refuse Compactor Truck with a total budget allocation of \$350,000.00 (exc GST).
27.05.14	AS.TE.10.14	RFT 10/14 Bitumen Sealing Services, Banjima Drive, Karijini	Award the appointment of Bitumen Sealing Services (BSS) for supply of bitumen sealing for the 2013/2014 Banjima Drive, Karijini roadwork's project for the sum of \$726,715.00 (inc GST).
27.05.14	AS.TE.15.14	RFT 15/14 Provision of Financial Management Service and Advice	Change the selection criteria for RFT 15/14 Provision of Financial Management Service and Advice.
29.05.14	AS.TE.16.14	RFT 16/14 Provision of Telstra Network Optic Fibre extension to the Onslow Airport	Contract with Telstra as the only potential supplier for a fibre optic telecommunications link to the Onslow Terminal for \$211,000 (exc GST).
29.05.14	AS.TE.18.14	Provision to connect power to the Onslow Airport Terminal.	Horizon Power have provided a fixed price of \$380, 870.81 to connect power to the Onslow Airport Terminal. As a State

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			Government Agency, Horizon Power are exempt from the tender provisions of the Local Government Act.
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### **Consultation**

#### The Use of the Common Seal

Chief Executive Officer

#### Planning Delegations Issued

Chief Executive Officer

Executive Manager, Development & Regulatory Services

#### Approval to Purchase Goods and Services by the Chief Executive Officer

Executive Manager, Strategic & Economic Development

Executive Manager, Infrastructure

Executive Manager, Corporate Services

### **Statutory Environment**

#### The Use of the Common Seal

Local Government Act 1995, S9.49A Execution of documents.

#### Planning Delegations Issued

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

Local Government Act 1995, S5.45 – Other matters relevant to delegations under this Division,

S5.70 – Employees to disclose interest relating to advice or reports, S5.71 – Employees to disclose interests relating to delegated functions.

#### Approval to Purchase Goods and Services by the Chief Executive Officer

Local Government Act 1995, S3.57 Tenders for providing goods or services.

### **Financial Implications**

#### The Use of the Common Seal

There are no financial implications related to this matter.

#### Planning Delegations Issued

There are no financial implications related to this matter.

#### Approval to Purchase Goods and Services by the Chief Executive Officer

Goods purchased in accordance with 2013/14 Budget.

### **Strategic Implications**

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 05 – Inspiring Governance

Objective 04 – Exemplary Team and Work Environment

### **Policy Implications**

#### The Use of the Common Seal

ELM 13 – Affixing the Shire of Ashburton Common Seal.

#### Planning Delegations Issued

There are no policy implications related to this matter.

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Approval to Purchase Goods and Services by the Chief Executive Officer  
FIN12 – Purchasing and Tendering Policy.

**Voting Requirement**

Simple Majority Required

**Council Decision**

**MOVED: Cr P Foster**

**SECONDED: Cr D Dias**

**That Council accept the report “11.2 Actions Performed Under Delegated Authority for the Month of May 2014”.**

**CARRIED 7/1**

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

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### 11.3 OCEAN VIEW CARAVAN PARK COMMITTEE

**MINUTE:** 11812

**FILE REFERENCE:** RE.SE.R.24405  
OR.MT.1

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

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

**DATE REPORT WRITTEN:** 03 June 2014

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

**PREVIOUS MEETING REFERENCE:** Agenda Item 16.2 (Minute 11775) – Ordinary Meeting of Council 19 March 2014  
Agenda Item 13.5 (Minute 11664) – Ordinary Meeting of Council 16 October 2013  
Agenda Item 18.3 (Minute 11297) – Ordinary Meeting of Council 19 September 2012  
Agenda Item 17.3 (Minute 11267) – Ordinary Meeting of Council 15 August 2012

#### **Summary**

At the Ordinary Meeting of Council held on 19 March 2014 Council resolved:

“That Council form a Committee of Council to oversee and workshop the master plans for the Ocean View Caravan Park Onslow and report back to Council with recommendations including and considering:

- Applying for funding from the Royalties for Regions Infrastructure Fund for the upgrades to power, water and sewage and to liaise with Tourism WA to apply for grants for ablution blocks; and
- Allocating the \$200k in the budget on the purchase of a manager's house.

That members for the Ocean View Caravan Park committee be comprised of the following representation:

Cr Thomas – Tableland Ward, Cr Fernandez – Tom Price Ward, Cr Eyre – Ashburton Ward, and Cr White – Shire President – Onslow Ward.”

The Ocean View Caravan Park Committee meets on a monthly basis, a copy of the minutes and recommendations from the meeting are presented to Council for endorsement.

Cr Fernandez has also resigned from the Committee and Council needs to determine to either appoint another member or reduce the size of the Committee.



## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### Background

In September 2012 the Shire of Ashburton resumed full control and management of the Ocean View Caravan Park following the expiration of the previous lease between Council and the former operator.

Following the Council assuming management responsibility, it was concluded that the caravan park required substantial works in order to meet statutory obligations and compliance requirements for caravan parks, to provide both a higher quality of accommodation and a variety of accommodation options to better meet the needs of a diverse range of caravan park users, as well as to upgrade essential services and facilities that have been unable to meet operational demands.

At the March 2014 Ordinary Meeting of Council a report was presented to Council outlining the information and advice provided by Brighthouse Consultants and Hester Property Solutions (Minute 11775). At this time Council resolved to appoint a Committee of Council to oversee and workshop the master plans for the Ocean View Caravan Park and report back to Council with recommendations.

The recommendations are to include and consider applying for funding from the Royalties for Regions Infrastructure Fund for the upgrades to power, water and sewage and to liaise with Tourism WA to apply for grants for ablution blocks; and allocating the \$200,000 in the 2013/14 budget.

### Comment

In accordance with Council's resolution, a Committee consisting of Cr Thomas, Cr Fernandez, Cr White and Cr Eyre has been formed to undertake the review of the Ocean View Caravan Park Master Plan and associated matters.

With Cr White having a leave of absence for the June 2014 meeting and Cr Fernandez resigning from the Committee on 26 May 2014 there will not be a quorum to hold a Committee meeting for June 2014. The next Committee meeting is being planned for July 2014.

Council needs to determine to either appoint another member or reduce the size of the Committee.

### Consultation

Chief Executive Officer  
Executive Manager – Strategic & Economic Development

### Statutory Environment

Local Government Act 1995 – Subdivision 2 – Committees and their meetings

S5.20: Decisions of councils and committees

S.22: Minutes of council and committee meetings

### Financial Implications

It is not possible to advise on any financial implications at the time of preparing this Council agenda as the Council agenda preparation precedes the Committee meeting occurring. Any financial implications for Council consideration beyond existing budget allocations therefore, should be highlighted as part of the July Committee recommendations.

The development of proposals by the Committee will be required before Financial Implications can be determined.

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### Strategic Implications

The Onslow Caravan Park Upgrade Project is in the Corporate Business Plan as an 'active pursuit' project. 'Active Pursuit' means that there is a firm intention to undertake the project with effort being applied to develop the project and secure funding. It is not yet in the budget as the associated external funding is not yet secured. As soon as funding is secured, an active pursuit project will be entered into the financial forecasts. Council will then consider any consequential adjustments required to the Corporate Business Plan, Four Year Budget and Long Term Financial Plan.

SE3.3 Caravan Park - To manage the Ocean View Caravan Park to support local tourism, meet the needs of the community and provide a return to Council.

### Policy Implications

There are no policy implications to this matter.

### Voting Requirement

Simple Majority Required

### Council Decision

**MOVED: Cr D Dias**

**SECONDED: Cr D Wright**

**That Council:**

- 1. Notes that due to a lack of a quorum, a Ocean View Caravan Park Committee Meeting could not be scheduled for the month of June 2014;**
- 2. Accept Cr Fernandez's resignation from the Ocean View Caravan Park Committee; and**
- 3. Agrees to have three Councillors on the Ocean View Caravan Park.**

**CARRIED 6/2**

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

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 12. COMMUNITY DEVELOPMENT REPORTS

#### 12.1 IN KIND SPONSORSHIP FOR AUSTRALASIAN SAFARI 2014

MINUTE: 11813

FILE REFERENCE: CS.CE.00.00

AUTHOR'S NAME AND POSITION: Melissa May  
Manager Community Services

NAME OF APPLICANT/  
RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 5 June 2014

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

PREVIOUS MEETING REFERENCE: Not Applicable

#### Summary

On 19 May 2014, the Australasian Safari wrote seeking the support of the Shire of Ashburton of their event. A copy of its letter is attached. This report is to provide Council with a dollar estimate of the 'in kind' contribution for this support and to seek endorsement to proceed with the necessary planning for the event.

#### ATTACHMENT 12.1A

#### Background

In May 2014, after discussions with Shire President Kerry White, Pilbara Regional Council CEO Tony Friday and Pilbara Regional Council Deputy CEO Alexis Guillot, it was confirmed that the long distance, endurance, off-road rally event, the *Australasian Safari*, would include Onslow in its 3,500km course. This means that a bivouac of approximately 550 people will "bump in" to Onslow Town Oval on Wednesday 24 September 2014 and "bump out" on Thursday 25 September 2014.

This year will be the eighth year that the *Australasian Safari* will take place in Western Australia. Taking into account all the competitors, the support crew, media and organising staff there will be approximately 550 people travelling from town to town, along with their support crews, a field hospital, and a fleet of campervans that double as event headquarters.

On 19 May 2014, the *Australasian Safari* wrote requesting support of the Shire of Ashburton for the event and to outline what that support would entail. This report is to provide Council with a dollar estimate of what the "in kind" contribution is for this event (see Attachment).

#### ATTACHMENT 12.1B

In addition to the Safari, the Pilbara Regional Council have proposed a community event at

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

the bivouac on the afternoon of Wednesday 24 September 2014 from 3 – 7pm, which will include road safety talks, entertainment and a community BBQ. The Pilbara Regional Council will fund sundry items and entertainment for this community event, however will require the assistance of the Community Services team to plan and run the event.

### Comment

It is estimated that the total in-kind support required from Council will be \$7,500.00 as detailed in Attachment 12.1C.

### ATTACHMENT 12.1C

In return for Council's support of the event, *Australasian Safari* is able to offer the following opportunities:

- Promotion of the town to over 120 countries during the TV highlights broadcast;
- Promotion of the town to state and local media outlets;
- Support to local businesses by bringing over 550 travelers to town;
- The leveraged opportunity for road safety talks for children and youth in Onslow; and
- Increased tourism opportunities.

### Consultation

Chief Executive Officer  
Development Control Group  
Executive Manager – Community Development  
Corporate Communications and Media Advisor

### Statutory Environment

Not Applicable

### Financial Implications

Council will be required to approve an extra \$7,500.00, for this event in G/L 081877 Donations and Sponsorships.

See breakdown below:

Infrastructure/Facility Hire	\$1036.00
Application & Permits	\$1395.00
Materials & Equipment	\$1064.00
Staff time	\$3468.00
Media & Promotions	\$ 150.00
<b>TOTAL</b>	<b>\$7,113.00</b>

### Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022  
Goal 01 – Vibrant & Active Communities  
Objective – Connected, Caring & Engaged Communities

### Policy Implications

OR.CM.1 Community Donations, Sponsorships & Funding

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### Voting Requirement

Absolute Majority Required

#### Council Decision

**MOVED:** Cr P Foster

**SECONDED:** Cr A Eyre

That Council approve an additional \$7,500.00 in the 2014/15 Operational budget, GL 081877 to fund in-kind support for the 2014 Australasian Safari and Pilbara Regional Council community event in Onslow in September 2014.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

Crs Rumble, Dias, Wright, Thomas, Eyre, Foster, Fernandez and Bloem voted for the motion

#### Council Decision

**MOVED:** Cr P Foster

**SECONDED:** Cr A Eyre

As the Deputy Shire President/Chairperson Cr Rumble declared an interest in Agenda Item 12.2 – Proposal to Upgrade Paraburdoo Sports Pavilion to Potentially Relocate and Accommodate the Lifestyle Centre Paraburdoo Incorporated and Agenda Item 15.1 – Road Closure – Road No 1644 from Mount Florence Homestead to Hamersley Homestead, that Council deal with these two matters consecutively.

**CARRIED 8/0**

Crs Rumble, Bloem, Foster, Fernandez, Eyre, Dias, Wright & Thomas voted for the motion

#### Council Decision

**MOVED:** Cr P Foster

**SECONDED:** Cr D Wright

That Council appointment Cr A Bloem as the Acting Chairperson.

**CARRIED 8/0**

Crs Rumble, Bloem, Foster, Fernandez, Eyre, Dias, Wright & Thomas voted for the motion

Cr Dias asked for Council consideration to speak to, but not vote on, item 12.2 at 1.51 pm.

Cr Rumble & Cr Dias left the meeting at 1.51 pm.

Cr Bloem took the chair at 1.51 pm.

Troy Davis left the meeting at 1.53 pm.

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### Council Decision

**MOVED:** Cr C Fernandez

**SECONDED:** Cr P Foster

That Council does not allow Cr Dias to return to the meeting to discuss the Agenda Item Agenda 12.2 – Proposal to Upgrade Paraburdoo Sports Pavilion to Potentially Relocate and Accommodate the Lifestyle Centre Paraburdoo Incorporated, in accordance with the provision of Section 5.68(1) of the Local Government Act 1995.

**CARRIED 4/2**

**Crs Foster, Fernandez, Eyre, & Thomas voted for the motion  
Crs Bloem and Wright voted against the motion**

Troy Davis entered the meeting at 1.56 pm.

Neil Hartley left the meeting at 1.56 pm.

Neil Hartley entered the meeting at 1.56 pm.

### **Declaration of Financial Interest**

In accordance with Section 5.69 (3) (a) of the Local Government Act Cr Bloem, Cr Dias, Cr Rumble, Cr Wright and Cr Foster declared a financial interest in Agenda Item 12.2. The nature of their interest being Cr Bloem is an employee of Rio Tinto Pty Ltd, Cr Dias is an employee of Rio Tinto and shareholder having a total value exceeding \$10,000, Cr Rumble is a shareholder having a total value exceeding \$10,000, Cr Foster has a partner employed by Rio Tinto Pty Ltd and Cr Wright is an employee of Rio Tinto.

As there would not be a quorum to vote, approval was sought from the Minister of Local Government to allow disclosing members Cr Bloem, Cr Wright, Cr Dias, Cr Rumble and Cr Foster to debate and vote on Agenda Item 12.2. The Minister's written approval for Cr Peter Foster, Anthony Bloem and Dennis Wright to participate in the discussion and vote in relation to this agenda item was obtained prior to the Council Meeting. The approval was granted subject to the following conditions:

1. the approval is only valid for the abovementioned items when each is considered at the Ordinary meeting of Council to be held on 18 June 2014;
2. Councillors Anthony Bloem, Dennis Wright and Peter Foster declare the nature and extent of their interests at the Council meeting when each item is considered together with the approval provided;
3. the CEO is to provide a copy of the Department's letter advising of the approval to Councillors Anthony Bloem, Dennis Wright and Peter Foster; and
4. the CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the meeting when each item is discussed.

The Director General did not consider it necessary to allow Councillors Linton Rumble and Ivan Dias to participate in the discussion and decision making in this instance and has declined to approve the request for them to participate.

**RECORDED ON REGISTER OR.CR.04.00**

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 12.2 PROPOSAL TO UPGRADE PARABURDOO SPORTS PAVILION TO POTENTIALLY RELOCATE AND ACCOMMODATE THE LIFESTYLE CENTRE PARABURDOO INCORPORATED

**MINUTE:** 11816

**FILE REFERENCE:** PA.MC.0061

**AUTHOR'S NAME AND POSITION:** Hayley Bringdal  
Facilities Officer

**NAME OF APPLICANT/RESPONDENT:** The Lifestyle Centre Paraburdoo Incorporated

**DATE REPORT WRITTEN:** 4 June 2014

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

**PREVIOUS MEETING REFERENCE:** Not Applicable

#### **Summary**

The Lifestyle Centre Paraburdoo Incorporated has presented a proposal to the Shire of Ashburton for sole occupancy of the Paraburdoo Sports Pavilion. Relocation of the Lifestyle Centre (gymnasium) to this facility requires current users of the Sports Pavilion to be relocated to, at this stage, an unidentified location and lease and licence agreements to be amended. An estimated cost of \$724,000 to renovate the Sports Pavilion due to its current state was also requested by the Lifestyle Centre to accommodate the relocation.

A business case has been compiled outlining the benefits of relocating The Lifestyle Centre Paraburdoo Incorporated to this facility and the impact this will have on current users of the Pavilion and the Shire of Ashburton.

**ATTACHMENT 12.2A**

#### **Background**

As part of the original concept for the Paraburdoo Community HUB a purpose built gymnasium was included in the plans to allow for a larger gym for the community of Paraburdoo. Due to limited funding available for the project several components of the project were developed with the removal of the gymnasium being one of these. As a result the Paraburdoo Sports Pavilion was identified as a possible alternative venue for the gymnasium as it was recognised that the Pavilion has room for increased utilisation.

Following the identification that the Sports Pavilion could possibly be utilised as a gymnasium the Shire of Ashburton requested that The Lifestyle Centre Paraburdoo Incorporated develop a proposal outlining the requirements they would need fulfilled so Council could consider their relocating request as it was recognised that the Paraburdoo Sports Pavilion is not currently fit for purpose to house a gymnasium.

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### ATTACHMENT 12.2B

The relocation of the Lifestyle Centre will be from the Centre's current facility, a Rio Tinto building to a Shire owned building, being the Paraburdoo Sports Pavilion. This highlighted the current arrangement the Centre has with the building owner (Rio Tinto) and what requirements would be needed by the Shire of Ashburton should the relocation be approved. Such areas for negotiation if the gymnasium relocates to the Sports Pavilion including, which organisation will incur ongoing operational costs/requirements, building maintenance costs, extensive renovation works and relocation of current users of the Sports Pavilion

#### **Comment**

A number of issues were identified after initial inspection of the Paraburdoo Sports Pavilion by the committee of the Lifestyle Centre that would require solutions to be sought before relocation was possible.

Below is a list of those concerns and some anticipated costs to rectify these.

<b>Concern</b>	<b>Issue</b>	<b>Proposed Solution</b>	<b>Organisation Indicated to Implement Solution</b>	<b>Estimated Cost \$</b>
Upgrades to Air Conditioner	Up to 20 members may access the facility at one time and suitable air conditioners will be required to accommodate.	Complete upgrade of air conditioner units in front and rear rooms.	Shire of Ashburton	60,000
Increase Power Supply & Include Additional Power Points	Extra circuits required to allow for air conditioner upgrades and gymnasium equipment such as treadmills and cross trainers.	Review and increase power supply to the facility.	Shire of Ashburton	36,000
Timber Flooring	Floating floor unable to withstand weight of exercise equipment and free weights.	Review flooring of facility and consider if thick rubber matting is solution or replace flooring.	Shire of Ashburton with possible support from Rio Tinto to replace floor at the Lifestyle Centre for thick rubber matting.	100,000
Space/Acoustics/Layout	Reflecting sound due to high ceilings	Construct 1/3 mezzanine floor at east end of Sports	Shire of Ashburton	50,500



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		Pavilion to assist with sound and provide alternative area for exercise		
Internal Access to Ladies Toilets	Copper pipe restricts access to ladies toilets from internal rooms.	Relocate plumbing for copper pipe	Shire of Ashburton	10,000
Condition of Ladies Toilets	Toilets sometimes block.	Upgrade plumbing to toilets.	Shire of Ashburton	110,000
Large cracks in walls	Building requires confirmation that it is structurally sound and cracks look unsightly.	Obtain certification and patch, repair, paint & reinforce building.	Shire of Ashburton	40,000
Doors in rear room blocked over	Eliminates natural light from entering the building.	Replace with glass panel tinted windows.	Shire of Ashburton	10,000
Appearance	Facility is old and requires modernising.	Paint and replace floors in other rooms.	Shire of Ashburton	80,000
Relocation from current facility	All exercise equipment requires relocating to Sports Pavilion	Resources required to relocate equipment.	Lifestyle Centre & Rio Tinto	3,000
Current security system	Sports Pavilion currently only has key access and no video surveillance.	Relocate swipe card system and security cameras to Sports Pavilion.	Lifestyle Centre	8,000
Administration Desk	No administration desk to take memberships etc.	Install new desk.	Lifestyle Centre	5,000
Doors into middle room	Doors provide a sense of enclosure.	Remove doors.	Shire of Ashburton	500
Storage of swim club and netball club equipment	Relocate to an alternative venue.	Build storage sheds at netball courts and pool for	Shire of Ashburton	100,000

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		these groups.		
Sunshine Playgroup	Relocate to an alternative venue with storage.	Possibly relocate into current gymnasium.	Shire of Ashburton & Rio Tinto	1,000
Dual access	Several groups have access to toilets including Squash Club, Netball, Basketball & Toy Library.	Compromise on entry for these groups.	Shire of Ashburton & Lifestyle Centre.	n/a
Signage	No signage advising it is a gym.	Install signage.	Lifestyle Centre	6,000
Rental/Lease Fee	Lifestyle Centre to pay for usage of venue.	To be negotiated.	Shire of Ashburton & Lifestyle Centre.	To be negotiated.
Power & Water Invoices	Cost of power and water.	Include in lease and negotiate.	Shire of Ashburton & Lifestyle Centre.	20,000/year
Building Maintenance Costs	Undertake when required.	Responsibility of building owner.	Shire of Ashburton.	20,000/year
Cleaning of Facility	Daily cleaning of facility.	To be negotiated and included in lease.	Shire of Ashburton & Lifestyle Centre	50,000/year
Project management costs, reports licenses, permits				100,000
<b>TOTAL COST OF RENOVATIONS &amp; RELOCATIONS</b>				<b>\$724,500</b>
<b>TOTAL COST OF OPERATIONAL COSTS YEARLY</b>				<b>\$90,000</b>

Additionally, eight community groups currently use the Sports Pavilion – Netball, Swimming, Toy exchange, Squash, Konga, Playgroup, Para Fit. With the possible exception of Squash, each of these groups would need to be relocated to another facility. Discussions with RTIO have indicated that they would not consider relocation of these groups to the facility currently being used by the gym, and no other locations have been identified at this stage. The relocation of these groups could also have a minor financial affect as the user fees they pay to the Shire could be lost.

Whilst discussions to date with the Pilbara Development Commission have not seemed to support the finances required to incorporate the gymnasium into the Paraburdoo CHUB, the final decision on this matter has not been made either. There is therefore, a possibility that the necessary funding may still be secured.

### Consultation

Chief Executive Officer  
 Executive Manager – Community Development  
 Facilities Manager  
 The Lifestyle Centre Paraburdoo Incorporated

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Paraburdoo Pool Manager  
Facilities Officer – Paraburdoo  
Facilities Officer – Onslow & Pannawonica  
Paraburdoo Netball Association  
Paraburdoo Swimming Club  
Paraburdoo Toy Library  
Paraburdoo Squash Courts  
Konga  
Sunshine Playground  
Para Fit

### **Statutory Environment**

The disposal of property (including leases) require compliance with Section 3.58 of the Local Government Act 1985.

### **Financial Implications**

Upgrades to the Paraburdoo Sports Pavilion and infrastructure required for relocation of current venue users have been estimated to cost \$724,000. The 2014/15 annual financial budget for capital is already oversubscribed and may not be able to accommodate this expenditure. It is proposed this project be scheduled for 2015/16 to allow for further negotiations and to finalise costs.

Ongoing maintenance costs of \$90,000 per year would also need to be included in annual operational budgets.

The upgraded facility would need to be included in the Asset Management Plan.

A small financial loss from the reduction of user fees and incidental community bookings of around \$3,000 per year would also need to be recognised and factored into the annual budget. This may be offset by lease/rental income from Lifestyle Centre Paraburdoo Incorporated.

### **Strategic Implications**

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022

Goal 1 - Vibrant & Active Communities

Objective 2 – Active People, Clubs and Associations

Goal 4 – Distinctive and Well Serviced Places

Objective 1 – Quality Public Infrastructure

### **Policy Implications**

REC05 – Establishment of Sporting Club and Community Group Licences

FIN 12 - Purchasing and Tender Policy

### **Voting Requirement**

Simple Majority Required

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### Council Decision

**MOVED: Cr P Foster**

**SECONDED: Cr D Wright**

**That unless sufficient funding can be secured to incorporate the gymnasium into the Paraburdoo CHUB, Council:**

- 1. Considers capital works to the Paraburdoo Sports Pavilion and associated relocations of groups to accommodate The Lifestyle Centre Paraburdoo Incorporated in the 2015/16 financial budget; and**
- 2. Support further negotiations with The Lifestyle Centre Paraburdoo to progress this matter.**
- 3. Consult with existing Paraburdoo Sports Pavilion user groups.**

**CARRIED 6/0**

**Crs Bloem, Foster, Fernandez, Eyre, Wright & Thomas voted for the motion**

### **Reason for Change of Recommendation:**

For fairness to involve all the user groups in the consultation process.

EH (Jim) Kelly left the meeting at 2.01 pm.

## 15. INFRASTRUCTURE SERVICES REPORTS

### Declaration of Financial Interest

In accordance with Section 5.69 (3) (a) of the Local Government Act Cr Bloem, Cr Dias, Cr Rumble, Cr Wright and Cr Foster declared a financial interest in Agenda Item 12.2. The nature of their interest being Cr Bloem is an employee of Rio Tinto Pty Ltd, Cr Dias is an employee of Rio Tinto and shareholder having a total value exceeding \$10,000, Cr Rumble is a shareholder having a total value exceeding \$10,000, Cr Foster has a partner employed by Rio Tinto Pty Ltd and Cr Wright is an employee of Rio Tinto.

As there would not be a quorum to vote, approval was sought from the Minister of Local Government to allow disclosing members Cr Bloem, Cr Wright, Cr Dias, Cr Rumble and Cr Foster to debate and vote on Agenda Item 12.2. The Minister's written approval for Cr Peter Foster, Anthony Bloem and Dennis Wright to participate in the discussion and vote in relation to this agenda item was obtained prior to the Council Meeting. The approval was granted subject to the following conditions:

1. the approval is only valid for the abovementioned items when each is considered at the Ordinary meeting of Council to be held on 18 June 2014;
2. Councillors Anthony Bloem, Dennis Wright and Peter Foster declare the nature and extent of their interests at the Council meeting when each item is considered together with the approval provided;
3. the CEO is to provide a copy of the Department's letter advising of the approval to Councillors Anthony Bloem, Dennis Wright and Peter Foster; and
4. the CEO is to ensure that the declarations, including the approval given and any conditions imposed, are recorded in the minutes of the meeting when each item is discussed.

The Director General did not consider it necessary to allow Councillors Linton Rumble and Ivan Dias to participate in the discussion and decision making in this instance and has declined to approve the request for them to participate.

RECORDED ON REGISTER OR.CR.04.00

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 15.1 ROAD CLOSURE - ROAD NO 1644 FROM MOUNT FLORENCE HOMESTEAD TO HAMERSLEY HOMESTEAD

**MINUTE:** 11817

**FILE REFERENCE:** ES.RM.07.00

**AUTHOR'S NAME AND POSITION:** Sharon Morley  
Executive Assistant Infrastructure Services

**NAME OF APPLICANT/RESPONDENT:** Mark Kift, Assistant State Land Officer  
Department of Lands WA

**DATE REPORT WRITTEN:** 27 May 2014

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

**PREVIOUS MEETING REFERENCE:** Agenda Item 31.1 (Minute No. 11111) – Ordinary Meeting of Council 15 February 2012

#### **Summary**

At the Ordinary Meeting of Council (OMC) held on 15 February 2012, Council resolved the following:

1. In accordance with Section 58 (2) and 3 of the Land Administration Act 1997 publishes the public notice of intention to close Road Number 1644 as defined in the Government Gazette notice of April 1904, in a newspaper circulating in its district, and invite representations on the proposed closure within a period of 35 days from the publication.
2. That should no objections be received the Council delegate to the Chief Executive Officer the power to resolve to make request to the Minister to close the road.

Road No: 1644 runs from the Mount Florence Homestead to the Hamersley Homestead and included the request to amalgamate this section of road into Hamersley Iron's Rail Lease.

Further information has subsequently been requested from the Department of Lands which has highlighted an issue with the remaining portions of road 1644. Council is now requested to support the entire closure of road 1644 so that the road can be fully amalgamated into the adjoining properties.

#### **Background**

Advertising of the proposed closure was completed on the 7 March 2012 and there were no objections received. Following the 35 day period, a request was made to the Minister to close the road. On 2 December 2013 correspondence was received from the Department of Lands requesting further information as listed below:

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*“Could the Shire please confirm whether:*

*The whole of road number 1644 is overgrown and no longer in use; and*

*What will happen with the portions of road number 1644 that have not been identified for amalgamation into the Hamersley Iron leases?*

*As previously advised, after the proposed amalgamation the remaining road portions will convert to UCL and become a liability to the Department of Lands. Therefore, the Department of Lands would prefer to amalgamate the remaining portions into adjoining properties. Could the Shire advise whether Council supports the closure of the whole of road number 1644 for amalgamation into adjoining properties?”*

The Tenure Approvals Officer from Rio Tinto was contacted for answers to these questions and provided the following response:

*“The whole of the road is overgrown and not used and there is very little evidence of any existing portions of the road left. Remaining portions will be amalgamated into the existing station areas which are Hamersley and Coolawanyah Stations.”*

As detailed above, the Department of Lands requires a further Council resolution to enable the full closure of road 1644.

**ATTACHMENT 15.1A**  
**ATTACHMENT 15.1B**  
**ATTACHMENT 15.1C**  
**ATTACHMENT 15.1D**

### **Comment**

The original request for closure of road 1644 did not receive any objections. The amendment to include the full road and the incorporation of the reserve into the adjoining properties is agreeable to all parties and appears to be a more comprehensive outcome. Council will publish its intent to close the entirety of Road Number 1644 in accordance with the requirements of the Local Government Act.

### **Consultation**

Executive Manager - Infrastructure Services  
Mark Kift, Department of Lands WA  
Mark Minissale, Rio Tinto

### **Statutory Environment**

Land and Administration Act, Section 58

### **Financial Implications**

Cost of advertising approximately \$400.00.

### **Strategic Implications**

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

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### Policy Implications

There are no policy implications for this matter.

### Voting Requirement

Simple Majority Required

### Council Decision

**MOVED: Cr P Foster**

**SECONDED: Cr D Wright**

**That Council:**

- 1. In accordance with Section 58 of the Land Administration Act 1997 publishes the public notice of intention to close in entirety Road Number 1644 as defined in the Government Gazette notice of April 1904 for amalgamation into adjoining properties, in a newspaper circulating in its district, and invite representations on the proposed closure within a period of 35 days from the publication; and**
- 2. Delegate to the Chief Executive Officer the power to resolve to make a request to the Minister to close the road, should no objections be received.**

**CARRIED 6/0**

**Crs Bloem, Foster, Fernandez, Wright, Thomas & Eyre voted for the motion**

Cr Rumble and Cr Dias entered the meeting at 2.06 pm.

Cr Rumble resumed the chair.



## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 13. CORPORATE SERVICES REPORTS

#### 13.1 BUDGET AMENDMENT / VARIATION

MINUTE: 11814

FILE REFERENCE: FI.BU.13.14

AUTHOR'S NAME AND POSITION: Natalie Briney  
Budget & Grants Officer

NAME OF APPLICANT/  
RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 28 May 2014

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

PREVIOUS MEETING REFERENCE: Not Applicable

#### Summary

The 2013/2014 budget was officially adopted by Council on 18 September 2013 and throughout the year variations occur. It is the purpose of this report to bring these to the attention of Council.

#### Background

The 2013/2014 budget was officially adopted by Council on 18 September 2013 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 2013/2014 budget to reflect various adjustments to the General Ledger with nil effect to the overall 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 Adopted Budget for 2013/2014 as outlined below be approved.

GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget Figure
<b>1. <u>Office of CEO:-</u></b>				
<b><u>Staff Housing</u></b>				
BC225	CAP - 1104B Jabbarup St, Tom Price	\$18,000	\$31,000	\$49,000
BC109	CAP – 335 First Ave, Onslow	\$40,000	<b>-\$13,500</b>	\$26,500
BC136	CAP – 583 Third Ave, Onslow	\$40,000	<b>-\$9,500</b>	\$30,500
BC169	CAP – 172 Hardy Ave, Paraburdoo	\$25,000	<b>-\$5,000</b>	\$20,000
BC252	CAP – 61 Pine St, Tom Price	\$8,500	<b>-\$3,000</b>	\$5,500

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

**Reason:** The property requires general repairs and it was also discovered that there is damage in both bathrooms due to roots growing up through the drain pipes.

GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget Figure
<b>2. <u>Development &amp; Regulatory Services:-</u></b>				
<b><u>Executive Manager D&amp;RS</u></b>				
135582	Travel Expenses & Meals	\$243	\$5,757	\$6,000
102507	Service Fee – Accommodation	\$0	\$10,000	\$10,000

**Reason:** To better reflect the costs for the Compliance Officer, Town Planner and Executive Manager to attend various meetings. Additional money to come from the surplus.

GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget Figure
<b>3. <u>Office of CEO:-</u></b>				
<b><u>Organisational Development</u></b>				
042125	Test and Tag Equipment	\$0	\$8,000	\$8,000
042117	Health & Wellbeing (Programs)	\$0	<b>-\$8,000</b>	\$7,000

**Reason:** It has been calculated that the Shire could make significant savings if it was to manage its own tagging and testing of electrical equipment. Staff have been trained and now the testing equipment needs to be purchased.

### **Consultation**

Executive Manager - Corporate Services  
Organisational Development Manager  
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 authorised in advance by resolution\*

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

\* requires an absolute majority of Council

### **Financial Implications**

There are no financial implications as nil effect to the overall budget as detailed above.

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### Strategic Implications

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

### 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 L Thomas**

**That Council approves the required budget variations to the Adopted Budget for 2013/2014 as outlined below:**

GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget Figure
<b>1. <u>Office of CEO:-</u></b>				
<b><u>Staff Housing</u></b>				
BC225	CAP - 1104B Jabbarup St, Tom Price	\$18,000	\$31,000	\$49,000
BC109	CAP – 335 First Ave, Onslow	\$40,000	<b>-\$13,500</b>	\$26,500
BC136	CAP – 583 Third Ave, Onslow	\$40,000	<b>-\$9,500</b>	\$30,500
BC169	CAP – 172 Hardy Ave, Paraburdoo	\$25,000	<b>-\$5,000</b>	\$20,000
BC252	CAP – 61 Pine St, Tom Price	\$8,500	<b>-\$3,000</b>	\$5,500

**Reason: The property requires general repairs and it was also discovered that there is damage in both bathrooms due to roots growing up through the drain pipes.**

GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget Figure
<b>2. <u>Development &amp; Regulatory Services:-</u></b>				
<b><u>Executive Manager D&amp;RS</u></b>				
135582	Travel Expenses & Meals	\$243	\$5,757	\$6,000
102507	Service Fee – Accommodation	\$0	\$10,000	\$10,000

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

Reason: To better reflect the costs for the Compliance Officer, Town Planner and Executive Manager to attend various meetings. Additional money to come from the surplus.

GL/Job Number	General Ledger Description	Current Budget	Variation Amount	Revised Budget Figure
<b>3. <u>Office of CEO:-</u></b>				
<b><u>Organisational Development</u></b>				
042125	Test and Tag Equipment	\$0	\$8,000	\$8,000
042117	Health & Wellbeing (Programs)	\$0	-\$8,000	\$7,000

Reason: It has been calculated that the Shire could make significant savings if it was to manage its own tagging and testing of electrical equipment. Staff have been trained and now the testing equipment needs to be purchased.

**CARRIED BY ABSOLUTE MAJORITY 8/0**  
Crs Rumble, Dias, Wright, Thomas, Eyre, Foster, Fernandez and Bloem voted for the motion

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 13.2 RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS FOR MONTH OF APRIL & MAY 2014

**MINUTE:** 11809

**FILE REFERENCE:** FI.RE.00.00

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

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

**DATE REPORT WRITTEN:** 5 June 2014

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

**PREVIOUS MEETING REFERENCE:** Not Applicable

#### **Summary**

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

#### **Background**

Regulation 34 of the Local Government (Financial Management) Regulations requires the Shire to prepare a monthly statement of Financial Activity for consideration by Council.

#### **Comment**

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

##### **April 2014**

- Statements of Financial Activity and associated statements for the Month of April 2014.

**ATTACHMENT 13.2A**

##### **May 2014**

- Schedule of Accounts and Credit Cards paid under delegated authority for the Month of May 2014.

**ATTACHMENT 13.2B**

#### **Consultation**

Executive Manager - Corporate Service  
Executive Management Team  
Finance Manager

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

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

### **Policy Implications**

There are no policy implications in this matter.

### **Voting Requirement**

Simple Majority Required

### **Council Decision**

**MOVED: Cr A Bloem**

**SECONDED: Cr P Foster**

**That Council:**

- 1. Accepts the Financial Reports for April 2014 ATTACHMENT 13.2A; and**
- 2. Notes the Schedule of Accounts and Credit Cards paid in May 2014 as approved by the Chief Executive Officer in accordance with delegation DA004 Payment from Municipal and Trust Funds as per ATTACHMENT 13.2B.**

**CARRIED EN BLOC 8/0**

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

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 13.3 PROPOSED 2014/2015 FEES & CHARGES

MINUTE: 11818

FILE REFERENCE: FI.FI.00.00

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

NAME OF APPLICANT/  
RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 05 June 2014

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

PREVIOUS MEETING REFERENCE: Not Applicable

#### Summary

The Shire's proposed Fees and Charges are presented to Council for approval for the new Financial Year 2014/15. The proposal is to be advertised for a period of 7 days under Local Government Act 1995, Section 1.7 in conjunction to Section 6.19. It is expected that the new fees and charges will become effective from the 1st of July 2014.

#### Background

The proposed Fees and Charges have been collated and compiled with consultation from Department/Program Managers responsible for providing essential services to the community and ensuring appropriate income is generated for the council.

The Fees and Charges for 2013/2014 have been included for council's reference to highlight the changes considered in the proposed Fees & Charges for 2014/15.

#### Comment

Overall, Fees and Charges in most program areas remained the same as for 2013/14 year. Programs that have proposed increases include the following; Health/Inspection, Plant Hire rates (3%), Sanitation (avg.3%). New charges have also been introduced for use of Onslow Airport and statutory fees for Health/Inspection program.

#### 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 & Charges set by Council will underpin its ability to provide services and facilities for the 2014/2015 financial year and into the future.

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### Strategic Implications

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

### Policy Implications

There are no policy implications in this matter.

### Voting Requirement

Absolute Majority Required

### Council Decision

**MOVED: Cr P Foster**

**SECONDED: Cr A Eyre**

**That Council adopt the following Fees and Charges:**

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 11 in Attachment 13.3.
2. Pursuant to section 245A(8) of the Local Government (Miscellaneous Provisions) Act 1960 the Council adopts a swimming pool inspection fees of:
  - Initial Inspection \$50.00
  - Annual Inspection Fees \$30.00  
(GST INC).
3. Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, Council adopt the following charges for the removal and deposit of domestic and commercial waste:
  - 3.1 Residential Premises (including recycling)
    - 240ltr bin per weekly collection \$ 412 pa
    - Additional bin pick up at time of normal collection \$ 453 pa
    - New Replacement 240ltr bin \$ 149 pa
  - 3.2 Commercial Premises
    - 240ltr bin per weekly collection \$ 733 pa
    - 600ltr Bulk Bin Weekly Collection \$1,085 pa
    - 1.1m3 per weekly collection \$1,545 pa
4. Pursuant to section 67 of the Waste Avoidance and Resources Recovery Act 2007, and section 6.16 of the Local Government Act 1995 Council adopt the following charges for the deposit of domestic and commercial waste:
  - Domestic (private residents: cars, utilities, trailers only) No Charge
  - Unsecured Commercial Loads \$21.00/load
  - Commercial Bulk Waste delivered to landfill site \$51/m3
  - Comingled Waste and Recyclable material (including timber & Steel) \$102.00/ m3
  - Car and light vehicle tyres \$10.50/tyre
  - Fire Extinguishes (Emptied) \$10.50ea
  - Truck tyres \$15.50/tyre



**MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014**

• Earthmover tyres	By negotiation
• Gas bottles valve intact	\$10.50ea
• Waste oil	\$1.00/ltr
• White goods	\$21.00ea
• 210ltr Drums (empty)	\$10.50/drum
• Vehicle batteries	\$10.50per battery
• Asbestos (Double Wrapped)	\$51.00/m3
• Burial fee	\$51.00
• Oversized items	By negotiation
• Car Bodies	
(All oils (including diff oil), fuels and batteries removed)	\$50.00/car
• Recyclable materials separated & uncontaminated	Free
<b>5. The remaining fees and charges as per ATTACHMENT 13.3, with the following modifications:</b>	
040277 Colour A3 (Tom Price / Para)	\$2.65 (incorrectly listed as \$1.40)
072133 Trading (outside)/day	\$35.00
Trading (outside)/week	\$100.00
Trading (outside)/annual	\$750.00
<b>6. A “Companion Cardholder” fee, where the cardholder is entitled to free access to Shire venues when the holder is accompanying the person being cared for.</b>	
<b>Further, that Council requires that:</b>	
<b>1. The maps for Trading in Public Places licenses be reviewed; and</b>	
<b>2. A review fo the animal penalties be undertaken with the view to best balance the penalty/incentive for good animal ownership.</b>	
<b>CARRIED BY ABSOLUTE MAJORITY 7/1</b>	
<b>Crs Rumble, Bloem, Foster, Eyre, Thomas, Dias &amp; Wright voted for the motion</b>	
<b>Cr Fernandez voted against the motion</b>	

**Reason for Change of Recommendation:**

To provide a balanced incentive for trading in public places at the various licensed locations, and to formally introduce the “Companion Cardholder” fee as previously supported by Council.

EH (Jim) Kelly entered the meeting at 2.09 pm.

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 13.4 2014/15 BUDGET TIMELINE AND SPECIAL MEETINGS

**MINUTE:** 11815

**FILE REFERENCE:** FI.BU.14.15

**AUTHOR'S NAME AND POSITION:** Frank Ludovico  
Executive Manager Corporate Services

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

**DATE REPORT WRITTEN:** 7 May 2014

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

**PREVIOUS MEETING REFERENCE:** Agenda item 13.5 (Minute No 11802) Ordinary Meeting of Council 21 May 2014  
Agenda Item 6.1 Special Meeting of Council 4 June 2014

#### **Summary**

At a Special Meeting held on 4 June 2014 Council determined the Differential Rates for the 2014/15 Budget. This proposal was advertised on 7 June 2014.

In addition, letters were sent to those ratepayers who are in a rate code category where there are less than 30 ratepayers (as per Department of Local Government and Communities Guidelines).

Submissions close on 1 July 2014.

The purpose of this item is to schedule a Special Meeting after the closing date to consider any submissions that may have been made and then to request to Minister for Local Government to approve the Differential Rates. A Special Meeting is requested in order to meet the Budget timeline of approving the 2014/15 Budget by the end of July 2014.

Please note if no adverse submissions are received, the Council has authorised the CEO to request the Minister to approve the Differential Rates and hence there will be no need for a Special Meeting. This will not be able to be determined until after the closing of submissions.

#### **Background**

At a Special Meeting held on 4 June 2014 Council determined the Differential Rates for the 2014/15 Budget. This proposal was advertised on 7 June 2014.

In addition, as per Department of Local Government and Communities Guidelines, letters were sent to those ratepayers who are in a rate code category where there are less than 30 ratepayers.

Submissions close on 1 July 2014.

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

The purpose of this item is to schedule a Special Meeting after the closing date to consider any submissions that may have been made and then to request the Minister for Local Government to approve the Differential Rates. A Special Meeting is requested in order to meet the Budget timeline of approving the 2014/15 Budget by the end of July 2014.

Please note if no adverse submissions are received the Council has authorised the CEO to request the Minister to approve the Differential Rates and hence there will be no need for a Special Meeting. This will not be able to be determined until after the closing of submissions. Developing the case for any differential rating is a critical path in order to develop the 2014/15 Budget.

As can be seen below, a number of other critical activities are being undertaken in parallel to the differential rating process. The process entails greater consultation with Councillors in the development of the Budget.

In order to develop the 2014/15 Budget it will be necessary for Council to consider Special Meetings so the Budget can be adopted in a timely manner.

### Comment

The proposed budget timeline is:

Activity	Date	Comment	Status
Capital Budget Requests	30 April 2014	Timeline for submitting information	<b>Complete</b>
Salaries Budget	9 May 2014	Officer Timeline for submitting information	Information received and is being reviewed by Executive Staff.
Fees & Charges	12 May 2014	Officer Timeline for submitting information	Information received. Agenda Item in June 2014 Agenda.
Capital Budget requests reviewed by Council	21 May 2014	Council Meeting.	Information received and is being reviewed by Councillors.
Operational Budget	23 May 2014	Officer Timeline for submitting information	Information received and is being reviewed by Executive Staff.
Review carried forward items and Work In Progress.	28 May 2014	Officer Timeline for submitting information	Information received and is being reviewed by Executive Staff.
Determine Differential Rate	4 June 2014	<b>Special Meeting</b>	<b>Complete</b>

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

Advertise Differential Rate for Public comment	7 June 2014	Allow 21 days for comment. Closing date for submissions 1 July 2014	Advertising occurring
Review Capital Budget requests.  Review Operational Budget	18 June 2014	Council Meeting	
Review carried forward items and Work In Progress.	25 June 2014	Officer Timeline for submitting information	
Differential Rate Consider submissions and sent report to Minister seeking his approval to levy differential rates	9 July 2014	<b>Special Meeting</b>  Allow at least 14 days for Ministerial Approval (25 July 2014)	
Review 2014/15 Budget	16 July 2014	Council Meeting	
Adopt 2014/15 Budget	30 July 2014	<b>Special Meeting</b>	

### Consultation

Chief Executive Officer  
Executive Management Team  
Finance Team

### Statutory Environment

Section 6.32 of the Local Government Act 1995 (LGA) provides Council with the power to apply rates to property.

Section 6.33 LGA provides Council with the power to apply differential general rates although Ministerial approval is required where a differential rate is more than twice the lowest differential rate to be imposed.

Section 6.35 LGA provides Council with the power to apply a minimum payment which is greater than the general rate which would otherwise be payable on that land.

Section 6.36 LGA requires Council to give public notice of its intention to impose differential rates, inviting submissions within 21 days. Council is also required to consider any submissions received prior to imposing the proposed rate or minimum payment.

Section 6.2 LGA requires that not later than 31 August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt,

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

(Absolute Majority required) in the form and manner prescribed, a budget for its Municipal Fund for the financial year ending on the next following 30 June 2014.

Section 5.63 (1)(b) LGA specifically excludes the need for Elected Members to “Declare a Financial Interest” in imposing a rate, charge or fee.

Regulation 14A Local Government (Administration) Regulations 1996 Instantaneous Communication. Councillors within 150km of the physical location of the meeting cannot participate via teleconference.

Department of Local Government and Communities Rating Policies (Ministerial Circular No 06-2013 and Ministerial Circular 13-2014):

- Valuation of Land
- Differential Rates
- Minimum Payments
- Rateable Land
- Giving Notice
- Valuation of Land - Mining

### **Financial Implications**

The development of the 2014/15 Budget in a timely manner will enable Council to issue rate notices so funding can be made available for the implementation of the Budget projects and plans.

### **Strategic Implications**

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

### **Policy Implications**

There are no Council Policy Implications relative to this issue.

### **Voting Requirement**

Absolute Majority Required

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### Council Decision

**MOVED: Cr P Foster**

**SECONDED: Cr C Fernandez**

**That Council:**

1. **Convenes a Special Meeting of Council at Onslow Multi-Purpose Centre, corner of McGrath Rd and Hooley Rd Onslow on**

**9 July 2014**

**commencing at 7.00 pm for the purpose of determining the 2014/15 Annual Budget and its components - Consideration of Submissions for Differential Rates; and**

2. **Approve the use of instantaneous communications for the Special Meeting in the following locations:**

<b>Location</b>	<b>Councillors</b>
<b>Onslow Multi-Purpose Centre, corner of McGrath Rd and Hooley Rd Onslow</b>	<b>Cr K White Cr A Eyre</b>
<b>Tom Price Council Chambers, Central Rd, Tom Price</b>	<b>Cr C Fernandez Cr P Foster Cr T Bloem Cr L Thomas</b>
<b>Paraburdoo Office Meeting Room Ashbur Ave, Paraburdoo</b>	<b>Cr L Rumble Cr D Dias</b>
<b>Pannawonica Library, Pannawonica Drive, Pannawonica</b>	<b>Cr D Wright</b>

**CARRIED BY ABSOLUTE MAJORITY 8/0**

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

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 13.5 REVIEW OF WARDS AND REPRESENTATION 2014

MINUTE: 11820

<b>FILE REFERENCE:</b>	RE.SE.R.29808
<b>AUTHOR'S NAME AND POSITION:</b>	Lisa Hannagan Administration Manager
<b>NAME OF APPLICANT/RESPONDENT:</b>	Not Applicable
<b>DATE REPORT WRITTEN:</b>	3 June 2014
<b>DISCLOSURE OF FINANCIAL INTEREST:</b>	The author has no financial interest in the proposal.
<b>PREVIOUS MEETING REFERENCE:</b>	Agenda Item 13.2 (Minute No. 11780) – Ordinary Meeting of Council 16 April 2014

#### Summary

Local Governments are required to review their ward boundaries and representation at least every eight years. The last review was completed 18 July 2006 and therefore a new review must take place within eight years of that date. At the Ordinary Meeting of Council held 16 April 2014, Council endorsed the "Review of Wards and Representation Discussion Paper" and the proposed commencement of advertising for public submissions.

#### Background

The last review of Wards and Representation for the Shire of Ashburton was completed in 2006 and therefore a new review must take place within eight years of 18 July 2006.

Public submissions were invited via advertising and the period for submissions was open for six weeks (42 days).

Advertising commenced on Saturday 19 April 2014 and closed Tuesday 3 June 2014 (44 days).

#### Comment

To recap, the steps involved in undertaking a review are detailed below.

1. *Council resolves to undertake the review;*

Council resolved to undertake the review at the Ordinary Meeting of Council (OMC) held 16 April 2014.

2. *Council gives "local public notice" that a review is to be carried out and provides a discussion paper for public comment;*

An advertisement for the "Review of Wards and Representation" was placed in the West Australian Newspaper on Saturday 19 April 2014 (Local Government Notices) seeking public submissions and was also placed on Shire Noticeboards in Tom Price, Paraburdoo, Onslow and Pannawonica.

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

The same notice was also posted on the Shire's website and the "Review of Wards and Representation Discussion Paper (endorsed by Council at the OMC, 16 April 2014) was available on the website and in hard copy formats from Shire Reception and Library Centers.

3. *Council must consider all public submissions received and these should be recorded in the minutes;*

The submissions received are detailed below:

Name	Submission Summary
Onslow Chamber of Commerce & Industry	The Onslow Chamber of Commerce & Industry submit that Option 3 would best meet the needs of the entire Shire. The preference would be to maintain nine Councillors rather than reduce to seven.

The submission is attached.

### ATTACHMENT 13.5

4. *All options must be assessed against the required factors;*

#### **Factors to be considered**

When considering changes to wards and representation, Schedule 2.2 of the Act specifies factors that must be taken into account by a Local Government as part of the review process:

1. Community of interest;
2. Physical and topographic features;
3. Demographic trends;
4. Economic factors; and
5. Ratio of Councillors to Electors in the various wards.

The Board offers the following interpretation of these factors:

#### **Community of interest**

The term community of interest has a number of elements. These include a sense of community identity and belonging, similarities in the characteristics of the residents of a community and similarities in economic activities. It can also include dependence on the shared facilities in an area as reflected in the catchment areas of local schools and sporting teams, or the circulation areas of local newspapers.

Neighbourhoods, suburbs and towns are important units in the physical, historical and social infrastructure and often generate a feeling of community and belonging.

#### **Physical and topographic features**

These may be natural or man-made features that will vary from area to area. Water features such as rivers and catchment boundaries may be relevant considerations. Coastal plain and foothills regions, parks and reserves may be as relevant as many other man made features such as railway lines and roads.



## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### Demographic trends

Several measurements of the characteristics of human populations, such as population size, and its distribution by age, sex, occupation and location provide important demographic information. Current and projected population characteristics will be relevant as well as similarities and differences between areas within the Shire.

### Economic factors

Economic factors can be broadly interpreted to include any factor that reflects the character of economic activities and resources in the area. This may include the industries that occur in a local government area and the distribution of community assets and infrastructure such as road networks.

### Ratio of Councillors to Electors in the various wards

It is expected that each local government will have similar ratios of electors to Councillors across the wards of its district.

In relation to this point, the State Government and Local Government Advisory Board have indicated that structures which have deviations in the ratio of Councillors to electors across their wards which are greater than plus or minus 10% will not be considered acceptable unless there are extenuating circumstances.

Following is the description of each of those factors and how they apply to the Shire of Ashburton generally, which was produced for the last review.

There have been considerable changes in several of these descriptions since the 2006 review.

#### 1. Community of Interest

The Shire has in the past had three "mining based" towns and one "non-mining based" town, being Onslow. This dynamic has changed dramatically in more recent times. While Onslow Salt was established in 1991 and has had an impact on Onslow, the formalisation of the Ashburton North Strategic Industrial Area (ANSIA) Structure Plan in 2011 means that Onslow will become more resource driven in the future. Chevron is currently constructing its Wheatstone Project, a liquefied natural gas project, in the ANSIA. BHP has also commenced processing at the Macedon Plant near Onslow in 2013.

While long term life of mining at Tom Price, Paraburdoo and Pannawonica is well established, it seems that staff expansion preferences at these locations and at the several other aligned and independent mining tenements is shifting from "live in" to "fly in/fly out".

Ashburton has a pastoral community comprising of almost 40 stations and several indigenous communities geographically spread throughout the entire Shire.

Tourism interests are also diverse ranging from coastal areas around Onslow to the inland National Parks.

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

It is considered that the pastoral, Indigenous and tourist based communities generally utilise the town sites closest to them.

It should be noted that since the last Ward Review in 2006 the Minister for Regional Development, announced that the town site of Wittenoom gazettal was officially removed (2007).

Traditionally, due to the significant distances involved, there has been little social interaction between the towns, except some sport played between Tom Price and Paraburdoo and the school bus that transports students from Paraburdoo to the Tom Price High School. Residents of the inland towns who engage in boating or fishing would be familiar with Onslow. In fact there is likely to be more community interest and visitation between Onslow and each of the other of the mining towns than between each mining town. Pannawonica is certainly more closely associated with Onslow than with Tom Price and Paraburdoo.

### 2. Physical and Topographical Features

The pastoral and town boundaries are often features that can be easily used when determining ward boundaries. Unfortunately, although the Shire has many natural features such as National Parks, rivers and mountain ranges by their nature and location they are less useful in this instance to define boundaries. Straighter man made features such as roads and railway lines also tend not to be useful for this purpose as they usually terminate at towns within the Shire rather than divide the Shire in a meaningful manner. In this Shire, physical and topographical characters do not feature strongly in any debate on ward boundaries.

### 3. Demographic Trends

A study of demographic trends shows a minor fall in population across the entire Shire with some 304 less electors in 2014 than at the previous review. Only Tableland has varied to the trend, with an additional 9 registered electors in 2014.

Ward	Number of Electors 2005	Number of Electors 2014
Ashburton	59	50
Tom Price	1552	1446
Onslow	391	385
Tableland	122	131
Paraburdoo	768	624
Pannawonica	357	309
<b>Total</b>	<b>3249</b>	<b>2945</b>

Complicating this analysis perhaps is the transient nature of the workforce and their propensity to not change electoral enrolment details.

In the medium to longer term though, Onslow will see significant increase in population, with various resource projects underway or shortly to be under construction. There is likely to be a preference for a "fly in/fly out" workforce, but none-the-less, Onslow's population is anticipated to double in the next few years, and potentially increase to three or four times its current population into the medium term.

The mining towns have a relatively young population compared to Onslow, where residents are more likely to be long term and even retire in the town.

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

Pastoral areas have generally fallen in population whereas the Indigenous communities have remained steady.

As ward boundaries are reviewed, regular demographic trends are less relevant especially due to the known volatility of the mining and resource sectors.

#### 4. Economic Factors

All major towns in Ashburton are now dependant on resource activities and associated industries.

While there have been attempts to grow an independent economy based on tourism, this is not yet entrenched.

Onslow has previously had a steady tourism industry, commercial fishing and the Onslow Salt Project, but the boom in resource construction has seen constraints placed on the tourism. Most tourism operators have of recent times, preferred to benefit from high value resource industry customers than lower value camping/fishing/caravanning tourists.

Pastoral stations are spread throughout the Shire and generally use the towns to undertake basic business and social activities.

There is minimal home ownership in the traditional mining towns compared to Onslow and almost no retirees or pensioners except for Onslow. Average household income for the mining towns is about double the national average.

#### 5. Ratio of Councillors to Electors in the various wards

The current Councillors to Elector ratio is detailed below:

<b>Ward</b>	<b>Number of Electors</b>	<b>Number of Councillors</b>	<b>Councillor / Elector Ratio</b>	<b>% Ratio Deviation</b>
Ashburton	50	1	1:50	-85
Onslow	385	1	1:385	+18
Pannawonica	309	1	1:309	-5
Paraburdoo	624	2	1:312	-5
Tableland	131	1	1:131	-60
Tom Price	1446	3	1:482	+47
<b>Total</b>	<b>2945</b>	<b>9</b>	<b>1:327</b>	

The % ratio deviation gives an indication of the % difference between the average Councillor / Elector ratio for the whole of the Shire and the Councillor / Elector ratio for each ward.

#### Options to consider

Detailed below are options for Council consideration. Please note the models have been developed to comply with Local Government Advisory Board guidelines to bring the percentage ratio of deviation to within 10% and as close to zero as possible.

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### Option 1      Maintain the current ward system

Ward	Number of Electors	Number of Councillors	Councillor / Elector Ratio	% Ratio Deviation
Ashburton	50	1	1:50	-85
Onslow	385	1	1:385	+18
Pannawonica	309	1	1:309	-5
Paraburdoo	624	2	1:312	-5
Tableland	131	1	1:131	-60
Tom Price	1446	3	1:482	+47
<b>Total</b>	<b>2945</b>	<b>9</b>	<b>1:327</b>	

It is recognised that the current ward and representation system does not conform to the 10% standard requirement of the LGAB. The current system does however recognise the district communities of interest across the Shire as well as the natural physical and topographical arrangement of the towns and the economic groupings of the communities. It also reasonably accommodates a Shire of 105,647 square kilometers with two Councillors sharing the representation of this significant land mass, albeit very sparsely populated with station pastoralists.

### Option 2      Two wards

#### (a)      Two Wards – 1

This option splits the Shire into one east ward and one west ward using the previous split between Tableland and Ashburton wards. For mathematical purposes the Onslow, Ashburton and Pannawonica wards are combined into a West Ward and the Tablelands, Paraburdoo and Tom Price Wards are combined into an East Ward.

Ward	Number of Electors	Number of Councillors	Councillor/ Elector Ratio	% Ratio Deviation
West Ward	744	2	1:372	+14
East Ward	2201	7	1:314	-4
<b>Total</b>	<b>2945</b>	<b>9</b>	<b>1:327</b>	

This option is one of the closest to recognising the ratio of Councillors and electors. However, it is noted that it may serve to reinforce perceptions of a Coastal/Inland divide and it is arguable if the community of interest or economic factors are reflected within the boundaries.

#### (b)      Two Wards – 2

This option also splits the Shire into one east ward and one west ward. For mathematical purposes this involves combining the Onslow and Ashburton wards into a West Ward and the Pannawonica, Paraburdoo, Tom Price and Tablelands Wards into an East Ward.

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Three scenarios are considered under the two Ward Option.

This option shows 1 Councillor in the West Ward and 8 Councillors in the East Ward.

Ward	Number of Electors	Number of Councillors	Councillor/ Elector Ratio	% Ratio Deviation
West Ward	435	1	1:435	+33
East Ward	2510	8	1:313	-4
<b>Total</b>	<b>2945</b>	<b>9</b>	<b>1:327</b>	

The below option is for 2 Councillors in the West Ward and 7 Councillors in the East Ward.

Ward	Number of Electors	Number of Councillors	Councillor/ Elector Ratio	% Ratio Deviation
West Ward	435	2	1:217	-34
East Ward	2510	7	1:359	+10
<b>Total</b>	<b>2945</b>	<b>9</b>	<b>1:327</b>	

This option would see the total Councillor numbers reduce to 8 and see 1 Councillor in the West Ward and 7 Councillors in the East Ward.

Ward	Number of Electors	Number of Councillors	Councillor/ Elector Ratio	% Ratio Deviation
West Ward	435	1	1:435	-11
East Ward	2510	7	1:359	-27
<b>Total</b>	<b>2945</b>	<b>8</b>	<b>1:490</b>	

This arrangement ignores existing communities of interest. In order to satisfy the 10% limit on the deviation or the ratio of Councillors to Electors, it is necessary to reduce the overall number of Councillors and to heavily skew the number of Councillors to the East Ward. As well as reinforcing the perceptions of a coastal/inland divide, with the high levels of development now occurring in the Western area, under-representation of Councillors during this very busy period may be disadvantageous to long term decision making.

### Option 3 Three wards

This option splits the Shire into three relatively even sized wards with at least one major town in each Ward. For mathematical purposes the wards of Ashburton and Onslow are combined into one West Ward. Tom Price, Paraburdoo and a portion of Tablelands wards are combined into a South East Ward and Pannawonica and the remaining Tablelands ward are combined into a North East Ward.

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Ward	Number of Electors	Number of Councillors	Councillor/ Elector Ratio	% Ratio Deviation
West Ward	435	1	1:435	+3
North East Ward	375	1	1:375	-11
South East Ward	2135	5	1:427	+1
<b>Total</b>	<b>2945</b>	<b>7</b>	<b>1:421</b>	

This option could be considered together with a reduction in the number of Councillors to seven. While this option essentially satisfies the LGAB's 10% limited on the ratio deviation, the other factors, importantly community of interest and physical and topographical features are not well addressed.

Note, the Onslow Chamber of Commerce & Industry favors Option 3, but retaining 9 Councilors rather than reducing to Councilor numbers to 7. This scenario is described below.

Ward	Number of Electors	Number of Councillors	Councillor/ Elector Ratio	% Ratio Deviation
West Ward	435	2	1:217	-33
North Ward	375	1	1:375	+14
South East Ward	2135	6	1:355	+8
<b>Total</b>	<b>2945</b>	<b>9</b>	<b>1:327</b>	

### Option 4 Four wards

#### (a) Four Wards 1

This option is similar to option 2 (a) except it separates Tom Price and Onslow from the east and west wards to form a total of 4 wards. The Pannawonica and Ashburton Wards are combined to form a West Ward and the Paraburdoo and Tablelands Wards are combined to form an East Ward.

Ward	Number of Electors	Number of Councillors	Councillor/ Elector Ratio	% Ratio Deviation
Onslow	385	1	1:385	+18
West	359	1	1:359	+10
East	755	3	1:252	-23
Tom Price	1446	4	1:362	+11
<b>Total</b>	<b>2945</b>	<b>9</b>	<b>1:327</b>	

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Ward	Number of Electors	Number of Councillors	Councillor/ Elector Ratio	% Ratio Deviation
Onslow	385	1	1:385	+5
West	359	1	1:359	-2
East	755	2	1:377	+2
Tom Price	1446	4	1:362	-2
<b>Total</b>	<b>2945</b>	<b>8</b>	<b>1:368</b>	

This option does not satisfy the 10% limit unless the Council is reduced to eight Councillors. Additionally, it fails to recognise community of interest and economic factors.

### (b) Four Wards 2

This option is similar to the above except that it separates Tom Price, the Shire's largest town, from the remaining three wards to form a total of four wards. For mathematical purposes the Wards of Ashburton and Onslow are combined to form a West Ward. Paraburdoo and half of the Tablelands Ward are combined to form a South East Ward and the remainder of the Tablelands Ward is combined with the Pannawonica Ward to become a North East Ward.

Ward	Number of Electors	Number of Councillors	Councillor/ Elector Ratio	% Ratio Deviation
West Ward	435	1	1:435	+18
North East Ward	375	1	1:375	+4
South East Ward	689	2	1:345	-6
Tom Price	1446	4	1:362	-2
<b>Total</b>	<b>2945</b>	<b>8</b>	<b>1:368</b>	

Again, this option does not satisfy the 10% limit. It is noted that this option does not recognise well, community of interest, physical and topographic features and economic factors to the extent that a ward structure should, however its larger geographical groupings and comparatively evenly distributed area appears preferable to other options.

Both Four Ward scenarios tend to treat the communities outside of Tom Price as homogenous, when in fact the newly created wards would amalgamate some very specific community groupings which the current structure recognises.

### Option 5 Five wards

This option is similar to the current structure except that it combines the two rural wards of Tableland and Ashburton to form one large pastoral ward.

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Ward	Number of Electors	Number of Councillors	Councillor/ Elector Ratio	% Ratio Deviation
Onslow	385	1	1:385	+18
Pannawonica	309	1	1:309	-6
Paraburdoo	624	2	1:312	-5
Tom Price	1446	3	1:482	+47
Pastoral	181	1	1:181	-45
<b>Total</b>	<b>2945</b>	<b>9</b>	<b>1:327</b>	

This option fails to satisfy the 10% limit, however it is closer than some of the other options to satisfying the community of interest factors. The physical size of the rural ward is of concern however, and issues associated with geographically large electorates are addressed in Option 6.

### **Option 6 No wards**

This option involves the dissolution of all existing ward boundaries. With the existing nine positions of Councillor, this would provide a ratio of 1 Councillor to 327 electors.

While this satisfies the condition of an acceptable ratio of Councillors to electors, the size of the Shire at 105,647 square kilometers imposes an unacceptable burden on elected members to expect them to equally serve all electors across such a vast electorate.

Should this option be adopted, it might even deter some in the community from standing for Council.

*Council submits a report to the Local Government Advisory Board*

Once Council has made a decision as to which option it will support, this information will be conveyed to the LGAB.

### **Consultation**

Chief Executive Officer  
Public

### **Statutory Environment**

Sections 2.2, 2.3(3), 2.18 and Schedule 2.2 of the Local Government Act 1995.

### **Financial Implications**

Retaining the existing ward structure would not create any financial implications. If changes do occur expense would be created in restructuring the rating system and electoral boundary's to accommodate the new ward structure.

### **Strategic Implications**

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



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### Policy Implications

There is no Council Policy relative to this issue.

### Voting Requirement

Absolute Majority Required

### Council Decision

**MOVED: Cr P Foster**

**SECONDED: Cr A Eyre**

1. Council receives and notes submissions made by Pilbara Inland Chamber of Commerce and Industry (ATTACHMENT 13.5A), Onslow Chamber of Commerce and Industry (ATTACHMENT 13.5B), and Glen and Cherry Della of Wyloo Station (ATTACHMENT 13.5C).
2. Council endorses Option 4 a) "Four Wards" with the following changes:
  - Onslow have a Councillor representation of two Councillors
  - "West" Ward be renamed Paraburdoo Ward, representation of two Councillors.
  - "East" Ward be renamed Pannawonica Ward, representation of one Councillor.
  - Tom Price remains as proposed with four Councillors.

**LOST 2/6**

**Crs Foster & Eyre voted for the motion**

**Crs Rumble, Thomas, Wright, Dias, Fernandez and Bloem voted against the motion**

Janyce Smith left the meeting at 2.32 pm.

Janyce Smith entered the meeting at 2.32 pm.

### Council Decision

**MOVED: Cr D Dias**

**SECONDED: Cr C Fernandez**

That Council endorse option 1 to maintain the status quo, on the basis that whilst it is recognised that the current ward system does not conform to the 10% standard deviation requirement of the Local Government Advisory Board, the current system does recognise the district communities of interest across the Shire as well as the natural physical and topographical arrangement of the towns and the economic groupings of the communities. It also reasonably accommodates a Shire of 105,647 square kilometres with two Councillors sharing the representation of this significant pastoralist land mass.

**CARRIED BY ABSOLUTE MAJORITY 6/2**

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

**Crs Foster & Eyre voted against the motion**

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 13.6 REVIEW OF FIN07 INVESTMENT POLICY

**MINUTE:** 11809

**FILE REFERENCE:** FI.IV.00.00

**AUTHOR'S NAME AND POSITION:** Leanne Lind  
Governance and Policy Officer

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

**DATE REPORT WRITTEN:** 03 June 2014

**DISCLOSURE OF FINANCIAL INTEREST:** The author has no financial interest in this item.

**PREVIOUS MEETING REFERENCE:** Agenda Item 11.4 (Minute 11545) Ordinary Meeting of Council 5 June 2013.  
Agenda Item 12.07.1045 Ordinary Meeting of Council 15 July 2003

#### **Summary**

As part of the Financial Management Audit conducted in March 2013 it was indicated that the Investment Policy was not compliant with current regulations.

The document has been reviewed by Council's Auditors, UHY Haines Norton.

The reviewed draft Investment Policy is presented for Council adoption.

#### **Background**

As part of the Financial Management Audit conducted in March 2013 it was indicated the Investment Policy was not compliant with current regulations.

Policy FIN07 was last reviewed in 2003, and is part of an ongoing review of all policies. Further, it is part of the risk management and integrated planning and development approach to policies and procedures.

#### **Comment**

The purpose of this Policy is to invest the Shire of Ashburton's surplus funds, with consideration of risk and the most favourable rate of interest available to it at the time, for that investment type, while ensuring that its liquidity requirements are being met, and to support the local bank, where possible, with the intention of ensuring the bank is retained within the Shire.

The Draft Policy is attached.

**ATTACHMENT 13.6**

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### Consultation

Chief Executive Officer  
Executive Management Team  
General Manager  
UHY Haines Norton

### Statutory Environment

Section 6.14 Power to Invest of the Local Government Act 1995 enables Council to invest surplus funds.

Reg.19 Management of investments Local Government (Financial Management) Regulations 1996 indicates Council must establish control procedures over investments.

Section 18 (1)(a) Investment power of Trustees Trustees Act 1962 discusses the care required to investment funds on behalf of the Council.

### Financial Implications

The proposed policy creates the framework for investing surplus funds which is essential to earning income to support Council activities.

### Strategic Implications

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022  
Goal 5 – Inspiring Governance  
Objective 03 – Council Leadership

### Policy Implications

Policy records to be updated on AIMS and Synergy.

### Voting Requirement

Simple Majority Required

### Council Decision

**MOVED: Cr A Bloem**

**SECONDED: Cr P Foster**

**That Council adopt the FIN07 Investment Policy as per ATTACHMENT 13.6.**

**CARRIED EN BLOC 8/0**  
**Crs Rumble, Dias, Wright, Thomas, Eyre, Foster, Fernandez and Bloem voted for the motion**

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 14. DEVELOPMENT AND REGULATORY SERVICES REPORTS

#### 14.1 AMENDMENT TO DRAFT LOCAL PLANNING POLICY 29 (DEVELOPMENT PLAN) FOR LOT 381 SECOND AVENUE, ONSLOW

MINUTE: 11809

FILE REFERENCE: ON.TH.0381.00

AUTHOR'S NAME AND POSITION: Lee Reddell  
Principal Town Planner

NAME OF APPLICANT/RESPONDENT: Harley Dykstra Planning and Survey Solutions

DATE REPORT WRITTEN: 5 June 2014

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

PREVIOUS MEETING REFERENCE: Agenda Item 14.8 (Minute No. 11569) – Ordinary Meeting of Council 17 July 2013  
Agenda Item 14.15 (Minute No. 11686) – Ordinary Meeting of Council 20 November 2013

#### Summary

It is proposed to alter Condition 3 of the 'Development Plan' for Lot 381 Second Avenue in Onslow to remove the requirement that the required Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) be prepared to the satisfaction of the Department of Planning as a condition of development or subdivision. Discussion with the Department of Planning has indicated that this is not an acceptable requirement and that while a CHRMAP should be prepared for the site, the Shire should be responsible for the assessment of any such report with the guidance of relevant State Government agencies as required.

#### Background

Draft Local Planning Policy 29 (LLP29) was adopted by Council at the Ordinary Meeting of Council on 20 November 2013. LLP29 comprises a 'Development Plan' for Lot 381 Second Avenue, Onslow detailing the intended pattern of development on the lot for both tourism and residential purposes. LPP29 is not yet a formal policy as it has not been advertised for the requisite two week period after adoption. This advertising was held off as there were a number of conditions to be satisfied prior to advertising and it has become apparent through that process that Condition 3 of the 'Development Plan' cannot be satisfied unless amended.

#### Comment

The proposed alteration to Condition 3 of the 'Development Plan' to remove the requirement that the Coastal Hazard Risk Management and Adaptation Plan (CHRMAP) be prepared and implemented to the satisfaction of the Department of Planning is considered appropriate. Discussion between the applicant, the Department of Planning (DoP) and the Shire since the adoption of the LPP last year has revealed that the DoP were not consulted about the

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imposition of the condition requiring their sign off and that they are not willing to accept the condition or provide formal advice to the applicant regarding the suitability of the CHRMAP as they believe that this is the responsibility of the Shire.

The DoP have indicated that should it be necessary, the Shire can seek the advice of the DoP and/or the Department of Transport when assessing CHRMAP's within the municipality but unless those documents are of State significance, the responsibility to approve them rests with the Shire.

While it is acknowledged that the Shire has limited technical expertise in assessing such plans, there are mechanisms available to ensure appropriate assessment such as referrals for comment and peer reviews. Unless the condition is altered, the applicant will be unable to meet the conditions of their 'Development Plan' as adopted by Council. Subsequently it is considered reasonable to alter the wording of Condition 3 to shift the responsibility for approving the CHRMAP to the Shire in order to allow the final advertising of the LPP and consequently allow the applicant the opportunity to move forward with developing their lot as per the 'Development Plan'.

It is noted that the 'Development Plan' is not a formal development plan as there is no mechanism within the Planning Scheme to require the preparation of a Development Plan for lots zoned 'Tourism'. As such, the plan has been incorporated into a Local Planning Policy.

**ATTACHMENT 14.1A**  
**ATTACHMENT 14.2B**

### **Consultation**

Chief Executive Officer  
Executive Manager - Development and Regulatory Services

### **Statutory Environment**

Planning and Development Act 2005  
Shire of Ashburton Local Planning Scheme No.7 ('Scheme')

### **Financial Implications**

There are no financial implications relative to this matter.

### **Strategic Implications**

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022  
Goal 04 - Distinctive and Well Serviced Places  
Objective 03 - Well Planned Towns

### **Policy Implications**

There are no policy implications relative to this matter.

### **Voting Requirement**

Simple Majority Required

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**Council Decision**

**MOVED: Cr A Bloem**

**SECONDED: Cr P Foster**

**That Council allow the modification of Condition 3 of the 'Development Plan' attached to Draft Local Planning Policy 29 to indicate that a Coastal Hazard Risk Management and Adaptation Plan for Lot 381 Second Avenue, Onslow be prepared and implemented to the satisfaction of the Shire of Ashburton rather than the Department of Planning.**

**CARRIED EN BLOC 8/0**

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

## MINUTES - ORDINARY MEETING OF COUNCIL 18 JUNE 2014

### 15. INFRASTRUCTURE SERVICES REPORTS

#### 15.2 ONSLOW LIQUID WASTE - INTERIM ARRANGEMENTS

MINUTE: 11809

FILE REFERENCE: RE.ON.R.19291

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

NAME OF APPLICANT/  
RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 5 June 2014

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

PREVIOUS MEETING REFERENCE: Agenda Item 17.1 (Minute No. 11265) – Ordinary Meeting of Council 15 August 2012

#### Summary

At the Ordinary Meeting of Council (OMC) on 15 August 2012 Council was advised that liquid waste could no longer be disposed at the Onslow landfill. Council resolved to seek approvals for, and construct a temporary liquid waste pond and, in the interim, pay the transport costs to Karratha for liquid waste generated by the Onslow community.

As the project neared the construction phase, a review of the costs associated with providing, managing and decommissioning the liquid waste pond found this option to be far less cost effective when compared to subsidising the transport costs.

It is recommended that Council do not proceed with the liquid waste pond development and that an annual budget of \$25,000 be provided for transporting liquid waste generated by the Onslow community to Karratha. This subsidy will apply until the new Onslow Waste Management Facility is operational.

#### Background

At the OMC on 15 August 2012 Council was advised that liquid waste could no longer be disposed at the Onslow landfill. Council resolved to seek approvals for, and construct a temporary liquid waste pond and, in the interim, pay the transport costs to Karratha for liquid waste generated by the Onslow community.

The report indicated capital costs of \$50,000 to design, licence and construct the liquid waste pond. This was compared to the estimated transport costs of \$24,000 per annum.

The proposed fee of 20 cents per litre was estimated to realise income of \$7,000 per annum. Over the estimated eight year life expectancy of the facility, this would equate to \$56,000 of total income. Therefore, on face value, the proposal to construct a liquid waste pond appeared a reasonable and cost effective solution.

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The development of the replacement Waste Management Facility for Onslow is progressing with a three year horizon before the gates are opened. A liquid waste pond will be part of that facility and it isn't practical to have multiple waste disposal sites to manage and maintain. Therefore all of the costs have been revisited prior to committing to the construction of the facility.

### **Comment**

Recently, Council staff sought quotes for the construction of the proposed liquid waste pond. The overall cost to get the pond to commissioning stage was \$110,000. The cost to decommission the site is estimated at \$40,000.

Taking that cost over three years equates to an investment of \$50,000 per year (not including operational costs). The anticipated \$7,000 of income generated was expected to cover the operational costs of the facility.

The cost to transport the liquid waste to Karratha is approximately \$25,000 per year. Council could fund this service for at least six years and not have to be concerned with constructing, managing, maintaining and decommissioning an environmentally sensitive liquid waste facility.

The current procedure that the community follows is that each community member contacts the local waste disposal contractor as they require the waste removal service. The contractor collects the liquid waste and transports it to Karratha for disposal in its appropriately classed disposal site. The community member pays the collection costs and disposal fee to the contractor and the Shire meets the transport costs to Karratha. This maintains the collection and disposal procedures for the community to the same as prevailed previously, and whilst the contractor now needs to travel to Karratha, neither he nor the community incurs that expense directly as it now forms part of the Shire's overall operational budget.

### **Consultation**

Talis Consultants  
Executive Management Team

### **Statutory Environment**

Department of Environment Regulation – Licencing and Works Approval

### **Financial Implications**

The project was included in the 2013/2014 budget with an allocation of \$60,000. The transport subsidy was \$20,000.

### **Strategic Implications**

Shire of Ashburton 10 Year Community Strategic Plan 2012-2022  
Goal 04 – Distinctive and Well Serviced Places  
Objective 01 – Quality Public Infrastructure

### **Policy Implications**

Nil

### **Voting Requirement**

Simple Majority Required



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### Council Decision

**MOVED: Cr A Bloem**

**SECONDED: Cr P Foster**

#### That Council:

1. **Notes the updated costing information and as a consequence, agrees that the more cost effective and convenient interim solution is to now not proceed with the construction of the temporary liquid waste pond in Onslow; and**
2. **Continue to fund the transport to Karratha of liquid waste from the Onslow community, to the value of \$25,000 in the 2014/2015 budget.**

**CARRIED EN BLOC 8/0**

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

### **16. STRATEGIC & ECONOMIC DEVELOPMENT REPORTS**

There were no Strategic & Economic Development Reports for this meeting.

### **17. COUNCILLOR AGENDA ITEMS**

There were no Councillor Agenda Items for this meeting.

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

There was no New Business of urgent nature introduced at this meeting.

### **19. CONFIDENTIAL MATTERS**

There were no Confidential Matters introduced at this meeting.

### **20. NEXT MEETING**

The next Ordinary Meeting of Council will be held on 16 July 2014, at the Clem Thompson Pavilion, Stadium Road Tom Price, commencing at 1.00 pm.

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

The Deputy Shire President closed the meeting at 2.54pm.