



SHIRE OF ASHBURTON

ORDINARY COUNCIL MEETING

AGENDA

(Public Document)

**Council Chambers, Community Recreation
Centre, Tom Price**

16 May 2012

AGENDA - ORDINARY MEETING OF COUNCIL 16 MAY 2012

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 16 May 2012 at Council Chambers, Community Recreation Centre, Tom Price commencing at 1:00 pm.

The business to be transacted is shown in the Agenda.

Jeff Breen
CHIEF EXECUTIVE OFFICER

DISCLAIMER

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

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1. DECLARATION OF OPENING

2. ANNOUNCEMENT OF VISITORS

3. ATTENDANCE

3.1 PRESENT

| | |
|-----------------|---|
| Cr K White | Shire President, Onslow Ward |
| Cr L Rumble | Deputy Shire President, Paraburdoo Ward |
| Cr L Thomas | Tableland Ward |
| Cr L Shields | 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 J Breen | Chief Executive Officer |
| Mr F Ludovico | Executive Manager, Corporate Services |
| Ms A O'Halloran | Executive Manager, Strategic & Economic Development |
| Mr G Brayford | Executive Manager, Technical Services |
| Ms D Wilkes | Executive Manager, Community Development |
| Mr R Paull | Principal Town Planner |
| Ms J Brayford | CEO & Councillor Support Officer |
| Ms F Bentley | Community Liaison Coordinator |

3.2 APOLOGIES

Ms F Keneally A/Executive Manager, Operations

3.3 APPROVED LEAVE OF ABSENCE

Cr Ivan Dias Paraburdoo Ward

4. QUESTION TIME

4.1 PUBLIC QUESTION TIME

4.2 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

At the Ordinary Meeting of Council held on 16 May 2012, the following question was taken on notice and a written response will be provided.

Cameron McGurk from Onslow tabled the following correspondence.

"I am writing to express my concern at the Shire of Ashburton's recent decisions regarding the closure of free to air television signal broadcast within the town of Onslow.

Once again it appears that Onslow residents are getting the short end of the stick.

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As of mid-2013 the free to air analogue signal to Onslow will be switched off. The Shire of Ashburton has had years to plan for this occurrence, as we know the Federal Governments advertising campaign has been running for over 5 years, informing the public that this was going to occur.

At the February 15th Shire Council meeting the councillors voted that, instead of outlaying funds to upgrade the town's tower from analogue to digital, they would divorce all responsibility for providing this service to the community. We understand that the other main communities within the Shire will receive an upgrade to digital broadcasting.

The decision was made with no community consultation (or if there was it was very limited). The item was raised under the meeting section 16 'New Business of an Urgent Nature Introduced by Decision of Meeting' therefore the public was not even privy to it being an agenda item for the upcoming meeting. I fail to see how this can be business of an urgent nature considering how long they have had to plan for this.

The result of this decision is that each household and business in town will have to provide their own means of receiving the digital signal, at significant cost, as soon as the analogue signal is switched off if they wish to receive free to air television every Onslow household will be required to have a satellite dish and signal convertor box installed at their own expense minus a federal government rebate. The cost of which will be between \$200 and \$350 for household's (after the federal rebate). Not all householders in town are home owners and therefore may not have permission to do the install or simply won't be able to afford it.

The broadcast tower also contains the radio broadcast equipment. Therefore the tower (structure) maintenance cost cited in the minutes must surely remain the same assuming that the Shire intends to maintain radio broadcast in town, or do they intend to shut that as well? I also note that the Shire claims in these minutes that it pays the licence for the JJJ radio broadcast – I know this is not true

Surely this decision is short sighted and contradictory to the Shire's aspirations for Onslow. In the minutes for this agenda item under the heading 'Strategic Implications', strategic plan-2 is quoted as being-Include and Engage our Community-"Ensure community facilities are developed and maintained to a standard commensurate with community expectations and affordability". This decision seems to contradict this plan. The community was not included or engaged, the first we knew was a small article in the local news letter stating the decision had been made. The facility is not being developed or maintained, it is being removed. In a town that is growing and supposedly expanding its community services it is hard to believe that it is also having them removed.

The Shire of Ashburton has received tens of millions of dollars in grants from Chevron and BHP to go towards local infrastructure due to the well-publicised gas projects on the out skirts of town. Further we are sure there is state and federal grants available for this, has the Shire explored all avenues?

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It is inconceivable that a small portion of these grants (150,000 as quoted in the minutes) could not be put towards the upgrade of the broadcast tower rather than imposing the cost on the community.

Or does the Shire just not want the responsibility of maintaining the broadcast signal?

Onslow is located within a cyclone area and every year we have cyclonic events. The Onslow residents will now be faced with an option when a cyclone is bearing down on us.

- Leave the dish on the roof so that you can continue to receive cyclone updates and risk the dish becoming a flying missile when it gets ripped off your roof (much worse than an antenna). After which the cost of replacing the dish will be substantially larger than replacing an antenna.***
- Get up on your roof with a cyclonic wind and rain to remove the dish. With every household in Onslow doing this it is only a matter of time before an injury or worse occurs.***

I would like the Shire of Ashburton to consider its decision in regards to this matter taking into consideration its own policies, alternative ways to fund the tower upgrade and the welfare of all Onslow residents. Any assistance you can provide in this matter would be greatly appreciated.

I am circulating this letter to all the Onslow residents I know and encouraging them to respond to their local councillors and other political representatives”.

- a) Has the Council considered importing the VAST satellite signal and transmitting to the community/ Tower equipment upgrade costs remain the same. Initial license set up cost approx \$200 per channel. Annual fee of approx \$40 per channel. Figures quoted by ACMA.***
- b) Has the council considered that the satellite scheme is only for one television? Given that most households have more than one TV there will be additional costs for satellite cable splitters and additional set top boxes for any additional TV's. Estimates approximately \$800 (quoted by the wheat belt development commission).***
- c) I understand there is money in this year's budget for the upgrade of the broadcast tower. What happened to this?***

Response:

Explanation was given as per summarised version below.

- The Shire has registered the community of Onslow for VAST TV Services to be accessible to the residents of Onslow**
- The Shire is also progressing discussions with Broadcasters Australia to transmit direct into Onslow, they transmit direct into Communities of a particular size and as is the case for Pannawonica, Paraburdoo and Tom Price.**

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- To date Onslow has not been considered to be of significant enough population to be eligible for this direct service.
- The Shire has provided services in the form of a “re – transmission” service for a number of years. During this time there has been considerable criticism from the community regarding the quality of the service and the Shire had wanted to register the community for the VAST Service as it was guaranteed under this program to have high quality, sustainable service direct into the home – Many homes are currently accessing the VAST System in Onslow.
- Television re transmission isn’t core business of the Local Government and it is challenging to maintain trained staff that are available 24/7 to support the ongoing service requirements.
- The Shire would continue to seek support of the broadcasters, as direct transmission is the preferred option for the Community of Onslow.

Council will be kept up to date and will be in a position to direct the Shire further as more information and decisions are made available.

5. APPLICATIONS FOR LEAVE OF ABSENCE

6. PETITIONS / DEPUTATIONS / PRESENTATIONS

6.1 PETITIONS

6.2 DEPUTATIONS

6.3 PRESENTATIONS

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETING

7.1 ORDINARY MEETING OF COUNCIL HELD ON 18 APRIL 2012

Officer’s Recommendation

That the Minutes of the Ordinary Meeting of Council held on 18 April 2012, as previously circulated on 2 May 2012, be confirmed as a true and accurate record.

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8. ANNOUNCEMENTS BY THE PRESIDING PERSON WITHOUT DISCUSSION

9. DECLARATION BY MEMBERS

That Councillors have given due consideration to all matters contained in the Agenda presently before the meeting.

9.1 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.
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.

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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.

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10. CHIEF EXECUTIVE OFFICER REPORTS

There were no Chief Executive Officer reports for this agenda.

11. CORPORATE SERVICES REPORTS

11.1 RECEIPT OF FINANCIALS AND SCHEDULE OF ACCOUNTS FOR MONTHS OF MARCH AND APRIL 2012

| | |
|--|---|
| 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: | 6 th May 2012 |
| 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:

March 2012

- Statements of Financial Activity and associated statements for the Month of March 2012.

ATTACHMENT 11.1A

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April 2012

- Credit Card Statements for Chief Executive Officer, Executive Managers of Engineering Services, Corporate Services, Community Development, Strategic & Economic Development, and Managers of Building Services and Human Resources.

ATTACHMENT 11.1B

- Schedule of Accounts paid under delegated authority.

ATTACHMENT 11.1C

Consultation

Executive Manager Corporate Service
Other Executive managers
A/Finance Manager
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

There are no strategic implications relevant to this issue.

Policy Implications

Nil

Voting Requirement

Simple Majority Required

Recommendation

That Council receive the Financial Reports for March 2012 and Schedule of Accounts and Credit Card Statements for April 2012.

| | |
|--------------------------------|-------------------|
| Author: Leah M John | Signature: |
| Manager: Frank Ludovico | Signature: |

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11.2 REPEAL OF DEFUNCT AND OBSOLETE LOCAL LAWS

| | |
|--|---|
| FILE REFERENCE: | LE.LL.13.00 |
| AUTHOR'S NAME AND POSITION: | Lisa Hannagan Administration Manager |
| NAME OF APPLICANT/RESPONDENT: | Not Applicable |
| DATE REPORT WRITTEN: | 5 April 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in the proposal. |
| PREVIOUS MEETING REFERENCE: | Not Applicable |

Summary

To commence the local law making process to repeal defunct and obsolete by-laws relating to the Shire of Ashburton, and the former Councils of the Shire of Tableland and the Shire of West Pilbara, in accordance with section 3.12 of the Local Government Act 1995.

Background

The Shire of Ashburton has a series of old by-laws, which are now superfluous or obsolete as a result of the introduction of the Local Government Act 1995 and/or other legislation. It is proposed that these old by-laws be repealed in accordance with section 3.12 of the Local Government Act 1995, as they no longer serve any functional purpose.

The Shire has the following defunct and obsolete by-laws.

- Camels
- Empty Drums on Roads
- Rates Discount
- Damage to Roads
- Control of Dogs and Establishment of Pound
- Regulation and Manner of Keeping of Goats in any Townsite Building (Onslow)
- Prevention and Damage to Streets No.1
- Old Refrigerators and Cabinets Draft Model Bylaw No 8
- Removal of Refuse
- Standing orders Draft Model Bylaw No.4
- Animals and Vehicles Obstruction Draft Model Bylaw No 1
- Damage to Streets Draft Model Bylaw No 15 (Tablelands Shire)
- Damage to Streets Draft Model Bylaw No 15 (Shire of Ashburton)
- Disposal of Refuse and Litter Draft Model Bylaw No 16 (Tablelands Shire)
- Holiday Cabins and Chalets Draft Model Bylaws No 13

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Refuse Adversely Affecting Neighbours
Management and Control of Vic Hayton Memorial Swimming Pool (Amendment)
Bylaws Relating to Dogs (Amendment)
Cemetery Bylaws (Amendment)
Standing Orders Bylaws
Management and Use of Halls and Public Buildings
Holiday Accommodation Draft Model Bylaws No 18
By-Laws relating to Trading in Public Places (Ashburton)
Management and Hire of Halls
Extractive Industries Bylaws.

A discussion paper is attached.

ATTACHMENT 11.2

Comment

Up to date and relevant local laws are an important cornerstone of good governance. Local Government has a statutory and moral obligation to ensure that the regulation of local matters is conducted in a fair, efficient and reasonable manner. The repeal of obsolete and defunct local laws will result in more efficient and effective local government by removing outdated local laws from the public record.

To comply with the provisions of section 3.12 of the Act, when proposing to make a local law, the Presiding Person is required to give notice of the purpose and effect of the proposed local law at the Council meeting where the local law is being considered. This is achieved by:

- (a) Ensuring that the purpose and effect of the local law is included in the agenda for that meeting; and
- (b) By ensuring that the minutes of the meeting of the council include the purpose and effect of the proposed local law.

The purpose and effect of the proposed Repeal local law is –

Purpose – To repeal superfluous, defunct and obsolete local laws.

Effect - Being more efficient and effective local government by removing outdated local laws from the public record.

Consultation

Public consultation will be undertaken as part of the advertising process required by section 3.12(3), for a minimum period of 42 days.

Statutory Environment

Section 3.12 of the Local Government Act 1995 specifies the procedures to be followed when making a Local Law. Section 3.12 states:

“3.12 Procedure for making local law

- (1) *In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2) *At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*

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- (3) *The local government is to –*
- (a) *give Statewide public notice stating that –*
 - (i) *the local government proposes to make a local law the purpose and effect of which is summarized in the notice;*
 - (ii) *a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) *submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - (b) *as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) *provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- (3a) *A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.*
- (4) *After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed to make a local law* that is not significantly different from what was proposed.*
***Absolute majority required.**
- (5) *After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) *After the local law has been published in the Gazette the local government is to give local public notice –*
 - (a) *stating the title of the local law;*
 - (b) *summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) *advising that copies of the local law may be inspected or obtained from the local government's office.*
- (7) *The Minister may give directions to the local governments requiring them to provide to the Parliament copies of the local laws they have made and any explanatory or other material relating to them*
- (8) *In this section –*
making *in relation to a local law, includes to amend the text of, or repeal, a local law”.*

Financial Implications

Advertising costs of approximately \$600 associated with Statewide advertising.

Strategic Implications

Strategic Plan 2007-2011. “Plan for the Future”

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Policy Implications

There is no policy implications associated with this item at this point in time.

Voting Requirement

Simple Majority Required

Recommendation

That Council pursuant to section 3.12 of the Local Government Act 1995, give Statewide public notice that it intends to make the Shire of Ashburton Repeal Local Law 2012, as contained in the Attachment, the purpose of which is to repeal superfluous, defunct and obsolete local laws; with the effect being more efficient and effective local government by removing outdated local laws from the public record.

| | |
|--------------------------------|-------------------|
| Author: Lisa Hannagan | Signature: |
| Manager: Frank Ludovico | Signature: |

12. STRATEGIC & ECONOMIC DEVELOPMENT REPORTS

12.1 RELINQUISHMENT OF RESERVE 42953 (LOT 603 CAMERON AVENUE, ONSLOW) TO LANDCORP

| | |
|--|---|
| AUTHOR'S NAME AND POSITION: | Anika Serer Land Development and Marketing Manager |
| NAME OF APPLICANT/RESPONDENT: | Not Applicable |
| DATE REPORT WRITTEN: | 2 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in the matter. |
| PREVIOUS MEETING REFERENCE: | Not Applicable |

Summary

Reserve 42953, located at Lot 603 Cameron Avenue, Onslow, is currently vested in the Shire of Ashburton for the purpose of 'Recreation'. Council's approval is sought to relinquish the management of the reserve in order that it may be transferred to LandCorp for their 'Infill Program'.

Background

The Shire of Ashburton currently holds a management order over Reserve 42953, located at Lot 603 Cameron Avenue, Onslow for the purpose of 'Recreation'. The site has been unused for 10 years and is currently vacant and unimproved.

LandCorp has identified the site as being suitable for their 'Infill Project' which will utilise unused reserves and crown land within Onslow to create residential land opportunities to meet the rising accommodation needs in the townsite.

ATTACHMENT 12.1

Comment

The lot has been identified as easily developable by LandCorp, which will expedite the delivery of residential accommodation opportunities to the Onslow town. There is a recognised shortage of accommodation in the townsite already and the 'Onslow Townsite Strategy – July 2011' published by Shire of Ashburton and Department of Planning indicates an increased permanent employment base of 500 people requiring an additional 570 dwellings. LandCorp is committed to delivering serviced land to meet this need and has developed a masterplan as outlined in their Expansion Plan (see attachment) which includes Lot 603.

The Reserve is currently unused and there are no future plans or identified need for it to be utilized as a playground or other recreation purpose. The open area still requires upkeep by the Shire's outdoor crew including removal of rubbish and other junk that accumulates on a regular basis.

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Consultation

Chief Executive Officer
Executive Manager Strategic & Economic Development
LandCorp – Ben Graham (Project Manager)

Statutory Environment

Land Administration Act 1997 as amended – Section 51 'Cancellation of Reserves etc generally'.

Financial Implications

The Reserve is currently managed by the Shire at cost due to the requirement for regular upkeep including slashing, weed management and rubbish removal.

Future improvement of the land as a residential development will create additional income for the Shire in the form of annual council rates that will be payable by the owner/s.

Strategic Implications

The relinquishment of the Reserve to LandCorp aligns with the Shire's Strategic Plan 2007-2011 Business Plan Objective: "Facilitate land development throughout region".

Policy Implications

Nil

Voting Requirement

Absolute Majority Required

Recommendation

That Council request the Minister for Lands to cancel the Management Order held over Reserve 42953 on the condition that it is offered to Landgate for their Onslow 'Infill Program'.

| | |
|-----------------------------------|-------------------|
| Author: Anika Serer | Signature: |
| Manager: Amanda O'Halloran | Signature: |

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12.2 OLD ONSLOW CONSERVATION PLAN

| | |
|--|--|
| FILE REFERENCE: | RE.OA.R.35118 |
| AUTHOR'S NAME AND POSITION: | Amanda O'Halloran Executive Manager, Strategic & Economic Development |
| NAME OF APPLICANT/RESPONDENT: | Not Applicable |
| DATE REPORT WRITTEN: | 7 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in the proposal |
| PREVIOUS MEETING REFERENCE: | Not Applicable |

Summary

As part of the approval process for the Wheatstone project and the development of the Ashburton North Strategic Industrial Area (Ashburton North) a conservation plan was prepared for Old Onslow. This conservation plan was prepared with funding from Chevron Australia Pty Ltd (Chevron) by Gaye Nayton Historical Architect and associated specialists.

This report recommends that the Council receive the Old Onslow Townsite Conservation Plan (attached) and consider how to implement the reports recommendations for implementation. In particular the Shire's responsibilities and appropriate funding sources and resources necessary need to be identified.

It is likely that at least the medium and long term financial implications will be outside the Shire's capacity and this will require the identification of suitable partnerships and external funding sources.

Background

This plan updates and replaces an existing conservation plan created in 1998 and the new plan will become the primary guiding document for the conservation and future interpretation of the Old Onslow townsite.

Old Onslow is a unique and special place of historical and heritage significance to the Ashburton Shire and particularly the Onslow community. Apart from its direct heritage values it and the nearby Ashburton River both have significant tourist values.

It can be expected that the current resource sector growth occurring at Onslow, as well as within the Shire and Pilbara region, will lead to a far greater awareness of Old Onslow and increase pressure for its heritage protection and visitor growth.

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The original archaeology of the town was based on a preliminary survey carried out in 1991. This survey only partly covered the town and necessitated a more extensive survey of the townsite to identify what needed to be managed and the threats to its continued existence. Archaeology whilst not included in the standard headings within the Heritage Council of Western Australia's Conservation Plans standard Brief for Consultants has been carried out and an archaeological management plan has been inserted into the current document.

The extent of all the issues arising from the *Old Onslow Townsite* Conservation Plan (attached) is too large to cover in this report, and this adds support for the need for the Council to commence the development of a process that deals with the report, including action plans for short, medium and long term implementation of the strategies, policies and operational requirements to meet the demands arising from the report.

It is significant and noteworthy that the site includes important areas of Aboriginal Heritage importance.

The report suggests that the Shire of Ashburton is responsible for implementing the policies in this conservation plan. Policies have been divided into on-going inspection and maintenance programs, short term, medium term and long term issues which covered stabilisation and maintenance of the physical fabric, re-orientating site management to provide long term sustainability, funding and income streams and realising heritage potential through interpretation and research.

Comment

The report includes the requirement for the development of several significant policies, but in the immediate short term it identifies the need for regular inspection by appropriate Shire staff on a three monthly basis and no longer than 6 monthly.

The report outlines the short, medium and long term requirements in respect of the following aspects:

- Management
- Conservation
- Interpretation

The report deals in length with the specific requirements associated with particular sites, including the three aspects above and including sites such as the:

- Old Police Station building remnants.
- Post and Telegraph Office
- Hospital Site
- Water Tank

The report concludes that the Shire should investigate options to secure long term sustainable funding for the conservation, management and interpretation of the *Old Onslow Townsite* and recommends that research is undertaken into the best method to set up a heritage fund or funds for the *Old Onslow Town site*, heritage and tourism and that such a fund is set up to secure the long term future of the site. This includes that consideration is given to setting up an annual bursary for archaeological research into the heritage of the *Old Onslow Townsite* and that such a bursary could be supported through a heritage fund for the site.

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If a fund is set up part of the fund money should be utilised to cover the ongoing cost of the minor stabilisations and inspection programs recommended in the Conservation Management Plan for Standing Structures and this Archaeological Management Plan and to support conservation and interpretation activities at the place.

The report emphasises that the Shire is responsible for implementing the policies in this conservation plan including that to ensure that all statutory requirements are satisfied.

The Shire is not only responsible for maintaining the status quo but also to slow down loss of heritage fabric and it has the opportunity to investigate and establish more suitable management structures, funding options and interpretative measures that will allow the significance of the place to be realised as both an archaeological research site and a cultural heritage site of great significance to the Shire ratepayers and visitors.

The conservation of Old Onslow should form part of existing Shire and future management operations and the policies identified in the report analysis and integration into maintenance programs and work schedules. This will require reviewing any existing proposals and future proposals against the conservation policies in the report.

An example provided related to existing Shire plans for a road re-alignment and re-grading program was to be carried out before reinstating the telephone poles from the Ashburton North area. Plans for these works should be reviewed in light of the suggested policies within the conservation plan regarding road alignments and impacting archaeological deposits.

The Shire should ensure that all relevant staff:

- Authorise or carry out maintenance at Old Onslow.
- Plan or approve development and interpretation proposals.
- And are made aware of the significance of the place and the policies within the conservation plan regarding conservation, disturbance and interpretation.

It is clear from the report itself, as well as the outline provided above, that the Shire now has a significant new blueprint that not only sets out the various comprehensive tasks that are required to be carried out for the preservation of old Onslow, but more particularly the responsibility of the Shire in this regard. It is anticipated that will place a considerable additional, new burden on the Shire and will require special resources, including both external and internal, plus significant funding.

Consultation

As per the Draft Conservation Plan attached.

ATTACHMENT 12.2

This report conveys the *Old Onslow Townsite* Conservation Plan to the Council for its information and consideration, which will require consideration of the future communication and consultative protocols that will be required. Apart from relevant heritage, tourism and community bodies, it will be essential that the Shire seeks suitable partner arrangements through government, commercial and resource sectors as it is expected the size of the task will be beyond the financial capacity of the Shire, particularly during this development stage.

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Statutory Environment

The *Local Government Act 1995* and associated regulations.

The Heritage Act and associated requirements including the Shire Heritage Inventory.

It is expected that the presence of Aboriginal sites will require special and significant consideration.

Financial Implications

The immediate financial implications are not known. The Shire has significant responsibilities associated with the heritage protection of Old Onslow, but these need to be considered and developed in short, medium and long term strategies and policy development.

The Wheatstone Project allocated \$1Million in the State Development Agreement Social Infrastructure Fund. This money is a great start, but will need to be utilised to leverage further funds to ensure that medium and long term management, conservation and interpretation can be implemented.

This staged development will allow the Shire to identify requirements and priorities, as well seek suitable partnership and external funding sources; however the report identifies several short term matters that require current budget determination. This includes implementation of an immediate inspection routine and operational works such as mowing and sign posting.

A significant short term cost will be the identification and appointment of further surveys, policy development and professional expertise required for the Shire to develop its medium and long term policy planning, including partnerships and funding, in an orderly manner.

Strategic Implications

Strategic Plan 2007-2011 – Strategic Objective 4 – Conserve & Enhance the Environment & Cultural Heritage – Objective 2: Historic Conservation, Develop conservation plans for Old Onslow.

Policy Implications

Nil to date

Voting Requirement

Simple Majority Required

Recommendation

That Council:

1. Note and Receive the Old Onslow Conservation Plan.
2. Provide feedback on the Conservation Plan to the Executive Manager Strategic and Economic Development for transmittal to the authors of the Conservation Plan.
3. Direct the CEO to consider the report and identify options available for the Council to best progress the implementation of the report recommendations, the development of the relevant policies and management requirements, and the appointment of suitable external professional expertise, and report back within three months.

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| Author: Amanda O'Halloran | Signature: |
| Manager: Jeff Breen | Signature: |

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12.3 ONSLOW AERODROME - FUNDING CONSTRUCTION WORKS

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|--|--|
| FILE REFERENCE: | TR.AT.01.01 |
| AUTHOR'S NAME AND POSITION: | Amanda O'Halloran Executive Manager, Strategic and Economic Development |
| NAME OF APPLICANT/RESPONDENT: | Not Applicable |
| DATE REPORT WRITTEN: | 20 April 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in this item |
| PREVIOUS MEETING REFERENCE: | Item 17.4 Ordinary Meeting of Council 15 February 2012 |

Summary

Council support is requested to investigate the design options and costings of further development of the Onslow Aerodrome. These items are referred to as "out of scope" works as they are outside the Chevron scope of works that are currently being undertaken. These "out of scope" items include a helipad, apron expansion to support commercial charter, air freight access, hanger apron access and air craft parking.

Background

As Council is aware the Shire is currently undertaking the Onslow aerodrome upgrade works for the Chevron Wheatstone Development. Whilst these works are predominately to facilitate the Wheatstone construction and operation requirements, the works are expected to support the Onslow community to have access to flight services to Perth. The Chevron Scope is prescriptive and doesn't support any extra works out side of the scope. Any other initiatives that the Shire would like to consider are required to be funded by the Shire or other sources.

With the Wheatstone and Macedon Gas developments under construction in Onslow, a number of aviation providers have contacted the Shire to discuss options to operate in and out of Onslow. Further analysis in the area has indicated there is evidence of demand for fuel access, direct (airside) hanger access and parking facilities. Conversations have also been had with helicopter companies and other smaller commercial operators who are keen to base their operations in Onslow. These conversations could amount to significant opportunities that would not only change the level of service and economic development in Onslow significantly, but could ultimately underwrite the operations of the Onslow aerodrome into the future.

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Comment

In order to progress the business case for any out of scope works that would support the operations above, the Shire staff are requesting an allocation of \$150,000.00 to commence design works that would enable sound and prudent decision making to occur. It is likely that \$50,000 would be required in the 2011/12 budget.

As discussed the scope of the proposed design works include but are not limited to - expanded apron for parking, helipad, second taxiway and airside access to hangers. The apron expansion will be particularly important when future Regular Passenger Transport Services (RPT) are operated out of Onslow as there are rules and regulations regarding security and sterile areas.

The funding requested is for detailed design and analysis, if the works were considered affordable and justified then further funding sources or a capital funding request will be sought from Council.

There are avenues for further funding that are being investigated and once confirmation of their validity is available Council will be informed of the specifics.

Cost savings are also anticipated if the out of scope works were to be carried out with the Wheatstone upgrade program.

Consultation

CEO

Project and Aerodrome Upgrade Logistics Manager

Whelans

Acting Executive Manager Operations and Aerodrome Upgrade Project Manager

Land and Development Manager

Shire of Ashburton Aviation Consultants

Airport Managers – Derby Airport, Newman Airport, Karratha Airport and Albany Airport.

Statutory Environment

Nil applicable at this time.

Financial Implications

\$50,000 allocated from Municipal funds in the 2011/2012 and \$100,000 to be included in the 2012/13 budget, for design and investigation activities.

Increasing the operability of the aerodrome will increase the income that Council will be able to receive, therefore increasing the financial sustainability of the aerodrome operations.

Strategic Implications

Nil

Policy Implications

Nil applicable at this time.

Voting Requirement

Absolute Majority Required

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Recommendation

That Council allocate \$150,000 to undertake design work for the Onslow aerodrome and recognise the out of budget expenditure for the 2011/12 financial year.

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| Author: Amanda O'Halloran | Signature: |
| Manager: Jeff Breen | Signature: |

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12.4 PROPOSAL TO UTILISE LOT 675 SECOND AVENUE, ONSLOW AS COMMUNITY BUILDING

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|--|--|
| FILE REFERENCE: | ON.SE.0675.00 |
| AUTHOR'S NAME AND POSITION: | Amanda O'Halloran Executive Manager, Strategic and Economic Development |
| NAME OF APPLICANT/RESPONDENT: | Nil |
| DATE REPORT WRITTEN: | 8 April 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in this matter |
| PREVIOUS MEETING REFERENCE: | N/A |

Summary

The building on Lot 675 Second Avenue Onslow was in the past utilised by the Onslow Occasional Care Community Committee to offer day care services to Onslow families. With the Committee having ceased services 12 months ago, the building is no longer utilised for this purpose and has been sitting vacant.

The Shire has been approached by a number of community services and business wanting to offer a service to the Onslow Community. These include but are not limited to – Hairdressing, tax agents, massage and beauty therapy, Counselling and book keeping. Onslow is severely lacking in office/ retail space and this building is considered to be a short term bandaid to support the provision of adhoc services to the Onslow community.

It is therefore proposed that Lot 263 Second Avenue is offered to the community as a casual hire opportunity for visiting service provision.

Background

The Onslow Occasional Day Care service was run by a community committee in Onslow for a number of years. The committee operated this service from a shire owned building on Lot 675 Second Avenue, Onslow. The committee is no longer operational and day care services will soon commence from the new day care new facility in the Multi Purpose Centre. The Shire provided the building in Second Avenue to the Day Care Committee free of charge and with power and water included to assist them in the operations of their service to the community.

With the building on Lot 675 Second Avenue now vacant, it is asked that Council consider its future use and consider the option of renting it out on a casual basis (casual hire) to visiting businesses/services (eg Vet Clinic services, Tax agents, Visiting community groups etc...

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once a month) The building is earmarked for demolition in the medium to long term, but considered a community asset in the short term.

The Shire has been approached by a number of commercial and community retail service providers requesting to operate out of a community building in Onslow. Most particularly and of high priority to the community is a Veterinary Service, which has struggled to source appropriate premises from which to operate. Both Karratha Vet Clinic and Exmouth Vet Services have expressed an interest to operate in Onslow and both have tried to provide adhoc services out of ill equipped buildings which has severely limited the services they could provide. In the past the Shire hasn't been in a position to provide any level of support, but if endorsed by Council this building will offer an appropriate facility to provide expanded services.

ATTACHMENT 12.4

Comment

Should Council agree to using this building for visiting professional services, considerations such as the age and state of the building need to be taken into account. The building is unfurnished and is in need of a thorough clean as it has been sitting vacant for 12 months. Power and water is still connected and is in working order (only cold water, no hot water system connected) The grounds need to be mowed and tidied up and this will be need to be done on a regular basis. The building would require some basic internal and external works.

A recent inspection took place with the Shire Building Maintenance Coordinator and the Building Maintenance Officer to ascertain what works would be required to bring this building up to a basic level for use. The following areas were identified:

- Thorough cleaning inside the building including air conditioners.
- Water connected and working. No hot water system at the premises, hot water would be required for veterinary use.
- Smoke alarms were tested and are working.
- Outside areas very overgrown – need to be mowed and tidied up and then maintained regularly
- Internal walls are badly marked and have adhesives on them, they would require cleaning and removing of old adhesives and a light coat of paint to freshen.

The estimated cost to bring the building up to an acceptable level for use is estimated to be approximately \$5,000. It would also be considered that the painting could be supported by a volunteer busy bee, there are currently a number of companies in town that have expressed interest in helping out with this.

With Community Development now moved into the MPC, office space is not available for rent from the MPC, these offices were previously budget for \$200 per day commercial rate. An appropriate casual leasing rate for the old day care building given its condition and age is suggested to be \$150.00 per day per office and \$300.00 per day for the full house which includes power and water.

Whilst each casual tenant would be required to clean and tidy the premises after their use, the building would become a Shire Facility and regular cleaning and garden maintenance would need to be added to the staff work schedule.

Lot 675 is reserved for 'Community' under the Shire's Local Planning Scheme No 7. Use of the land for community use (such as day care, occasional care) was in keeping with the Shire's scheme. However as the proposed uses of the building (veterinary or office use)

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sought in this item are not consistent with 'Community' zoning therefore the Shire will need to seek the appropriate approvals.

Consultation

Building Maintenance Coordinator
Executive Manager Strategic and Economic Development
Executive Manager Community Development

Statutory Environment

Local government Act 1995

Financial Implications

\$5,000.00 is required to purchase paint and complete minor repairs for building to be operational. Operational costings will be budgeted for in the 2012/13 budget – It is anticipated that operational costs will include mowing and grounds maintenance, cleaning, public liability and a minor building repairs provision. It is anticipated that this will not exceed \$10,000 per annum. Based on minimum usage of 5 days per month, hire fees should cover this operational experience. Annual review of building usage should occur to assess the community benefit verses the expenditure incurred.

Strategic Implications

Strategic Plan –

1. – Diversify and Strengthen the Economy:
2. – Include and Engage our Community: – “Ensure community facilities are developed and maintained to a standard commensurate with community expectations and affordability”.

Policy Implications

Nil applicable at this time

Voting Requirement

Simple Majority Required

Recommendation

That Council:

1. Endorse the use of Lot 675 Second Ave Onslow as a community building.
2. Endorse the daily hire fee at \$150.00 per office per day and \$300.00 for whole house per day (to be advertised with 2012/13 budget process).
3. Endorse the inclusion of the building in the Shires works and facilities operational budgets.

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|----------------------------------|-------------------|
| Author: Amanda O'Halloran | Signature: |
| Manager: Jeff Breen | Signature: |

13. TECHNICAL SERVICES REPORTS

13.1 REVISED PROVISIONS IN THE SHIRE OF ASHBURTON LOCAL PLANNING SCHEME NO 7 - REVISED CLAUSE 7.3 - ONSLOW COASTAL HAZARD AREA PROVISION AND NEW APPENDIX 11 - REQUEST TO INITIATE

FILE REFERENCE: PS.TP.00.00

AUTHOR'S NAME AND POSITION: Rob Paull
Principal Town Planner

NAME OF APPLICANT/RESPONDENT: Shire of Ashburton

DATE REPORT WRITTEN: 21 April 2012

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

PREVIOUS MEETING REFERENCE: Agenda Item 13.1 (Minute: 11159), Ordinary Meeting of Council 18 April 2012
Agenda Item 13.8 (Minute: 11118), Ordinary Meeting of Council 15 February 2012
Agenda Item 13.9 (Minute: 11119), Ordinary Meeting of Council 15 February 2012

Summary

The Shire of Ashburton Local Planning Scheme No. 7 ('Scheme') includes special control area provisions that are another form of overlay to zoning. The 'Onslow Coastal Hazard Area Special Control Area' provision under Clause 7.1.1 of the Scheme was originally identified by the former Department of Planning and Urban Development in the Onslow Coastal Plan (1994). This plan recommended town planning schemes indicate the area on maps and incorporate provisions relating to minimum development standards.

Onslow is at risk to coastal hazards and any opportunity for development must recognise this. In addition, an Amendment to Scheme to address the Onslow Coastal Hazard Area and finished floor level provisions will necessitate protection measures. This could include the long term establishment of a sea wall to protect the town by 2040. This doesn't mean it has to be developed but it will mean that the matter is addressed by State Government and the Council.

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In this regard, a consultant is reviewing the existing wall and initiate and considering designs to reflect the above. It is possible that before any changes to the Scheme are supported by the State that definitive recommendations concerning a sea wall along with funding mechanisms are required. However realistically, such arrangements are several years off and to enable development of the town (even for the short term) modifications to the Scheme (such as addressed in this Report) are required.

The intent of draft Amendment (AM) 24 is to provide the opportunity to allow development to occur that reflects the direction of State Planning Policy 2.6 and 3.4. Importantly, the draft provisions acknowledge a different development level requirement for commercial and residential development, with the commercial development on the ground floor above the 50 year ARI development level.

Importantly, AM 24 provides a realistic means by which Onslow can develop in the foreseeable future.

Background

The Shire of Ashburton Local Planning Scheme No. 7 ('Scheme') was Gazetted on 24 December 2004 and has not been reviewed. The Scheme includes special control area provisions that are another form of overlay to zoning. Special control areas are put in place to impose a particular development assessment process and impose restrictions on the use of land or the form of physical development, which can be approved.

Specifically, the '*Onslow Coastal Hazard Area Special Control Area*' provision under Clause 7.1.1 of the Scheme was originally identified by the former Department of Planning and Urban Development in the Onslow Coastal Plan (1994). This plan recommended town planning schemes indicate the area on maps and incorporate provisions relating to minimum development standards. Clause 6.20 of the Scheme relevant to Flood and Storm Surge Prone Land states:

"6.20.1 When considering applications for planning approval Council shall have regard to the requirements for the Onslow Coastal Hazard Special Control Area in clause 7.3."

Clause 7.3 of the Scheme relevant to the *Onslow Coastal Hazard Area* states:

"7.3 Onslow Coastal Hazard Area

7.3.1 The Special Control Area applies to all land up to 4m AHD in the coastal zone and 5m AHD in the frontal dune areas of the townsite, between Four Mile Creek in the south-west and Beadon Creek in the north-east.

7.3.2 Applications for planning approval for land within the Special Control Area shall be assessed in the context of coastal plans, where these have been prepared and endorsed by the WAPC, for each sector of the Special Control Area and development shall conform with the requirements of the endorsed plan.

7.3.3 Applications for planning approval not in conformity with the plan shall be referred to the Ministry for Planning and the Registrar of Aboriginal Sites for advice.

7.3.4 In areas not subject to clause 7.3, and Local Government considers the form of development the subject of a planning application to be potentially

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incompatible with and prone to flood and storm surge events, it may have regard for information about these events and may approve, with or without conditions, or refuse proposals at its discretion.

- 7.3.5 *Local Government shall consult with the relevant agencies regarding the most up-to-date information available about potential flood and storm surge events as relevant to the land subject to particular applications for planning approval.*
- 7.3.6 *Local Government may require applications for planning approval to include an assessment, prepared to its satisfaction, of the impact of potential flood and storm surge events on the proposed development.*
- 7.3.7 *After receipt of advice or recommendations from the agencies referred to in subclause 7.3.3, the Local Government may, notwithstanding any other provision of the Scheme:*
- (a) approve the development proposal,*
 - (b) refuse the development proposal, or*
 - (c) approve the development proposal subject to conditions, which may include the requirement to prepare and implement a foreshore management plan.*
- 7.3.8 *In considering applications for planning approval, Local Government shall have regard for the following matters:*
- (a) That development and redevelopment be permitted in the hazard area subject to floor levels being raised above 4m AHD in the coastal zone areas and 5m AHD in the frontal dune areas of the townsite between Four Mile Creek in the south west and Beadon Creek in the north east.*
 - (b) That any new commercial or tourist development shall be raised to comply with the 4m AHD floor level requirement in the coastal zone or 5m AHD requirement in the frontal dune areas of the townsite, between Four Mile Creek in the south west and Beadon Creek in the north east.*
 - (c) That non-habitable permanent structures such as ablution facilities in caravan parks shall be permitted to have floor levels at the existing ground level.*
 - (d) That any land filling shall be subject to an assessment of impact on the drainage pattern so as to retain the natural drainage to Beadon Creek.*
 - (e) That any building development or building alteration approval in the hazard area be endorsed with the following:
"The developer undertakes to absolve the State and the Local Government Authority from liability and hence financial relief in the event of damage caused by natural events".*

(Note: Reference to the Registrar of Aboriginal Sites in Cl 7.3.3 is considered to be typographical error in the Scheme). The Scheme map depicting the extent of the 'Onslow Coastal Hazard Area Special Control Area' is attached.

ATTACHMENT 13.1A

The urban form of Onslow over many years has significantly modified the extent of the dunal system to the point where it is difficult to define. Accordingly, there is some conjecture as to where the "frontal dune areas of the townsite" as referred to in Sub Clause 7.3.1 actually exists.

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The Western Australian Planning Commission (WAPC) prepared and adopted the 'State Planning Strategy' in 1997. It sets out the key principles relating to environment, community, economy, infrastructure and regional development which should guide the way in which future planning decisions are made. In June 2003, the Western Australian State Government released Statement of Planning Policy No. 2.6 - The State Coastal Planning Policy (SPP 2.6). The SPP 2.6 provides guidance for new development, including subdivision and strata subdivision, on the Western Australian coastline. The SPP 2.6 outlines the recommended criteria for use in determining the appropriate Physical Processes Setback (PPS). The PPS should provide a low level of risk to the development from coastal erosion over a 100 year planning horizon.

The PPS is measured from the Horizontal Setback Datum (HSD). For a sandy shoreline the HSD is identified as the seaward extent of ephemeral vegetation on an accreting coast, or the toe of the erosion scarp on an eroding coast. As the only rock observed onsite at Onslow was located in the intertidal terrace, the shoreline for Onslow will be taken as sandy. In 2010 a Position Statement (WAPC 2010) was released to update the requirements of the SPP 2.6. This position statement related solely to the required allowances for climate change.

Because Onslow is located within an area that experiences cyclonic activity the SPP 2.6 specifies that development should be set back from the coast to afford development protection from the impact of cyclonic storms. This requires a further variation to the general case of development on an undeveloped sandy shoreline.

At the February 2012 meeting, Council was advised that some modification to the minimum AHD was likely due to a review undertaken by LandCorp and other State Agencies. This review was still to be finalised and a draft Local Planning Policy was adopted by Council requiring any applicant within the '*Onslow Coastal Hazard Area Special Control Area*' to undertake an assessment in accordance with Clause 6.20.4.

LandCorp, as part of its investigations for the release of land for residential, commercial and industrial development within and around the existing Onslow Townsite, commissioned specialist coastal and ports engineers M P Rogers & Associates Pty Ltd ('MRA') to assess the appropriate setback to account for the action of physical coastal processes in line with the State Government's SPP 2.6 as well as to investigate potential coastal inundation in order to determine the appropriate development levels. MRA are a very well known and respected coastal and ports engineering company, particularly in Western Australia.

The MRA report has been completed and is titled: "*Onslow Townsite Planning Coastal Setbacks & Development Levels*" ('Report'). In January 2012, LandCorp provided the Shire with a copy of the MRA Report and its findings have significant implications for existing and future development of Onslow. The Report recommendations are as follows:

"The total recommended setbacks to allow for the action of physical coastal processes were calculated to range from 30 m for the area protected by the seawall up to 372 m for the land adjacent to 4 Mile Creek.

Given the large setbacks determined in some locations, consideration could be given to methods for reducing these distances. If the low lying regions located near Beadon Creek were raised to a suitable height the elevated water levels associated with the design event would not penetrate as far inland. This would greatly reduce the S1 {Severe Storm Erosion} component of the PPS and could allow for greater development of the area. This low lying area could also be considered for the construction of facilities that have their own protection systems such as marinas. This would allow the development of land that might otherwise have remained unused.

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Coastal inundation modelling was conducted using data obtained for Tropical Cyclone Vance. This data was scaled up to obtain the 100 yr ARI design event conditions. This inundation modeling showed that elevated water levels of +5.0 mAHD for current day and +5.9 mAHD for 2110 (including a 0.9 m allowance for sea level rise) could occur for the design event. Inundation plans for these water levels were produced and are attached as Appendix E and Appendix F. These inundation plans showed that large areas of Onslow and its surrounds are vulnerable to inundation. Care must be taken to ensure that any future development is located safely above these inundation levels. MRA recommend that any future residential or non emergency response infrastructure have a finished floor level of +6.4 mAHD, which includes a factor of safety of 0.5 m above the predicted design inundation at 2110. For critical or emergency response infrastructure it is recommended that this factor of safety be increased to 1.5 m, resulting in a recommended finished floor level of +7.4 mAHD."

The Shire has reviewed the MRA Report and concluded that in order to reflect the requirements of SPP 2.6 and 3.4 that a finished floor level for residential or non emergency response infrastructure (*i.e. essentially all residential landuse*) of 5.9mAHD is necessary (rather than 6.4mAHD).

Comment

The reality for the Shire, the community of Onslow and the development industry is that the potential impact of flooding and storm surge inundation is a significant factor in the development of the town. In acknowledging this, the Shire is obliged to have regard to SPP's and information from professional consultants like MRA with respect to flooding, storm surge inundation and predicted sea level rise. It is noted however that the severe impacts of sea level rise may not be realized for another 30-40 years. In addition, the current Mean High Water Spring Tide (MHWS) at Onslow is generally RL 1.0mAHD and Highest Astronomical Tide (HAT) is RL 1.5mAHD.

The lowest road levels in Onslow are at RL 1.9m (near Third Avenue and McGrath Avenue) which means that if 0.9m is added to tidal levels then MHWS will be equal to some road levels in the year 2110. Some roads may then be almost flooded twice a day, every day, by high tide, depending upon the sand substrata permeability. This will be a significant planning constraint and an important consideration for the future.

With the above constraints clearly in mind, it is important that the Shire utilise the planning process to both encourage development that has the long term safety of the community. In its report to Council in April 2012 concerning the WAPC's review of SPP 2.6, the Shire noted as follows:

"Onslow, as a resource based coastal development node, is a different circumstance to mainstream suburban or town development and greater flexibility than the code implies may be required to define a way forward. Land Use and Development in parts of Onslow may be able to be assessed with lives substantially different to the 100 year planning horizon and/or using different risk events than those prescribed in the policy. This may include developments, of a more temporary nature, that must be removed or converted (the adaptation approach) when the risk is no longer acceptable and/or the defined planning horizon expires. The coastal policy does not presently allow these considerations.

It is doubtful that the Shire will be able to argue a simple case of, "Onslow is different and must have different rules". It will be difficult to argue a different planning horizon,

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or a different risk level, if the Shire is firmly of the opinion that developments will be expected to continue past the chosen time frame. This would be simple intergeneration risk transfer. Where a different planning horizon is sought it can be expected that WAPC will require a future removal or adaptation strategy that will deal with the property or land use at risk in the future. This can be part of our submission on the draft SPP 2.6.

The Shire will need to undertake a number of studies to be able to inform Council of an appropriate planning response against the Coastal hazard risk, but if flexibility is not available this may not be possible, or practical. If risk control is either impossible or impractical then other decisions for Onslow may be required.”

In a recent planning application, MRA (as a consultant to the applicant), noted:

“The Queensland Reconstruction Authority (a subsidiary of the Queensland Government), in response to the impact of Tropical Cyclone Yasi, has developed a guideline to aid in the development and redevelopment of residential infrastructure in storm tide prone areas (Queensland Reconstruction Authority 2011)”.

The main objectives of the Guideline are to:

- *“Improve the resilience of residential dwellings to the impact of a storm tide event predominately caused by a tropical cyclone.*
- *Assist in safeguarding property in a storm tide.*
- *Improve the broader long term sustainability of dwellings and their local context.”*

Furthermore, the guideline recognises that:

“where communities have already been established and where a storm tide threat exists, it is recognised that residents may wish to live in these locations despite the risk. The intention of the Guideline is to enable residents to adopt a level of protection against storm tide impacts for their homes and properties, which is broadly equivalent to the level of risks adopted for wind damage from tropical cyclones.

It is obvious that to provide the best protection to property it should be built above the defined storm tide planning level. However given the inability to practicably fill development areas in Queensland (a feature shared with Onslow) the development of an elevated house, similar to the traditional Queenslander is recommended for higher risk areas.”

The arrangement of development ‘Queenslander’ style residential uses would appear to be the most appropriate within the *Onslow Coastal Hazard Area – Scheme Control Area* and allows land owners to achieve a minimum finished floor level of 5.9mAHD. This also reflects a design proposal for Onslow suggested by the architects associated with the Çharette carried out in July 2012. The description given to this type of development was the ‘Onslander’.

However, although the ‘Onslander’ concept may be suitable for residential development at 5.9mAHD, it would still not provide the opportunity for commercial development to be considered.

In this regard, the Shire is seeking to implement measures in the Planning Scheme that will provide development levels within an expanded *Onslow Coastal Hazard Area* as follows that

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although not directly reflecting the MRA advice, achieves the spirit of SPP 2.6 (in its current form) and SPP 3.4 as follows:

- i. 'Strategic' emergency community services use and development shall be at a minimum finished floor level of 6.4mAHD.
- ii. Commercial-strategic use and development greater than 150m² (e.g. supermarket) shall be at a minimum finished floor level of 5.9mAHD unless the operator has secured land elsewhere in Onslow at 5.9mAHD that can be used for storage or storage on site is at 5.9mAHD.
- iii. Residential use and development shall be at a minimum finished floor level of 5.9mAHD.
- iv. Industry use and development shall be at a minimum finished floor level of 4.9mAHD.
- v. Commercial-non strategic use and development less than 150m² and development shall be at a minimum finished floor level of 4.9mAHD.
- vi. Non strategic community services use and development shall be at a minimum finished floor level of 4.9mAHD.
- vii. 'Temporary' and transient use and development shall be at a minimum finished floor level generally reflecting the current differentiation of 4.0mAHD. However the requirement would be that development of such uses could not be approved beyond 2040 and be removed from land by a set date (suggested to be 31 December 2040).
- viii. Entertainment, recreation and cultural use shall be at a minimum finished floor level of 2.5mAHD.

A broader definition of the above 'uses' is included as Attachment B.

ATTACHMENT 13.1B

In an attempt to address the low road levels in Onslow, all land subject of a planning approval within the *Onslow Coastal Hazard Area* would have minimum finished ground level of 2.5mAHD. However, so not to exacerbate a wider area of flooding, it is proposed to include a provision that requires any filling of land within the *Onslow Coastal Hazard Area* to require the consent of the Shire. There is a presumption against filling to achieve a finished ground level higher than 2.5mAHD.

It is not proposed to require modifications to buildings listed in the Shire's Municipal Inventory or on the State Heritage Register to necessarily comply with the higher floor levels due to the potential impacts on the heritage buildings. It would however be appropriate that any planning approvals issued over such heritage properties would require a memorial on the title warning of the floor level is below the 1:100 years flood level.

In addition, it is proposed to include the opportunity for Council to consider

- commercial-non strategic use and development; or
- industry use and development; or
- health, welfare and community services-non strategic;

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at a lesser finished floor level than described above where:

- “i the application includes a strategy and management measures to:
 - (a) ensure that any storage, warehousing, electrical fittings/switchboards (but not including electrical power-points) are provided above 5.9mAHD;
 - (b) address how an approved use can be removed or adapted as the case may be by the date referred to in ii) below;*
- ii an approved use is removed from the land as follows:
 - (a) where the finished floor level is between 4.0m - 4.8mAHD, the development shall be removed by 31 December 2040; and
 - (b) where the finished floor level is between 4.9m - 5.8mAHD, the development shall be removed or adapted by 31 December 2060.”*

The required finished floor level generally reflects the current 4.0mAHD-5.0mAHD level as interpreted in the Scheme and as described in Attachment D. It should be noted that attachment D covers a wider *Onslow Coastal Hazard Area* than the current Scheme and that residential uses are not included in the lower finished floor level.

ATTACHMENT 13.1C

The intention of this provision is to provide practical means for the development of the town centre in its immediate future (potentially up to 2060).

Clearly, Onslow is at risk to coastal hazards and any opportunity for development must recognise this. In addition, an Amendment to Scheme to address the *Onslow Coastal Hazard Area* and finished floor level provisions will necessitate protection measures. This could include the long term establishment of a sea wall to protect the town by 2040. This doesn't mean it has to be developed but it will mean that the matter is addressed by State Government and the Council. In this regard, it is intended to seek funds in the 2012/13 Budget for a consultant to review the existing wall and initiate designs to reflect the above. It is possible that before any changes to the Scheme are supported by the State that definitive recommendations concerning a sea wall along with funding mechanisms are required. However realistically, such arrangements are several years off and to enable development of the town (even for the short term) modifications to the Scheme (such as addressed in this Report) are required.

Conclusion

The intent of draft Am 24 is to provide the opportunity to allow development to occur that reflects the direction of SPP 2.6 and 3.4. Importantly, the draft provisions acknowledge a different development level requirement for commercial and residential development, with the commercial development on the ground floor above the 50 year ARI development level. Importantly, AM 24 provides a realistic means by which Onslow can develop in the foreseeable future.

Residential development reflects a minimum floor level above the 100 year ARI development level. The benefit of this approach is that it helps to preserve the streetscape of the Onslow townsite by maintaining a development presence nearer to the existing street levels. The current Scheme approach requiring commercial development to be above the 100 year ARI level would mean that there would be no opportunity for development to reflect street level as it would be in 2060. Depending on the location of the 'temporary use', a development may be approved to finished floor level equivalent to 25 year ARI in 2040 (where the finished floor level is to be between 4.0m - 4.8mAHD) but such uses will need to be removed at the end of 2040. Where a defined finished floor level is between 4.9m - 5.8mAHD, but such uses will need to be removed or adapted at the end of 2060.

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All Planning Approvals within the revised *Onslow Coastal Hazard Area* will require a memorial on title that clearly defines that the development on the land may be subject to storm surge and flooding.

Consultation

Chief Executive Officer
Executive Manager, Technical Services

Advertising is for a minimum of 42 days. During the advertising period, all land owners in the recommended extended *Onslow Coastal Hazard Area* in Onslow would be notified and invited to comment.

Statutory Environment

Planning and Development Act 2005

Planning Scheme amendments are processed in accordance with the Planning and Development Act (2005) and planning regulations.

The decision on whether to adopt an amendment is solely that of Council (this is where this 'draft Amendments' currently sits in the process).

Upon adoption by Council the amendment is referred to the Environmental Protection Authority (EPA) after which public advertising of the proposal occurs. After public advertising, Council will consider whether to adopt the amendment for final approval with or without modifications. The final decision on whether to grant final approval to an amendment rests with the Minister for Planning & Infrastructure, acting upon recommendation from the WAPC. The opportunities provided by draft AM 24 will be closely considered by the DoP and the WAPC to ensure that they reflect the WAPC SPP's.

Shire of Ashburton Local Planning Scheme No. 7.

"State Planning Policy 3 - Urban Growth and Settlement (SPP 3) - includes the following objectives:

- To promote a sustainable and well planned pattern of settlement across the State, with sufficient and suitable land to provide for a wide variety of housing, employment, recreation facilities and open space.*
- To build on existing communities with established local and regional economies, concentrate investment in the improvement of services and infrastructure and enhance the quality of life in those communities.*
- To manage the growth and development of urban areas in response to the social and economic needs of the community and in recognition of relevant climatic, environmental, heritage and community values and constraints.*
- To promote the development of a sustainable and liveable neighbourhood form which reduces energy, water and travel demand while ensuring safe and convenient access to employment and services by all modes, provides choice and affordability of housing and creates an identifiable sense of place for each community.*
- To coordinate new development with the efficient, economic and timely provision of infrastructure and services.*

The Shire is required to have due regard to State Planning Policies in the preparation of amendments to its Scheme. The amendment is consistent with the objectives of SPP 3."

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Financial Implications

The Shire will be responsible for the Amendment report preparation, advertising and (if approved by the Minister for Planning) the Gazettal costs associated with this matter. This will be in the vicinity of \$3,000.

Strategic Implications

Shire's Strategic Plan 2007-2011

Council's vision for the Shire of Ashburton is "the Shire of Ashburton will be a vibrant and prosperous place to work, leisure and living".

Policy Implications

There are no policy implications relevant to this matter.

Voting Requirement

Simple Majority Required

Recommendation

That Council, in pursuance of Part V of the Planning and Development Act 2005 ("Act"), adopt for community consultation purposes draft Amendment No. 24 ("draft Amendment No. 24") to Shire of Ashburton Local Planning Scheme No. 7 ("Scheme") that proposes:

1. Introduce a revised provision Clause 7.3 as follows:

"7.3 Onslow Coastal Hazard Area

7.3.1 The Special Control Area applies to all land identified on the Scheme Map and as defined in Appendix 11.

7.3.2 Applications for planning approval within the Special Control Area shall be assessed under Appendix 11 and all development shall conform to the requirements of Appendix 11.

7.3.3 Applications for planning approval not in conformity with of Appendix 11 are prohibited."

2. Introduce a revised provision Clause 6.20.2 and Clause 6.20.3 as follows:

"6.20.2 In areas not subject to Onslow Coastal Hazard Area and where the Local Government considers the form of development the subject of a planning application to be potentially incompatible with land prone to flood and storm surge events, it must be satisfied that approval of such planning applications has regard to flood and storm surge events and may approve, with or without conditions, or refuse proposals at its discretion.

6.20.3 Prior to considering planning applications under Clause 6.20.2 the Local Government shall consult with the relevant agencies regarding the most up-to-date information available about potential flood and storm surge events as relevant to the land subject to particular applications for planning approval."

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3. Introduce a new provision of Appendix 11 as follows:

“APPENDIX 11

Purpose:

- *To ensure that all development within the Onslow Coastal Hazard Area is designed and developed with finished floor levels to reflect the direction of State Planning Policy 2.6 and State Planning Policy 3.4*

1. *Land use definitions to be applied in this Appendix are those applicable to the predominant use of the specific proposal and not necessarily the various components of the overall land use.*

Note: For example, A dwelling may have sheds and a garage which can be approved at a minimum ground level of 2.5mAHD.

2. *For the purpose of Appendix 11, the following land use descriptions apply:*

i. ‘Entertainment, recreation and culture’ use means:

- *Clubrooms*
- *Equestrian Centre*
- *Private Recreation*
- *Public Recreation*

ii. ‘Commercial-strategic’ use means:

- *Shop (greater than 150m2 GLA)*

iii. ‘Commercial-non strategic’ use means:

- *Caretaker’s Dwelling*
- *Display Home Centre*
- *Entertainment Venue*
- *Exhibition, Display and Outdoor Sales Facilities*
- *Holiday Accommodation*
- *Hotel*
- *Market*
- *Motel*
- *Movable Dwelling*
- *Motor Vehicle and/or Marine Repair*
- *Motor Vehicle and/or Marine Sales & Hire*
- *Motor Vehicle and/or Marine Service Station*
- *Motor Vehicle and/or Marine Wrecking*
- *Motor Vehicle Wash*
- *Office*
- *Outdoor Display*
- *Reception Centre*
- *Restaurant*
- *Shop (less than 150m2 GLFA)*
- *Showroom*
- *Commerce continued*
- *Take-away Food Outlet*

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- Warehouse
 - Transient Workforce Accommodation
- iv. *'Health, welfare and community services-non strategic' use means:*
- Carpark
 - Childcare Service
 - Community Use
 - Consulting Rooms
 - Education Establishment
 - Funeral Parlour
 - Place of Animal Care
 - Place of Public Meeting, Assembly or Worship
- v. *'Health, welfare and community services-strategic' use means:*
- Emergency Services
 - Hospital
 - Medical Centre
 - Nursing Home
 - Public Utility
- vi. *'Industry' means:*
- Abattoir
 - Agriculture
 - Arts and Crafts Centre
 - Harbour and Marina Facilities
 - Hire Service (Industrial)
 - Home Business
 - Home Occupation
 - Industry - Extractive
 - Industry - General
 - Industry - Light
 - Industry - Resource Processing
 - Industry - Rural
 - Industry - Service
 - Infrastructure
 - Intensive Agriculture
 - Research Laboratory
 - Stockyard
 - Storage facility/depot/laydown area
- vii. *'Residential' means:*
- Aged or Dependent Persons Dwelling
 - Grouped Dwelling
 - Multiple Dwelling
 - Residential Building
 - Single House
- viii. *'Temporary and/or transient' use means use and development that have a limited tenure and operation on land*

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and may include:

- *caravan park;*
- *transient workforce accommodation on land zoned Tourist;*
- *car park; and*
- *ablutions; or*
- *other use only where the local government resolves that the particular development or use is consistent with the purposes of Appendix 11.*

3. *Within the Onslow Coastal Hazard Area the following land use and development shall only be undertaken within the following finished floor levels to the satisfaction of the local government:*
 - i. *All health, welfare and community services strategic use and development shall be at a minimum finished floor level of 6.4mAHD.*
 - ii. *All commercial-strategic use and development shall be at a minimum finished floor level of 5.9mAHD.*
 - iii. *Commercial-strategic use and development greater than 150m² (e.g. supermarket) shall be at a minimum finished floor level of 5.9mAHD unless storage either site is at 5.9mAHD or the applicant or landowner can secure an alternative site for storage at 5.9mAHD.*
 - iv. *All residential use and development shall be at a minimum finished floor level of 5.9mAHD.*
 - v. *All industry use and development shall be at a minimum finished floor level of 4.9mAHD.*
 - vi. *All commercial-non strategic use and development shall be at a minimum finished floor level of 4.9mAHD.*
 - vii. *All health, welfare and community services-non strategic use and development shall be at a minimum finished floor level of 4.9mAHD.*
 - viii. *Temporary and/or transient use and development may be approved at a minimum finished floor level of 4mAHD. Where planning approval is issued, the use and development shall not remain beyond 31 December 2040. All such approved uses shall be removed from the land by 31 December 2040.*
 - ix. *Entertainment, recreation and culture use may be at a minimum finished floor level of 2.5mAHD.*
4. *All land subject of a planning approval within the Onslow Coastal Hazard Area shall have minimum finished ground level of 2.5mAHD.*
5. *Any filling of land within the Onslow Coastal Hazard Area shall*

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require the consent of the local government. There is a presumption against filling to achieve a finished ground level higher than 2.5mAHD.

6. *A planning approval within the Onslow Coastal Hazard Area shall include a condition that a memorial is placed on title that clearly defines that the development on the land may be subject to storm surge and flooding.*
7. *Notwithstanding any Clause of Appendix 11, where land is specifically included in an adopted Municipal Inventory of Heritage Places or State Heritage Register, the local government may approve an application for planning approval on land at a finished floor level less than that prescribed in Appendix 11 provided any:*
 - i. *such approval in keeping with the historic nature of the existing buildings; and*
 - ii. *planning approval includes a memorial is on title as required in Clause 6.*
8. *Notwithstanding Clause 3. of Appendix 11, upon application for planning approval to the local government for land either specifically referred to in a*
 - i. *commercial-non strategic use and development; or*
 - ii. *industry use and development; or*
 - iii. *health, welfare and community services-non strategic;*

*may be considered by the local government at the minimum finished floor level described in the plan attached to Appendix 11 (**ATTACHMENT 13.1 C TO THE REPORT**) where:*

- i. *the application includes a strategy and management measures to:*
 - (a) *ensure that any storage, warehousing, electrical fittings/switchboards (but not including electrical power-points) are provided above 5.9mAHD;*
 - (b) *address how an approved use can be removed or adapted as the case may be by the date referred to in ii) below;*
 - ii. *an approved use is removed or adapted as the case may be from the land as follows:*
 - (a) *where the finished floor level is between 4.0m - 4.8mAHD, the development shall be removed by 31 December 2040; and*
 - (b) *where the finished floor level is between 4.9m - 5.8mAHD, the development shall be removed or adapted by 31 December 2060.*
9. *Where a planning approval is issued under Clause 7. of Appendix 11 or where a temporary and/or transient use and development is approved, the local government shall not support subdivision unless it is an amalgamation of land."*

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4. That upon preparation of the necessary documentation, draft Amendment 24 be referred to the Environmental Protection Authority (EPA) for consideration, and on receipt of advice from the EPA indicating that the amendment is not subject to an environmental review, it be advertised for a period of 42 days, in accordance with the Town Planning Regulations 1967. In the event that the EPA advises that the draft Amendment is to be subject to an environmental review, this review is to be prepared by the Shire prior to advertising.
5. Request the Chief Executive Officer to refer draft Amendment No. 24 to the Department of Planning and the Department of Transport for comment and advice whilst referral is carried out to the EPA. Should modifications be suggested by either Department, the Chief Executive Officer be requested to refer the Amendment back to Council prior to advertising.

| | |
|----------------------------|-------------------|
| Author: Rob Paul | Signature: |
| Manager: Jeff Breen | Signature: |

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13.2 DRAFT LOCAL PLANNING POLICY - SHIRE SETBACK REQUIREMENTS BASED ON STATE PLANNING POLICY 2.6.

| | |
|--|---|
| FILE REFERENCE: | PS.DV.11.00 |
| AUTHOR'S NAME AND POSITION: | Rob Paull Principal Town Planner |
| NAME OF APPLICANT/RESPONDENT: | Shire of Ashburton |
| DATE REPORT WRITTEN: | 6 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in this matter. |
| PREVIOUS MEETING REFERENCE: | Agenda Item 13.01, Minute 11174 Ordinary Meeting of Council 18 April 2012 |

Summary

Development areas are required to comply with the Planning Commission's State Planning Policy 2.6 'Coastal Planning Policy' (SPP 2.6). Using the modelling defined in SPP2.6, M P Rogers & Associates Pty Ltd calculated the appropriate setback to account for the action of physical coastal processes in line with the SPP 2.6.

It is recommended that Council adopt draft "Local Planning Policy - Shire setback requirements based on State Planning Policy 2.6." and advertise for 21 days in accordance with the Shire's Local Planning Scheme and referred back to Council for consideration.

Background

In June 2003, the Western Australian Planning Commission (WAPC) released Statement of Planning Policy No. 2.6 - The State Coastal Planning Policy (SPP 2.6).

The SPP 2.6 provides guidance for new development, including subdivision and strata subdivision, on the Western Australian coastline. Schedule One of the SPP 2.6 outlines the recommended criteria for use in determining the appropriate Physical Processes Setback (PPS). The PPS should provide a low level of risk to the development from coastal erosion over a 100 year planning horizon. The PPS is measured from the horizontal setback datum (HSD). For a sandy shoreline the HSD is identified as the seaward extent of ephemeral vegetation on an accreting coast, or the toe of the erosion scarp on an eroding coast.

In 2010, the WAPC released a Position Statement to update the requirements of SPP 2.6. This position statement related solely to the required allowances for climate change and is described in further detail below. For the general case of development on an undeveloped

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sandy shoreline, the SPP 2.6 recommends using the following criteria to calculate the appropriate PPS:

- Severe Storm Erosion (S 1) - Allowance for short-term erosion caused by a design storm event. S 1 is calculated using the SBEACH profile change model to simulate the response of the shoreline to the design storm event.
- Historic Shoreline Movement Allowance (S2) - Allowance for chronic long-term trends caused by the local coastal dynamics.
This needs to provide a buffer for the coming 100 years. This value is calculated from aerial photographs and surveys showing the movement of the vegetation line over at least a 40 year period.
- Sea Level Change Allowance (S3) - Allowance for possible recession of the shoreline as a result of anticipated sea level rise in the coming 100 years. The Position Statement introduced the requirement for a 0.9 m allowance for sea level rise by 2110. This allowance is based upon the Intergovernmental Panel on Climate Change (IPCC) AR4 model scenario and CSIRO (2008).

The AR4 scenario tracks the highest IPCC predictions for sea level rise and is a large increase from the previous requirement of 0.38 m, which allowed for sea level rise predicted by the mean of the median model of the 2007 IPCC working group report.

Onslow is located within an area that experiences cyclonic activity. As such, SPP 2.6 specifies that development should be set back from the coast to afford development protection from the impact of cyclonic storms. This requires a further variation to the general case of development on an undeveloped sandy shoreline.

Comment

Development areas are required to comply with the Planning Commission's State Planning Policy 2.6 'Coastal Planning Policy' (SPP 2.6). Using the modeling defined in SPP 2.6, M P Rogers & Associates Pty Ltd (MRA) calculated the appropriate setback to account for the action of physical coastal processes in line with the SPP 2.6.

MRA advise as follows:

"For areas north of latitude 30 degrees south, SPP2.6 recommends that the S1 component be calculated by modelling a category 5 cyclone tracking to maximise its associated storm surge at the subject location, coincident with a Mean High Water Spring (MHWS) tidal level. The SPP 2.6 also includes a case for the development of land located between existing developments. This is known as an infill development case and would be applicable to any vacant lots or redevelopments that are to occur within the Onslow Townsite."

The policy states that the coastal processes setback for infill development should:

"seek to provide immediate protection for new development while accepting the reasonable and likely future protective requirements of adjoining development ... a minimum setback of S1 should apply" (WAPe 2003).

On this basis it is reasonable to assume that any new development within the confines of the existing Onslow townsite should fall under the classification of infill development" (page 14)."

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It is necessary that the Shire incorporates this assessment in a planning 'instrument' which provides sufficient guidance to land owners, developers and Council in assessing applications for planning approval on land within the setback. The modeling defined in SPP 2.6 will have implications for development, especially land outside of the townsite that isn't considered to be 'infill'. It is considered that this be undertaken as planning policy which will provide some degree of discretion to the Council or the Development Assessment Panel when considering applications.

ATTACHMENT 13.2

It is recommended that Council adopt draft "*Local Planning Policy - Shire setback requirements based on State Planning Policy 2.6.*" and advertise for 21 days in accordance with the Shire's Local Planning Scheme.

Consultation

Chief Executive Officer
Executive Manager, Technical Services

Statutory Environment

Planning and Development Act 2005
Council of Ashburton Local Planning Scheme No. 7

Financial Implications

None anticipated

Strategic Implications

None anticipated

Policy Implications

None anticipated

Voting Requirement

Simple Majority Required

Recommendation

That Council:

1. Adopt modifications to "*Local Planning Policy – Shire setback requirements based on State Planning Policy 2.6.*" and advertise in accordance with clause 2.31 of the scheme.
2. Directs that upon completion of the advertising period referred to in 1. Above, the matter to be referred back to Council for further consideration.

| | |
|----------------------------|-------------------|
| Author: Rob Paul | Signature: |
| Manager: Jeff Breen | Signature: |

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13.3 REQUEST TO CLOSE PORTIONS OF WATSON DRIVE, ONSLOW

| | |
|--|--|
| FILE REFERENCE: | ON.WS.571 |
| AUTHOR'S NAME AND POSITION: | Rob Paull |
| NAME OF APPLICANT/ RESPONDENT: | LandCorp/TPG Planning Consultants |
| DATE REPORT WRITTEN: | 7 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in this matter. |
| PREVIOUS MEETING REFERENCE: | Not Applicable |

Summary

Summary

Land Corp has requested the Shire to consider the part closure of close portions of Watson Drive in Onslow on behalf of LandCorp as part of the development of vacant Crown land for residential use in Onslow. This request relates to the consideration of the draft Onslow Extension Development Plan being considered by Council under Item 13.3 of this Agenda.

Should Council resolve to commence to close the above named roads, procedures will commence with advertising the intention. If adverse comments are received a further report will be prepared for Council consideration.

Background

TPG Town Planning and Urban Design (TPG) has prepared the following request to close portions of Watson Drive in Onslow on behalf of LandCorp as part of the development of vacant Crown land for residential use in Onslow.

The first portion of the Watson Drive road reserve to be closed is located in the northern portion of the site and comprises 691m² of land. This portion extends approximately 15m past the intersection of Laphorne Avenue, where the road reserve terminates.

The second portion sought to be closed runs through Lot 303, northeast of Lot 302. This portion of road is largely rectangular in shape and measures 2,132m² in area. The subject road reserve is not sealed and forms a southern extension of UCL Lot 215. This would provide the opportunity to deliver a consolidated site for Chevron's operation village.

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This request relates to the consideration of the draft Onslow Extension Development Plan being considered by Council under Item 13.3 of this Agenda.

Watson Drive

These portions of road are intended to be included in the proposed Chevron site, which will form part of Stage 1 of the development of the greenfield sites in Onslow.

Including these portions of road reserve in the Chevron site will allow for the logical creation of an appropriately sized lot to accommodate Chevron's operational village associated with the ANSIA, in accordance with the Wheatstone State Development Agreement.

The final portion of road reserve to be closed is located on the southern side of Watson Drive, adjacent to UCL Lots 216 and 517. There are three portions of road reserve to be closed along this stretch of Watson Drive, comprising 1,941m², which are required to facilitate the Stage 1 subdivision. The current road reserve is approximately 30m wide, however the sealed portion is less than 10m in width. The road reserve is proposed to be extended as part of the Stage 1 subdivision and will remain 20m wide.

ATTACHMENT 13.3A

Chevron site road closure plan(Watson Drive)

The two portions of road reserve within what is proposed to be the 'Chevron site' are separated by Unvested Crown Land (UCL) Lot 215, which does not form part of the road reserve

ATTACHMENT 13.3B

By itself, the request for the road closure is acceptable however it would result in preventing any future access to Macedon Road which can be seen in the following plan and aerial photograph.



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On this basis, it is recommended that the road closure process not commence until LandCorp provides alternate road reserve access to Macedon Drive.

Conclusion

With respect to road closure within Watson Drive, it is considered that these roads form part of the existing road alignment and is best described as a partial road closure which will not affect the continuing function of the road.

Should Council resolve to commence to close the above named roads, procedures will commence with advertising the intention. If adverse comments are received a further report will be prepared for Council consideration.

However, the proponent has not addressed the impacts on future road reserve access to Macedon Road. Whilst the concept of road closure to potentially provide a site for Chevron operational workforce is supported, it needs to be undertaken in a manner that doesn't negatively impact on other road reserves. In this regard, it would be appropriate for Council to defer consideration of this road closure request until LandCorp addresses alternative road reserve access to Macedon Road.

Consultation

Executive Manager, Technical Services

Statutory Environment

Land and Administration Act Section 58.

Financial Implications

Cost to be recovered from the applicant, LandCorp.

Strategic Implications

None anticipated.

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Policy Implications

None anticipated.

Voting Requirement

Absolute Majority Required

Recommendation

That Council:

1. *Watson Drive*
 - i. In accordance with Section 58 of the Land Administration Act 1997 publishes the public notice of intention to close portion of road included in Watson Drive, Onslow as defined in **ATTACHMENT 13.3A** in a newspaper circulating in its district and invite representations on the proposed closure within a period of 35 days from the publication.
 - ii. 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.
2. *Chevron site road closure plan*
 - i. Defer consideration of the road closure request as identified in **ATTACHMENT 13.3B** until LandCorp addresses alternative road reserve access to Macedon Road.
3. Request the Chief Executive Officer to advise LandCorp of Council's resolution and that LandCorp will be responsible for any costs incurred by the Shire in considering the road closure process.

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|----------------------------|-------------------|
| Author: Rob Paull | Signature: |
| Manager: Jeff Breen | Signature: |

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13.4 PREPARATION OF DRAFT ONSLOW EXPANSION STAGE ONE DEVELOPMENT PLAN, URBAN DEVELOPMENT ZONE, ONSLOW

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|--|--|
| FILE REFERENCE: | ON.WS.571 |
| AUTHOR'S NAME AND POSITION: | Rob Paull Principal Town Planner |
| NAME OF APPLICANT/RESPONDENT: | Landcorp /TPG Planning Consultants |
| DATE REPORT WRITTEN: | 7 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in this matter. |
| PREVIOUS MEETING REFERENCE: | Not Applicable |

Summary

The Onslow Townsite Strategy (2011) prepared in 2011 by the Shire of Ashburton and Department of Planning, identifies a potential population of 3,500 people by 2021, fuelled by the growth of the resources sector in the north-west of WA.

LandCorp has prepared a draft development plan area for land located to the south of the existing Onslow townsite and connected to the town via Watson Drive. There will also be a new access to the town from Onslow Road to the north of Eagle Nest Road, as well as an extension of Eagle Nest Road to intersect with Watson Drive, and continue to McGrath Avenue. A 9ha site for Chevron's operational workers village is also shown including a range of normal residential lots.

It is recommended that Council resolve to require a Development Plan for the Urban Development zone for Onslow and to adopt draft 'Onslow Townsite Expansion Stage 1 Development Plan' for advertising (for 21 days) in accordance with the Scheme. Where no adverse comments are received during advertising, the development plan be adopted and the WAPC be requested to endorse. Should any adverse comments be received during advertising the Chief Executive Officer be requested to prepare a further report on the matter.

Background

The Onslow Townsite Strategy (2011) prepared in 2011 by the Shire of Ashburton and Department of Planning, identifies a potential population of 3,500 people by 2021, fuelled by the growth of the resources sector in the north-west of WA. This places significant demand on the current infrastructure, services and housing in Onslow, which currently caters for just over 500 people.

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LandCorp has undertaken an assessment of the opportunities to provide additional land development potential for Onslow. The expansion of Onslow is to be undertaken in a staged manner, to ensure that lots are developed and released as soon as possible to meet demand, as well as meet the State's commitment to provide an urban village to cater for Chevron's operational workforce associated with the ANSIA.

The expansion of Onslow creates an opportunity to demonstrate where good planning and expeditious infrastructure delivery can work to mitigate the impacts that arise when you mix land shortages with significant housing demand.

LandCorp has been under significant pressure from Council and the community to expedite the delivery of much-needed residential land in Onslow. An ultimate development plan and subsequent scheme amendments (Amendments No's. 21 and 22) are currently being finalised for the expansion of Onslow and this will ultimately guide future development and growth. The Shire has initiated the scheme amendments and LandCorp has advised that it is aiming to lodge the development plan and scheme amendment package in May 2012, for referral to the Environmental Protection Authority (EPA).

Comment

The Development Plan area comprises approximately 31.9 hectares of Unallocated Crown Land and forms a south-eastern extension of the current Onslow townsite. Specifically, the development plan area is located to the south of the existing townsite and connected to the town via Watson Drive. There will also be a new access to the town from Onslow Road to the north of Eagle Nest Road, as well as an extension of Eagle Nest Road to intersect with Watson Drive, and continue to McGrath Avenue. The subject site will provide two new connections from Onslow Road and facilitate the development of a range of residential lots, including one superlot for the future Chevron Operations Village.

However, due to the significantly restricted timeframes associated with the State delivering the 9ha site to Chevron for its operational workers village, as well as a range of normal residential lots, this smaller scale development plan has been prepared to allow the Shire and WAPC to consider the proposed subdivision application and expedite the delivery of land.

ATTACHMENT 13.4A

The draft Stage 1 Development Plan is entirely within the 'Urban Development' zone under the Shire of Ashburton Town Planning Scheme No. 7 ('Scheme') and seeks to ensure that any future subdivision and development is undertaken in an orderly and proper manner. The objective of the overall development plan is to provide a comprehensive masterplan to facilitate the orderly and proper subdivision and development of the land to meet the anticipated growth demand in the town of Onslow. The subdivision proposed for the development plan area will facilitate the development of 223 residential lots (exclusive of the two POS reserves), however, the potential number of dwellings that are constructed is expected to be quite higher.

The proposed subdivision also seeks to create a range of lots greater than 600m², which would potentially allow the construction of semidetached dwellings on each lot, based on the R30 density coding. Furthermore, a number of grouped housing sites have been identified and with a density coding of R40, could yield up to 70 dwellings. Whilst it is not expected that every lot greater than 600m² will be developed with semi-detached dwellings, the development plan area realistically may yield up to 337 dwellings (assuming 50% of lots greater than 600m² are developed as duplexes).

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Specifically, the following attributes of the draft development plan are further discussed:

Chevron Operations Village

The intention of the Chevron Operational Village site is to provide a specific area that allows high-density accommodation for operational workers that is integrated with the surrounding residential area. This precinct will complement the surrounding built form and create a seamless transition into surrounding Precincts.

The draft development plan shows that development within the Precinct is proposed will provide for pedestrian friendly streetscapes with passive surveillance of the public domain. It is likely that Chevron's operational village, which is expected to ultimately accommodate approximately 420 employees, will incorporate a range of localised commercial activities such as a health campus, restaurant/bar and convenience store. Although these facilities are to be located within Chevron's site, it is expected that the commercial activities will be located such that they will be accessible to the wider Onslow community, if required. The draft development Plan will need to clarify the planning process that will lead to the development of the operational camp. This will include the preparation of a detailed area plan before considering any planning approvals.

Proposed Road Layout

The proposed development plan area currently has access via McGrath Avenue and Watson Drive to the north, and Eagle Nest Road to the east. McGrath Avenue is proposed to be extended to meet Eagle Nest Road. The existing road reserve width of 20m is intended to be continued, until it intersects with a new road. From here, the road reserve becomes wider to establish a boulevard, in order to meet the drainage requirements and where the road reserve widens to 35m until it intersects with Onslow Road.

Watson Drive is proposed to be extended and realigned to form the northern boundary of the stage 1 subdivision application. The Watson Drive reserve is currently 30m wide, however this width is surplus to its requirements based on anticipated ultimate traffic volumes, and for this reason has been reduced to 20m wide. A road closure request for the excess portion of Watson Drive has been lodged concurrently with this development plan and the associated subdivision, with the road closure intended to be finalised prior to the issue of a clearance of the subdivision. The plan provides for numerous 15m wide road reserves with 6m seal. It is considered that 15m wide road reserves would be the absolute minimum width but that the seal may need to be widened to 8m in some streets to reflect the need for off-street parking. Another issue that will need to be addressed is to ensure that access to the Onslow Tip (via Macedon Road and Watson Drive) will be either retained or modified to the satisfaction of the Shire. This is addressed in Item 13.4 to the Agenda and will need to be considered as part of the draft development plan.

Water Supply

The Onslow Water Supply Scheme is currently operating close to full capacity. While meeting all current service obligations, the Water Corporation at this stage cannot guarantee the availability of water services for additional connections. Initially, additional bores, a booster pump station and upgrading of the transfer pipeline is proposed to increase the capacity by approximately 60% by servicing an additional 200 services (460 people) up from the current 370 services with such works expecting to be completed by September 2013.

However, Water Corporation will also likely require a new tank and booster pump station to be commissioned prior to providing all or a portion of the additional 200 services which is programmed for completion by mid 2014. An alternative source will need to be investigated to ultimately service the expected growth. The current State Development Agreement with Chevron is understood to make provision for a desalination plant to be located at the ANSIA. The plant will initially have a capacity of 2ML/day to cater for a population increase to 2016 with the flexibility of a further upgrade to 4ML/day to support growth the 2022, and is expected to be operational by October 2014.

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Waste Water/Effluent Disposal

Water Corporation manages the wastewater system which currently serves Onslow. There is capacity to support nominal population growth, however, current flow forecasts indicate that the current treatment capacity will be exceeded in 2013, and the disposal capacity exceeded in 2016. The Water Corporation indicates that an expansion to the pond system will be required, which will need to be operational by 2016. Two additional infiltration basins are also required and will need to be operational by 2013, with a further basin required by 2016. Further expansion of the pond system and infiltration basins will be required by 2022 should anticipated population growth be realised. Consideration needs to be given to the possibility of additional land requirements and extension of odour buffers when planning for expansion and/or relocation of wastewater treatment facilities.

Power Supply

The initial upgrade to the town's power supply is proposed to include the construction of a new 9MW station within the ANSIA to support growth to 2016 and expandable to suit growth thereafter. The initial upgrade will also require a new gas lateral, new transmission lines to the townsite and a new zone substation within the existing Water Corporation site. The new power plant is expected to be operational by October 2014.

Public Open Space

Three areas of public open space (POS) have been identified in the development plan; two within the residential area, which are between approximately 2,500m² and 3,000m² in area, as well as a portion located to the south of the Chevron site, which is approximately 6,900m². The two pockets of POS within the residential area are intended to be used as passive open spaces to cater for the adjoining residents. The portion of POS south of the Chevron site also has the function of assisting in the drainage of the immediate area, as well as establishing the first link in an ecological corridor that will run east-west through the centre of the overall development plan area.

Conclusions

The draft development is supported as a 'first cut', however it will require modifications that clearly identify conditions on the plan that clearly provides a greater level of detail associated with the overall subdivision and for the 'Chevron' lot in particular.

The extensive implications of the expansion of Onslow whilst reflecting the current Scheme provisions, merits the preparation of a development plan to inform future development, subdivision and land use. Accordingly, Council would need to resolve to require the preparation of such a plan. Under the Scheme, the Shire will also need to request the Western Australian Planning Commission to endorse the development plan as the basis for approval of subdivision applications within the areas covered by the plan.

Consultation

Chief Executive Officer
Executive Manager Engineering Services
LandCorp/TPG Town Planning Consultants

The consultation process to prepare a development plan for the expansion of Onslow essentially began with the preparation of the Onslow Townsite Strategy (OTS). The OTS has formed the basis for the expansion area and objectives of the project. The consultation for the OTS was undertaken in 1999 and 2000 as part of the preparation of the Onslow Structure Plan.

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In August 1999 a discussion paper was prepared, and released. This raised a number of issues relating to the Onslow townsite and surrounds. The release of the discussion paper was followed by a public meeting in Onslow. This meeting was attended by about 20 residents of the town, as well as members of the study team. One letter was received in response to the discussion paper. A second public meeting was held in January 2000.

Members of the Onslow community were given a briefing on the industrial land use planning being undertaken by the then Department of Resources Development (DRD), and information was provided by the Shire of Ashburton on how the structure plan process would relate to the preparation of TPS7.

In 2010, LandCorp assembled a project team to collate information on portions of government land that may be suitable for development to meet anticipated growth. The concept of expanding Onslow was a significant component of the June 2011 'Enquiry by Design' ('Charette').

Statutory Environment

Shire of Ashburton Local Planning Scheme No. 7 ('Scheme'). Under the Scheme, the subject area is zoned as '*Urban Development*', with the stated objective of being:

".....This zone is intended for future urban land, encompassing residential, community, commercial or industrial uses, open space and other reserves. Development is to proceed in accordance with a 'Development Plan'.."

Clause 6.4 of the Scheme provides that:

"Local Government may prepare, or require the preparation of, a Development Plan prior to considering subdivision or development proposals for:

(a) Urban Development zone;"

A development plan is defined under the Scheme as follows:

"... plans which are required to be prepared prior to the consideration of planning or subdivision applications which address the schematic layout of proposed development and lot boundaries in addition to various other matters as may be required by the Scheme and includes local structure plans, outline or comprehensive development plans."

A development plan must be in accordance with Appendix 7 of the Scheme which sets out the matters to be addressed in such plans and must be advertised for public comment.

Financial Implications

None anticipated

Strategic Implications

The modifications to the Scheme as sought will assist in achieving the focus as stated in the Shire's Strategic Plan 2007-2011:

"Strengthen and diversify opportunities and experiences for people living, visiting, working and learning in the Shire".

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Policy Implications

Adoption of a Development Plan for this area will provide the policy direction for Council in relation to development of the land.

Voting Requirement

Simple Majority Required

Recommendation

That Council:

- 1) Resolve that pursuant to Clause 6.4 of the Shire of Ashburton Local Planning Scheme No. 7 ('Scheme'), a Development Plan is required for land generally located to the south of the existing Onslow townsite and connected to the town via Watson Drive.
- 2) Adopts draft '*Onslow Townsite Expansion Stage 1 Development Plan*' as prepared by TPG town planning consultants (for LandCorp) and modified to the satisfaction of the Chief Executive Officer for the purpose of advertising for 21 days in accordance with subclauses 5.7.3 and 5.7.4 of the Scheme.
- 3) Subject to no adverse comments being received during the advertising period, Council adopt draft '*Onslow Townsite Expansion Stage 1 Development Plan*' in accordance with provisions of the Scheme and request the Western Australian Planning Commission to endorse the development plan as the basis for approval of subdivision applications within the areas covered by the plan.
- 4) Should any adverse comments be received during advertising of draft '*Onslow Townsite Expansion Stage 1 Development Plan*' the Chief Executive Officer be requested to prepare a further report on the matter.

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|----------------------------|-------------------|
| Author: Rob Paull | Signature: |
| Manager: Jeff Breen | Signature: |

AGENDA - ORDINARY MEETING OF COUNCIL 16 MAY 2012

13.5 TOM PRICE KERB SIDE RECYCLING

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|--|---|
| FILE REFERENCE: | HS.LW.03.00 |
| AUTHOR'S NAME AND POSITION: | Michelle Walker Assets Manager |
| NAME OF APPLICANT/RESPONDENT: | Cr Cecilia Fernandez |
| DATE REPORT WRITTEN: | 3 April 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in the proposal. |
| PREVIOUS MEETING REFERENCE: | Not Applicable |

Summary

Councillor Fernandez requested an investigation into the viability of kerb side recycling in Tom Price. The cost and environmental benefit of Kerb side recycling is a complex matter. The carbon footprint generated by undertaking kerb side recycling can often be greater than sending waste to landfill.

The viability of this and other forms of recycling were investigated in the 2008 PRC Waste Management Investigation carried out by the Pilbara Regional Council. The finding of the PRC study was that a strategic approach must be taken to any of the waste management activities established in the Pilbara if any sustainable benefit is to be realized.

This paper recommends that the viability of kerb side recycling in Tom Price be investigated when considering Council's overall strategy and priorities.

Background

Councillor Fernandez has asked that kerb side recycling be investigated in Tom Price. Specifically that rate payers be provided with the option to purchase a recycling rubbish bin to separate the household rubbish from recyclables.

At more than 3.5 tonnes per capita, Western Australia (WA) has the highest rate of waste generation in the country (WA Waste Authority, 2012). WA also has the "lowest rate for recovery and diversion from landfill with only 32 % of material being recovered, and the remaining 68 % being sent to landfill" (WA Waste Authority, 2012 p.7). The Western Australian Waste Strategy: "Creating the Right Environment" released in March 2012 sets out targets for diversion of waste from landfill from the following sectors: municipal; construction and demolition; and, commercial and industrial. A five year business plan has been prepared under the Waste Avoidance and Recovery Act (2007) to guide implementation of the strategy.

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The WA 5 year strategy outlines the role of Local Government as “managing and delivering municipal waste services” and “providing information, infrastructure and incentives to encourage behavior change in [their] communities” (WA Waste Authority, 2012 p.10).

In 2008, the Shire of Ashburton as part of the Pilbara Regional Council commissioned Cardno BSD to produce a Regional Waste Management Plan. This report drew the following conclusions about recycling:

- *“Kerb side recycling is perceived to be the easiest option, but it is expensive: domestic kerb side recycling increases the yield (by as much as 50 %), but the cost to provide this system can be 10 – 20 time greater than providing a drop-off collection. The yield from kerb side collection can be lower than expected due to contamination.*
- *Drop-off collections are viable for large towns, but not as convenient:*
- *A central collection point for domestic recyclable material and exporting materials for reprocessing could be cost effective.”*

These findings are consistent with the Waste Management Productivity Commission Inquiry Report (2006).

Kerb side recycling is undoubtedly valued by many households, yet it almost invariably increases the financial costs of waste management. A substantial environmental return would often be necessary if it were to achieve net benefits for the community.

Comment

Care needs to be taken in the design and application of kerb side recycling if it is to achieve the best returns to the community. Taking a rational approach to restricting the items collected might be appropriate.

For example, glass is a marginal proposition in comingled collection systems, due to a combination of its relatively low value, its high sorting costs, its inertness in landfill and its contaminating influence on other recyclables.

In many remote locations, far from markets and processing opportunities, undertaking any kerb side recycling often produces poor environmental outcomes due to transportation impact alone - even after accounting for all of the environmental benefits. Household support for kerb side recycling needs to be tested through more explicit cost-based charges, and informed through better education and awareness raising.

In the Ashburton experience metal recovery is likely to be effective, but plastics, paper and glass are far more marginal activities.

More particularly kerb side collection of recyclables is more often than not co-mingled (with all materials in one recyclable bin), which means that a MRF (Materials Recovery Facility) is required to sort, package and arrange for transportation. Often even separable recycling bins are picked up by one truck that then co mingled.

To provide a full kerb side collection Council would need to acquire a new collection truck, build a MRF, or transport unsorted materials to a MRF and transport sorted materials to a shipping or reuse centre. Firm costs are not available at this stage, but the capital costs would probably be in excess of \$1M and operating costs could be as high as \$300,000 - \$400,000 per annum.

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Contractors do exist that are willing to provide an MRF service, but it is unlikely that such a service would be available locally with our population base, so co-mingled product would have to be transported regionally to the MRF.

Further research is needed to develop a thorough waste management strategy for the Shire that:

- Maximizes partnerships with industry
- Promotes local enterprise
- Engages the community

Council currently offers a drop off collection system, which requires the materials to be sorted at delivery by the public. This is the cheapest form of recycling and is considered to be the optimum fit for Ashburton at this stage. At times the cost of transport (not including the cost of collection and baling) sometimes balance out the value of the recovered materials, but this is often not the case.

The impact of these transportation costs following the change in carbon pricing will need to be monitored to identify how the viability of transporting recycled material from remote regions such as Ashburton. This could be a significant impact.

Many households already have small recyclable containers to allow transport to the drop off points. It would not be useful to allow purchase of, or provide, a different recycling bin without a complete kerb side collection service.

It might be better to encourage waste minimization and education strategies rather than kerb side recycling.

The recommendation does not propose a review of Kerb side recycling at this stage. Council is encouraged to defer any decision on kerb side collection until Council receives the Community strategic plan and decides on what priorities and timings are appropriate for further investigation. This will also allow the impacts of any carbon pricing regime to be monitored and evaluated.

Consultation

East Pilbara Council

Statutory Environment

Not Applicable

Financial Implications

Substantial Capital and Operating costs if Council decides to implement a Kerb Side recycling.

Strategic Implications

Not Applicable

Policy Implications

Not Applicable

Voting Requirement

Simple Majority Required

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Recommendation

That Council consider any variations to its waste management and recycling strategy, amongst the other priorities, when it receives the Community Plan and the defines its corporate plan.

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| Author: Michelle Walker | Signature: |
| Manager: Geoff Brayford | Signature: |

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14. OPERATIONS REPORTS

There were no Operations Reports for this agenda.

15. COMMUNITY DEVELOPMENT REPORTS

15.1 REVIEW OF POLICY REC01 CONSUMPTION OF ALCOHOL - PUBLIC RESERVES

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| FILE REFERENCE: | CS.CS.04.07 |
| AUTHOR'S NAME AND POSITION: | Deb Wilkes Executive Manager, Community Development |
| NAME OF APPLICANT/RESPONDENT: | Not applicable |
| DATE REPORT WRITTEN: | 5 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in the proposal. |
| PREVIOUS MEETING REFERENCE: | Not applicable |

Summary

The current policy covering the consumption of alcohol in public places (that is, Council owned reserves and facilities) does not allow for consumption approval to be refused, or for more information (such as risk management plans) to be required for perceived high risk events or for events where organisers have previously breached hire conditions.

While these high risk events are infrequent in nature, the damage that can result from them, to private and public property and to the individuals involved, appears to be escalating and becoming more serious.

This report requests a small amendment to the current policy to allow for refusal or for more information to be requested, in such situations.

Background

Recent events, most notably the Beerfest in Tom Price that resulted in a police officer breaking a leg while trying to control an event in the Community Centre, have highlighted some deficiencies in the current alcohol consumption permit policy .

The current policy does have restrictions as to the number of hours a permit can be issued for and also has restrictions as to the time when alcohol can be consumed. However, the policy does not have a discretionary clause where events that are perceived to be high risk,

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can also require additional information (such as Risk Management Plans, the provision of crowd controllers or other measures to limit the risk) before a permit is granted. Furthermore, the current policy does not allow for the refusal of a permit in situations where such additional information is not provided, or where the organisers have previously breached hire conditions, and/or where events have previously caused damage to Shire and private property.

ATTACHMENT 15.1

Comment

Recent circumstances have highlighted the need to change the intent of the Consumption of Alcohol Policy to allow for those circumstances where higher than usual risks are associated with particular events or hirers. The endorsement of Council is required for this.

Consultation

Chief Executive Officer
Tom Price Police

Statutory Environment

Nil

Financial Implications

Nil

Strategic Implications

Strategic Objective 5 "Community Safety and Security"

Policy Implications

Consistent with Council Policy ADM01

Voting Requirement

Simple Majority Required

Recommendation

That Council adopts the reviewed policy, REC01 Consumption of Alcohol – Public Reserves.

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| Author: Deb Wilkes | Signature: |
| Manager: Jeff Breen | Signature: |

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15.2 REVIEW OF POLICY REC08 COMMUNITY DONATIONS

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|--|--|
| FILE REFERENCE: | FI.DO.00.00 |
| AUTHOR'S NAME AND POSITION: | Deb Wilkes Executive Manager, Community Development |
| NAME OF APPLICANT/RESPONDENT: | Not applicable |
| DATE REPORT WRITTEN: | 5 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in the proposal. |
| PREVIOUS MEETING REFERENCE: | Not applicable |

Summary

The current policy covering donations and sponsorship to community and sporting groups requires that the group requesting the donation must be incorporated. Many small sporting and community groups are not able to comply with this requirement and are therefore currently ineligible to apply for assistance from the Shire.

Additionally there is a Delegated Authority to make donations to Sporting Clubs that is not mentioned in this policy. The suggested amendments bring the Delegated Authority and the Policy into alignment .

This report also requests a number of other small amendments that seek to clarify timelines and application processes.

Background

It has recently been highlighted that the current policy for donations and sponsorship requires groups seeking such assistance to be incorporated. As many of the current groups and organisations that operate within the Shire of Ashburton providing activities and programs for the residents, are not incorporated, this clause effectively prevents them from applying to Council for assistance.

Additionally there is a Delegated Authority for financial assistance to be approved to sporting groups and clubs, primarily for the purposes of attending events and assisting with coaching and other expenses, that is not apparent in this policy. The suggested amendments bring these two documents together for clarity and for ease of understanding of what donations can be approved.

ATTACHMENT 15.2

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Comment

Recent circumstances have highlighted that the current Donations Policy excludes a large number of small organisations and individuals from applying for minor donations and assistance from the Shire. The requested amendments to alter this cause a change of intent in the current policy and therefore need Council's approval.

Consultation

Chief Executive Officer

Statutory Environment

Nil

Financial Implications

Nil

Strategic Implications

Consistent with Strategic Objective 2 "Include and Engage our Community" and Strategic Objective 6 "A Well Managed and Contemporary Organisation".

Policy Implications

Consistent with Council Policy ADM01

Voting Requirement

Simple Majority Required

Recommendation

That Council adopts the reviewed policy, REC08 Community Donations.

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| Author: Deb Wilkes | Signature: |
| Manager: Jeff Breen | Signature: |

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15.3 ENTRY STATEMENT TOM PRICE

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|--|--|
| FILE REFERENCE: | OR.CM.10.12 |
| AUTHOR'S NAME AND POSITION: | Deb Wilkes Executive Manager, Community Development |
| NAME OF APPLICANT/RESPONDENT: | Not applicable |
| DATE REPORT WRITTEN: | 5 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in the proposal. |
| PREVIOUS MEETING REFERENCE: | Not Applicable |

Summary

The issue of an Entry Statement for Tom Price is longstanding. Several attempts to identify suitable locations and/or designs have been previously made, and to date the issue has not been resolved.

Attached is a design for a proposed Entry Statement to the town.

This design is the work of Smith Sculptors who have previously undertaken and produced work for the Shire of Ashburton.

It is suggested that 2 pieces of work be undertaken, 1 x 15m high and 1 x 3m, placed either side of the road as one enters the town, for the greatest effect.

At this stage no funding is available for the project, so this agenda item is simply to request support for the project to enable funding avenues to be identified and pursued and for the project to later be undertaken once funding is secured.

Background

The issue of the Tom Price entry statement is long standing and dates back to at least early 2010.

Several attempts to identify a suitable design and/or a site for a Statement appear to have been undertaken, but to date the issue appears largely unresolved.

Attached is a concept design and budget from Smith Sculptors, who have undertaken a number of previous works for the Shire, including the new entry gates at the Onslow cemetery, and the Anzac memorial in Onslow. Smith Sculptors have also undertaken a significant number of other commissions including the kangaroos on the Terrace in Perth,

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the Rabbit Proof Fence commemorative work, the tribute to the female pearl divers in Broome and a long list of other state, national and international pieces.

ATTACHMENT 15.3

Comment

The work, as presented is costed at \$188,000 for the 15m high piece and \$ 48,000 for the 3m high sculpture, giving a total cost of \$236,000 plus installation. The recommendation from the designers is that one piece is installed either side of the road for maximum impact and to give an effect of “driving through” the entry statements.

While the attached drawings show the 15m high piece near the Tom Price sign on the highway this was purely for comparison of height and scale and was in no way intended to assume this was preferred location for the Statements. At this stage, the most likely site for installations would be just over the crest as one enters the town near the Shell garage.

The design, as presented, is the crystalline representation of an iron ore shard, consistent with the history and story of Tom Price. The structure incorporates solar lights in the tips of the sculpture so it can be illuminated at night, providing a spectacular entry to the town in both the light of day and the dusk of evening. The structure is also proposed to be constructed of treated steel so there would be negligible maintenance associated with it.

Informal discussion with Indigenous groups has indicted approval as they regard the blood of kangaroos to be contained in the iron ore found in the area. More formal feedback to confirm this view, would be sought when community consultation was undertaken for this project.

There is currently no budget allocation for this work, and it is recommended that community consultation be delayed until the funding is obtained, as it is reasonable to assume this could take at least 12 months.

Consultation

Chief Executive Officer
Executive Managers

Statutory Environment

While a project of this nature would usually go to tender, The Local Government Act Part 4 11A (2) (f) provides that where:

“the local government has good reason to believe that, because of the unique nature of the goods and services required or for any other reason, it is unlikely that there is more than one potential supplier”.

Financial Implications

Possible future co –contribution from Council may be required.

Strategic Implications

Consistent with Strategic Objective 4 “Conserve and Enhance the Environment and Cultural Heritage”.

Policy Implications

There are no policy implications.

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Voting Requirement

Simple Majority Required

Recommendation

That Council:

1. Accepts the concept plans for the Entry Statement Tom Price.
2. Directs the CEO to identify and source full funding for the Entry Statement.
3. Directs the CEO to undertake community consultation on the concept plans, once full funding has been obtained.

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| Author: Deb Wilkes | Signature: |
| Manager: Jeff Breen | Signature: |

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15.4 ENTRY STATEMENT ONSLOW

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|--|--|
| FILE REFERENCE: | OR.CM.10.20 |
| AUTHOR'S NAME AND POSITION: | Deb Wilkes Executive Manager, Community Development |
| NAME OF APPLICANT/RESPONDENT: | Not applicable |
| DATE REPORT WRITTEN: | 5 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in the proposal. |
| PREVIOUS MEETING REFERENCE: | Not Applicable |

Summary

When the recently completed Entry Statement Tom Price concept design was undertaken, the designers also produced a concept for Onslow. That design is attached.

This design is the work of Smith Sculptors who have previously undertaken and produced work for the Shire of Ashburton.

It is suggested that 2 pieces of work be undertaken, 1 x 15m high and 1 x 3m, placed either side of the road as one enters the town, for the greatest effect.

At this stage no funding is available for the project, so this agenda item is simply to request support for the project to enable funding avenues to be identified and pursued and for the project to later be undertaken once funding is secured.

Background

Attached is a concept design and budget from Smith Sculptors, who have undertaken a number of previous works for the Shire, including the new entry gates at the Onslow cemetery, and the Anzac memorial in Onslow. Smith Sculptors have also undertaken a significant number of other commissions including the kangaroos on the Terrace in Perth, the Rabbit Proof Fence commemorative work, the tribute to the female pearl divers in Broome and a long list of other state, national and international pieces.

ATTACHMENT 15.4

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Comment

Onslow currently does not have an Entry Statement and the provision of such a Statement could be a significant tourist attraction.

The work, as presented is costed at \$264,000 for the 15m high piece and \$66,000 for the 3m high sculpture, giving a total cost of \$330,000 plus installation. The recommendation from the designers is that one piece is installed either side of the road for maximum impact and to give an effect of "driving through" the entry statements.

The design, as presented, is a pictorial representation of a "Willy Willy" but can also be interpreted as the movement of a cloud of gas (the LNG plants), the water disturbance of a ship turbine (our fishing industries) or even a salt crystal moving through water (Onslow Salt).

There is currently no budget allocation for this work, and it is recommended that community consultation be delayed until the funding is obtained, as it is reasonable to assume this could take at least 12 months.

Consultation

Chief Executive Officer
Executive Managers

Statutory Environment

While a project of this nature would usually go to tender, The Local Government Act Part 4 11A (2) (f) provides that where

"the local government has good reason to believe that, because of the unique nature of the goods and services required or for any other reason, it is unlikely that there is more than one potential supplier".

Financial Implications

Possible future co-contribution from Council may be required.

Strategic Implications

Consistent with Strategic Objective 4 "Conserve and Enhance the Environment and Cultural Heritage".

Policy Implications

There are no policy implications.

Voting Requirement

Simple Majority Required

Recommendation

That Council:

1. Accepts the concept plans for the Entry Statement Onslow.
2. Directs the CEO to identify and source full funding for the Entry Statement.
3. Directs the CEO to undertake community consultation on the concept plans, once full funding has been obtained.

| | |
|----------------------------|-------------------|
| Author: Deb Wilkes | Signature: |
| Manager: Jeff Breen | Signature: |

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15.5 YOUTH ADVISORY COMMITTEE POLICY

| | |
|--|---|
| FILE REFERENCE: | CS.SS.02.00 |
| AUTHOR'S NAME AND POSITION: | Frances Bentley Community Liaison Coordinator |
| NAME OF APPLICANT/RESPONDENT: | Not applicable |
| DATE REPORT WRITTEN: | 7 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in the proposal. |
| PREVIOUS MEETING REFERENCE: | Not applicable |

Summary

Many Councils in Australia have sought to include young people in their consultation processes through the formation of Youth Advisory Councils (YACs). This is a useful tool to encourage young people to become community conscious by having the ability to contribute to their community, to strengthen young people's skills to be able to form partnerships with the broader community and to develop some pride in their community by identifying local youth issues as well as having the opportunity to contribute to broader community issues.

With this in mind, a policy for the formation and support of Youth Advisory Councils in the Shire of Ashburton is attached.

Background

While young people in the Shire of Ashburton have, on occasions, been informally included in consultation processes, there has not been a formal process through which their views, opinions and preferences could be captured. Nor has there previously been an avenue through which young people could consciously and deliberately contribute to decision making within the Shire.

The establishment of a YAC in each town would capture these views and opinions, while at the same time, educate young people about the formalised structures that are required of such committees.

ATTACHMENT 15.5

Comment

In May 2011 Council endorsed the Shire Community Engagement Policy, and the development and support of YAC's in each town would enhance this policy while specifically allowing for the engagement of young people in the community.

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To formalise this initiative, a Youth Advisory Council (YAC) policy has been developed and is attached for endorsement. This policy provides the structure and framework under which YAC's will operate and outlines how they will be supported.

Consultation

Youth of Paraburdoo
Chief Executive Officer
Executive Manager Community Development

Statutory Environment

Nil

Financial Implications

A small budget of \$5000 per town has been recommended to be accepted in the next Council budget for the administration of the YAC. Any major funding would need to be applied for in the same manner as any other community/working group.

Strategic Implications

Strategic Plan 2007-2011 Strategic Objective 2
- Include and engage our community

Policy Implications

Creation of a new Youth Advisory Council Policy.

Voting Requirement

Simple Majority Required

Recommendation

That Council accepts the attached Youth Advisory Council Policy.

| | |
|----------------------------|-------------------|
| Author: Deb Wilkes | Signature: |
| Manager: Jeff Breen | Signature: |

AGENDA - ORDINARY MEETING OF COUNCIL 16 MAY 2012

15.6 REVIEW OF ENTRY FEES TO SHIRE OF ASHBURTON SWIMMING POOLS

FILE REFERENCE: CS.CS.04.02

AUTHOR'S NAME AND POSITION: Deb Wilkes
Executive Manager, Community Development

NAME OF APPLICANT/RESPONDENT: Kerry White, Shire President
Cr Ivan Dias

DATE REPORT WRITTEN: 5 May 2012

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

PREVIOUS MEETING REFERENCE: Not applicable

Summary

A proposal has been put forward to offer free entry to all town residents to the Shire's swimming pools.

In debating this issue, factors to be considered should include, the current entry fees and pool users attitude towards these, the effect of a removal of fees on the "User Pays" philosophy, who would free entry be offered to and how could this be monitored, the ways to compensate for the loss of pool income (just over \$110,000 per year) and, if that income was compensated by an increase in rates, to whom would that increase apply and what justification would be given to those whose do not use the pools but who would still get a rate increase.

Background

The Shire of Ashburton has historically charged for entry to its pools, and a review of other pools in the Pilbara has revealed the Ashburton fees are the lowest in the area.

| | Ashburton | Roebourne | East Pilbara | Port Hedland (Administered by the YMCA) |
|--------------------|------------------|-------------------------|---------------------|--|
| Adult | \$3.50 | \$4.20 | \$4.20 | \$4.20 |
| Child | \$2.50 | \$3.20 | \$3.20 | \$2.90 |
| Family Pass | | \$12.70 (one off entry) | | \$9.20 (One off entry) |

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In the 2011 – 2012 financial year, excluding courses and pro shop sales, income from pool entry and hire of the facility or inflatable was just over \$110,000 from both the Tom Price and Paraburdoo pools combined.

| | Tom Price | Paraburdoo |
|-----------------------------|-----------------|-----------------|
| Adult | \$16,030 | \$11,710 |
| Child | \$16,174 | \$8,715 |
| Under 6 | \$3,186 | \$1,642 |
| Spectator | \$3,387 | \$859 |
| Season Pass | \$14,909 | \$17,943 |
| Monthly Pass | \$2,210 | \$804 |
| Vacation Swimming | | |
| Swimming Carnival | \$941 | |
| In term Swimming | \$4,086 | \$2,229 |
| Courses | \$2,152 | |
| Inflatable Hire | \$2,713 | |
| Facility Hire | \$2,716 | |
| Pro Shop/Kiosk sales | \$5,048 | \$945 |
| TOTAL | \$73,552 | \$44,847 |

It is difficult to measure how many entry fees are from permanent residents and how many are FIFO or visitors. As many FIFO workers are long term in the towns, and indeed, may actually be resident in RTIO housing, it is not possible to give an estimate of exactly how many entries are from each category.

Below is a table showing the number of residential properties in each town and the percentage owned by RTIO.

| | Onslow | Panna wonica | Tom Price | Para burdoo | Table lands | Ashburto n | Total |
|---|--------|-----------------|-----------|----------------|----------------|---------------|---------------|
| Total number of residential properties | 247 | 230 | 1246 | 696 | 18 | 2 | 2439 |
| Number owned by RTIO | 0 | 100% | 67% (835) | 83% (578) | 0 | 0 | (58%) 1413 |
| Number owned by others | (247) | 0% | 33% (411) | 17% (118) | (18) | (2) | (42%) 1026 |

If the reduced income was simply compensated by dividing the “lost” \$110,000 into the total number of residential properties across the shire this would mean an average increase of \$45.10 per residence, Shire wide. If the increase was confined to just Tom Price and Paraburdoo, average increases would be between \$53.00 and \$63.00 annually however as our rates are not calculated on the number of residents in each town but by valuation, some rate increase may be much higher (because of valuation) and others will be lower.

Consideration also needs to be given to the fact that about 60% of residences in Tom Price and 25% in Paraburdoo have back yard pools. These householders already pay an additional annual fee for this and there are no methods to measure who actually uses the swimming pools. An extra rate charge, whether levied Shire wide or only in Tom Price and Paraburdoo would affect all residential ratepayers whether or not they use the pools.

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Additionally, a survey was carried out at the Paraburdoo Pool earlier this year seeking feedback from pool users on a range of issues, and coincidentally a question on fees was included. Of the 28 responses received 19 (67%) said they were happy with the current fee structure with 7 respondents (25%) actually suggesting higher fees. Only 1 respondent (4%) suggested entry should be free.

Comment

Issues to be considered in debating this topic are as follows:

1. If fees for entry to the pools were abolished, that would leave a short fall off approximately \$110,000 per year in the budget.
2. This could be compensated by increasing rates as detailed above, either a shire wide average increase or town specific increase, which would on average be between \$45.00 and \$63.00 per annum.
3. How would the issue of ratepayers who do not use the pool, and who object to paying a rate increase for this purpose, be managed?
4. How would this decision be affected if a proposal to increase pool hours (perhaps 7 days a week rather than the current 6), or to increase the length of the open season was put forward? The loss in income would be greater so would this need to be compensated by a further increase in rates?
5. If all entry fees were abolished there would be a saving in administrative time associated with the Pool managers collecting, counting and banking money, however, if only residents received the free passes, and visitors and FIFO workers needed to pay this saving would be offset. Potentials issue to be considered with this approach include:
 - a. Do FIFO works get free entry when they are resident in a house (especially if a rate increase has been levied against that house) as opposed to a camp?
 - b. If "visitors" are family members or friends. Do they qualify for the free entry?
 - i. What if they are staying with family in the family home and the others in the household have a free pass?
 - ii. What if they are staying elsewhere (eg pub)?
 - c. In Paraburdoo there is a specific issue with a number of nannies being employed by families – would nannies get free entry? They are employed to do their job, but often at a nominal income, and often accompany the children to the pool.
 - d. How can this system be implemented?
 - i. If the free entry passes were sent out with the rates notices they would go to whomever the rates are sent to – this would mean in over 50% of cases the free passes would actually go to RTIO rather than to the resident?
 - ii. What if RTIO then used those passes for their FIFO workers (which arguably they would be entitled to do since they have paid the rates levy for the passes)?
 - iii. If a letter box drop was done, there would be a significant administrative cost in working out which properties were owned by who, and who was receiving the passes. For instance, FMG recently

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bought a number of blocks of land at the auction. How could the Shire know if those passes were given to the residents or not?

6. If the reduced income was not compensated by an increase in rates, a reduction in service delivery elsewhere would need to occur to ensure the budget balanced.
7. What would happen when the Onslow pool becomes operational?
8. Ashburton already has the lowest entry fees in the Pilbara, and perhaps most importantly, not only is there no significant concerns from residents about the fees being charged, 25% of pool users in Paraburdoo believe the fees should be increased.
9. Finally, abolishment of the entry fee is contradictory to the "User Pays" system that is recognised worldwide as promoting ownership, pride and accountability in those who use any system (from health services to community facilities). This philosophy is underpinned by the argument that when a service is given free to a recipient there is little value attached to that service and the user subsequently does not appreciate what they have been given. This philosophy would argue that the nominal fee paid by those who use ovals, halls, recreation centers, and swimming pools, is only partially intended to cover the running cost of such a facility, but is far more fundamental in its intent to instill that sense of ownership and therefore that right to "have a say" in what happens within and to those facilities. The psychological removal of that nominal payment is often associated with a devaluating of that service because it is "free" and therefore of no perceived value.

While the notion of free entry to the swimming pools certainly has an attraction surrounding it, the issues raised by and the administration and enforcement of this is likely to far outweigh any benefits. In addition the Shire of Ashburton currently has the cheapest pool entry fees in the Pilbara and there does not appear to be any significant concerns from residents and pool users about the current charges for the pool complexes.

Consultation

Chief Executive Officer
Executive Managers
Shire of Ashburton Pool Managers

Statutory Environment

Nil

Financial Implications

If the cost of entry to the pool is not compensated in some manner, there is a potentially ongoing loss of at least \$110,000 per annum

Strategic Implications

Nil

Policy Implications

There are no policy implications

Voting Requirement

Absolute Majority Required

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Recommendation

That Council:

1. Continues to charge a fee for entry to the Shire of Ashburton swimming pools.
2. That this entry fee continues to be monitored and assessed each year, particularly against those fees charged by other complexes in the Pilbara.

| | |
|----------------------------|-------------------|
| Author: Deb Wilkes | Signature: |
| Manager: Jeff Breen | Signature: |

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15.8 PEACE PARK TOM PRICE

| | |
|--|--|
| FILE REFERENCE: | CS.CC.00.00 |
| AUTHOR'S NAME AND POSITION: | Deb Wilkes Executive Manager, Community Development |
| NAME OF APPLICANT/RESPONDENT: | Not applicable |
| DATE REPORT WRITTEN: | 5 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in the proposal. |
| PREVIOUS MEETING REFERENCE: | Not applicable |

Summary

2015 marks the 100th anniversary of the landing of the Anzacs at Gallipoli, and as such many communities are working to create and/or upgrade their memorial parks to celebrate this occasion.

Attached are concept plans for an upgraded Peace Park on the site of the current RSL Memorial Park in Tom Price.

The concept plans have been prepared by Smith Sculptors who have undertaken a number of other works across the Shire, including the Anzac Memorial Onslow. Engagement of these designers to also complete the Tom Price Park would begin the creation a natural design synergy across the Shire as the Peace Parks are redeveloped.

Background

While Tom Price does have an RSL Memorial Park, it is unremarkable and virtually unused apart from the Anzac Day ceremonies.

The attached concept plans show a modern, utterly unique Park that incorporated design features to enable it to be used on an almost daily basis, creating a space of peace and reflection while at the same time allowing for a passive recreational precinct that honors and remembers those who have fallen in the line of duty.

The concept proposes a "sacred precinct" where the main structure of the memorial would be housed, notably a spectacular 15m high tripod housing a huge amethyst that would catch the first light on Anzac Day morning. This tripod would be mounted on an "altar" where wreaths and other signs and tokens of remembrance could be laid. This would also house a water feature which is consistent with modern memorials; the water representing the flow of life.

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Leading to the sacred precinct would be wide pathway inlaid with a labyrinth, a feature designed especially to recognise indigenous peoples whose lives have been lost, with the initial access to the park relocated and entry to the paved pathway via a triple access "gate" representing the three armed forces – with emblems of each encased above the entry.

Further features of the park would be a passive recreation area with BBQs and shade structures, a children's peace memorial, with children playing and releasing doves to highlight and honor life and an Aboriginal Elders Memorial Garden. Finally a memorial bridge would link the Peace Park to the Lions Park, creating a community precinct.

ATTACHMENT 15.8

Comment

The work, as presented is costed at approximately \$1.5M but able to be constructed in stages allowing for the entire precinct to be started now and completed before the 2015 anniversary of the Gallipoli landing.

While formal community consultation has not yet been undertaken, discussion has been held with the RSL in Tom Price who are very happy with the overall concept and who have requested to be involved in the fine detail planning of the design.

Funding for this project can be sourced through a number of different avenues, including federal funding currently available for such projects, and it's anticipated that the Entry, Pathway, Altar and Tripod could be constructed in the first phase (2012 -2013), with the Children's Peace Memorial, water feature, medicine garden, and Peace Bridge done as Stage 2 (2013 -2014).

Consultation

Chief Executive Officer
Executive Managers
Tom Price RSL

Statutory Environment

While a project of this nature would usually go to tender, The Local Government Act Part 4 11A (2) (f) provides that where:

"the local government has good reason to believe that, because of the unique nature of the goods and services required or for any other reason, it is unlikely that there is more than one potential supplier".

Financial Implications

Nil as full funding will be secured before this project proceeds.

Strategic Implications

Consistent with Strategic Objective 4 "Conserve and Enhance the Environment and Cultural Heritage".

Policy Implications

There are no policy implications

Voting Requirement

Absolute Majority Required

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Recommendation

That Council:

1. Accepts the concept plans for the Peace Park Tom Price.
2. Directs the CEO to undertake community consultation and source funding for Stage 1 of the Peace Park.

| | |
|----------------------------|-------------------|
| Author: Deb Wilkes | Signature: |
| Manager: Jeff Breen | Signature: |

AGENDA - ORDINARY MEETING OF COUNCIL 16 MAY 2012

15.9 SOCIAL LEASE FOR THE ONSLOW COMMUNITY CHURCH

| | |
|--|--|
| FILE REFERENCE: | ON.TH.0264.00 |
| AUTHOR'S NAME AND POSITION: | Deb Wilkes Executive Manager, Community Development |
| NAME OF APPLICANT/RESPONDENT: | Onslow Community Church |
| DATE REPORT WRITTEN: | 7 May 2012 |
| DISCLOSURE OF FINANCIAL INTEREST: | The author has no financial interest in the proposal. |
| PREVIOUS MEETING REFERENCE: | Not applicable |

Summary

The Onslow Community Church has requested a Social Lease to allow them to conduct their Services on a Sunday morning at a reasonable cost.

Background

The Onslow Community Church was previously using the St Nicholas Anglican Church site in Onslow to conduct their weekly services. This site was less than ideal as it is very small, has no ablution block and is in a poor state of repair.

Recent deterioration to the Church has now made it unsuitable and the group has requested a social lease through the Shire to enable them to lease a facility to conduct their services.

Comment

The group has requested a lease for a Sunday morning from 9.00am – 11.00, commencing 27 May and while their numbers are still small (less than 20 members), the only available facility is the RM Forrest Hall.

The group is happy with that facility, and is prepared to be flexible in their usage of it if there is an unusual need for another group to need that building on an infrequent basis.

REC05, Establishment Lease Policy, allows for a User License (casually known as a social lease) to be established for community groups who are considered to be small and unable to make a profit. The Onslow Community Church Group appears to fit this definition.

This Policy also allows for a lease to be established for a term of up to 5 years with the option for a further 5 years. As the group is very new and unsure of its future, they have requested an initial lease for a period of 12 months only, with a further 12 month option.

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Consultation

Nil

Statutory Environment

Nil

Financial Implications

Policy REC05 defines an annual figure of \$300 for User Licenses.

Strategic Implications

Consistent with Strategic Objective 2 "Include and Engage our Community"

Policy Implications

Consistent with REC05 Establishment of Sporting Club and Community Group Leases

Voting Requirement

Simple Majority Required

Recommendation

That Council directs the CEO to prepare a 1 year social lease for the Onslow Community Church, with an option for a further 12 months, for use of the RM Forrest Memorial Hall on Sunday mornings from 9.00am – 11.00am, commencing 27 May 2012.

| | |
|----------------------------|-------------------|
| Author: Deb Wilkes | Signature: |
| Manager: Jeff Breen | Signature: |

16. NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

17. CONFIDENTIAL REPORTS

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

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

(a) a matter affecting an employee or employees;

(b) the personal affairs of any person;

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

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

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

(I) a trade secret;

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

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

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

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

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

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

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

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

(h) such other matters as may be prescribed.

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17.1 CONFIDENTIAL - OFFER TO PURCHASE PROPOSED LOT 101 EUCALYPTUS COURT, TOM PRICE (STAGE 1 BOONDEROO ROAD LIA SUBDIVISION)

FILE REFERENCE: TP.BN.308

AUTHOR'S NAME AND POSITION: Anika Serer
Land Development and Marketing Manager

NAME OF APPLICANT/RESPONDENT: Nick Bertucci t/a Redtree Holdings Pty Ltd
Ashburton Aboriginal Corporation
Eastern Guruma

DATE REPORT WRITTEN: 2 May 2012

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

PREVIOUS MEETING REFERENCE: Agenda Item N10.05.13 Ordinary Council Meeting 4 May 2007
Agenda Item 15.02.02 Ordinary Council Meeting 17 February 2010

Please refer to Confidential Item Attachment under separate cover.

| | |
|----------------------------|-------------------|
| Author: Anika Serer | Signature: |
| Manager: Jeff Breen | Signature: |

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17.2 CONFIDENTIAL - RELINQUISHMENT OF OCEAN VIEW CARAVAN PARK LEASE

FILE REFERENCE: SE.R.04405.000
OR.MT.2

AUTHOR'S NAME AND POSITION: Amanda O'Halloran
Executive Manager, Strategic & Economic Development

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 6 May 2012

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

PREVIOUS MEETING REFERENCE: Not Applicable

Please refer to Confidential Item Attachment under separate cover.

| | |
|----------------------------------|-------------------|
| Author: Amanda O'Halloran | Signature: |
| Manager: Jeff Breen | Signature: |

AGENDA - ORDINARY MEETING OF COUNCIL 16 MAY 2012

**17.3 CONFIDENTIAL REPORT PROPOSED CLOSURE OF ONSLOW
AERODROME CROSS STRIP - RUNWAY 12/30**

FILE REFERENCE: OR.MT.2
OR.MT.001

**AUTHOR'S NAME AND
POSITION:** Amanda O'Halloran

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

DATE REPORT WRITTEN: 8 April 2012

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

**PREVIOUS MEETING
REFERENCE:** 14.11.19 Ordinary Meeting of Council 20 November 2007

Please refer to Confidential Item Attachment under separate cover.

| | |
|----------------------------------|-------------------|
| Author: Amanda O'Halloran | Signature: |
| Manager: Jeff Breen | Signature: |

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18. COUNCILLOR AGENDA ITEMS

18.1 STRATEGIC ISSUES - PILBARA REGIONAL COUNCIL (PRC) 2012/2013 OPERATIONAL PLAN

FILE REFERENCE: OR.IG.03.08

AUTHOR'S NAME AND POSITION: Cr L Thomas

NAME OF APPLICANT/RESPONDENT: Not Applicable

DATE REPORT WRITTEN: 8 May 2012

DISCLOSURE OF FINANCIAL INTEREST: Cr Thomas has no financial interest in this matter.

PREVIOUS MEETING REFERENCE: Agenda Item 18.1 Ordinary Meeting of Council 18 April 2012

Issue

Schedule for preparation of PRC 2012-13 Operational Plan has commenced in order to coincide with Member Councils 2012-13 budget preparation.

1. The 4 Loc. Gov. CEO's review the Regional Business Plan prepared by KPMG with their Executive team and identify projects from the Regional Business Plan, plus any additional projects which could be undertaken by P.R.C. The identified projects shall be workshopped with Councillors, and ideally should align with each Council's Operational Plan.
2. *A workshop with PRC Councillors and member CEO's will be held from 11.30 am to 2 pm on Friday 30 March to review the PRC Strategic Plan and the projects suggested by the Member Councils.*
3. A draft PRC Operational Plan and budget will be prepared following the workshop. Any changes to the draft plan will be made in April, prior to going to each Member Council for approval prior to 30 June 2012.
4. Once the project and budget have been approved by each Member Council the Operational Plan and Budget will be submitted for approval at the 27 August 2012 P.R.C. meeting in order to meeting compliance requirement.

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PRC Project – Pilbara Connections

Cliff Winfield and Associates (CWA) have been appointed by P.R.C. to deliver the Royalties for Regions seed-funded enhancement of nature-based day visit, camping and overnight stops at a range of coastal and inland locations across four Pilbara municipalities.

Pilbara Connections stage one is mostly funded by a \$2.7 million grant from the WA Gov's Royalties for Regions program. However, to fully implement the project, that seed funding needs to grow by at least three-fold.

CWA have applied for funds for planning a boat trailer park at the current boat launch at Cleaverville and will be applying for funds to develop interpretive trails at Cape Keraudren, Cleaverville and 40 Mile.

Priority works for stage one, endorsed by the steering group. Port Hedland: De Grey station sites – Shellborough / Condon / Tichla. Shire of East Pilbara: Cape Keraudren. Shire of Roebourne: Cleaverville and possibly 40 Mile / Gnoorea Point. Shire of Ashburton: Information Bays at either end of Karijini Drive and Onslow turn off.

WA Planning Commission are advocating a regional coastal management strategy similar to Ningaloo, and see that P.R.C. is the ideal vehicle to seek funding.

The project steering group consist of representatives of the four LGA's plus MRWA and PDC. The representatives are:

Jenella Voitkevich – TOPH, Manager Infrastructure Development

David Pentz – Shire of Roebourne, Director Development Regulatory & Infrastructure Service

Allen Cooper – CEO SOEP

Amanda O'Halloran – SoA, Executive Manager, Strategic & Economic Development

Gary Player – Regional Manager MRWA, Pilbara

Felicity Gilbert – PDC, Assistant Direction Regional Development

Shelley Pike – PRC, CEO

Claire Ditri – Pilbara Cities, Principal Project Officer, Community Projects and Engagement.

It is an expectation that greater benefit to the Shire would result from simultaneous development of the Regions N.W. coastline. This would encourage future joint promotion of a Regional N.W. recreational / tourist attraction, which could prove popular with FI/FO employees.

Councillor Recommendation

It is an expectation that greater benefit to the Shire would result from simultaneous development of the Regions N.W. coastline. This would encourage future joint promotion of a Regional N.W. recreational / tourist attraction, which could prove popular with FI/FO employees.

Towards that initiative it is proposed that Shire of Ashburton Representative on the project steering group nomination be Cr A Eyre replacing Amanda O'Halloran, Executive Manager, Strategic and Economic Development, and Cr L Thomas as deputy.

Voting Requirement

Simple Majority Required

AGENDA - ORDINARY MEETING OF COUNCIL 16 MAY 2012

Recommendation

1. That Council raise this item from the table.

2. Council Motion previously laid on the table

MOVED: Cr C Fernandez

SECONDED: Cr L Shields

Shire of Ashburton Representative on the project steering group nomination be Cr A Eyre replacing Amanda O'Halloran, Executive Manager, Strategic and Economic Development, and Cr L Thomas as deputy.

| | |
|----------------------------|-------------------|
| Author: Cr L Thomas | Signature: |
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AGENDA - ORDINARY MEETING OF COUNCIL 16 MAY 2012

19. COUNCILLORS' REPORT S

Councillor Thomas will present a report back to Council from the Pilbara Regional Council Meeting held on 30 April 2012. She will also be providing further information from the Pilbara Regional Road Group.

Councillor Fernandez will be presenting a report on Aboriginal Affairs Forum and a short presentation of local Aboriginal Affairs/ issues/needs.

20. NEXT MEETING

21. CLOSURE OF MEETING